



Purpose

MannaCare Inc. is committed to high standards of conduct, ethics, and probity.

MannaCare believes that no person should be personally disadvantaged for reporting a wrongdoing. MannaCare is committed to maintaining an environment where legitimate concerns are able to be reported without fear of retaliatory action or retribution.

The purpose of this policy is to provide a supportive work-relationship environment where wrongdoing within or by MannaCare can be reported without fear of retribution. This is achieved by:

- encouraging reporting of wrongdoing or issues of legitimate concern;
- providing safe wrongdoing reporting alternatives to remove inhibitions that may impede such disclosures;
- establishing procedures that enable:
 - protection for those that make serious wrongdoing disclosures
 - independent internal inquiry/investigation of disclosures made; and
- resolution of the issue(s) identified.

When a person makes a report they are entitled to expect that:

- their identity remains confidential at all times to the extent permitted by law or that is practical in the circumstances;
- they will be protected from reprisal, harassment or victimisation for making the report;
- should retaliation occur for having made the report then MannaCare will treat it as serious wrongdoing under this Policy.

Scope

This procedure applies to all employees, volunteers, directors, members, residents and clients of MannaCare as well as to any member of the public.

Definitions

Whistleblowing: the deliberate and voluntary reporting of actual, suspected or anticipated wrongdoing by an individual or by MannaCare.

Whistleblower: a person who reports actual, suspected or anticipated wrongdoing, or on whose behalf such wrongdoing is reported, in accordance with this policy.

Wrongdoing: any action or conduct that:

- is illegal or corrupt, such as theft, fraud or other misuse of MannaCare funds, equipment or other resources;
- is unethical, such as dishonestly altering MannaCare records, engaging in questionable accounting practices; or willfully breaching MannaCare's Code of Conduct or other ethical standards;
- constitutes an abuse of authority (where not an employment grievance);
- constitutes a serious breach of safety;
- causes or could cause any other serious harm to the public, a resident, client, employee or volunteer at MannaCare;
- is damaging or has the potential to damage public trust in MannaCare or the reputation of MannaCare in any quarter;
- may cause financial loss or otherwise be detrimental to the interests of MannaCare;
- involves any other damaging conduct or serious impropriety including retaliatory action against a whistleblower for having made a report of wrongdoing.



Protected disclosure: a report of actual, suspected or anticipated wrongdoing that is covered by Part 9.4AAA of the Corporations Act 2001 (Cth) (“Act”).

Investigating officer: the person or authority that is charged with investigating a report made under this policy in accordance with the procedure set out below.

Application

(a) Considering whether to report

- (i) In the event that Part 9.4AAA of the Act applies to MannaCare:
 - (A) this policy is at all times subject to the requirements for protected disclosure under Part 9.4AAA of the Act; and
 - (B) in the event of any inconsistency between this policy and the Act, the Act shall prevail.
- (ii) A person considering making a whistleblowing report is obliged to act in good faith and on reasonable grounds.
- (iii) This policy relates only to reporting of wrongdoing of a serious nature and in the public interest and/or overall interest of MannaCare. It is not to be used for trivial or vexatious matters.
- (iv) The policy does not replace other internal policies of MannaCare. Before reporting a wrongdoing under this policy, a whistleblower should consider whether the wrongdoing is more appropriately reported as:
 - (A) Harassment or Bullying
 - (B) Occupational Health and Safety to be reported via Have Your Say
 - (C) Grievance
- (v) Even though a whistleblower may be implicated in the wrongdoing they must not be subjected to any actual or threatened retaliatory action or victimisation in reprisal for making a report under this policy.

Note: making a report may not protect a whistleblower from the consequences of their involvement in the wrongdoing: a person’s liability for their own conduct is not affected by their reporting of that conduct under this policy. However active cooperation in making a report may be taken into account when considering disciplinary or other action.

