

WS Policy 7.1

Whistleblower Policy

Approval rating
1

Controlled Document

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Document Owner:	Executive Manager, People and Culture		Approved by:	Chief Executive Officer.	
Reviewed by and consulted with:	Manager People and Culture Senior Specialist, Quality & Risk		Chief Operating Officer Executive Manager, Aged and Disability		

Audience

This policy applies to all CatholicCare services. It covers employees, volunteers, contractors, suppliers, associates, and their relatives.

Implementation responsibility

Implementation responsibility for this policy lies with all CatholicCare employees.

Objective and Purpose

This Whistleblower Policy outlines CatholicCare's commitment to encouraging and protecting disclosures of misconduct, breaches of law, unethical behaviour, or violations of relevant standards across all our services. It integrates compliance with the Aged Care Act (Section 96), the Australian Charities and Not-for-profits Commission (ACNC) governance standards, and the Australian Securities and Investment Commission (ASIC) regulatory requirements. This Whistleblower Policy outlines the procedures and protections for individuals who disclose suspected breaches.

Our Whistleblower Policy Principles

For everyone

- Everyone has the right to speak up safely and be heard.
- All disclosures are treated with respect and confidentiality.

Mutually beneficial

- Speaking up protects clients, staff, and our reputation.
- Transparency helps us improve services and prevent harm.

About the team

- We support each other to do the right thing.
- Honesty and integrity are valued across all roles.

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Give and take

- We listen with empathy and respond fairly.
- Whistleblowers act in good faith, and we provide protection in return.

Leader Led

- Leaders set the tone by modelling ethical behaviour.
- Managers create safe spaces for reporting concerns.

Context matters

- Every disclosure is considered in its context.
- Responses are proportionate and respectful.

When and how to use

Disclosable Matters

Disclosable matters include misconduct including fraud, negligence, corruption, systemic issues, breaches of law, threats to public safety, threats to employees, or CatholicCare's reputation.

Personal work-related grievances are excluded unless linked to systemic misconduct or detriment. Such matters may be dealt with in accordance with CatholicCare's Managing Workplace Complaints Policy. Complaints about a service issue should be referred to the Client and Stakeholder Feedback Policy.

Eligible Whistleblowers

Eligible whistleblowers include current and former clients and staff, current and former volunteers, authorised carers, current and former directors, contractors, suppliers, associates, and their relatives.

Reporting Channels

Disclosures may be made internally to line managers, an Executive Manager including the Executive Manager, People & Culture, COO or CEO. External disclosures may be made to ASIC, ACNC, Department of Communities and Justice, Aged Care Quality & Safety Commission, NDIS Quality & Safety Commission, Police, or legal practitioners. Refer to Attachment 1.

How to Make a Disclosure

Disclosures can be made in person, phone, email or in writing.

If the disclosure is about:

- A staff member, it may be communicated to the line manager, the line Executive Manager, or the Executive Manager of People & Culture
- an Executive Manager, it may be communicated to the CEO or COO.
- the COO, it may be communicated to the CEO.
- CEO, it may be communicated to the COO who may approach the Chair of the Board.

When you report a matter under this Policy, you should provide as much information as possible to assist CatholicCare determine how to take appropriate action.

Anonymity

Anonymous disclosures are permitted and protected. Anonymous reports may have significant limitations that inhibit a proper and appropriate inquiry or investigation. These limitations may include the inability to provide feedback on the outcome and/or to gather additional particulars to assist the inquiry/investigation

Reporting Options: Complaints Policy

Individuals may choose to report concerns either through the Whistleblower Policy or via CatholicCare's complaints policies and procedures, including the CatholicCare Client and Stakeholder Feedback Policy. Both pathways are valid and will be treated seriously. The choice of pathway will not affect the protections afforded to individuals under the Aged Care Act 2024.

