



Reporting of Wrongdoing Policy

What You Need to Know – Key Take Outs

- IRT encourages a culture of accountability and empowerment. You should feel empowered to speak up and raise concerns, and be confident that your concerns will be heard.
- You are encouraged to discuss any concerns about misconduct or an improper state of affairs or circumstances (called Reportable Conduct) with your direct manager or supervisor, except where you believe you may suffer detriment by doing so or you wish to use the protections offered by this Policy.
- If you do not feel comfortable or able to discuss a concern about Reportable Conduct with your manager or supervisor or you would like to access the protections offered by this Policy, you may report your concern to an internal Disclosure Officer or our external Disclosure Service.
- If you wish to make a report, you should follow the Reporting of Wrongdoing Procedure. That Procedure sets out the legal protections that you may be able to access via this Policy.
- If your report relates to the behavior of another employee, you should read the Grievance / Dispute Resolution Policy to consider whether your concern should be dealt with under that Procedure. You may ask a Disclosure Officer for help deciding what the appropriate reporting channel is.

Always read this Policy in conjunction with the Related Procedure identified below.

Policy Statement	Integrity, respect and trust are core to our business and everything we do needs to be measured against the highest possible standard. IRT is committed to operating legally, ethically and properly, and to ensuring that you have a safe, reliable and confidential way of raising concerns about Reportable Conduct.
Purpose	To make you feel confident about raising concerns, by offering a reporting and investigation framework that is objective, confidential and independent, and protects you from reprisal action.
Risk Statement	IRT has a zero tolerance to internal fraud, harassment, offensive behaviour, discrimination and breaches of legislation. IRT has a low appetite for risk arising from conduct that does not align with IRT culture and values and conduct that puts the safety of others at risk.
Scope	Current and former employees, volunteers, directors, officers, contractors and suppliers of IRT, and their relatives and dependants are all eligible to be Disclosers. In respect of NDIS disclosures, the scope extends to current NDIS Participants, their family members, carers or significant other.
Related Procedure	1.06.01 Reporting Wrongdoing Procedure 1.06.02 Reporting Wrongdoing Disclosure Officer Triage Procedure
Related Documents	<ul style="list-style-type: none"> • 2.59 Workplace Conduct Investigation

	<ul style="list-style-type: none"> • 2.07 Grievance / Dispute Resolution • 2.12 Disciplinary Action • 1.03 Comments, Suggestions and Complaints • 1.05 Consumer Abuse • 5.31.01 Incident Management Procedure (Aged Care Centres)
Compliance Requirements	<ul style="list-style-type: none"> • <i>Corporations Act 2001 (Cth)</i> • <i>Aged Care Act 1997 (Cth)</i> • <i>National Disability Insurance Scheme Act 2013 (Cth)</i> • ASIC Regulatory Guide (RG) 270
Policy Owner	Group CEO
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1 Aged Care Quality Standards & Relevant Legislation

This policy has been written to align with the Aged Care Quality Standards and other relevant legislation and regulations. The following table explains the link between this policy and the relevant external requirements.

Standard / Legislation	What this Means
<i>Corporations Act 2001 (Cth)</i>	Requires the organisation to have a whistleblower policy in place and that policy must ensure that any disclosers are dealt with consistent with the requirements of the Act.
<i>Aged Care Act 1997 (Cth)</i>	Requires the organisation to demonstrate effective organisation wide governance. Requires IRT to ensure those reporting incidents are protected.
<i>National Disability Insurance Scheme Act 2013 (Cth)</i>	Requires the organisation to deal with protected disclosures.
Aged Care Quality Standards – Standard 8(c)(v)	Requires effective organisation wide governance systems relating to regulatory compliance systems and process to make sure the organisation is complying with all relevant legislation, regulatory requirements, professional standards, and guidelines.

2 Conduct covered by this policy

For the purposes of this Policy, Reportable Conduct is misconduct or an improper state of affairs or circumstances including conduct by IRT, its employees, volunteers, directors, officers, contractors, suppliers or any other person dealing with the organisation which:

- is dishonest, corrupt, unethical or improper
- is illegal or criminal (including theft, fraud, drug sale/use, violence or threatened violence, damage to property)
- contravenes legislation or regulatory requirements or constitutes an offence
- does not comply with IRT policies, procedures or practice
- puts the safety of individuals at risk
- represents a danger to the public or financial system.

Due to specific legislative requirements:

- **elder abuse allegations are dealt with separately under Policy 1.05 Elder Abuse**
- **Personal Work-related Grievances are dealt with separately under Policy 2.07 Grievance / Dispute Resolution**
- **reportable incidents under the *Aged Care Act* and the *National Disability Insurance Scheme Act* are dealt with separately under the Incident Management Procedure.**

3 Policy principles

IRT has adopted the following principles in relation to its Wrongdoing Reporting Program:

- a) IRT will protect the identity of Disclosers as far as possible and in compliance with its legislative obligations. Disclosers may also be entitled to protection under the *Corporations Act* and where relevant the *Aged Care Act* and the *National Disability Insurance Scheme Act*.
- b) IRT will encourage and provide support to Disclosers who have reasonable grounds to suspect Reportable Conduct. Support is provided where appropriate and with the person's consent.
- c) IRT will conduct investigations in an objective, fair, reasonable, independent and confidential manner. Investigations will follow the rules of natural justice and procedural fairness.
- d) IRT may pursue legal or disciplinary action against a Discloser acting with vexatious or malicious intent, or who knowingly provides any part of a false disclosure. IRT may not extend protection to a whistleblower against reprisals in these circumstances.
- e) All Disclosures are to be treated on a confidential basis, subject to any regulatory or legislative requirements.
- f) Disclosers may choose to report anonymously and will be entitled to the same protections. However, Disclosers are encouraged to identify themselves to assist with providing any further information and to ensure that protection and support can be provided.

