

WHISTLE BLOWING POLICY

Scope	This policy applies to all employees, volunteers, contractors or anyone who has knowledge of any suspected wrongdoing or unethical behaviour related to the conducting of the business of Heritage or its staff (" Persons ").
Purpose	<p>Heritage is committed to a culture of corporate compliance and high ethical behaviour. Heritage's ethical values are set out in the Heritage 'Code of Conduct'</p> <p>The purpose of this Policy is to complement the Code of Conduct, support Heritage's commitment to high standards of ethical conduct and to provide everyone working at Heritage and others with the means to raise concerns, without the fear of repercussions, regarding actual or suspected reportable conduct.</p>
Company Values	<p>As an organisation we are committed to providing 'A Better Everyday' for our residents, their families and our employees by aligning our actions to our company values:</p> <ul style="list-style-type: none"> • Kia tika te rere o te waka - People First Enhance the health, safety, and wellbeing of our people • Poipoia te angitu - Nurturing Success Seize opportunities and experiences every day in every moment • He toa takitini - Better Together Work together in respect and harmony to empower everyone
Company Commitment	<p>At Heritage Lifecare Limited we are committed to embracing diversity by ensuring we apply the principles of merit, equality, fairness and transparency to our working practices which enable decisions and actions to be free from discrimination, conflict of interest and favouritism. We do this with a commitment to the Principles of Te Tiriti o Waitangi – partnership, participation and protection.</p> <p>Heritage Lifecare is committed to Ngā Paerewa Health and Disability Services Standards, supporting a person and whānau-centred health and disability service, where people are empowered to make decisions about their own care and support in order to achieve their goals.</p>

Objectives

The objectives of this policy are:

- Assist in identifying serious clinical wrongdoing, fraud, corruption or unethical practices within Heritage.
- Encourage employees to come forward if they have any concerns regarding serious wrongdoing.
- Ensure employees have access to a confidential process through which they can report any issues in relation to serious wrongdoing without fear of reprisal or victimisation.

Policy

1 What is Reportable Conduct?

For the purpose of this Policy, behaviour that is not considered respectful, ethical or appropriate, and should be reported in good faith to Heritage, includes but is not limited to, conduct that is:

- representative of serious clinical wrongdoing.
- unethical (representing a breach of Heritage's code of conduct, policies or generally other serious improper conduct.
- dishonest.
- fraudulent.
- corrupt.
- abusive.
- illegal (including theft, drug sale/use, violence or threatened violence and criminal damage against property).
- an unsafe work practice.
- representative of gross mismanagement, serious and substantial waste and/or a repeated breach of administrative procedures.
- any other conduct which may cause financial or non-financial loss to Heritage or be otherwise detrimental to Heritage's interests; and
- any behaviour or conduct that you consider may risk bringing Heritage into disrepute or that you reasonably believe should be reported to management.

Heritage's values include putting our "People First" and working "Better Together". We encourage staff to work constructively together, with their Team and Managers, to address any issues or concerns. Staff should consider whether concerns should be addressed through normal communication channels, the Health and Safety process, or the staff complaints process.

2 How Do I Make a Report?

Any report under this Policy should be made in the following order:

- Your immediate manager
- The relevant Regional Manager
- Your General Manager
- General Manager People and Culture, currently Mrs Margaret Crozier at margaret.crozier@hll.org.nz
- Chief Executive Officer, currently Mrs Norah Barlow at norah.barlow@hll.org.nz
- Chair of the Board, currently Mr Richard Waters at Richard.waters@adamantem.com.au

You may at any stage skip a person in the chain outlined above if that person is the subject of the report or if you have another reason to believe that the person is not likely to deal with the report properly. We have appointed one member of the Executive team as the 'appointed person' able to take complaints if you are not comfortable following the order above. This is currently Mr Bryan Lau Young at bryan.lau.young@hll.org.nz

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Alternatively, if you see or overhear something, or suspect something which you feel you are unable to raise internally, or would prefer to bring up anonymously, then you should contact the Heritage Whistle Blower Hotline, an independent service run by Stopleveline, which is an avenue for Heritage employees to raise concerns of suspected or actual misconduct, which may have a negative effect on the workplace, or may negatively affect the lives of our residents. For further information on the Hotline please click [here](#). You can also contact Stopleveline directly via email at makeareport@stopline.com.au, or via phone on 0800 42 50 08.