Protections for Whistleblowers

CatholicCare is committed to protecting whistleblowers and maintaining a safe environment for reporting concerns. We apply safeguards such as secure data handling, restricted access to sensitive information, and legal protection of whistleblower identity. These protections are supported by legislation including the Corporations Act 2001 (Cth), the Aged Care Act 2024 (Cth), and relevant childcare regulations. Eligible Whistleblowers are protected from civil, criminal, and administrative liability. They are also protected from retaliation, discrimination, or harassment.

CatholicCare will maintain confidentiality unless legally required or with consent.

To be protected, you must make a disclosure about a disclosable matter to an eligible recipient within CatholicCare (outlined above in reporting channels and in the definitions).

Breaches of these protections may lead to disciplinary or regulatory action.

Support Measures

CatholicCare is committed to supporting anyone who makes a whistleblower disclosure. We will:

- Keep your identity confidential unless you agree otherwise.
- Allow you to remain anonymous if you choose.
- Assess and manage any risk of harm or retaliation.
- Offer counselling or support services if needed.
- Respond quickly to any concerns about mistreatment.
- Take action against anyone who causes harm to a whistleblower.

If you feel unsafe or treated unfairly after making a disclosure, contact People & Culture, the COO or CEO. You can also seek legal advice or contact a regulator such as ASIC or the Aged Care Quality and Safety Commission.

Handling Disclosures

Disclosures are initially reviewed to determine if an investigation is needed. This decision to investigate is made by the CEO, COO or their delegate. If CatholicCare determines that the matter should be investigated, an appropriately capable officer (employee) or an external investigator will be appointed by the CEO, COO or their delegate. Investigations are prompt, fair, confidential, and will include updates to the whistleblower including, where appropriate, outcomes. Individuals mentioned will be treated fairly and given the opportunity to respond.

If CatholicCare decides not to investigate a disclosure, the whistleblower (if contactable) will be informed.

CatholicCare may in certain circumstances, whether required by law or in its discretion, inform a relevant authority of any contents of an investigation.

Records will be securely maintained in accordance with privacy laws.

All disclosures will be assessed and managed as soon as reasonably practicable. Where applicable, disclosures will also be handled in accordance with regulatory reporting requirements relevant to the sector in which the concern arises.

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Consequences of Policy Violations:

Violations of this policy may result in disciplinary action, up to and including termination of employment or contract. The severity of the consequences will depend on the nature and impact of the violation, as determined by CatholicCare Wollongong. People and Culture will review each case individually to determine appropriate actions based on the circumstances. An example of a policy violation could include but is not limited to making a vexatious allegation.

Definitions

Term	Definition
Whistleblower:	Any person who makes a disclosure with reasonable grounds to suspect misconduct or breach of law.
Disclosable Matter:	Any suspected breach, misconduct, or failure to comply with laws, standards, or CatholicCare policies.
Eligible Recipient:	Individuals authorised to receive disclosures, including internal line managers (first point of contact), Executive Managers (escalated and or sensitive matters), COO and CEO (serious and high-risk matters) and People and Culture (including HR related disclosures and support). Disclosable matters are subject of this policy.
	External recipients can include the Aged Care Quality and Safety Commissioner, Department of Health and Aged Care officials, police officers (for criminal matters), legal practitioners (for legal advice) and independent advocates.
Appropriately Capable Officer (employee)	An employee who has a senior position with CatholicCare (e.g. manager, compliance officer) and they have ability to maintain confidentiality, prevent detriment to the whistleblower and ensure proper investigation.

Awareness and training

All staff, including responsible persons and eligible recipients of disclosures, will receive training in whistleblower protections, reporting procedures, and confidentiality obligations on commencement and then at least annually. Awareness campaigns will be conducted to inform residents, families, and staff of their rights under this policy.

Accessibility

This policy is available on the CatholicCare intranet and website. It includes induction and ongoing training for employees.

Monitoring, Evaluation and Review

This policy is maintained in compliance with Section 96 of the Aged Care Act and ACNC governance standards. It will be reviewed annually as well as after incidents and updated to reflect legislative changes and best practices. The policy will be submitted to the Aged Care Quality and Safety Commission upon registration or renewal.