(b) Reporting and disclosure

- (i) If a whistleblower has reasonable, bona fide grounds for suspecting wrongdoing and the whistleblower believes it is not appropriate to report it under the procedures relating to Harassment, Bullying, Grievance or Occupational Health and Safety, then the whistleblower is encouraged to report the alleged wrongdoing under this policy.
- (ii) At first instance, a whistleblower is encouraged to make a report through the normal reporting channels. This will normally be to the whistleblower’s immediate supervisor or the person to whom the whistleblower reports in the ordinary course of business (who, for the purposes of protected disclosure, shall be authorised to receive such a report).

For Directors, Association Members, residents or clients this would be the relevant Service Lead, General Manager or the Chief Executive.

Where relevant, the person to whom a report is made will in turn report the allegations to the relevant General Manager or directly to the Chief Executive.

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Approved by	Chief Executive	



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- (iii) If a whistleblower believes that reporting through normal channels is not appropriate, then the order of reporting is as follows, depending on the nature of the alleged wrongdoing (specifically, those who may be involved in the wrongdoing):
- (A) the relevant General Manager;
 - (B) the Chief Executive;
 - (C) the Deputy Chairperson of the MannaCare Board;
 - (D) the Chairperson of the MannaCare Board –
- (each of whom shall, for the purposes of protected disclosure, be authorised to receive such a report).

(c) Confidentiality

- (i) If a whistleblower makes a report of alleged wrongdoing under this policy MannaCare will endeavour to protect the whistleblower’s identity from disclosure.
- (ii) Generally MannaCare will not disclose a whistleblower’s identity unless:
 - (A) the whistleblower consents to the disclosure;
 - (B) the disclosure is required or authorised by law; or
 - (C) the disclosure is necessary to further an investigation.
- (iii) Should it become necessary:
 - (A) to reveal the substance of a report to third parties (e.g. MannaCare personnel, external persons involved in an investigation or law enforcement agencies); or
 - (B) to disclose the fact and substance of a report to a person who is the subject of the report –

MannaCare may not be able to maintain as confidential the identity of the whistleblower. In these circumstances, MannaCare will use its best endeavours to ensure that the release of the whistleblower’s identity is handled as sensitively as possible.

- (iv) MannaCare will take reasonable steps to store any records relating to a report of alleged wrongdoing securely and to permit access by authorised persons only.
- (v) Unauthorised disclosure of information relating to a report, the identity of the whistleblower, or information from which the identity of the whistleblower could be inferred will be regarded seriously and may result in disciplinary action, including dismissal.

(d) Whistleblower protection

- (i) MannaCare is committed to protecting and respecting the rights of whistleblowers who report wrongdoing in good faith.
- (ii) MannaCare will not tolerate any retaliatory action or threats of retaliatory action against a whistleblower, or against a whistleblower’s colleagues, employer (if a contractor or supplier) or relatives.
- (iii) In particular, a whistleblower must not be disadvantaged by:
 - (A) dismissal or termination or services or supply;
 - (B) demotion;
 - (C) any form of discrimination or harassment;
 - (D) current or future bias; or

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- (E) threats of any of the above.
- (iv) Any retaliatory action in reprisal for a report being made under this policy will be regarded seriously and may result in disciplinary action, including dismissal.
- (v) Notwithstanding the above, should a report of alleged wrongdoing be deemed to be vexatious or frivolous, or constitute unwarranted retaliatory action by the whistleblower, MannaCare or other authorities may dismiss the report.
- (vi) No matter will be dismissed unless and until it has been properly considered by an independent whistleblower consultant appointed by MannaCare and the Chief Executive in conjunction with the Board Chairperson or, in their absence, the Board Deputy Chairperson.

