



## Whistleblower Policy

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## 1 Purpose

The purpose of this document is to ensure CareFlight employees and other workers are able to raise concerns regarding any serious wrongdoing (including unethical, illegal, corrupt or other inappropriate conduct) without being subjected to victimisation, harassment or discriminatory treatment.

This policy aims to:

- encourage employees and other workers to report an issue if they genuinely believe someone has engaged in serious wrongdoing;
- enable CareFlight to deal with reports from whistleblowers while protecting the identity of the whistleblower as far as possible;
- protect whistleblowers against reprisal by any person internal or external to CareFlight;
- outline how CareFlight will handle all reports of wrongdoing; and
- set out the options available to employees and other workers, to report instances of serious misconduct or an improper state of affairs / circumstances relating to the organisation.

Whilst it is anticipated such issues are raised through the appropriate line management channels, reporting outside of these lines may be appropriate or necessary in certain situations.

Any breach of this policy will be taken seriously and may result in counselling or disciplinary action, including termination of employment.

## 2 Scope

This policy applies to:

- employees;
- board;
- officers;
- contractors (including their employees);
- employees of individuals who supply goods and services (whether paid or unpaid);
- volunteers;
- consultants;
- former officers and employees of the organisation; and
- relatives or dependents of all the above categories (i.e. any spouse, parent, child, grandchild, sibling or other linear ancestor).



## 3 Definitions and Acronyms

Term	Acronym	Definition
APRA	APRA	Australian Prudential Regulation Authority
ASIC	ASIC	Australian Securities & Investments Commission
Whistleblowing		A deliberate, voluntary disclosure of individual or organisational reportable conduct by a person who has access to data, events or information about an actual, suspected or anticipated wrongdoing within the organisation.
Whistleblower Protection Officer	WPO	A representative of the organisation charged with the responsibility to receive and handle protected disclosures from whistleblowers.
Whistleblower		A person who reports conduct or dishonest or illegal activity that has occurred within that same organisation.
Reportable Conduct		Any conduct deemed reportable as prescribed in paragraph 6 of this policy.

## 4 Legal and other requirements

The federal government introduced legislation outlining new consolidated protections for whistleblowers requiring public, large private companies and trustees of private companies that are registrable superannuation entities to have a whistleblower policy in place by 1 January 2020. The changes for the consolidated protections are set out in the [Corporations Act 2001 \(Cth\)](#).

## 5 Responsibilities

### 5.1 Employees

All employees and other workers who become aware of reportable conduct are responsible for

- making accurate reports to the best of their ability;
- ensuring they maintain confidentiality; and
- cooperating with internal processes any external bodies involved in investigations.

### 5.2 Whistleblower Protection Officers

- ensuring reports are investigated in a timely manner;
- ensuring confidentiality and protection for whistleblowers; and
- cooperating with any external bodies involved in investigations.

## 6 Role of the Whistleblower Protection Officer (WPO)

The WPO is an employee who has been appointed to support and provide protection and guidance to Whistleblowers.

Whistleblowers can arrange to meet with a WPO either face to face or over the phone at any time. Depending on the nature of the reportable conduct, if the WPO feels it is appropriate they may recommend the Whistleblower initially utilise CareFlight's Grievance Policy ([HR-005](#)).

If the report is escalated, the WPO can provide mentoring and support to the Whistleblower during the investigation process.



## 7 Matters to be Reported

Any matter an employee or other worker genuinely believes is in breach of CareFlight's policies or the law should be reported in accordance with this policy.

Reportable conduct includes any conduct that involves:

- dishonest behaviour;
- fraudulent activity;
- unlawful, corrupt or irregular use of company funds or practices;
- illegal activities (including theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage against property);
- unethical behaviour, including anything that would be in breach of CareFlight's Code of Conduct & Ethics;
- improper or misleading accounting or financial reporting practices;
- a breach of any legislation relating to CareFlight's operations or activities;
- behavior that is oppressive, discriminatory or grossly negligent;
- an unsafe work-practice;
- any behaviour that poses a serious risk to the health and safety of any person at the workplace;
- a serious risk to public health, public safety or the environment; or
- any other conduct which may cause loss to CareFlight or be otherwise detrimental to the interests of the organisation.

Reporting on an issue an employee or other worker genuinely believes is in breach of CareFlight's policies or the law should not be confused with reporting a workplace grievance. A grievance is a workplace related issue or incident such as:

- Bullying and harassment
- Discrimination
- Workplace health and safety
- Work environment
- Relationships in the workplace
- Organisational changes
- Terms and conditions of employment

If an employee wishes to report on a workplace grievance, CareFlight's Grievance Policy ([HR-005](#)) should be referred to.



## 8 Protection of Whistleblowers

An employee or other worker will not be discriminated against or disadvantaged in their employment or engagement with CareFlight; even if the reportable conduct is subsequently determined to be incorrect or not substantiated.

All reasonable steps will be taken to ensure that a whistleblower is not subjected to any form of victimisation, discrimination, harassment, demotion, dismissal or prejudice, because they have made a report. However, this policy will not protect the whistleblower if they are also involved in or connected to the improper conduct of illegal activities that are being reported.

