

# WHISTLEBLOWING POLICY

## 1. Background

Metlifecare Limited and its subsidiaries (together "Metlifecare") are committed to having effective procedures on the reporting and investigation of serious wrongdoing.

The purpose of the Policy is to provide a mechanism by which serious wrongdoings can be reported and investigated. The Policy is not a mechanism through which employees can question Metlifecare's regular financial, business or other decisions, nor to revisit matters that have already been addressed under prescribed processes for dealing with staff complaints, harassment, employment relations, disciplinary or other staff matters.

For the purposes of this policy, serious wrongdoing includes, without limitation:

- Unlawful, corrupt or irregular use of funds or resources.
- Acts or omissions that constitute a serious risk to resident or staff health and safety, or the environment.
- Acts or omissions that constitute a serious risk to the maintenance of law and the detection of offences.
- An act or omission or cause of conduct that constitutes an offence.
- An act or omission by an employee that is oppressive, improperly discriminatory, grossly negligent, or that constitutes gross mismanagement.

## 2. Purpose

The below procedures are designed to:

- Facilitate the disclosure and investigation of serious wrongdoing in relation to Metlifecare; and
- Set out an internal Metlifecare procedure for receiving and dealing with information about serious wrongdoing in relation to Metlifecare; the intent of which is to aid

disclosure by those staff members who believe they have discovered serious wrongdoing.

### 3. Responsibilities

Metlifecare is committed to encouraging, assisting and protecting staff who identify and disclose instances of serious wrongdoing by ensuring the person receiving the disclosure uses their best endeavours to keep the identity of the disclosing party confidential.

### 4. References

This policy should be read in conjunction with Metlifecare's Code of Ethics, Abuse and Neglect of Residents Policy and Procedures and all applicable laws, including:

- Employment Relations Act 2000
- Human Rights Act 1993
- Official Information Act 1982
- Protected Disclosures Act 2000.

### 5. Who Can A Whistleblower Make A Report To?

Metlifecare has several channels for making a report if a person becomes aware of any issue or behaviour which he or she considers to be serious wrongdoing.

Metlifecare employees or contractors may raise the matter directly to a Protected Disclosure Officer or with an immediate supervisor, manager or another senior supervisor within the relevant division/business unit.

A supervisor in receipt of a report must take the matter to an Executive Team Member, in accordance with the protocols regarding confidentiality set out below.

Any person may also make a report to any of the following Protected Disclosure Officers:

GM Human Resources, Huma Houghton

- Phone: 09 5398092
- Email: humah@metlifecare.co.nz

General Counsel, Andrew Peskett

- Phone: 09 5398004
- Email: andrewp@metlifecare.co.nz

Chief Financial Officer, Richard Thomson

- Phone: 09 5398028
- Email: richardt@metlifecare.co.nz

Reports may also be made by post to c/- Level 4, 20 Kent Street, Newmarket, Auckland 1023 or PO Box 37463, Parnell, Auckland 1151 (marked to the attention of one of the Protected Disclosure Officers referred to above). Alternatively, a report may be made via the Metlifecare hotline which is a free external hotline and reporting service independently monitored by law firm Minter Ellison Rudd Watts:

Phone: +64 9 353 9817

Mobile: +64 21 366 760

Email: Gillian.Service@minterellison.co.nz

After receiving a disclosure, the hotline operator will provide the details of the disclosure to an appropriate Protected Disclosure Officer. Where a discloser provides their contact details to the hotline, those contact details will not be provided to the Protected Disclosure Officer without the discloser's consent.

A report may be submitted anonymously if the discloser does not wish to disclose his/her identity to the Protected Disclosure Officer or via the hotline.

## 6. Investigation

All investigations following a disclosure of information in respect of a serious wrongdoing must follow the principles of natural justice and otherwise as is reasonable and appropriate having regard to the nature of the serious wrongdoing. A Protected Disclosure Officer may, with the discloser's consent, appoint a person to assist in the investigation of a matter raised in a report. Any investigation could involve one of the following options:

- Setting up an internal investigation (where financial misuse is alleged, this is likely to involve an internal, and possibly external, audit);
- Setting up an independent enquiry; or
- Where appropriate, referring the matter to the Police.

Where appropriate, Metlifecare will provide feedback to the discloser regarding the investigation's progress and/or outcome (subject to considerations of the privacy of those against whom allegations are made).

## 7. Protection of Whistleblowers

Metlifecare is committed to ensuring confidentiality in respect of all matters raised under this policy, and that those who make a report in good faith are treated fairly and do not suffer any disadvantage. The person(s) in Metlifecare responsible for investigating any disclosure will, in the course of the investigation, use their best endeavours not to disclose information that might identify the discloser unless:

- That person consents in writing to the disclosure of the information identifying them; or
- The person who has acquired the knowledge of the protected disclosure reasonably believes that disclosure of identifying information is:
  - Essential to the effective investigation of the allegations in the protected disclosure; or

- Essential to prevent serious risk to public health or public safety or the environment; or
- Essential, having regard to the principles of natural justice.

Disclosers are assured that a release of information in breach of this policy will be regarded as a serious matter and will be dealt with under Metlifecare disciplinary procedures.

### 8. Fairness

A Metlifecare employee or contractor who is subjected to detrimental treatment as a result of making a report in good faith under this policy should inform a senior supervisor within their division/business unit immediately. If the matter is not remedied, it should be raised via an alternative channel in accordance with paragraph 5 of this policy.

Detrimental treatment includes dismissal, demotion, harassment, discrimination, disciplinary action, bias, threats or other unfavourable treatment connected with making a report.

### 9. Duties Of Employees In Relation To Reportable Conduct

It is expected that employees of Metlifecare who become aware of known, suspected, or potential cases of serious wrongdoing will make a report under this policy or under other applicable policies.

### 10. Group Reporting Procedures

Divisions/business units and Protected Disclosure Officers (as appropriate) will report to the CEO and Board on the number and type of whistleblower incident reports annually, to enable Metlifecare to address any issues at a divisional/business unit and/or Group level.

These reports will be made on a 'no names' basis, maintaining the confidentiality of matters raised under this policy.

The Audit & Risk Committee will receive copies of all divisional/business unit whistleblower reports, and whistleblower reports from Protected Disclosure Officers (as appropriate). In addition, all serious wrongdoing will be considered by the Protected Disclosure Officers for immediate referral to the Chair of the Audit & Risk Committee.

### 11. Review

The Board will review this Policy annually.

### 12. Publication

This Whistleblowing Policy is available on the Company's website, [www.metlifecare.co.nz](http://www.metlifecare.co.nz).