All claims of malpractice or misconduct should provide specific, adequate and pertinent information with respect to, among other things, dates, places, persons, witnesses, amounts, and other relevant information, in order to allow for a reasonable investigation to be conducted. If the whistle-blower discloses his or her name, the person receiving the claim will acknowledge having received the complaint, and may initiate a follow-up meeting. However, if the claim is submitted on an anonymous basis, there will be no follow-up meeting regarding the claim of malpractice or misconduct and Heritage will be unable to communicate with the whistle-blower if more information is required, or if the matter is to be referred to external parties for further investigation.

Nothing in this Policy should be taken as restricting you from reporting any matter or providing any information to a regulator (such as HDC), Heritage's auditor or any other person in accordance with any relevant law, regulation or other requirement.

3 What Happens Once a Report is Made?

Once a report of suspected malpractice or misconduct has been received from a whistle-blower, who has provided reasonable grounds for his or her belief that malpractice or misconduct has occurred, an investigation of those allegations will commence.

Any Manager receiving a Whistle Blower report under this Policy must immediately notify the Heritage appointed person. All material violations and any actions which may be required as a result of the investigations will be reported to the CEO or the board of directors (**Board**).

The Heritage appointed person will, in any event, as an initial step, notify the Chair of the Board as soon as they become aware of a whistleblowing allegation.

The person who has received a report under this Policy in conjunction with the CEO, or the Chair of the Board, will then determine an appropriate investigation into the report. Investigation processes will vary depending upon the precise nature of the conduct being investigated but will be conducted promptly and fairly with due regard for the nature of the allegation and the rights of the persons involved in the investigation.

They will determine the appropriate method for the investigation. In appropriate cases, the assistance of an internal or an external party such as an accounting, legal or clinical specialist may be sought. During the investigation, the investigator will have access to all of the relevant materials, documents, and records. The directors, officers, employees and agents of Heritage must cooperate fully with the investigator. During the investigation, Heritage will use all reasonable means to protect the confidentiality of the information regarding the whistle-blower.

At the conclusion of the investigation, the investigator will prepare a report of the findings for the Heritage Appointed person and Manager. If the final report indicates that the malpractice or misconduct has occurred, the final report will include recommendations for steps to be taken to prevent the malpractice or misconduct from occurring in the future. It will also outline any action that should be taken to remedy any harm or loss arising from the malpractice or misconduct. This may include disciplinary proceedings against the person responsible for the conduct, and the referral of the matter to appropriate authorities.

The Heritage Appointed person will provide a summary report to the Board of all whistleblowing allegations made and any investigations conducted under this Policy at each monthly meeting.

It is to be noted that the only information which will be provided back to the complainant is that the complaint has been investigated and appropriate action taken. They will not be provided with details of how this has been resolved. This will be advised to the complainant at the initiation of the complaint.

4 WHISTLEBLOWER PROTECTION

No Adverse Action will be taken by Heritage against a Whistle blower in relation to an allegation made in good faith, which is either substantiated or not substantiated by subsequent investigation. However, disciplinary action (including termination) may be taken against an individual making malicious or vexatious allegations.

If a person makes a report of alleged or suspected wrongdoing under the Whistleblowing Policy, Heritage will make every effort will be made to protect the anonymity of the whistle-blower; however, there may be situations where anonymity cannot be guaranteed. In such situations, the whistle-blower will be fully briefed. Generally, Heritage will not disclose the person's identity unless:

- the person making the report consents to the disclosure;
- the disclosure is required or authorised by law;
- the disclosure is necessary to further and appropriately investigate the matter;
- the disclosure is necessary to prevent or lessen a serious threat to a person's or safety; and/or
- it is necessary to protect or enforce Heritage's legal rights or interests or to defend any claims.

Generally, reports made under the Whistleblowing Policy will be treated confidentially. However, when a report is investigated it may be necessary to reveal its substance to people such as other Heritage personnel, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies.

5 FALSE REPORTING

A false report of a matter under this Policy could have significant effects on Heritage's reputation and the reputations of other staff members and could also cause considerable waste of time and effort.

Any deliberately false reporting of Reportable Conduct, whether under this Policy or otherwise, will be treated as a serious disciplinary matter.

6 QUESTIONS

Any questions about this Policy should be directed to the Heritage appointed person.

Associated Heritage documents

- Code of Conduct – The Heritage Way
- Harassment, Discrimination & Bullying procedure
- Grievance & Complaints Handling procedure
- Disciplinary Procedure
- Staff complaints policy