(e) Investigation

- (i) All reports of wrongdoing made under this policy will be properly assessed and, if appropriate, independently investigated.
- (ii) The investigating officer will be responsible for ensuring the proper conduct of the investigation.
- (iii) The investigating officer must be a trained and qualified investigator. An investigation may not be conducted by someone the subject of a report or investigation, or someone who has (whether actual or perceived) significant links to the person(s) or practice(s) under investigation.
- (iv) Investigations will be conducted in a fair and independent manner in accordance with established investigation procedure. Investigations must be independent of the business unit/work group concerned, the whistleblower and the person who is the subject of the wrongdoing report.

(f) Consequences of investigation

- (i) MannaCare recognises that a person against whom a report of wrongdoing is made must be treated fairly and with natural justice.
- (ii) Where a person is identified as being suspected of wrongdoing, but preliminary enquiries determine that the suspicion is unfounded, and no formal investigation is warranted:
 - (A) the whistleblower will be informed of this outcome;
 - (B) MannaCare will decide whether or not to inform the person the subject of the report – having regard to the desire to preserve the integrity of the person so named, and – in the event of a bona fide disclosure – to protect the whistleblower; and
 - (C) the matter will be laid to rest.
- (iii) Where a formal investigation is commenced, generally the investigating officer will ensure that a person who is the subject of a report:
 - (A) is informed of the alleged wrongdoing;
 - (B) is given a reasonable opportunity to respond to the allegations in a timely manner;
 - (C) is informed of the substance of any adverse comments that may be included in any report arising from the investigation, before publication; and
 - (D) has their response set out clearly in the investigating officer’s report.
- (iv) Where an investigation is conducted and the person who is the subject of the report is aware of the allegations or the fact of the investigation, then MannaCare must formally advise the person of the outcome of the investigation.



PROCEDURE

Purpose

This procedure describes the process for lodging a whistleblower report.

This procedure is intended to ensure that:

- The appropriate authority is advised of any actual, suspected or anticipated wrongdoing.
- The whistleblower is protected against any disadvantage, discrimination or other reprisal as a consequence of reporting actual, suspected or anticipated wrongdoing.

Procedure for Making a Report

When making a report, a whistleblower should:

(a) Verify nature of disclosure

Determine if the making of a disclosure constitutes a whistleblowing report under this policy by reference to the flowchart on the following page.

(b) Prepare and submit report

Prepare a summary of the evidence on which the report is based.

The report may be in any one of the following forms:

- Oral – communicate by telephone or in person
- Written – prepare a written report and submit it
- Electronic – prepare a report and submit by email or facsimile.

