

# POL-023 - Whistleblower Policy

## Purpose

Cornerstone Medical Recruitment (“the Company”) is committed to upholding the highest standards of ethics and integrity in all areas of our business. We encourage the disclosure of any conduct of the Company deemed illegal, corrupt, fraudulent, or dangerous, as well as any concealment of these malpractices. We understand that maintaining a culture of honesty and accountability at all levels is crucial to our continued success and positive reputation.

The purpose of the Whistleblower Policy (“the Policy”) is to enable employees of Cornerstone Medical Recruitment and external stakeholders to raise matters of concern or disclose information that the individual believes represents malpractice, without fear of retribution and with trust that the matter will be taken seriously. This Policy provides guidance on what classifies as a reportable concern, how the concerns can be raised and with whom, what happens after the disclosure and what protections are afforded to the Whistleblower.

## Scope

This policy applies to:

- Former and current staff, including directors, managers and supervisors; full-time, part-time or casual, temporary, max term and permanent staff; job candidates; student placements, contractors, sub-contractors and volunteers;
- Former and current suppliers of services or goods to the Company (whether paid or unpaid), this includes employees of a supplier;
- Former and current associates of the Company;
- Relatives, dependents, or spouses of any of the above.

## Reportable Conduct

A matter can be reported under the Whistleblower policy where there are reasonable grounds to suspect misconduct, a contravention of laws or dangerous practice.

Examples of reportable conduct include:

- Illegal conduct or breach of regulatory requirements;
- Criminal acts;
- Financial fraud or misappropriation of funds;
- Abuse of authority;
- Modern slavery, forced labour or human trafficking;
- Bribery or corruption;
- Risk of serious harm to employee, service user or supplier safety;
- Risks to public safety or the environment;
- Victimisation of employees and/or Whistleblowers;
- Concealment of any of the above.

## Ineligible Reports

Personal work-related grievances do not fall under the Corporations Act 2011 (“the Act”) or this Policy and are not afforded the same levels of protection. Grievances of this nature have personal implications and are likely to be dealt with under other Company policies, such as:

- Complaint Handling Policy;
- Equal Opportunity & Anti-Discrimination Policy;
- Workplace Anti-Bullying & Anti-Harassment Policy.

Personal work-related grievances must be raised with the direct Manager or People team, who will advise on the required course of action.

Concerns reported that are without reasonable grounds, e.g. knowingly falsely reported, with malicious intent or for personal gain, are not protected under the Act and could be subject to disciplinary or legal action.

# Making a Whistleblower Report

## Internal Reporting Mechanisms

Concerns of reportable conduct can be reported in writing, by phone or in person to one of the following people:

- Chief Executive Officer – Samantha Miklos – 07 3171 2929
- Chief People Officer – Christina King – 07 3188 6193

Whistleblowers are encouraged to provide as much detail as possible regarding the nature of the concern, individuals involved and any supporting evidence to aid in a thorough investigation.

All reports will be treated in the strictest of confidence and their anonymity retained as much as practicable. Concerns need to be reported to the individual’s listed above to be afforded protection under The Act. If the reported matter does not fall within the definition of ‘reportable conduct’, it will be addressed under an alternative framework and protection under The Act will not be applicable.

## External Reporting

While we encourage whistleblowers to report concerns internally through the channels provided in this policy, we recognise that there may be instances where individuals feel the need to report their concerns to external bodies.

Whistleblowers have the right to report concerns directly to relevant regulatory authorities, law enforcement agencies, or other external entities if they believe it is necessary to ensure proper investigation and resolution.

Before making an external report, we strongly encourage whistleblowers to exhaust internal reporting mechanisms to give the Company an opportunity to address the concerns internally.

External reporting bodies that afford Whistleblower protection under the Act:

- ASIC
- APRA
- ATO, where applicable.

