

WHISTLEBLOWER POLICY



1. PURPOSE

The purpose of the "Whistleblowing" Policy is to encourage the reporting of wrong doings and legitimate concerns where, due to malpractice, fraud, abuse or other inappropriate acts/omissions, the interest and safety of others or KLINGER itself is at risk.

Employees have a right, and a duty, to raise any matters of concern they may have with regard to issues associated with the business and delivery of care. The policy is designed to provide guidance to employees as to actions which should be taken where they suspect any wrongdoing, and to provide assurance that any aspect of wrongdoing that they disclose will be fully investigated and that KLINGER will provide protection to those people who make serious wrongdoing disclosures.

All managers at every level of the organisation have a duty to ensure that employees are provided with the opportunity to express their concerns. In order that these concerns can be appropriately communicated it is important that clear principles and procedures are established. This policy provides guidance to managers and others receiving disclosures.

By implementing this Policy and framework, KLINGER aims to demonstrate a clear commitment to employees that concerns will be taken seriously, and when following the correct processes, a whistleblower's employment rights are protected.

This Policy abides by the principles laid out in the Corporations Act 2001 and other relevant state privacy legislation.

2. SCOPE

This Policy applies to all KLINGER employees, contractors, subcontractors and visitors.

The purpose of this Policy and procedure is to outline ways in which employees can express concerns about malpractice/wrongdoing and to encourage employees to raise these at an early stage and in an appropriate way, by following the indicated process.

This Policy is in place to reassure employees that it is safe and acceptable to speak up and enable concerns to be raised at an early stage. It can be difficult to know what to do when these concerns are about unlawful conduct, financial irregularities, abuse of patients, dangers to the public or environment, health and safety issues, or if you feel these issues are being inappropriately concealed. Rather than wait for proof, we would prefer you to raise the matter when it is a concern and this facilitates an earlier resolution to any issues raised, and may help to prevent any serious or dangerous situations eventuating.

3. EXCLUSIONS

This Policy does not apply to complaints about employment or how you have been treated. For cases such as this, the Grievance Procedure or Harassment and Bullying Policy should be used. There are also a range of policies and procedures that cover issues such as fraud and corruption, recruitment/selection, health and safety and employees are advised to refer to these when considering a disclosure under this Policy.

4. POLICY STATEMENT

KLINGER is committed to the highest standards of conduct and ethical behaviour and to promoting and supporting a culture of honest and ethical behaviour, corporate compliance and good corporate governance.

People who have a working relationship with KLINGER are often the first to realise that there may be something seriously wrong. However, they may not wish to speak up for fear of appearing disloyal or may be concerned about being victimised or subject to reprisals for reporting wrongdoing.

KLINGER encourages the reporting of any instances of suspected unethical, illegal, fraudulent or undesirable conduct involving KLINGER and provides protections and measures so that those persons who make a report may do so confidentially and without fear of intimidation, disadvantage or reprisal.

When a person makes a disclosure:

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- Their identity must remain confidential according to their wishes;
- They will be protected from reprisal, discrimination, harassment or victimisation for making the disclosure;
- An independent internal inquiry or investigation will be conducted;
- Issues identified from the inquiry/investigation will be resolved and/or rectified;
- They will be informed about the outcome;
- Any retaliation for having made the disclosure will be treated as serious wrongdoing under this Policy.

5. DEFINITIONS

Term	Definition
Employee(s)	Employee in this Policy refers to employees, contractors and subcontractors of KLINGER.
Whistleblowing	Disclosure by (or for) a witness of actual or suspected wrongdoing. The official name for Whistleblowing is “making a disclosure in the public interest”. It means that if you believe there is wrongdoing in the workplace, you can report this by following the correct processes and your employment rights are protected.
Whistleblower	A person who reports wrongdoing in accordance with this Policy.
Wrongdoing	May include but is not limited to conduct that: ▪ Breaches legislation, regulations or local government by-laws or is otherwise illegal (including whistleblower laws, corporations’ law, theft, drug sale/use, violence or threatened violence or criminal damage against property); ▪ Is an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; ▪ Is corrupt or is an abuse of public trust or position; ▪ Is dishonest or fraudulent; ▪ Perverts the course of justice; ▪ Unreasonably endangers health and safety of an individual or group of people; ▪ Poses a great risk of damages, or causes damage to the environment; ▪ Is maladministration (e.g. unjust, based on improper motives, is unreasonable, oppressive or negligent); ▪ Is gross mismanagement or repeated breaches of administrative procedures; ▪ Has financial or non-financial loss detrimental to the interests of KLINGER; ▪ Is an unethical breach of the Code of Conduct; ▪ Is deliberately covering up of/failing to report information tending to show any of the above conduct.

6. RESPONSIBILITIES

Person	Responsibility
Managing Director and Chief Financial Officer	The Managing Director and Chief Financial Officer have the ultimate responsibility for the protection of whistleblowers and are responsible for ensuring that appropriate and effective internal control systems are in place. The Managing Director and Chief Financial Officer are responsible for investigating any wrongdoings made by a whistleblower which have been reported to them.
Managers and Supervisors	Managers and supervisors must ensure there are mechanisms in place within their area of control to: ▪ Protect a whistleblower; ▪ Promote employees to disclose any suspected wrongdoings; and ▪ Facilitate the reporting of suspected wrongdoings.
Employees, Contractors and Visitors	Employees, contractors and visitors share the responsibility for disclosing any wrongdoings. All Employees, contractors and visitors have the responsibility to report suspected wrongdoings and must immediately notify their supervisor or those responsible for investigations.

