



WHISTLEBLOWING POLICY

Manual: Service Delivery

Document ID: E.27

1. PURPOSE

Mercy Services aims to provide an environment where employees and others in the workplace are treated fairly and with respect. Employees are encouraged to report any wrongdoing.

Mercy Service also aims to help provide employees, volunteers and contractors with a supportive work environment in which they feel able to raise issues of legitimate concern to Mercy Services, without fear of victimisation, detriment or other retribution and provide suitable avenues for reporting of matters that may cause loss to or damage Mercy Services' reputation.

2. WHO DOES THIS POLICY APPLY TO

This policy applies to employees, volunteers, contractors and clients of Mercy Services in relation to reports concerning wrongdoing.

3. POLICY

This policy will commence effective immediately. It replaces all previous Whistleblower Policies (whether written or not).

This policy must not be used for trivial or vexatious matters (being matters that the reporter knows, or ought to know have no substance).

This policy is not intended to replace other reporting structures or grievance procedures such as those for dispute resolution, grievances, equal opportunity, discrimination, harassment or bullying.

This Policy does not form part of any employee's contract of employment, nor does it form part of any other employee's contract for service.

Mercy Services is committed to the highest standards of legal, ethical and moral behaviour. Mercy Services will not tolerate unethical, unlawful or undesirable conduct.

This Policy documents Mercy Services' commitment to maintaining an environment in which employees, volunteers and contractors are able to report, without fear of retaliatory action, concerns about any serious instances of wrongdoing that they believe may be occurring in the name of Mercy Services.

The existence and operation of this Policy must be promoted openly within Mercy Services with formal communication occurring at least once a year. It must also be incorporated into induction activities for new employees, volunteers and contractors.

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4. PROCEDURE

4.1 Reporting and Wrongdoing

a) *Internal Reporting*

Any employee, volunteer or contractor who detects or has reasonable grounds for suspecting wrongdoing is encouraged to raise any concerns with their immediate manager through normal reporting channels.

The manager will report the allegation to the Chief Executive Officer, who is responsible for ensuring the matter is properly dealt with. This may include appointing an independent investigator to inquire into the allegations. Alternatively, it may be appropriate to continue to be dealt with by an internal manager.

Any employee, volunteer or contractor who detects or has reasonable grounds for suspecting wrongdoing on the part of the Chief Executive Officer, is encouraged to raise any concerns with the Head of People and Culture in the first instance, who is required to forward the complaint to the Chairman of the Board of Directors.

b) *External Reporting*

If the employee, volunteer or contractor does not believe reporting to their immediate manager through normal reporting channels is appropriate given the circumstances of the wrongdoing, genuinely fears reprisal, or believes no action will be taken, the report may be made directly via the Grapevine Hotline.

Grapevine is an independent whistleblowing service contracted by Mercy Services to provide the Grapevine Hotline. Grapevine have several methods of receiving a reported wrongdoing although a telephone call is preferred so that sufficient information can be obtained to enable the conduct of an appropriate investigation. Grapevine do not have incoming or outgoing caller ID.

Telephone	1300 933 977
Telephone operating hours	24 hours a day, 7 days a week
Online	Mercyservices.grapevineonline.com.au

The contact person from Grapevine will inform Mercy Services' Chief Executive Officer of the details of any report received.

c) *Wrongdoing*

Where it is shown that a person purporting to be a whistleblower has knowingly made a false report of wrongdoing, then that conduct itself will be considered a serious matter. A false report includes matters the [reporter/ person purporting to be a whistleblower] knows, or ought to know, have no substance.

Making a false report may lead to the whistleblower being the subject of disciplinary action which may include dismissal.

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4.2 Confidentiality of Whistleblower’s Reports and Identity

If a person makes a report of alleged or suspected wrongdoing under this Policy, Mercy Services will endeavour to protect that person’s identity from disclosure. This may not occur if confidentiality is not a practical option.

Generally, Mercy Services will not disclose the person’s identity unless:

- a) the Mercy Services employee making the report consents to the disclosure;
- b) the disclosure is required or authorised by law; and/or
- c) the disclosure is necessary to further the investigation.

