14.13 WHISTLEBLOWER POLICY

1. PURPOSE

Amana Living is committed to creating a culture in which people feel safe and supported to speak up about concerns relating to the quality and safety of care and services, misconduct, unethical behaviour, breaches of law, or other inappropriate conduct.

This Policy establishes a framework for the reporting and management of Protected Disclosures and other whistleblower reports. It aims to ensure that individuals can raise concerns without fear of reprisal, victimisation, discrimination or other Detrimental Conduct, while enabling Amana Living to identify, investigate and respond appropriately to concerns.

The Policy supports compliance with the whistleblower protections contained in the Aged Care Act 2024 and the Corporations Act 2001 and establishes the framework for receiving, managing and investigating Protected Disclosures made by workers, clients, residents, supporters and other stakeholders.

Amana Living recognises that effective whistleblower protections support good governance, accountability, continuous improvement and compliance with legal obligations.

2. SCOPE

This Policy applies to all persons who have a relationship with Amana Living, including:

- employees;
- former employees;
- volunteers;
- students;
- contractors, consultants and agency personnel;
- Board members and Responsible Persons;
- residents and clients;
- former residents and clients;
- family members, representatives, advocates and supporters;
- business partners and suppliers; and
- relatives, dependants and associates of any of the above.

Nothing in this Policy limits or replaces mandatory reporting obligations under legislation or other reporting requirements applicable to Amana Living.

3. POLICY STATEMENT / OBJECTIVES

3.1. Speaking Up

Amana Living encourages the reporting of concerns regarding actual or suspected misconduct, unsafe practices or other wrongdoing.

3.2. Confidentiality

Disclosures made under this Policy will be treated confidentially and information will only be disclosed where authorised by the Whistleblower, required by law, or necessary to effectively investigate and manage the matter.

3.3. Anonymity

Individuals may make disclosures anonymously and may continue to remain anonymous throughout any investigation.

3.4. Protection from Detrimental Conduct

Amana Living will not tolerate victimisation, retaliation or Detrimental Conduct against any person who makes a disclosure in good faith or participates in an investigation.

3.5. Fairness

All reports will be assessed and investigated objectively, fairly and without bias.

3.6. Support

Amana Living will provide appropriate support to Whistleblowers and others affected by the disclosure or investigation process.

3.7. Continuous Improvement

Whistleblower reports will be used to support improvements in governance, safety, quality of care and organisational culture.

4. KEY RESPONSIBILITIES

Role	Responsibility
All Employees, Volunteers, Contractors and Responsible Persons	• Adhere to this Policy. • Report concerns regarding actual or suspected wrongdoing. • Cooperate with investigations where required. • Maintain confidentiality.
Chief Executive Officer	The Chief Executive Officer is responsible for promoting a culture in which people feel safe and supported to speak up about concerns. The CEO will: • set the tone from the top regarding integrity, transparency and accountability; • actively promote a culture of speaking up and continuous improvement; • reinforce Amana Living's commitment to protecting Whistleblowers from reprisal or victimisation; • ensure appropriate organisational responses to substantiated matters; • ensure adequate resources are available to support investigations and whistleblower protections; and • regularly communicate with employees, volunteers and contractors regarding their rights and responsibilities under this Policy and the associated Procedure.

Role	Responsibility
Whistleblower Officers	The Chief People Officer and General Manager Health Care Quality are appointed as Amana Living's Whistleblower Officers. Jointly, they are responsible for: • receiving and assessing disclosures; • managing whistleblower reports and investigations; • determining appropriate investigation pathways; • ensuring whistleblower protections are implemented; • monitoring the welfare of Whistleblowers; • maintaining appropriate records; • communicating with Whistleblowers throughout the disclosure and investigation process; • keeping Whistleblowers informed of the progress and outcome of investigations, where appropriate and legally permissible; • reporting significant matters to the CEO and Board; • identifying systemic issues and improvement opportunities; and • ensuring compliance with legislative whistleblower obligations.
Chief People Officer	The Chief People Officer will: • maintain central records relating to whistleblower matters; • provide regular reporting to the Board Governance, People and Culture Committee regarding whistleblower activity, outcomes and trends; • ensure appropriate whistleblower training and education programs are developed and maintained; • ensure whistleblower information is incorporated into employee and volunteer induction programs; • ensure annual refresher training is provided; • work with leaders to promote ongoing awareness of whistleblower obligations and protections across the organisation; and • monitor completion of required whistleblower training.
Chief Financial Officer	The Chief Financial Officer will: • ensure procurement and service agreements include appropriate reference to Amana Living's Whistleblower Policy and Procedure where relevant; • ensure labour hire, agency staffing and contractor arrangements support compliance with whistleblower obligations; • ensure contractor onboarding processes include information regarding whistleblower reporting pathways and protections; and • support regular communication of whistleblower expectations to contractors and service providers engaged by Amana Living.

