

## 1. POLICY STATEMENT

- 1.1 The purpose of this policy is to ensure all staff and volunteers have a safe avenue to report issues of concern. This policy promotes responsible reporting of issues where the interests of stakeholders, including the employees, clients, residents of Southern Cross Care (NSW & ACT), are at risk.

## 2. COMMENCEMENT OF POLICY

- 2.1 This policy will commence from 17 October 2016. It replaces all other policies of SCC, if any (whether written or not).

## 3. SCOPE

- 3.1 The policy applies to all employees, agents and contractors (including temporary contractors) of SCC, collectively referred to as 'workplace participants'.

## 4. PURPOSE

- 4.1 This Policy is designed to:
- Encourage and facilitate disclosure of misconduct
  - Provide anonymity for staff that makes these disclosures
  - Provide protection for staff that may fear or suffer reprisals in relation to such disclosures
  - Ensure that the matters disclosed are properly investigated and dealt with.

## 5. DEFINITIONS

- 5.1 A whistle-blower is a workforce member who wishes to make a report in connection with reportable conduct and who wishes to avail themselves of protection against reprisal for having made the report. Such reportable issues might include:
- A criminal offence
  - Elder abuse
  - The breach of a policy, system or contractual or legal obligation
  - A miscarriage of justice
  - Fraud/financial embezzlement
  - A danger to the health or safety of any individual
  - Damage to SCC property or the environment
  - Deliberate covering up of evidence leading to an offence or irregularity
  - Inappropriate behavior such as bullying or sexual harassment
  - Provision or omission of information which could be misleading
  - Inappropriate management decisions
  - Behaviour that may or actually lead to damage of reputation or relationships with external parties.

## 6. PROCEDURE

- 6.1 SCC has been guided by the relevant parts of AS 8004-2003 in the drafting of this Policy. SCC is committed to developing a culture where all staff are encouraged and feel safe to raise concerns about unacceptable practices, behaviour, and misconduct or compliance issues within the organisation.

- 6.2 SCC recognises that appropriate and timely response to employees' concerns and complaints improves the health, safety and general well-being of the employees, residents and clients accessing SCC's services.
- 6.3 A member of staff raising a concern will not be expected to produce unquestionable evidence to support the case. All that is required is that the member of staff has a genuine belief and that the concern is raised in good faith. It is in the interest of the business to hear of suspicions at the earliest possible opportunity and investigate them.
- 6.4 Any person who reports reportable conduct as defined by this procedure must not be personally disadvantaged for having made the report by:
- Dismissal
  - Demotion
  - Any form of harassment
  - Discrimination; or
  - Current or future bias
- 6.5 SCC recognises that a whistle-blower usually only decides to express a concern after a great deal of thought. Provided the concern is raised in good faith, the member of staff will not be at risk of losing their job or suffering any form of reprisal for coming forward. SCC will not tolerate harassment or victimisation of anyone who raises a genuine concern and will deal with any such occurrences under the Bullying & Harassment Policy.
- 6.6 If a member of staff maliciously raises a matter which they know to be untrue, this will be regarded as misconduct and will be dealt with through the Unsatisfactory Performance and Misconduct Policy. False reporting shall not attract any protection under this policy.
- 6.7 SCC recognises that the whistle-blower may not wish to be identified during the course of an investigation. In such circumstances, SCC will do everything possible to protect the member of staff's identity and will not disclose it without their consent. If it proves impossible to resolve the matter without revealing the whistle-blower's identity, the investigating officer will discuss with them whether and how to proceed. In a very few cases, it may not be possible to ensure complete confidentiality, for example if legal proceedings take place at a later stage.
- 6.8 Reports submitted anonymously will be considered but it will be much more difficult for the investigating officer to look into the matter and resolve the problem. Staff are therefore encouraged to put their name to reports and assist the investigating officer as much as they can.

## 7. REPORTING AND INVESTIGATION OF CONCERNS

- 7.1 Any member of staff who wishes to raise concerns under this policy should first speak or write to their General Manager. If it is not appropriate, for any reason, to report to their General Manager, the member of staff must speak directly to either the CEO or the General Manager People and Culture. If the member of staff does not wish to be identified, they should say this at the first possible opportunity so that appropriate arrangements can be made.

- 7.2 The General Manager to whom the concern was reported will note the key points of the concern and check that the member of staff has a copy of this Policy. The General Manager will also assure the member of staff of confidentiality.
- 7.3 The General Manager will then refer the concern to the Chief Executive and the General Manager People and Culture and hand over any written materials.
- 7.4 The CE, in conjunction with the General Manager People and Culture, will decide what action to take. This may include initiating an internal or external investigation. The investigation will normally commence with the appointment of an investigating officer. The staff member is to be informed about the action to be taken.
- 7.5 The investigating officer may ask the member of staff how they think the matter might best be resolved. If the member of staff has any personal interest in the matter, it is essential that this is made known to the senior manager at the outset. If the investigating officer thinks the matter should be pursued through the grievance procedure instead of through this policy, they will advise the member of staff accordingly.
- 7.6 If an investigation is undertaken, the investigating officer will keep the member of staff informed about what is happening, as far as possible. Again, if requested, these reports will be made in writing. In some cases, it may not be possible to report to the member of staff the precise action taken as doing so might, for example, infringe on someone else's privacy.
- 7.7 SCC uses an external, independent, third party service for reporting called Stopline. If staff do not feel comfortable reporting using the contacts above they are able to contact Stopline to make the report. Stopline can take anonymous or identified reports via email, their website or by telephone and can protect the identity of the whistle-blower. Stopline will refer the information as per the process above. Stopline provide quarterly reports to the Chief Executive who will then report to the Board.
- 7.8 In the event of the reported concern involved the actions of the Chief Executive, Stopline will contact the Chairman of the Board.
- 8. STOPLINE CONTACT**  
Phone: 1300 30 45 50  
Email: [southerncrosscare@stopline.com.au](mailto:southerncrosscare@stopline.com.au)  
Web: <http://southerncrosscare.stoplinereport.com>  
Fax: Attention Case Manager C/O Stopline Fax Number: 03 9882 4480  
Post: C/O Stopline Locked Bag 8 Hawthorn VIC Australia 3122
- 9. BREACHES OF THIS POLICY**
- 9.1 A breach of this policy may lead to disciplinary action including, but not limited to, termination of employment or services.
- 10. VARIATIONS**
- 10.1 SCC reserves the right to vary, replace or terminate this policy from time to time.