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

At some point in time it may also be necessary to disclose the fact and the substance of a report to the person who is the subject of the report. While confidentiality is maintained, in some circumstances, the source of the report may be obvious to a person who is the subject of a report.

Unauthorised disclosure of information relating to a report, the identity of a Mercy Services employee, volunteer or contractor who has made a report of wrongdoing or information from which the identity of the reporting person could be inferred, will be regarded seriously and may result in disciplinary action, which may include dismissal.

Investigation

All reports of alleged or suspected wrongdoing made under this Policy will be properly assessed, and if appropriate, independently investigated with the objective of locating evidence that either substantiates or refutes the claims made by the whistleblower.

The Chief Executive Officer will be responsible for ensuring the proper conduct of the investigation, which may include appropriate instruction and oversight of a third party appointed to conduct an investigation.

The investigation will not be conducted by a person who may be the subject of the investigation or has inappropriate links or connections (actual or perceived) to the person(s) or practice(s) under investigation.

The Chief Executive Officer will ensure that the whistle blower is kept informed of the outcomes of the investigation to his/her report subject to the considerations of privacy of those against whom the allegations have been made.

Throughout the assessment and investigation process Mercy Services will treat fairly the person who is the subject of a report.

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If, following an investigation, the allegations are found not to be substantiated, then any documents relating to the investigation will be handled confidentially, subject to disclosures to the appropriate members of management or the Board, as appropriate.

4.3 General Reporting of Incidents

Separate to the reporting described elsewhere in this policy, all employees, volunteers and contractors have a duty to report any incident or situation that:

- a) presents (or could present) a risk to the safety of employees or other parties;
- b) constitutes a breach of any law or regulation (or could result in a breach);
- c) could adversely impact Mercy Services' reputation, or its relationship with a client; or
- d) results (or may result) in avoidable financial loss to Mercy Services.

These incidents should be reported directly to the person's immediate manager, with a copy also provided to the Quality Clinical and Safety Advisor
In all cases, a written record of the report should be retained by the employee, volunteer or contractor reporting the incident.

General Incident reporting is covered by Mercy Services G.17 Incident Investigation Policy

4.4 Informing the Institute Leader

Mercy Services has a duty to inform its institute leader of any matter reported to the Board or via this whistle blowing policy involving any of the following:

- Serious incident of fraud;
- Safeguarding; or
- Other significant event which could cause loss, serious reputational risk or material damage to Mercy Services.

The CEO will inform the institute leader upon receipt of any matter notified that covers any of these areas.

4.5 Further Information

For further information about this Policy and the procedures supporting this Policy, please contact Mercy Services' Head of People and Culture

5. DEFINITIONS

"Whistleblowing" means the deliberate, voluntary disclosure of individual or organisational wrongdoing by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control.

"Wrongdoing" means any conduct that is dishonest, fraudulent or corrupt; illegal, such as elder abuse, theft, drug sale or use, violence, harassment, criminal damage to property or other breaches of state or federal legislation; unethical behaviours, such as dishonestly altering company records or

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engaging in questionable accounting practices or wilfully breaching Mercy Services’ code of conduct or other ethical statements; potentially damaging to residents and clients; potentially damaging to another employee or contractor, such as unsafe work practices or substantial wasting of resources; causing financial loss to Mercy Services or damage to its reputation or be otherwise detrimental to Mercy Services’ interests or involves any other kind of serious impropriety, and may include concealment of wrongdoing

6. KEY PERFORMANCE INDICATORS

Staff Survey indicates 100% satisfaction with the program

7. EXPECTED OUTCOME

Mercy Service provides employees, volunteers and contractors with a supportive work environment in which they feel able to raise issues of legitimate concern to Mercy Services, without fear of victimisation, detriment or other retribution and provide suitable avenues for reporting of matters that may cause loss to or damage Mercy Services’ reputation

8. OTHER RELATED POLICIES AND PROCEDURES

- E.08 Feedback & Complaints
- E.23 Client Safeguarding

9. REFERENCES

10. VERSION CONTROL AND CHANGE HISTORY

Version	Date Reviewed	Amendments
1.0		Initial Draft.
1.1	30/06/2020	Minor amendment to inform institute leader of any serious incidents

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