Whistleblowers should be aware that external reporting may be subject to different procedures and legal requirements, which they should familiarise themselves with before proceeding. It is important for whistleblowers to inform the Company if they make an external report, as it allows us to coordinate and collaborate with the external entity, if necessary, and to ensure compliance with any legal obligations imposed upon us as a result of the report.

## Emergency and Public Interest Reporting

If there is deemed an immediate threat to public health and safety, whistleblowers may choose to bypass internal reporting and make a direct external report to Commonwealth, State or Territory Parliamentarians. We encourage individuals to refer directly to ASIC for clarification on the required conditions surrounding Public Interest or Emergency Disclosures, in order to continue to receive protection under the Act. This information can be accessed via the ASIC website or via [Whistleblower rights and protections | ASIC](#).

Whistleblowers may also consider seeking independent legal advice surrounding making eligible emergency and public interest reports.

## Reporting to Legal Practitioners

Whistleblowers have the right to seek independent legal advice or representation regarding their concerns and the reporting process. We encourage whistleblowers to consult with legal professionals to better understand their rights, legal protections, and any potential implications related to their disclosure. Whistleblowers may choose to disclose information to their legal representatives for the purpose of seeking advice, guidance, or representation in whistleblowing matters without fear of repercussions under the Act.

# Investigation Protocol

Cornerstone are committed to a Whistleblower report investigation process that is objective, respectful and provides support for all stakeholders involved.

Please see below details which outline steps in the investigation process:

- An investigative officer will be assigned to conduct a preliminary assessment of the reported concern. This assessment may involve further conversations with the Whistleblower, gathering further information and/or conducting initial interviews with the stakeholder implicated in the concern;
- If the preliminary assessment indicates the reported concern is an eligible disclosure under the Act, and it was submitted with reasonable grounds, a formal investigation will be initiated;
- Any stakeholder named in a reportable concern will be informed as such and will have an opportunity to respond to any allegations;
- During the formal investigation, assigned investigators will gather and examine any related evidence, interview relevant stakeholders and take necessary steps to determine the accuracy of the reported concern. This may involve further interviews with the Whistleblower;

- The investigative officer will conduct a thorough review of the findings and assess the validity of the reported concern, considering all available evidence. A final report will be provided to an officer of the Company whereby, if the investigation substantiates the reported concern, appropriate actions will be taken to address the issue;
- The Whistleblower will be notified, as far as practicable, of the outcome of the investigation and any further actions that may have been taken as a result.

The investigative officer will endeavour to conduct and complete an investigation into a reported concern within two weeks, as far as practicable. The duration of the investigation can be influenced by factors such as the gravity of the reported concern, the extent of accessible information, and the availability of resources.

## Confidentiality and Anonymity

A Whistleblower has the right to report a concern anonymously and maintain anonymity throughout the investigation process. The Company will not attempt to determine the identity of the Whistleblower unless legally required to do so. Attempts by any Company personnel to uncover the identity of the Whistleblower, or information whereby their identity could be inferred, will be regarded as serious misconduct and handled accordingly. Any unlawful disclosure of the aforementioned information may also result in legal action based on a contravention of the Act.

Throughout the report and investigation process, the Company will take reasonable steps to protect the confidentiality of the Whistleblower to the extent permitted by law. This may include:

- Consulting with the Whistleblower to identify any element of their report that could inadvertently uncover their identity;
- Redacting any personal information or references to information or events where the identity of the Whistleblower could be inferred;
- Using gender neutral language with respect to the Whistleblower;
- Minimising the number of individuals involved in investigating the reported concern and limiting the disclosure of the Whistleblower's identity to the fewest necessary for the purposes of investigation. All individuals participating in the investigation process will receive comprehensive briefings and periodic reminders regarding their responsibilities' relating to confidentiality;
- Ensuring the secure storage of all hard copy and/or electronic files relating to the reported concern and investigation process.

The submission of a Whistleblowing report anonymously or confidentially may hinder the Company's ability to adequately investigate the alleged wrongdoing and take action to rectify the issue. It may also impede the Company's ability to provide appropriate protection and support to the Whistleblower, monitor their well-being, or provide timely feedback on the investigation's progress and outcomes.