Role	Responsibility
Managers	Managers will: • support a speak-up culture; • encourage the raising of concerns; • refer disclosures through the appropriate channels; • support Whistleblowers; • protect confidentiality; and • take all reasonable steps to prevent victimisation or Detrimental Conduct.
Board	The Board will: • actively promote a culture of speaking up and continuous improvement; • provide oversight of the whistleblower framework; • monitor organisational compliance with legislative requirements; • receive reporting regarding significant whistleblower matters; and • ensure appropriate governance arrangements are in place.

5. DEFINITIONS

Term	Definition
Aged Care Worker	An Aged Care Worker has the meaning given in the Aged Care Act 2024 and generally includes individuals engaged to deliver funded aged care services on behalf of Amana Living. Examples may include employees, contractors, agency personnel and volunteers who provide funded aged care services directly to residents or clients. This definition does not necessarily include all employees of Amana Living.
Protected Disclosure	A disclosure made by an eligible person concerning matters protected under the Aged Care Act 2024, Corporations Act 2001, or other applicable legislation.
Responsible Person	A person who has responsibility for the executive decisions or governance of Amana Living, including Board members, Executive Team members, the Chief Executive Officer, Service Managers and Operations Managers.
Whistleblower	A person who makes a disclosure about actual or suspected misconduct, wrongdoing, unlawful conduct, breaches of professional standards, dangers to health and safety, or other matters protected under applicable whistleblower legislation.
Detrimental Conduct	Conduct that causes detriment to a person because they have made, propose to make, or are suspected of making a disclosure. This may include dismissal, disciplinary action, discrimination, harassment, intimidation, threats, reputational harm, financial loss or other adverse treatment.

Term	Definition
Eligible Matter	A matter that may be protected under whistleblower legislation, including but not limited to: • breaches of legislation; • fraud, corruption or theft; • misuse of funds or resources; • significant misconduct or unethical behaviour; • abuse of authority; • unsafe practices; • conduct that places residents, clients, workers or others at risk; • breaches of the Aged Care Quality Standards; • breaches of the Aged Care Code of Conduct; • failure to comply with mandatory reporting requirements; • victimisation of a Whistleblower; and • conduct representing a systemic failure or significant risk to Amana Living or the community.

6. ELIGIBLE RECIPIENTS OF A PROTECTED DISCLOSURE

A Protected Disclosure may be made to an eligible recipient under applicable legislation.

At Amana Living, eligible recipients include:

Responsible Persons, including:

- Service Managers;
- Operations Managers;
- Leadership Team members;
- the Chief Executive Officer; and
- Board members.

Whistleblower Officers, being:

- the Chief People Officer; and
- the General Manager Health Care Quality.

Aged Care Workers

Any Aged Care Worker may receive a Protected Disclosure under the Aged Care Act 2024.

External Bodies

Protected Disclosures may also be made to external bodies authorised under legislation, including regulatory agencies, law enforcement agencies, independent advocates and legal practitioners.

Individuals making a disclosure are not required to determine which legislative framework applies before raising their concerns.

7. RELEVANT LEGISLATION

- Aged Care Act 2024 (Cth)
- Corporations Act 2001 (Cth)
- Fair Work Act 2009 (Cth)
- Privacy Act 1988 (Cth)

8. RELATED DOCUMENTS

- Code of Conduct
- 7.0 Privacy Policy
- 14.5 Grievance Management Policy
- 14.13.1 Whistleblower Procedure
- CC 8.0 Clinical and Care Incident Management Policy
- CC 8.03 Open Disclosure Policy
- CC 8.12 Reportable Incidents Policy

Amana Living

CONTROLLED DOCUMENT – RECORD OF APPROVAL

Printed copies of this document are regarded as uncontrolled. For the latest version go to the "Document Location" in the table below.

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Author	Stephen Thomas
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REVIEW TIMEFRAME AND RESPONSIBILITY

This policy will be reviewed by the author or responsible department prior to the Date Due for Review displayed below.

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