

RADIUS RESIDENTIAL CARE LIMITED WHISTLEBLOWER POLICY

POLICY STATEMENT

Any Radius Residential Care Limited (“Radius”) staff member (including employees, contractors, management and board members and volunteers) who believes on reasonable grounds that there is, or has been, serious wrongdoing within the organisation is encouraged to report it.

In order to claim the protections provided under the Protected Disclosures (Protection of Whistleblowers) Act 2022 (the “Act”), “disclosers” (as defined by the Act), including employees, contractors, management and board members and volunteers, are required to follow the protected disclosure process set out in the steps below.

MEANING OF SERIOUS WRONGDOING

‘Serious wrongdoing’ includes any act, omission, or course of conduct in (or by) any organisation that is one or more of the following:

- an offence; or
- a serious risk to:
 - public health;
 - public safety;
 - the health or safety of any individual; or
 - the environment;
- a serious risk to the maintenance of law, including:
 - the prevention, investigation and detection of offences; or
 - the right to a fair trial; or
- an unlawful, or corrupt, or an irregular use of public funds or public resources; or
- oppressive, unlawfully discriminatory, or grossly negligent, or that is gross mismanagement, and is done (or is an omission by) a person performing (or purporting to perform) a function or duty or exercising (or purporting to exercise) a power on behalf of a public sector organisation or the Government.

REPORTING OF SERIOUS WRONGDOING

Step 1 – Disclosure to Manager

The discloser should, in the first instance, disclose any serious wrongdoing to their direct manager to investigate. Such a disclosure should be in writing and should be as specific as possible, including (where possible):

- Names;
- Dates;
- Actions/omissions; and
- Any supporting information/evidence.

Step 2 – Disclosure to Senior Executive

If either the:

- Manager has taken no action within a reasonable timeframe; or
- discloser believes on reasonable grounds that their Manager may be involved in the serious wrongdoing,

the discloser may disclose the information instead directly to the CEO.

Step 3 – Disclosure to Chairperson

If the discloser believes the CEO or a director may be involved in serious wrongdoing, the discloser may raise their concern directly with the Chair of the Board. If the discloser believes the Chair of the Board may be involved in the serious wrongdoing, the disclosure may be made to the Chair of the Audit and Risk Committee.

A discloser is entitled to raise their concerns with an appropriate authority (such as the Police, or a relevant regulatory authority) at any time, whether or not the discloser has also made the disclosure to Radius.

INVESTIGATION

Once suspected serious wrongdoing has been reported, the person receiving the report will consider the information made available and decide on the type of investigation to be undertaken.

PROTECTIONS

Protection under the Act may be claimed by the discloser if the discloser:

- believes on reasonable grounds that there is, or has been, serious wrongdoing in or by the discloser's organisation; and
- discloses the information in accordance with the Act, which requires the disclosure to be made:
 - in accordance with any internal procedures; or
 - to the head or deputy head of the organisation; or

to an appropriate authority (whether or not the disclosure has also made the disclosure to their organisation or to another appropriate authority).

REQUIREMENT TO ACT IN GOOD FAITH

The protections offered by the Protected Disclosures (Protection of Whistleblowers) Act 2022 and this Policy do not apply where the discloser makes a disclosure they know to be false or otherwise acts in bad faith. Disclosures made maliciously or in bad faith may result in disciplinary action.

DISCLOSURE TO THE BOARD

Any manager or director receiving a protected disclosure is to report that a disclosure has been made to the Board.

CONFIDENTIALITY

Radius representatives to whom a protected disclosure is made or referred will use their best endeavours not to disclose information that might identify the discloser who made the protected disclosure unless:

- that discloser consents in writing to the disclosure of that information; or
- there are reasonable grounds to believe that identification of the discloser is essential:
 - for the effective investigation of the disclosure;
 - to prevent a serious risk to: any person's health or safety, public health or the environment; or
 - to comply with the principles of natural justice; or
 - to an investigation by a law enforcement or regulatory agency for the purposes of law enforcement.

Before releasing identifying information under one of the exceptions, the receiver of the information must generally consult the discloser about the release, if practicable.

Radius is committed to following up on all concerns of serious wrongdoing raised. Concerns will be escalated to senior managers, the CEO, Board, or government authorities if and as appropriate.

REVIEW

This Policy was reviewed and approved by the Board in December 2022 and will be reviewed every two years.