References

- Corporations Act 2001
- NDIS Quality & Safety Commission
- Aged Care Act 2024
- Aged Care Quality Standards
- ACNC Governance Standards
- Aged Care Statement of Rights
- ASIC Information Sheet 238
- Income tax Assessment Act 1997 – Protection for Tax Whistleblower
- CatholicCare WS 1.3 Managing Workplace Complaints
- CatholicCare WS 8.2 Bullying and Harassment
- CatholicCare Client and Stakeholder Feedback Policy

Attachment A:

Internal and External Reporting Guidance for Whistleblower Disclosures

Although disclosable conduct can be reported to external agencies, in many cases, CatholicCare will be capable of addressing the matter internally to reach an appropriate resolution. We encourage individuals to use internal reporting channels first wherever it is safe and practical to do so.

This Attachment provides guidance on both internal and external options, including when each should be used and links to resources for making disclosures to regulators. External disclosures should be directed to the appropriate regulator based on the nature of the concern. Whistleblowers retain legal protections under the Corporations Act and Aged Care Act when reporting to eligible internal or external bodies.

Channel	Scope of Matters	Guidance for Use	Links & Resources
Internal Reporting Options	All disclosable matters under CatholicCare's Whistleblower Policy (e.g., misconduct, fraud, systemic issues, breaches of law).	Report internally first where possible: Line Manager → Executive Manager → Executive Manager People & Culture → COO → CEO. Anonymous disclosures permitted.	Refer to CatholicCare Whistleblower Policy
Department of Communities and Justice (DCJ)	All disclosable matters under DCJ's legislative remit including child protection, the Permanency Support Program (PSP), and other	Only approach DCJ for issues directly related to child safety, PSP, or statutory child welfare responsibilities.	<u>How to notify and make allegations of serious wrongdoing and misconduct and how we deal with them Communities and Justice</u> www.dcj.nsw.gov.au

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Channel	Scope of Matters	Guidance for Use	Links & Resources
	matters regarding statutory child welfare responsibilities.		
Aged Care Quality & Safety Commission	All disclosable matters under the Aged Care Quality and Safety Commission's jurisdiction, including issues relating to aged care services, compliance with Aged Care Act, and quality standards.	Use this channel for concerns about aged care service delivery, safety, or regulatory breaches.	How to contact us Aged Care Quality and Safety Commission www.agedcarequality.gov.au
NDIS Quality & Safety Commission	All disclosable matters under the NDIS Commission's jurisdiction Including matters involving NDIS participants, providers, or breaches of NDIS Code of Conduct.	Report here for concerns about disability services under NDIS.	The complaints process NDIS Quality and Safeguards Commission www.ndiscommission.gov.au
ASIC (Australian Securities & Investments Commission)	All disclosable matters under ASIC's jurisdiction including corporate misconduct, breaches of Corporations Act, financial irregularities.	Use ASIC for financial misconduct or governance breaches.	How ASIC handles whistleblower reports ASIC www.asic.gov.au
ACNC (Australian Charities & Not-	All disclosable matters under ACNC governance and compliance	Report here for concerns about charity governance or compliance.	Whistleblower protections ACNC www.acnc.gov.au

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Channel	Scope of Matters	Guidance for Use	Links & Resources
for-profits Commission)	requirements including charity governance breaches, or breaches of ACNC standards.		
ATO (Australian Taxation Office)	All disclosable matters under the ATO's tax misconduct provisions including false or misleading tax records, under reporting income	Report here for breaches of tax laws	ATO Whistleblower (Tax Misconduct) www.ato.gov.au/about-ato/whistleblowers
Police	All disclosable matters that constitute criminal conduct, including suspect fraud, assault or theft.	Contact police for suspected criminal activity.	Home - NSW Police Public Site www.police.nsw.gov.au
Legal Practitioner	All disclosable matters for which a person may seek legal advice including matter that qualify as protected disclosures under law.	Engage a lawyer for confidential advice or to lodge a protected disclosure.	Register of Solicitors The Law Society of NSW www.lawsociety.com.au

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