(c) Meet with the appropriate investigating officer

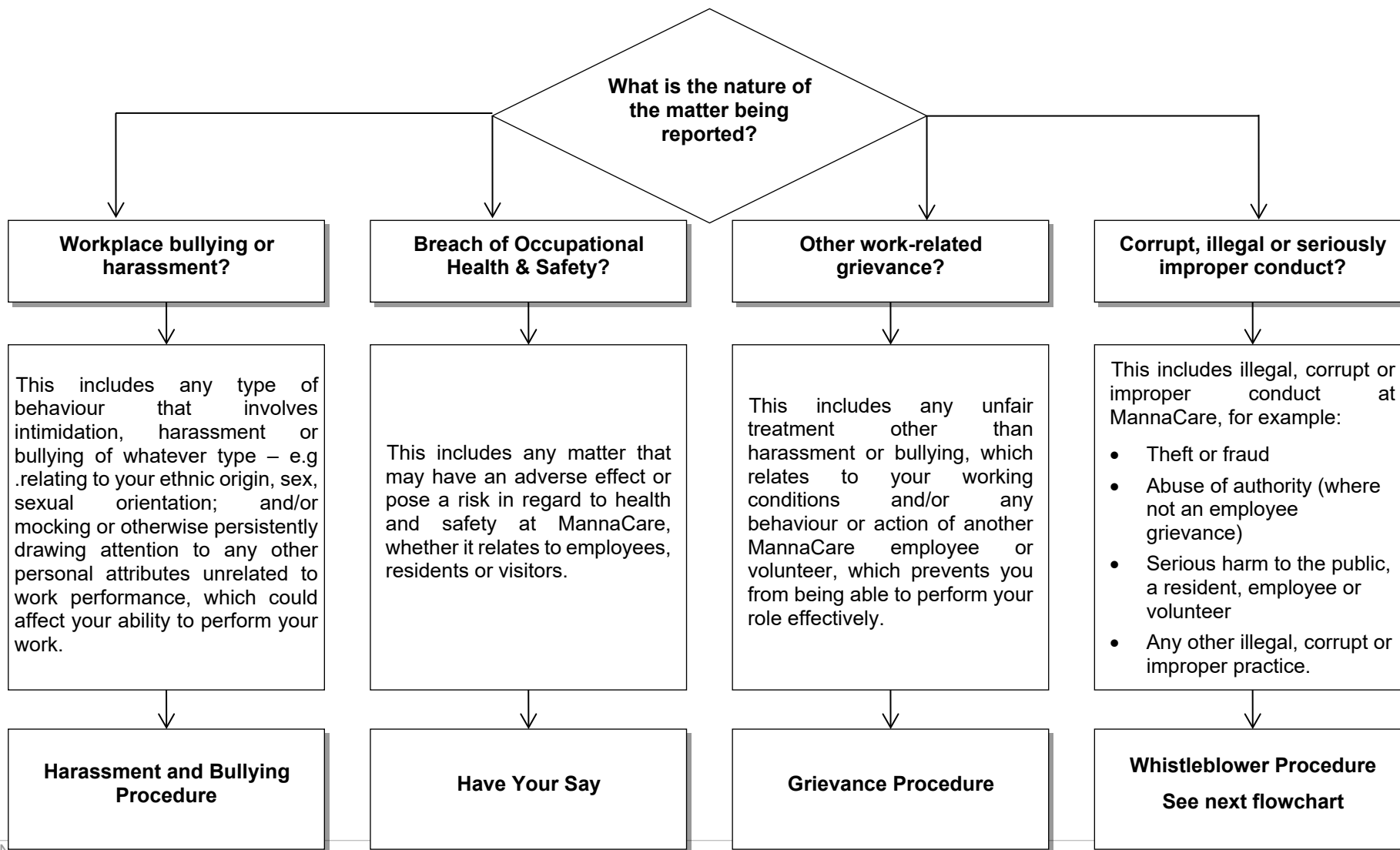
Attend any meeting(s) that may be required by the investigating officer to discuss the situation and/or the evidence submitted.

A whistleblower will be assigned a contact for the duration of an investigation. This person will keep the whistleblower informed of progress in the investigation, the expected timetable and what if anything may be required of them. The whistleblower may contact this person if they have any questions relating to the report.

The matter may be referred to the police or other authority, in which case that outside authority may contact the whistleblower directly.

