

Wollondilly Support & Community Care Inc. (t/as IC Care)

Whistleblower Disclosure Policy

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1. Purpose and Statement

The purpose of this policy is to ensure that IC Care maintains an accessible, safe, confidential and effective whistleblower system in accordance with the Aged Care Act 2024, Aged Care Rules 2025 and the Aged Care Quality Standards.

IC Care is committed to fostering a culture of openness, accountability and continuous

improvement. All individuals are encouraged to raise concerns about suspected breaches of legislation, misconduct, or risks to the safety, health and wellbeing of older people without fear of reprisal, disadvantage or retaliation.

IC Care recognises that whistleblower disclosures play a critical role in identifying risks, strengthening governance and improving the safety and quality of care and services.

This policy establishes the principles, responsibilities and governance oversight arrangements for:

- Receiving and managing whistleblower disclosures
- Protecting individuals who make disclosures from detriment
- Ensuring confidentiality and appropriate handling of information
- Supporting compliance with legislative and regulatory obligations

2. Scope

This policy applies to:

- All aged care workers (this includes volunteers), responsible persons and Associated Providers engaged by IC Care
- All funded aged care services delivered by IC Care, Commonwealth Home Support Programme and any other funded aged care services
- Any individual who makes a disclosure relating to IC Care, including current and former workers, contractors, clients, representatives, family members, advocates and members of the public

This policy applies to **whistleblower disclosures as defined under the Aged Care Act 2024**, being disclosures made by an individual who has reasonable grounds to suspect that IC Care, or a person engaged by the organisation, may have contravened the Act or engaged in serious misconduct.

This policy applies to disclosures made:

- During the provision of care and services
- As a result of failure to provide care and services
- In connection with service delivery

3. Definitions

Term	Definition
Whistleblower Disclosure	A disclosure as defined under the Aged Care Act 2024, being a report or communication made by an individual who has reasonable grounds to suspect that IC Care, or a person engaged by the organisation, may have contravened the Aged Care Act 2024, Aged Care Rules 2025, or engaged in serious misconduct.
Whistleblower	An individual who makes a whistleblower disclosure.
Detriment	Any disadvantage, harm, injury, loss, damage, intimidation, discrimination or reprisal suffered by a person as a result of making, or being suspected of making, a disclosure.
Confidential Information	Information that identifies, or is likely to identify, a whistleblower. This includes personal details and any information that could reasonably lead to identification.
Personal Work-Related Grievance	A concern relating to an individual's employment that has implications only for that person and does not involve a breach of the Aged Care Act 2024, Aged Care Rules 2025 or serious misconduct. These matters are generally managed under the organisation's HR or grievance processes.
Corporate Whistleblower Disclosure	A disclosure that meets the criteria under the Corporations Act 2001 (Cth). These disclosures are managed in accordance with the organisation's Corporate Whistleblower Policy.
Complaints	A complaint is an expression of dissatisfaction made to or about IC Care, its staff, services or Associated Providers. Under the Aged Care Act 2024, an individual may choose how their concern is managed, which may be treated as either a complaint or a whistleblower disclosure.

4. Roles and responsibilities

All aged care workers (this includes volunteers), responsible persons and Associated Providers engaged by IC Care share responsibility for:

- Recognising and responding to whistleblower disclosures
- Maintaining confidentiality
- Escalating disclosures in accordance with this policy
- Supporting a culture where individuals feel safe to speak up

Role	Responsibilities
Governing Body	Ensures the organisation maintains an effective whistleblower system. Oversees disclosure trends, systemic risks and improvement actions. Promotes a culture of transparency and non-retaliation.
Chief Executive Officer (CEO)	Ensures implementation of this policy. Allocates appropriate resources for the whistleblower system. Reports disclosures, risks and systemic issues to the Governing Body. Participates in managing serious or escalated disclosures.
Chief Financial Officer (CFO)	Oversees operational compliance with whistleblower obligations. Ensures disclosures are appropriately escalated, assessed, investigated and responded to. Monitors systemic risks and improvement actions.
Managers	Support individuals to raise concerns. Ensure disclosures are acknowledged, assessed and escalated appropriately. Do not investigate disclosures unless authorised. Support staff and whistleblowers throughout the process.
Whistleblower Protection Officer (or delegate)	Coordinates the management of whistleblower disclosures. Receives and assesses disclosures, ensures appropriate escalation, supports confidentiality requirements, coordinates investigations and maintains the Whistleblower Register and records.
Staff and Volunteers	May receive whistleblower disclosures and must listen respectfully, ensure the individual feels safe and supported, promptly escalate the disclosure, maintain confidentiality, not investigate the matter themselves and not engage in retaliation or reprisal.
Associated Providers	Comply with this policy and contractual obligations. Ensure their workforce understands how to recognise, respond to and report whistleblower disclosures. Notify IC Care of disclosures relating to services delivered on its behalf and cooperate with investigation and resolution processes.

