

Policy – Whistleblower Policy

Document Reference:	Whistleblower Policy
Revision Number:	002
Issue Date:	October 2019
Page Number:	1 of 7
Document Owner/ Department:	Human Resources
Distribution:	Maven Dental Group - MyMaven - Maven Dental Group Website - MDG Learning Portal

1. Purpose

Maven Dental (Maven) is committed to providing a safe place to work and promoting a culture of honesty and ethical behaviour within the business. You are encouraged to speak up and report any actual or suspected wrongdoings in an environment free from victimisation and in accordance with this policy.

The purpose of this policy is complying with the protections for whistleblowers under the Corporations Act 2001 and Taxation Administration Act 1953. Maven want to ensure whistleblowers feel comfortable about raising concerns internally by offering a reporting procedure and investigation process that is confidential and protects the whistleblower from victimisation.

2. Who Does this Policy Apply to?

This policy applies to Whistleblowers. A whistleblower is an eligible person who is aware of or has reasonable grounds to suspect a wrongdoing and wishes to report the conduct under this policy.

An eligible whistleblower includes both current and former:

- Team members (current and former);
- Clinicians (under a facilities and services agreement or otherwise);
- Contractors engaged to perform services to Maven;
- Officers (including Directors);
- Suppliers; and
- Any relatives, spouse and dependants of these people

In addition to the protections under this policy, certain legislation may offer statutory protection of whistleblowers. Maven will comply with all applicable legislation.

3. What is a Reportable Wrongdoing?

Maven define a reportable wrongdoing as any concern (actual or suspected) of conduct by a person or persons connected with Maven which is:

- A breach of regulations or laws;
- Endangering health or safety of any person;
- Dishonest or corrupt conduct;
- Constitutes misconduct or an improper state of affairs in relation to Maven;
- Illegal activity;
- Impeding internal or external audit processes;
- Improper behaviour relating to accounting, internal accounting controls, actuarial, or audit matters;
- In breach of any requirement of AHPRA or the Dental Board of Australia;
- Concealing a reportable wrongdoing;
- A substantial mismanagement of Maven's resources; and
- Inappropriate behaviour including discriminatory, sexual harassment and other unethical behaviour

For avoidance of doubt, reportable wrongdoing does not include 'personal work-related grievances. These are generally grievances relating to a team members current or former employment with Maven. For example, interpersonal conduct between team members or a decision relating to employment such as disciplinary action, promotion or termination of a team member. Please refer to the Maven Grievance Policy in respect to personal work-related grievances.

4. Whistleblower Reporting Channels

Maven has reporting channels under this Policy where a reportable wrongdoing can be made via any of the following eligible recipients for disclosure:

- Maven Head of HR;
- Maven General Manager;
- Anonymous Report;
- Relevant regulators (ASIC, APRA or other Commonwealth authorities prescribed in the regulations); and
- Disclosures to lawyers for the purposes of obtaining advice

In no circumstances should a team member disclose any information to the news media or Members of Parliament unless it is an Emergency Disclosure as allowed by law. Contact details for these individuals are outlined in **Appendix 1**.

5. Reporting a Wrongdoing

All reports must be made with a genuine and reasonable belief regarding the reportable wrongdoing. If an eligible whistleblower has evidence that a wrongdoing has occurred, they have a duty to report the information through the reporting channels at Maven (see clause 3).

Whistleblowers are requested to provide as much information as possible and any known details about the wrongdoing (e.g. date, time, location, name of person(s) involved, possible witnesses to the events, evidence of the events (e.g. documents, emails) and any steps they may have already taken to report the matter elsewhere or try to resolve the concern).

It is preferred that such reports are made in writing, clearly identifying the nature of the suspected wrongdoing and the person or persons involved however, a whistleblower can make a report using any of the below channels:

- Email
- Letter
- Over the phone
- Face to face

Nothing in this policy is intended to restrict you from disclosing wrongdoing, providing information to, or communicating with a government agency, law enforcement body or a regulator in accordance with any relevant law or regulation.

When making a report, you may do so anonymously. Whilst you are encouraged to share your identity when making a report, as it will make it easier for Maven to address, you are not required to do so. If you do not share your identity, Maven will assess your report in the same way as if you had revealed your identity. However, there may be some practical limitations in conducting the investigation if you do not share your identity.

6. Whistleblower Investigations

Maven's investigation processes will vary depending on the precise nature of the conduct being investigated. In all instances, the investigation will be conducted in a manner that is fair, objective, confidential and independent of the whistleblower or anyone who is the subject of the reportable wrongdoing. All information obtained throughout a whistleblower investigation will be held securely and in strict confidence. The assigned investigator will be a member of the Human Resources team, who is not implicated either directly or indirectly in the reportable wrongdoing.