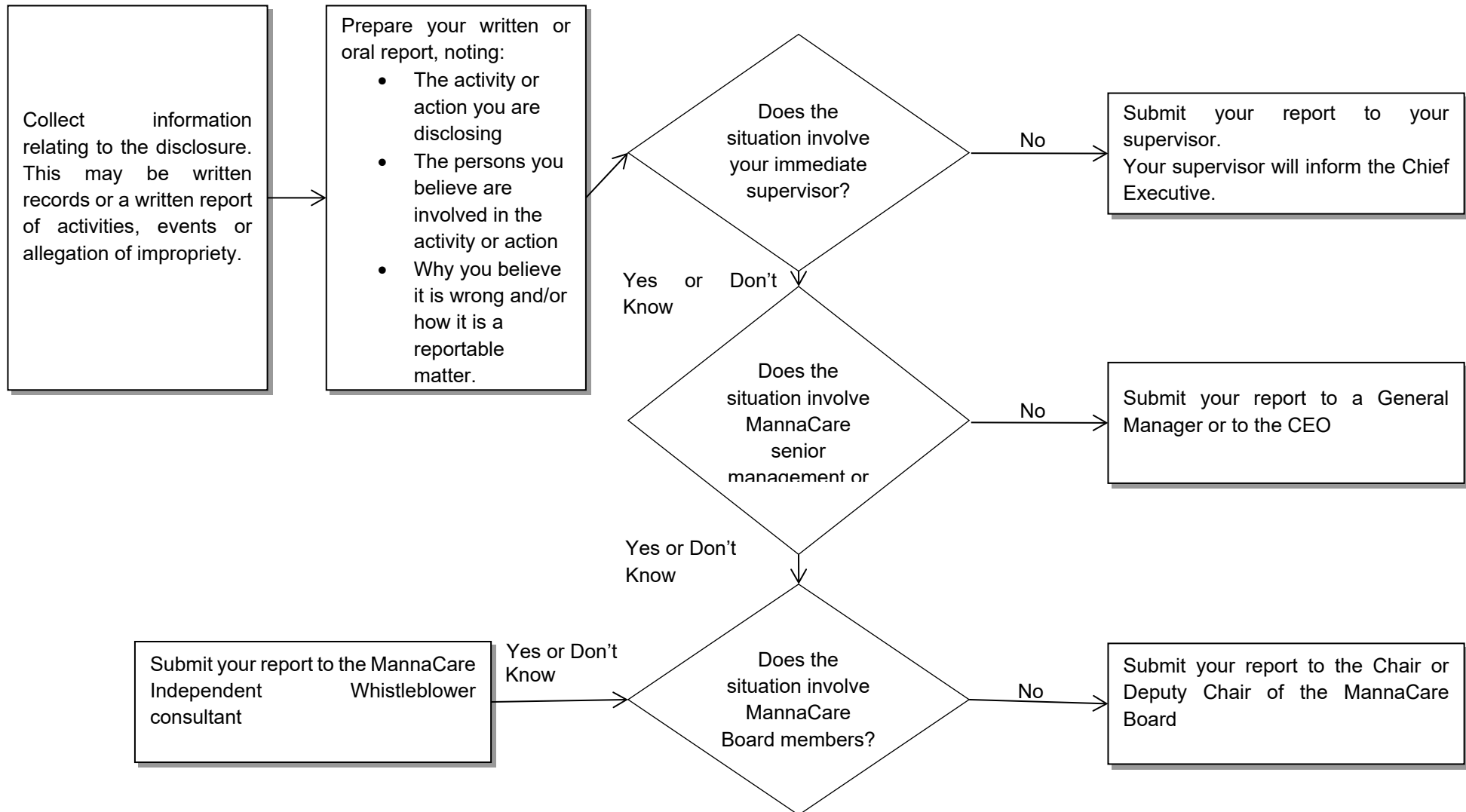


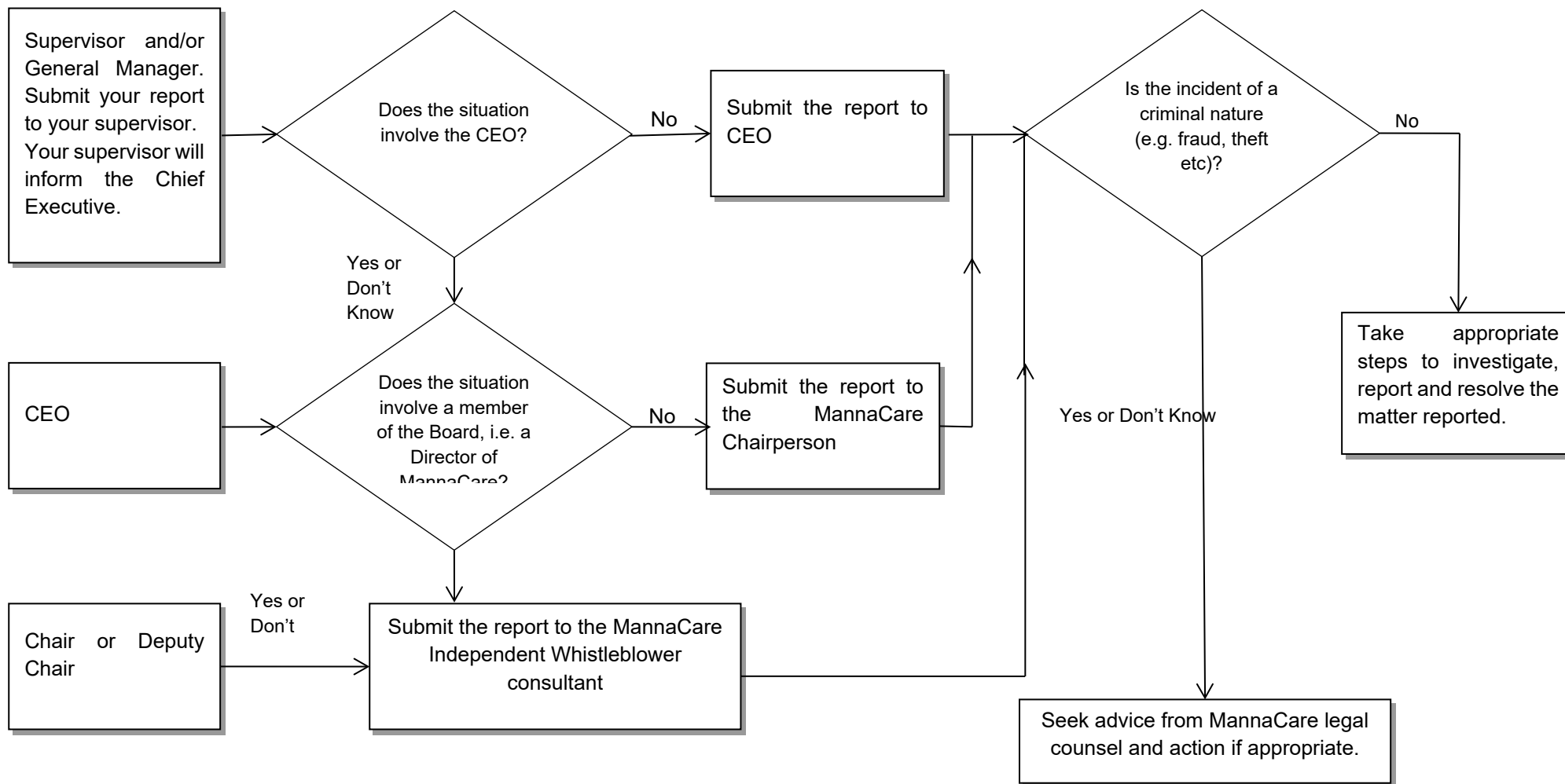
Step One: Determine if your concern constitutes a wrongdoing for the purposes of this policy





Step Two: Prepare and submit your report – NON-MANAGEMENT WHISTLEBLOWER:





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Department Corporate
Approved by Chief Executive

P&P



Step Three: Initial assessment, investigation and action

On receiving a report, the CEO or Board Chair will make an initial assessment of the report as soon as practicable. The next steps will depend on the nature of the alleged wrongdoing being reported.

If there is a likelihood of the wrongdoing being of a criminal nature the CEO or Board Chair must:

- seek advice from MannaCare legal counsel and, depending on the advice received, notify the police.
- advise the Board of the situation and keep it apprised as the matter proceeds.

If the matter is one of a breach of procedure or practice but is not of a criminal nature, the CEO or Board will determine the appropriate response having regard to this policy, the other relevant policies of MannaCare and the law.

The whistleblower is to be advised of the outcome of the investigation.

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