5. Policy principles/requirements

5.1 Commitment to a Speak-Up Culture

IC Care promotes a culture in which whistleblower disclosures are encouraged, respected and used to strengthen governance and improve the safety and quality of funded aged care services.

Individuals are encouraged to raise concerns about suspected breaches of legislation, misconduct or risks to the safety, health and wellbeing of older people without fear of disadvantage, discrimination or reprisal.

IC Care will not victimise or take adverse action against any person for making a disclosure in good faith. All disclosures will be managed in a manner that upholds dignity, privacy, confidentiality and procedural fairness.

IC Care recognises that early reporting of concerns supports effective risk management, continuous improvement and the delivery of safe, high-quality care and services.

5.2 Accessibility and Awareness

The whistleblower system must be accessible, inclusive and easy to understand.

Disclosures may be made to the provider, any aged care worker or responsible person of the organisation and will be accepted regardless of how or where they are received.

IC Care will:

- Provide clear information about how to make a whistleblower disclosure
- Allow disclosures to be made anonymously
- Offer multiple avenues for making disclosures, including verbal, written and electronic methods
- Provide information in plain English and alternative formats where required
- Facilitate access to interpreters, advocates and culturally appropriate supports
- Inform individuals of their right to make disclosures internally or externally, including to the Aged Care Quality and Safety Commission, the Department of Health, Disability and Aged Care, the police and independent aged care advocates
- Communicate monthly with aged care workers, responsible persons, individuals receiving services and their representatives that disclosures are encouraged and supported

5.3 Receiving and Escalating Disclosures

All aged care workers may receive a whistleblower disclosure and must respond appropriately at the first point of contact.

When receiving a disclosure, aged care workers must:

- Listen respectfully and without judgment
- Acknowledge the concern and thank the individual for raising it
- Ensure the individual feels safe and supported
- Offer access to an independent aged care advocate where appropriate
- Clarify the information provided where appropriate
- Inform the individual, where relevant, that their concern may be managed as a complaint or a whistleblower disclosure and that their preferences will be considered in accordance with legislative requirements
- Document the disclosure in accordance with organisational requirements
- Promptly report or escalate the disclosure in accordance with this policy
- Maintain confidentiality and only share information on a need-to-know basis
- Not investigate the matter themselves

Disclosures must be escalated as soon as practicable to the Whistleblower Protection Officer (or delegate), in accordance with internal reporting processes.

Where a disclosure involves immediate risk to the safety, health or wellbeing of an individual, immediate action must be taken to ensure safety, including escalation in line with the organisation's Incident Management and emergency response procedures.

5.4 Assessment of Disclosures

All disclosures will be assessed promptly and objectively to determine the appropriate management pathway.

The assessment will consider whether the matter:

- Constitutes a whistleblower disclosure under the Aged Care Act 2024
- Should be managed as a complaint in accordance with the organisation's Feedback and Complaints Management Policy
- Requires management under the Incident Management framework, including SIRS where applicable
- Involves matters that may fall under multiple frameworks

Where a disclosure may be managed as either a complaint or a whistleblower disclosure:

- The individual will be informed of their options, where appropriate and permitted by legislation
- The individual's preference will be considered in determining the management pathway
- Where the matter meets the criteria for a protected disclosure, it may be managed under the whistleblower framework to ensure appropriate protections apply

Where a matter involves immediate or potential risk to the safety, health or wellbeing of an individual, it must also be managed in accordance with the organisation's Incident Management and SIRS procedures.

Where a disclosure relates to matters that fall within the scope of other legislative frameworks, including the Corporations Act 2001 (Cth), the matter will be managed in accordance with the relevant policy and legislative requirements.

All assessment actions, communications and decisions must be documented and, where appropriate, escalated in accordance with this policy.

Anonymous disclosures

Disclosures may be made anonymously and will be assessed and managed to the extent possible based on the information provided.

Where a disclosure is made anonymously:

- The organisation will take reasonable steps to investigate and respond to the matter
- The absence of identifying information may limit the ability to investigate or provide updates
- All protections under this policy will apply to the extent practicable

Conflicts of Interest

Where a conflict of interest exists, or is reasonably perceived to exist, in relation to the Whistleblower Protection Officer (or any person involved in the management of a disclosure):

- The conflict must be declared immediately
- The individual must not be involved in the assessment, investigation or management of the disclosure
- The matter must be escalated to an appropriate alternative person, which may include a senior manager, the Chief Executive Officer or the Governing Body

IC Care will take all reasonable steps to ensure that disclosures are managed impartially, independently and without bias.

5.5 Management of Disclosures

IC Care will manage all whistleblower disclosures in a timely, fair, impartial and proportionate manner, consistent with legislative requirements and procedural fairness.