Review of Wrongdoing

The investigation officer will carry out a preliminary review of the reportable wrongdoing and will decide whether the allegations raised should be investigated. Whilst not all reportable wrongdoings will necessarily lead to an investigation, each will be assessed. For example, the investigation officer may decide that the wrongdoing was investigated previously and that a new investigation will not be undertaken. The investigating officer will advise you of the decision whether to investigate, unless there is no means to contact you.

Investigation process

Investigations will follow a fair process, be conducted in as timely a manner as the circumstances allow and be independent of the person(s) about whom a wrongdoing has been made. The investigating officer will, as appropriate, provide the whistleblower with feedback on the progress and expected timeframes of the investigation. Provided there are no restrictions or other reasonable bases for doing so, persons against whom a wrongdoing has been made will be informed and will have an opportunity to respond.

Investigation findings

The investigation may conclude with a report from the investigating officer. The report may include findings on the wrongdoing and a summary of the evidence on which the findings are based.

Any report will remain the property of Maven and unless it is inappropriate to do so, a whistleblower will be informed of the outcome of the investigation, subject to the considerations of privacy against those who the wrongdoing is made against and any applicable laws. In the case where the investigating officer has not been able to substantiate the wrongdoing, an appropriate explanation will be made to the Whistleblower, subject to privacy and confidentiality.

7. Protections & Support Available to Whistleblowers

Maven will apply the following protections for anyone making a report under this policy or involved in the investigation:

Protection against victimisation

- Maven defines victimisation to include; harassment, bullying, discrimination, disciplinary action, dismissal, threats or unfavourable treatment towards a whistleblower (or person/s involved in an investigation process);
- Maven encourage any person/s subject to victimisation under this Policy to raise their concerns immediately to the investigating officer or through the reporting channels (refer to clause 3);
- no contractual or other remedies may be enforced, and no contractual or other remedy may be exercised, against the whistleblower on the basis of the disclosure; and
- the information disclosed will not be admissible in evidence against the whistleblower in criminal proceedings, or proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information

Protection of identity and confidentiality

All information received from a whistleblower will be treated confidentially and sensitively. If you make a disclosure, your identity (or any information which would be likely to identify you) will only be shared if:

- the person provides consent;
- the report is made to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), the Australian Federal Police (AFP) or the Tax Commission; and
- the report raised with a legal counsel of Maven (internal or external) for the purposing of obtaining legal advice and/or representation

Further, the non-identifying content of your disclosure may need to be shared in order to report a matter of significance to Maven's governance bodies, such as the Board and the Clinical Advisory Board.

Protection of documentation and files

- all files obtained throughout this investigation will be maintained in a secure and confidential location;
- information obtained from the whistleblower will not be released to any unauthorised parties (other than the Maven Leadership Team or the Maven Board) without the consent of the whistleblower; and
- a breach of confidentiality or release of information in respect of a whistleblower report will be treated as a serious matter and dealt with under the applicable Maven policy.

External Support

Maven have an independent, confidential and free counselling service through the EAP which is available to all team members, clinicians and their family members, including those that raise a report under this policy. To contact the EAP please use their hotline number 1800 808 374 which is accessible 24/7.

The Corporations Act 2001 and Taxation Administration Act 1953 contain protections for whistleblowers who meet the specific criteria detailed in the Act. Please refer to the Act(s) to

understand the criteria of the whistleblower and the protections extended when a report is disclosed.

8. False Report

When making a disclosure, you will be expected to have reasonable grounds to suspect the information you are disclosing is true. You will not be penalised if the information turns out to be incorrect. However, you must not make a disclosure you know is not true or is misleading. Where it is found that you knowingly made a false disclosure, this may be a breach of the Code of Conduct and will be considered a serious matter that may result in disciplinary action. There may also be legal consequences if you make a knowingly false disclosure.

9. Review & Publication

Maven Dental Human Resources team will regularly review this policy to ensure its effectiveness and compliance with applicable legislation. This policy will be available on MyMaven, MDG Learning Portal and the Maven Dental Group website.

10. Related Documents

- Group Whistleblower Policy (Abano)
- Maven - Grievance Policy

Appendix 1: Contact Details

Contact Person	Phone	Email	Postal Address
Chris Williams General Manager Maven Dental	0459 989 888	chris.williams@mavendental.com.au	PO Box 1146 Southport QLD 4215
Kirsten Brown Head of HR Maven Dental	07 5635 2055 0419 773 831	kirsten.brown@mavendental.com.au	PO Box 1146 Southport QLD 4215
Whistleblower Hotline	07 5635 2005	whistleblower@mavendental.com.au	(marked: Private & Confidential) Attention: Whistleblower Officer PO Box 1146, Southport BC QLD 4215