## 9 Policy/ Procedures

### 9.1 Anonymous Reporting

A report can be made anonymously. However, this may affect the ability of CareFlight to investigate the matter properly. If authorities take further legal action on the reported matter, it may become necessary for a whistle-blower to identify themselves. If the whistle-blower wishes to benefit from the relevant statutory protections, they may also have to disclose their name. In these circumstances, CareFlight will continue to ensure that the whistle-blower is protected from retaliation.

Any person who discloses the identity of a whistle-blower who wishes to remain anonymous (or information that could disclose the identity of the whistle-blower) may face a civil or criminal penalty.

### 9.2 Reporting in Good Faith

A report may have serious consequences, including potential damage to the career prospects and reputation of people who are the subject of allegations of wrongdoing. Therefore, it is very important that those who make a report under this policy do so in good faith, with reasonable grounds for believing that the information is correct, or likely to be correct.

CareFlight takes very seriously all reports made under this policy and it looks particularly unfavourably on any false reports or claims. Disciplinary action may be taken against any employee who makes a report that is not in good faith.

A report will not be considered to be made in good faith if it is frivolous, raised for a malicious reason or ulterior motive, or if it is not based on facts and / or circumstances that provide a reasonable basis for the report. Repeated reports about trivial matters may also be considered not to be made in good faith.

### 9.3 Making a Report

Where an employee believes in good faith on reasonable grounds that another employee, volunteer or contractor has breached any provision of the law or CareFlight's policies the employee must report their concern to:

- their supervisor/manager, or if they feel their supervisor may be complicit in the breach,
- the Human Resources Department or, if they feel HR may be complicit in the breach,
- the CEO or, if they feel the CEO may be complicit in the breach,
- CareFlight's nominated Whistleblower Protection Officers (WPO) or,



- CareFlight's nominated external independent whistleblower service (referred to in section 9.3 of this policy)

If you do seek to make a report and are unsure what protections may apply to you, you are advised to seek legal advice. ASIC can also provide general information on these issues.

CareFlight's WPO are:

- Head of Human Resources
- Chief Financial Officer (CFO)
- Company Secretary

Alternatively, a whistle-blower may prefer to make an anonymous report to CareFlight's external independent whistleblowing platform by visiting the website.

<https://careflight.whispli.com/anonymous-reporting>

## 9.4 Protection Under the Legislation

To qualify for protection under the legislation, the disclosure must be made to one of the following people or bodies:

- ASIC;
- APRA;
- Whispli (via online reporting);
- a WPO;
- a human resources team member;
- an officer of the company;
- an auditor or member of an audit team conducting an audit into the company;
- an actuary of the company;
- a person authorised by the company to receive protected disclosures;
- a supervisor or manager of the whistleblower who is an employee of the company; or
- a lawyer for the purposes of legal representation.

## 9.5 Investigating a Report

Where a report is made in good faith about a matter that comes under this policy CareFlight will investigate the report. Where necessary, CareFlight may use an external investigator to conduct an investigation, either in conjunction with the CEO or a WPO or independently. Alternatively, CareFlight may also use an external expert to assist with an investigation.

All investigations will be conducted in a fair and impartial manner and all reasonable efforts will be made to preserve confidentiality of an investigation.

To avoid jeopardising an investigation, an employee or other worker who has made a report under this policy, is required to keep confidential the fact that a report has been made (subject to any legal requirements).

## 9.6 Investigation Feedback

Wherever possible, and assuming that the identity of the person making the report is known, the whistle-blower will be kept informed of progress and outcomes of the investigation, subject to privacy and confidentiality considerations.



## 9.7 Reports to Other Bodies

In certain circumstances, an employee or other worker may have a legal obligation to make a report to a statutory body or government department. Workers should ensure that they comply with all such reporting requirements. A WPO can advise on these obligations.

## 9.8 Responsibilities

All employees and other workers who become aware of such conduct are expected to make a report.

## 9.9 Disciplinary Action

Following an investigation, disciplinary action may be required.

## 10 Record keeping requirements

CareFlight's external independent whistleblowing platform captures all reports and/ or correspondence information - <https://careflight.whispli.com/anonymous-reporting>.

All files and records created from an investigation will be retained securely.

## 11 Related and Supporting Documents

### 11.1 Internal

- Grievance Policy ([HR-005](#))
- Code of Conduct and Ethics ([HR-009](#))

### 11.2 External

- Australian Prudential Regulation Authority (APRA) – <https://www.apra.gov.au/>
- Australian Securities and Investment Commission (ASIC) - <https://asic.gov.au/>
- Whispli Platform - <https://careflight.whispli.com/anonymous-reporting>
- Corporations Act 2001 (Cth) - <https://www.legislation.gov.au/Details/C2019C00216>
- Taxation Administration Act 1953 (Cth) - <https://www.legislation.gov.au/Details/C2021C00003>

## 12 Document Change History

Version	Date	Summary of Changes	Changes compiled by	Changes approved by
01	28/08/2019	Initial publication of the policy.	Sarah Churchill Head of HR	Mick Frewen CEO
02	15/11/2021	New format and minor changes as part of annual policy review. Removal of HR-004 (Discipline policy and procedure)	Jacqueline Chow HR Business Partner	Sarah Churchill Head of HR

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