There may be instances where the Company are required to release the identity of the Whistleblower such as compliance with the law or subsequent legal proceedings, for the purpose of a thorough investigation of the reported concern, with prior consent of the whistleblower or protection against false allegations. In these instances, the Whistleblower will be informed prior to the disclosure of their identity.

Concerns regarding the Company's handling of the Whistleblower's anonymity should be raised with:

- One of the eligible recipients listed earlier in the policy;
- A legal practitioner; or
- The relevant regulator e.g. ASIC, APRA or ATO.

## Protection from Retaliation

Whistleblowers who report an eligible concern will be afforded legal immunity from civil, criminal, and administrative liability. The Company will not proceed with any of the above legal action based on the Whistleblower's reported concern. However, the Company cannot afford immunity to any misconduct the Whistleblower themselves may have engaged in that may be uncovered during the investigation of the reported concern. The Company will not enforce a non-disclosure clause of a Contract for the purpose of preventing the effective reporting of a concern.

The Company will not discriminate against or victimise the Whistleblower in any form following a reported concern. This includes;

- Any work-based retaliation including dismissal, demotion, suspension or denial of promotion as a direct response of the reported concern;
- Any form of harassment or intimidation;
- Physical or psychological harm or injury;
- Purposeful social isolation or exclusion from meetings, projects etc.;
- Unwarranted disciplinary actions, performance reviews or any action to negatively affect the Whistleblower's professional reputation;
- Damage to the Whistleblower's property or financial position;
- Threaten or alter the agreed contract or business arrangements if the Whistleblower is a supplier or contactor of the Company
- Any discrimination between the Whistleblower and other Company personnel.

The protections afforded to a Whistleblower under the Act are to apply even if the reported concern is determined as not substantiated, as long as the concern was reported in good faith. The protections listed above extend to any personnel implicated in the reported concern or contacted throughout the investigation process.

The Company will take all reasonable steps to protect the Whistleblower from discrimination and will take action against any employee that engages in such conduct.

## Compensation

A Whistleblower may seek remedies including compensation, civil penalties or reinstatement if:

- They suffer loss, damage or harm due to a reported concern
- The Company failed to take reasonable steps and exercise due diligence to prevent any discrimination as a result of the reported concern.

The Company encourages the Whistleblower to seek independent legal advice if they are considering seeking remedies from any individual or the Company.

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## Training and Awareness

The Company will ensure that all employees are aware of the Whistleblower policy, their afforded rights, the importance of reporting misconduct and where to locate the policy in full. The policy will be kept in a centralised location and reviewed regularly to maintain currency and accuracy as per the Act.

## Support and Resources

A Whistleblower may have a support person present at any interviews or meetings with the investigative officer. A Whistleblower will need to inform the Company ahead of time and provide details of the proposed support person.

During the investigation of a reported concern, the Company will conduct a risk assessment of possible detriment to the Whistleblower which will inform the reasonable steps taken to protect the Whistleblower throughout the investigation. If the Whistleblower has disclosed their identity, the assigned investigative officer will reach out to the Whistleblower regularly to ensure they continue to feel supported.

The Whistleblower may continue to access the Company's Employee Assistance program to partake in confidential counselling sessions, to support their psychosocial health throughout the investigation process.

If appropriate, the Whistleblower may request, and the Company will reasonably consider, an extended period of leave or relocation during the investigation, if their continued presence may impact their ability to remain anonymous. The Whistleblower may also decide to access third party support providers such as Beyond Blue (1300 22 4636) or Lifeline (13 11 14) to obtain further confidential support.

## Other Matters

Any breach of this policy will be taken seriously and may be considered as misconduct, leading to disciplinary action or criminal/civil liabilities for contravention of the act.

The Company reserves the right to unilaterally vary, remove or replace this policy at any time. Employees are encouraged to review this policy in conjunction with other Company policies.

