



National  
Veterinary  
Care

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*Excellence  
in Vet Care*

# National Veterinary Care Ltd Whistleblower Protection Policy

## **Related Policies/Procedures**

- Code of Conduct
- Grievance and Complaint
- Discipline
- Discrimination and Harassment
- Privacy

## **Relevant Legislation**

- Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2017 (Cth)

## A. POLICY

### A.1 Why is this important?

NVC is a company driven by strong Values and guiding principles, committed to fostering a culture of ethical behaviour and good corporate governance. Our Employees and Partners must therefore be able to speak up about any unlawful, unethical or irresponsible behaviour within our organisation without fear of reprisal.

### A.2 Whom does this apply to?

This applies to all Employees (including Contractors) past and present of NVC and our Partners (e.g. agents; subcontractors; intermediaries; representatives) who may act on behalf of NVC.

This Policy covers incidents of serious legal or moral wrongdoing. It does not cover complaints or disputes of a work-related performance or interpersonal nature, which are covered by the NVC Policy – Grievance and Complaint.

### A.3 What we expect?

We are all are accountable for contributing to this great organisation, so we expect that everyone is aware of and abides by our Values and our Code of Conduct. We expect that no NVC Employee or Partner will engage in or tolerate any corrupt, illegal or other undesirable conduct within our organisation, nor condone victimisation of an individual who intends to report or has reported such conduct as a Protected Disclosure in accordance with this Policy.

All NVC Managers are required to familiarise themselves with this policy and their obligations. Protected Disclosure Officers will follow specific training on how to respond to a Protected Disclosure made in accordance with this policy.

### A.4 What do the terms mean?

Contractor	A person is who has been engaged by NVC to undertake tasks and activities
Code	Code of Conduct
Confidential or Proprietary Information	Includes: business strategies; processes, staff, client and supplier lists and information, organisational structures and charts, financial projections, data and reports, and intellectual property such as patents, trademarks and copyrights
Disciplinary Action	Action taken to deal with any actual or perceived breach of policies, codes or other standards of work performance and/or conduct. Includes: verbal warning, written warning, direction to attend counselling, suspension, demotion, reduction in pay, termination, summary dismissal
Documents	Includes: timesheets, invoices, inventory reports, client agreements, results
Employee	A person employed by NVC under which ever employment instrument
Information Resources	Includes: all the equipment and software that we make available to you so you can communicate, store, process and transmit information
NVC	National Veterinary Care Ltd (ACN 166 200 059)
Manager	Line manager of an Employee of NVC
Partner	Any person engaged to perform work for or on behalf of NVC in Australia or New Zealand, including an agent, agency worker, volunteer (or person on work experience or placement), consultant, contractor, subcontractor or supplier
Property & Assets	Includes: cash, business plans, third party information, intellectual property (computer programs, software, models and other items), confidential and proprietary information, office or clinic equipment and supplies
Protected Disclosure	A report of Reportable Conduct made in accordance with this Policy. To be protected under this Policy, a Whistleblower must: <ol style="list-style-type: none"><li>1. be acting honestly with genuine or reasonable belief that the information in the allegation is true or likely to be true;</li><li>2. make the disclosure in accordance with this Policy; and</li></ol>

	3. not themselves have engaged in serious misconduct or illegal conduct in relation to the Reportable Conduct.
Protected Disclosure Officers	A person authorised by the NVC Board of Directors to receive and commence an investigation regarding Protected Disclosures made in accordance with this policy
Records	Includes: books, accounts, client histories, social media posts, emails and file notes
Reportable Conduct	Serious wrongdoing, which may include (but is not limited to): <ul style="list-style-type: none"> <li>• dishonest, corrupt or illegal activities;</li> <li>• theft, fraud, money laundering or misappropriation;</li> <li>• offering or accepting a bribe;</li> <li>• unethical conduct;</li> <li>• gross negligence;</li> <li>• conduct that creates a serious risk to the health and safety of any person at the workplace, to public health, public safety or the environment;</li> <li>• victimising someone for reporting Reportable Conduct;</li> <li>• recrimination against someone because they participated in an investigation or review; or</li> <li>• any instruction to cover up or attempt to cover up serious wrongdoing.</li> </ul>
Whistleblower	An Employee or Partner making a report in good faith in accordance with this Policy
Workplace	Any location where an Employee or Contractor is required to perform work or such other places in connection with the performance of NVC work

## B. PROCEDURE - How it works in practice

### B.1 Protection of Whistleblowers

An Employee or Partner making a report in good faith in accordance with this Policy (a “Whistleblower”) will not be discriminated against or disadvantaged in their employment or engagement with NVC, even if the report is subsequently determined to be incorrect or not substantiated.

All reasonable steps will be taken to ensure that a Whistleblower will not be subject to any form of victimisation, discrimination, harassment, demotion, dismissal or prejudice, because they have made a report. However, this Policy will not protect the Whistleblower if they are also involved in or connected to the improper conduct or illegal activities that are being reported, although the reporting of the improper conduct would be taken into consideration when deciding on any appropriate disciplinary action.

It is important to note that the Corporations Act prescribes significant civil penalties for breaches of Whistleblower protection legislation such as victimising or revealing the identity of a Whistleblower.