IC Care will:

- Acknowledge receipt of the disclosure as soon as practicable, where contact details are available
- Assess the level of risk and urgency and take immediate action where there is a risk to the safety, health or wellbeing of an individual
- Ensure the disclosure is managed by an appropriately authorised and skilled person, free from conflicts of interest
- Ensure fair and respectful treatment of any person named in a disclosure, including procedural fairness and access to appropriate support
- Undertake an investigation that is proportionate to the nature, seriousness and complexity of the matter
- Engage relevant staff, Associated Providers or external parties as required to support the investigation
- Maintain confidentiality throughout the process, including protecting the identity of the whistleblower and information likely to identify them
- Provide updates to the whistleblower where appropriate and where contact details are available
- Take appropriate action in response to findings, which may include care and service improvements, workforce actions, reporting to regulators, or system and process improvements
- Ensure outcomes and learnings are documented and integrated into the organisation's governance, risk management and continuous improvement systems

Where a disclosure has been made anonymously, IC Care will take reasonable steps to investigate and respond based on the information available. The ability to provide updates or seek further information may be limited.

Investigations will generally be coordinated by the Whistleblower Protection Officer (or delegate)

- For complex, high risk or sensitive disclosures, the Whistleblower Protection Officer may establish a Disclosure Review Group to support the investigation and resolution of the matter

- The Disclosure Review Group may include the Chief Executive Officer and representatives from Quality and Human Resources, or other appropriate personnel, depending on the nature of the disclosure
- The composition of the Disclosure Review Group will be determined to ensure appropriate skills, independence and absence of conflicts of interest
- Inform the whistleblower of their right to escalate the matter to external bodies if they are not satisfied with the outcome

5.6 Protections for Whistleblowers

IC Care is committed to ensuring that individuals who make whistleblower disclosures are protected in accordance with the Aged Care Act 2024.

A person who makes a disclosure on reasonable grounds is entitled to protection under the Act.

IC Care will take all reasonable steps to ensure that a whistleblower is protected from:

- Victimisation, discrimination or reprisal
- Dismissal, disciplinary action or adverse treatment
- Harassment, intimidation or threats
- Injury, loss or damage, including reputational harm

Whistleblowers are protected from civil, criminal and administrative liability for making a disclosure in accordance with the Aged Care Act 2024. These protections do not extend to any misconduct or unlawful conduct by the individual that is disclosed or otherwise identified through the investigation.

Disclosures may be made anonymously, and anonymous whistleblowers are entitled to the same protections under this policy to the extent practicable.

IC Care will take reasonable steps to support whistleblowers, which may include access to advocacy, counselling or workplace adjustments where appropriate.

IC Care will take all reasonable steps to ensure that no person suffers detriment because they have made, or are suspected of making, a disclosure.

Any person who engages in conduct that causes detriment to a whistleblower, or threatens to do so, will be subject to disciplinary action and may be referred to relevant external authorities.

5.7 Confidentiality and Privacy

IC Care will manage all whistleblower disclosures in a manner that protects the confidentiality and privacy of all individuals involved.

IC Care will take all reasonable steps to:

- Protect the identity of the whistleblower
- Prevent the disclosure of information that is likely to identify the whistleblower
- Limit access to information to those directly involved in managing and resolving the disclosure

- Ensure information is handled and stored securely in accordance with privacy and information management requirements

Information relating to a whistleblower disclosure will only be disclosed where necessary to:

- Manage or investigate the disclosure
- Prevent or lessen a serious risk to the safety, health or wellbeing of any person
- Comply with legal or regulatory obligations

Where possible, information will be shared in a way that does not identify the whistleblower.

Unauthorised disclosure of a whistleblower's identity, or information likely to identify them, is a serious breach of this policy and may result in disciplinary action and referral to relevant authorities.

5.8 False or Malicious Disclosures

IC Care encourages all individuals to raise concerns where they have reasonable grounds to suspect a breach of legislation, misconduct or risk to the safety, health or wellbeing of older people.

A disclosure made on reasonable grounds will be protected under this policy, even if the concern is not substantiated following investigation.

Deliberately false or malicious disclosures, including disclosures made without reasonable grounds or with the intent to mislead or cause harm, may result in disciplinary action in accordance with organisational policies.

5.9 Record Keeping

Accurate and complete records of whistleblower disclosures will be maintained in accordance with legislative and organisational requirements.

- Date the disclosure was received
- Nature and details of the disclosure and the discloser (where not anonymous)
- Whether the disclosure was made anonymously
- Whether an independent aged care advocate was offered or involved
- Actions taken, including investigation activities and any external reporting
- Communications with the whistleblower and any related parties (where applicable)
- Outcomes and resolution
- Any identified systemic issues, improvement actions and associated training

Records will:

- Be stored securely and protected from unauthorised access
- Be handled in accordance with privacy and confidentiality requirements
- Only be accessible to authorised personnel involved in managing the disclosure

Records relating to whistleblower disclosures will be retained for a minimum of seven years from the date the record is made, in accordance with legislative requirements.

