



Whistleblower Protection HR AGED CARE POLICY

Policy Version 3.0

Category: Administrative *(Required by Legislation)*

Adopted: June 2025



Whistleblower Protection HR Aged Care Policy

Purpose

Winton Shire Council is committed to acting with integrity in accordance with our purpose and values. This policy encourages people to recognise and report any misconduct, wrongdoing, or other conduct that is against our purpose and values. Following disclosure, the organisation will protect the whistleblower and ensure they do not experience any adverse consequences. While this policy is designed to support and protect all whistleblowers.

As stated in the ASIC Regulatory Guide 270, “transparent whistleblower policies are essential to good risk management and corporate governance. They help uncover misconduct that may not otherwise be detected. Often, such wrongdoing only comes to light because of individuals (acting alone or together) who are prepared to disclose it, sometimes at great personal and financial risk.”

Scope

This Policy applies to:

- All Community Care Services team members,
- Their volunteers,
- Students on placement,
- Contractors and consultants, whether or not they are employees,
- Any other brokered service providers and
- Winton Shire Council Councillors,

Definitions

Whistleblower	Any person who discloses or reports actual or suspected misconduct or wrongdoing
Disclosable matters	Information that concerns ‘misconduct’ or ‘an improper state of affairs’ or circumstances in relation to the company Conduct the company, its officers or employees have engaged in which constitutes an offence or contravention of various laws, including any law of the Commonwealth punishable by imprisonment for a period of 12 months or that represents a danger to the public or financial system
Misconduct	Illegal, unacceptable or undesirable conduct or behaviour (actual or attempted) that is: dishonest, unethical, fraudulent, corrupt, non-compliant or may give rise to questionable accounting or auditing practices, may cause financial loss, or acts inconsistent with the organisation’s purpose, values and code of conduct.

Policy Statement

Winton Shire Council is committed to supporting whistleblowers report any misconduct or wrongdoing and protecting them from any adverse consequences following disclosure. Examples of misconduct or wrongdoing include illegal acts, fraud or misappropriation of funds, breach of legal or regulatory duty, and any act that puts at risk public safety. Personal



work-related grievances, such as conflict with another employee or concerns about the employment contract, does not constitute misconduct or wrongdoing for the purposes of this policy.

The organisation seeks to identify and respond early to any misconduct, wrongdoing and disclosure by:

- Supporting potential whistleblowers access appropriate information e.g. through the Human Resources .
- Allowing disclosures to be made internally or externally, anonymously and/or confidentially, securely and outside of business hours.
- Taking all reasonable steps to support whistleblowers acting with reasonable and honest belief following disclosure and during and after the investigation.
- Not tolerating any threats, acts or omissions designed to cause detriment to a whistleblower (or another person) in relation to a disclosure. This includes dismissal or termination, demotion, reputational damage or injury or damage to person or property.
- Conducting investigations in a fair, objective and confidential manner. Taking appropriate corrective action as warranted by the investigation.
- Ensuring fair treatment of any individuals mentioned in the disclosure informed by the principles of natural justice.
- Ensuring no disciplinary action is taken against a whistleblower when the disclosure was made with a genuine or reasonable belief regarding the misconduct, even when that allegation is incorrect.
- Allowing whistleblowers to make a disclosure to a regulator, legal practitioner. Whistleblowers may also make an emergency or public interest disclosure to a journalist or parliamentarian.
- Supporting whistleblowers to access legal remedy or compensation where they have experienced detriment as a result of disclosure.

Through the process below, our organisation demonstrates it supports whistleblowers to report instances of misconduct or wrongdoing and protects them from any adverse consequences as a result of making the report.

- Provide education and training to staff on the whistleblower policy with examples of misconduct and wrongdoing and information about how to report misconduct and any personal work-related grievances.
- Ensure all instances of known or suspected misconduct or wrongdoing are reported to a HR.
- Investigate all disclosures in a fair and transparent manner according to the principles of natural justice.
- Provide regular feedback to those involved in the disclosure, including throughout and after the investigation.
- Keep confidential and secure records that protect the anonymity or confidentiality of all people involved in the disclosure.
- Report all disclosures

Operational Need

To deliver against the consumer outcome of “I get quality care and services when I need them from people who are knowledgeable, capable and caring” in accordance with the Aged Care Quality Standards.



Roles and Responsibilities

Winton Shire Council

Winton Shire Council is responsible for providing leadership and fostering a culture that treats all individuals with dignity and respect and keeps them free from abuse, encourages the reporting of known or suspected instances of abuse and responds appropriately. Council will identify appropriate systems and processes to monitor, review and continuously improve this policy.

Management

Management is responsible for ensuring the workforce (whether employed or contracted) follow this policy and take all appropriate action to prevent and respond to abuse. Management is also responsible for monitoring, implementation and compliance with this policy including ensuring completion of education and training, providing feedback and performance review where required.

All staff including volunteers and contractors

All staff, contractors, students, and volunteers are responsible for understanding and following this policy and completing education and training as directed.

Communication

This document will be published on the Winton Shire Council website and will be made available to all employees involved in the delivery of Community Care services provided by Winton Shire Council.

Related Council Documentation

Aged care records including:

- Consumer files,
- Incident reports,
- Incident register,
- Consumer feedback,
- Worker training records and
- Risk register,

Legislation, Recognised Authorities and Other Sources

- Corporations Act 2001 (Cth)
- Standard 7 (3)(d) Workforce recruitment, training, equipping and support
- Whistleblowers Protection Act 2019
- Whistleblowing – *Australian Securities and Investment Commission*

Review of Policy

This policy will be reviewed every two years or when legislation or standards change and remains in force until amended or repealed by resolution of Council.



Record of Amendments and Adoptions

Date	Revision No	Reason for amendment	Date adopted by Council
December 2021	Version 1.0	Initial policy	16 December 2021
October 2023	Version 2.0	Updated quality standards	
June 2025	Version 3.0	SDAP update	