#### B.1.1 Anonymous Reporting

A report can be made anonymously. However, it may be difficult for NVC to properly investigate anonymous reports. If authorities take further legal action on the reported matter, it may become necessary for a Whistleblower to identify themselves. If the Whistleblower wishes to benefit from statutory protections provided to whistleblowers (for example, under the Corporations Act 2001), they may also have to disclose their name. In these instances, NVC will continue to ensure that the Whistleblower is protected from retaliation.

If an anonymous report is made, the Whistleblower must ensure that the report is supported by the provision of all relevant details and evidence to allow NVC to commence an investigation.

### **B.1.2 Reporting in Good Faith**

A report may have serious consequences, including potential damage to the career prospects and reputation of people who are the subject of allegations of wrongdoing. Therefore, it is very important that those who make a report under this Policy do so in good faith, with reasonable grounds for believing that the information is correct or likely to be correct.

NVC takes all reports made under this Policy very seriously and looks particularly unfavorably on any false reports or claims. Disciplinary action up to and including summary dismissal may be taken against any Employee or Partner who makes a report that is not in good faith. A report will not be considered to be made in good faith if it is frivolous, raised for a malicious reason or ulterior motive, or if it is not based on facts and/or circumstances that provide a reasonable basis for the report. Repeated reports about trivial matters may also be considered not to be made in good faith.

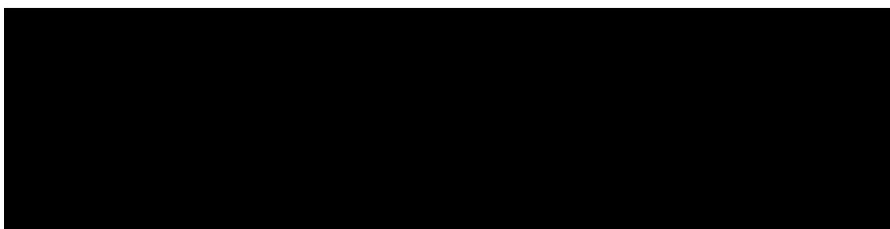
## **B.2 Making a Protected Disclosure**

A Protected Disclosure may be made using the reporting channels outlined below.

### **B.2.1 Who to contact**

Internal Whistleblowers (Employees and Partners) may feel most comfortable to first discuss the matter informally with their direct line manager or human resources advisor to establish whether the matter constitutes Reportable Conduct, or whether the concern would be more appropriate raised in accordance with the NVC Policy – Grievance and Complaint. The manager or HR representative will keep such discussions confidential unless they believe there is a serious health and safety risk, and will provide advice on how to escalate the report.

Alternatively, Whistleblowers may make a Protected Disclosure by contacting (verbally or in writing) NVC's Protected Disclosure Officers:



If a Protected Disclosure is made to another person within the business, the person is obligated to escalate the report immediately to one of the Protected Disclosure Officers, take no further action and observe strict confidentiality. The Protected Disclosure Officers will safeguard the interests of the Whistleblower and assess the most appropriate steps to respond and investigate the matters.

A Whistleblower who has made a report under this Policy is required to keep confidential the fact that a report has been made (subject to any legal requirements), and where possible or reasonable the Whistleblower will be kept informed of the progress and outcomes of any investigation, subject to privacy and confidentiality considerations.

### **B.2.2 Investigation of a Report**

Where a Report is made in accordance with this Policy, the Protected Disclosure Officers will be responsible for ensuring an impartial investigation is commenced. As appropriate, the investigation may be carried out internally, or an external organisation may be engaged. All investigations will be conducted in a fair and independent manner and all reasonable efforts will be made to preserve confidentiality of an investigation.

The person leading the investigation will report their findings to the Protected Disclosure Officers along with recommendations for the appropriate course of action (if any) in response to the findings. Such action may include a disciplinary process or another form of escalation of the report within or outside the company.

The principles of procedural fairness and natural justice will be followed during the investigation and findings.

### **B.2.3 Protection of Whistleblowers**

As far as possible, and subject to the need to conduct proper investigations and take any consequential disciplinary steps, NVC is committed to preserving the confidentiality of:

- a) the identity of the Whistleblower;
- b) the identity of the person who is the subject of disclosure; and
- c) the fact/s of the disclosure.

Where appropriate, the Protected Disclosure Officers and the Whistleblower may agree to take additional steps to protect the Whistleblower from a breach of confidentiality or victimisation including:

- a) granting leave of absence to the Whistleblower or the person who is the subject of the disclosure for the period of the investigation; or
- b) making alternative arrangements for the Whistleblower to carry out their responsibilities.

NVC is committed to ensuring that any person who:

- a) reports Reportable Conduct,
- b) acts as a witness, or
- c) participates in any way with respect to a report of Reportable Conduct,

is not victimised. NVC will thoroughly investigate reports of victimisation or breaches of confidentiality that lead to or could lead to victimisation. If proven, those who have victimised a person may be subject to disciplinary action up to and including summary dismissal.

### **B.2. Support Services**

NVC will make professional support services available to Whistleblowers and persons who are the subject of Protected Disclosures through the Employee Assistance Program.

### **Document Control and Version History**

Last Modified:	July 2019
Review Date:	July 2020
Approval Authority:	Board of Directors
Contact Person:	Human Resources Manager

This Policy will be periodically reviewed to ensure it is effective and complies with all applicable legislation.