6. Compliance and monitoring

6.1 Compliance with the system

Whistleblower disclosures will be managed in accordance with this policy and associated procedures at all times.

IC Care will ensure that aged care workers, responsible persons and Associated Providers comply with this policy and associated legislative and regulatory requirements.

All aged care workers, including those engaged by Associated Providers, must understand their obligations regarding receiving, responding to and reporting whistleblower disclosures.

All aged care workers, including those engaged by Associated Providers, are provided with this policy and any associated procedures relevant to their roles and responsibilities.

Whistleblower training is mandatory and is provided:

- During induction
- When roles or responsibilities change
- When this policy or associated procedures are updated
- At least annually

Training includes:

- Understanding what constitutes a whistleblower disclosure under the Aged Care Act 2024
- How to recognise and receive a disclosure
- How to respond respectfully and appropriately at the first point of contact
- Internal reporting and escalation requirements
- Confidentiality and privacy obligations
- Protections available to whistleblowers, including protection from detriment
- The interaction between whistleblower disclosures, complaints and incident management systems
- Record keeping requirements
- External reporting pathways, including the Aged Care Quality and Safety Commission

Failure to comply with this policy or complete required training may result in performance management, disciplinary action or other appropriate action

6.2 Monitoring activities

Compliance with this policy will be supported through:

- Maintenance of a central Whistleblower Register
- Utilisation of templates and tools for receiving, managing and finalising disclosures
- Record keeping of communications, actions and training
- Monitoring timeframes for acknowledgement, assessment and resolution
- Review of disclosure types, categories and themes
- Identification of systemic risks and recurring issues
- Documentation and tracking of improvement actions arising from disclosures
- Internal audits of whistleblower management practices in accordance with the organisation's internal audit schedule

6.3 Governance oversight

The Governing Body will receive regular reports (at least 6 monthly) that may include:

- Number and nature of whistleblower disclosures received
- Timeframes for acknowledgement, assessment and resolution
- Trends, emerging risks and systemic issues
- Actions taken, including any external reporting or regulatory notifications
- Outcomes of investigations and any workforce or service impacts
- Status of improvement actions and training undertaken

The Governing Body will use this information to:

- Monitor organisational performance and compliance
- Oversee risk management and governance effectiveness
- Ensure accountability and transparency
- Drive continuous improvement across services and systems

The whistleblower system forms part of the organisation's broader governance, risk management and quality systems.

6.4 System review

The whistleblower system will be reviewed at least annually, or earlier where required due to legislative changes, audit findings or identified systemic issues.

The review will assess:

- Accessibility and effectiveness of the whistleblower system
- Compliance with legislative and regulatory requirements
- Training and awareness across the workforce and Associated Providers
- Effectiveness of processes for receiving, assessing and managing disclosures
- Confidentiality and protection of whistleblowers
- Opportunities to strengthen processes, controls and outcomes

Improvements identified through review activities will be documented and implemented in a timely manner.

The system review will be recorded in the organisation's compliance register, internal audit schedule and governance reporting processes.

7. Breaches of policy

All aged care workers, responsible persons and Associated Providers must comply with this policy and associated procedures.

A breach of this policy may include failure to:

- Receive, report or appropriately escalate a whistleblower disclosure
- Maintain confidentiality, including disclosing the identity of a whistleblower or information likely to identify them
- Comply with obligations relating to the protection of whistleblowers from detriment
- Manage a disclosure in accordance with this policy and legislative requirements

- Declare or appropriately manage a conflict of interest
- Complete mandatory training or comply with whistleblower system requirements

Any victimisation, discrimination or reprisal against a person who makes, or is suspected of making, a whistleblower disclosure is a serious breach of this policy.

Unauthorised disclosure of a whistleblower's identity, or information likely to identify them, is a serious breach and may also constitute an offence under legislation.

Breaches may result in performance management, disciplinary action, governance review or contractual action, as appropriate.

Serious or systemic failures to comply with whistleblower obligations may result in regulatory action by external agencies, including the Aged Care Quality and Safety Commission, under the Aged Care Act 2024.

8. Related legislation and standards

- Aged Care Act 2024

Section 165 – Complaints, feedback and whistleblower systems

Sections 547–554 – Whistleblower protections

- Aged Care Rules 2025

Rules 165-40 to 165-60 – Whistleblower systems and requirements

- Standard 2 – The Organisation, including:
 - 2.3 – Feedback and complaints management
 - 2.6 – Risk management and quality systems