The Reporting of Wrongdoing Procedure sets out the Wrongdoing Reporting Program and meets the requirements of these principles.

4 Roles and responsibilities

Role	Responsibility
Employees, volunteers, directors, officers, contractors and suppliers	<ul style="list-style-type: none">• Report concerns regarding Reportable Conduct.
Supervisors and managers	<ul style="list-style-type: none">• Refer any reports of Reportable Conduct to a Disclosure Officer.• Ensure that all employees, volunteers and contractors are aware of this Policy and the avenues for reporting Reportable Conduct.
Company Secretary	<ul style="list-style-type: none">• Oversee the Wrongdoing Reporting Program.• Provide quarterly reporting to the Audit, Risk and Compliance Committee.• Manage the relationship with the external Disclosure Officer provider.

Role	Responsibility
Disclosers	<ul style="list-style-type: none"> • All reports must be made with reasonable grounds to suspect the Reportable Conduct. • Provide as much information as possible and any known details relating to the Reportable Conduct (e.g. date, time, location, name of person(s) involved, evidence such as documents or emails, possible witnesses, and any steps that may have been taken to report the matter elsewhere to try to resolve the concern).
Disclosure Service	<ul style="list-style-type: none"> • Receive and assess Disclosures. • Refer Disclosures confidentially (and anonymously where required) to a Disclosure Officer.
Disclosure Officers	<ul style="list-style-type: none"> • Receive and assess Disclosures. • Consider and address any potential or actual conflicts of interests in the handling of the Disclosure. • Protect and support Discloser from detriment or a threat of detriment as a result of making a Disclosure. • Provide advice to anyone covered by this Policy prior to, during, or after a Disclosure. • Ensure Disclosers and parties involved in an investigation receive support, where appropriate and with their consent. • Ensure that any Disclosures which are fanciful, illogical or irrational are dismissed and the Discloser is notified of the outcome. • Ensure that any Disclosures which are Personal Work-related Grievances are referred for consideration under Policy 2.07 and the Discloser is notified.
Investigation Officers	<ul style="list-style-type: none"> • Conduct investigations on Reportable Conduct, in a timely manner. This may include the use of internal or external investigative resources. • Keep the Discloser informed of the investigation's progress and investigation outcome, subject to privacy and confidentiality requirements. • Report the investigation outcome.
Support Officers	<ul style="list-style-type: none"> • Support Discloser and parties involved in an investigation, where appropriate and with their consent.
Relevant Executive Leadership Team Member	<ul style="list-style-type: none"> • Oversee implementation of any recommendations arising out of an investigation.

5 Reporting wrongdoing

Any person wishing to report misconduct or an improper state of affairs or circumstances should follow the Reporting of Wrongdoing Procedure.

6 Making this policy available

This Policy and the Reporting of Wrongdoing Procedure are to be made available to:

- all current employees via the IRT Intranet
- all current and former employees, volunteers, directors, officers, contractors and suppliers, and their relatives and dependants via electronic copy on request to risk@irt.org.au
- all current NDIS Participants and their family members, carers and significant others via electronic copy on request to risk@irt.org.au
- the general public via the IRT website.

7 Definitions

In this Policy, words have the following meaning:

Term	Definition
Discloser	Any person who makes a Disclosure under this Policy.
Disclosure	The deliberate and voluntary disclosure or attempted disclosure of information that alleges the actual or suspected existence of Reportable Conduct in accordance with this Policy or the <i>Corporations Act</i> or the <i>Aged Care Act</i> .
Disclosure Officer	IRT employees who are designated in the Reporting of Wrongdoing Procedure to receive and assess Disclosures.
Disclosure Service	An independent, external provider designated in the Reporting of Wrongdoing Procedure to receive and assess Disclosures.
Investigation Officer	IRT employees who are designated in the Reporting of Wrongdoing Procedure to investigate Disclosures.
NDIS Participant	An individual who is receiving funded supports through the National Disability Insurance Scheme and is a current resident of an IRT residential aged care facility.
Personal Work-related Grievance	Includes: <ul style="list-style-type: none"> • an interpersonal conflict • a decision that does not involve a breach of workplace laws • a decision about the engagement, transfer or promotion of a person • a decision about the terms and conditions of engagement of a person • a decision to suspend or terminate the engagement of a person, or otherwise to discipline them.
Reportable Conduct	Misconduct or an improper state of affairs or circumstances; <ul style="list-style-type: none"> • including conduct that is dishonest, corrupt, unethical, improper, illegal or criminal, contravenes legislation, constitutes an offence, does not comply with IRT policies, procedures or practice, puts the safety of individuals at risk or represents a danger to the public or financial system • excluding a personal work-related grievance.
Support Officer	IRT employee designated by a Disclosure Officer to support Disclosers and other parties involved during the reporting and investigation of a Disclosure. Support may also be obtained confidentially through the Employee Assistance Program.