7. INFORMATION REQUIRED WHEN RAISING A CONCERN

To assist in assessing or investigating concerns, it is helpful to have clear and complete information, with as much detail as possible. As a minimum, when making a report, the following information is required:

- Date(s) of matter(s) / incident(s)
- Type of matter(s) / incident(s) (refer to the definition of 'wrongdoing' under Clause 4)
- Description of matter(s) / incident(s)
- Details of concerns
- Where the matter(s)/incident(s) happened
- Who has been involved in the matter(s) / incident(s) and any witnesses

If possible, explain how you think the matter(s) / incident(s) may be best resolved or consider this in preparation for any meetings you may be required to attend (if you plan to disclose your identity).

If you feel comfortable sharing your identity then please provide your name, your work location and contact details to maintain communication with you as required throughout the process.

8. PROCESS

In addition to the summary that follows, refer to document PC-FL-08 Whistleblower Process Flowchart.

Any reports of wrongdoings disclosed to any persons in the organisation, must be reported to the Managing Director and Chief Executive Officer.

Upon notification or discovery of a suspected wrongdoing, the Managing Director and Chief Executive Officer will promptly arrange to investigate the report. The Managing Director and Chief Executive Officer will make every effort to keep the investigation confidential; however from time to time, other members of the management team will need to be consulted in conjunction with the investigation.

After an initial review and a determination that the suspected wrongdoing warrants further investigation, the Managing Director and Chief Executive Officer shall coordinate the investigation, as fitting to the reported wrongdoing, with the appropriate internal and external bodies, which may include law enforcement officials. Internal or external legal representatives will be involved in the process, when deemed appropriate.

Once a suspected wrongdoing is reported, immediate action will be taken to prevent the theft, alteration, or destruction of relevant records. Such actions include, but are not limited to;

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- removing the records and placing them in a secure location;
- limiting access to the location where the records currently exist, and
- preventing the individual suspected of the wrongdoing from having access to the records.

Contingent on the type of wrongdoing and the outcome of investigations, disciplinary action, up to and including dismissal, may be actioned by the appropriate level of management.

If required, KLINGER will pursue every reasonable effort, including court ordered restitution, to obtain recovery of any losses from an offender.

Vendors and contractors shall be asked to agree in writing to abide by this Whistleblower Policy and related procedures.

9. CONFIDENTIALITY

Given the assurances in this Policy, KLINGER anticipated that employees will raise any serious concerns of wrongdoing openly. However, we recognise that there may be circumstances when employees would prefer to speak to someone in confidence first. If this is the case, when employees report wrongdoings to their manager or other person in the organisation, they are requested to advise that other parties have also been notified of the wrongdoing.

If an employee or person receiving a disclosure does not wish to disclose their identity, this will not be done without their consent unless required by law. Employees should understand that there may be times when KLINGER is unable to resolve a concern without revealing the person's identity, for example where personal evidence is essential (for example in court cases). In such cases, KLINGER will discuss with the whistleblower whether and how the matter can best proceed.

Where an individual does not wish to come forward as a witness, KLINGER retains the right to pursue the matter further but will respect the anonymity of the individual. However, it must be noted that this may ultimately prevent KLINGER from being able to proceed with any formal actions.

10. ANONYMOUS REPORTS

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Managing Director and Chief Executive Officer. In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issues raised,
- The credibility of the concern, and
- The likelihood of confirming the allegation from attributable sources.

11. REPORTING LINE

KLINGER provides access to a Whistleblower hotline, accessible via the following:

Email: makeareport@stopline.com.au

Website: <https://klinger.stoplinereport.com/>

12. WHISTLEBLOWER PROTECTIONS

No employee of the organisation, or person acting on behalf of the organisation in attempting to comply with this Policy shall:

- be dismissed or threatened to be dismissed;
- be disciplined, suspended or threatened to be disciplined or suspended;
- be penalised or any other retribution imposed, or
- be intimidated or coerced.

Violation of this section of the Policy will result in disciplinary action, up to and including dismissal.

If a report is made in good faith (effectively this means honestly), but it is not confirmed by the investigation, where there is a genuine mistake or an innocent explanation or reason for raising concern, the person will be protected in the same way as a confirmed report; and no adverse action will be taken against the person who has made the disclosure.

This assurance is not extended to those who maliciously raise a matter they know is untrue. If, following a thorough investigation, it is found that a matter has been raised maliciously; this will be dealt with under the KLINGER Grievance Handling Policy.

13. PUBLIC REPORTS

The Policy and process contained within this Policy should assure employees that concerns can be addressed and dealt with internally. However, if you believe that a disclosure of information should be made externally in the public interest this must be in good faith, with credible evidence, and it is recommended that the person making the disclosure should first seek independent and/or specialist legal advice.

14. CONSEQUENCES OF BREACH OF THIS POLICY

Employees who fail to comply with this Policy may face disciplinary action. In serious cases, termination of employment or contract may result.

15. REVIEW

This procedure and its implementation will be reviewed on an ongoing basis in terms of its suitability and effectiveness. Internal control systems and procedures will be audited regularly to ensure that they are effective in minimising the risk of non-compliance with this Policy.

This Policy shall be reviewed annually to ensure that it remains current and relevant to KLINGER's standards of practice.

All employees are required to understand and comply with this Policy and to follow the requirements set out in this Policy.

16. RELATED DOCUMENTS

- KLINGER Grievance Handling Policy (PC-PO-22)
- KLINGER Disciplinary Policy (PC-PO-09)
- KLINGER Harassment, Discrimination and Bullying Policy (PC-PO-05)