

Title:	Aged Care Whistleblower Policy			
Section:	Governance	PRH:	Chief Executive Officer	Policy

1. POLICY STATEMENT:

All staff are responsible and accountable for safe and high quality care, and Alexandra District Health (ADH) continuous improvement will be informed by regular monitoring and evaluation of performance. This framework must safeguard individuals who report misconduct or breaches of the Aged Care Act 2024, by helping to promote a culture of transparency, accountability and safety within ADH aged care services.

2. POLICY OUTCOME:

This framework sets out how ADH supports and complies with its obligations under the Aged Care Act 2024 (the Act) as part of its commitment to upholding transparency and integrity in its practices. This framework is relevant only to services delivered under SH's Aged Care Services.

The purpose of this framework is:

- To promote quality care and safety of individuals to whom ADH delivers funded aged care services.
- To ensure individuals who disclose information do so without fear of persecution, retribution and personal detriment.
- To ensure confidentiality of such disclosures is maintained and where relevant, the anonymity of the individual making the disclosure, and any other specified individual is protected.
- To ensure ADH whistleblower system acknowledges, assesses, manages and responds to concerns raised in such disclosures in a fair, transparent, accessible, safe, culturally safe and timely manner.
- To ensure the disclosures contribute to the continuous improvement of ADH's delivery of care.
- To ensure the aged care workers and any other persons are encouraged and supported to raise concerns about ADH and the delivery of care.

The Act provides protections for workers and other individuals who disclose their concerns about a provider breaching the Act. The rights for individuals who make disclosures include:

- not being subject to retaliation or punishment;
- not being subject to consequences such as civil, criminal or administrative actions (legal actions);
- choosing to be anonymous;
- confidentiality;
- being able to take legal action through the courts for compensation if they experience retaliation, punishment or consequences because they made a disclosure.

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3. ROLES AND RESPONSIBILITIES:

All staff will actively engage and partner with consumers, demonstrate ownership and accountability for safe, quality care, and participate in regular evaluation and monitoring of performance to inform improvement. This policy targets staff, volunteers, contractors, sub-contractors, visiting medical staff, community aged care recipients and their families, and nominated supported decision makers.

ADH WPO	<ul style="list-style-type: none"> • Monitor and review this procedure to ensure compliance. • Act as ADH's Whistleblower Protection Officer • Review the Whistleblower system in place to support whistleblower disclosures, at least annually.
Executive Team	<ul style="list-style-type: none"> • Establish, implement, monitor and review this procedure. • Guide and assist managers and employees to use the procedure as required.
Primary Health Manager	<ul style="list-style-type: none"> • Implement this procedure within their area of control including inform aged care employees of their obligations under this procedure. • Comply with the procedure. • Ensure the anonymity and confidentiality of any individual(s) who makes a disclosure under this procedure. • Ensure their staff are regularly reminded and trained in their obligations under this procedure.
ADH aged care employees and volunteers	<ul style="list-style-type: none"> • Comply with the requirements in this procedure. • Ensure the identity, or information that could lead to identify any individual(s) who makes a disclosure remains confidential and is not disclosed unless authorized by law. • Ensure no person is victimized for making or intending to make a disclosure under this procedure. • Refer disclosures to the Whistleblower Protection Officer.

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4. DEFINITIONS:

Aged Care Quality and Safety Commission (ACQSC)	The Aged Care Quality and Safety Commission is Australia's national regulator for aged care services, responsible for protecting the safety and wellbeing of people receiving aged care.
Aged Care Worker	<p>A person employed (including as a volunteer) in aged care service settings, including home and residential care settings. Aged care services are delivered by a range of workforce roles.</p> <ul style="list-style-type: none"> Direct care roles may include nurses, support staff, medical practitioners, personal care workers, allied health practitioners and assistants. <p>Non-direct care roles may include, but not limited to, gardeners, cleaners, transport drivers and volunteers.</p> <p>An individual who:</p> <ul style="list-style-type: none"> is employed or otherwise engaged (including as a volunteer) by an associated provider of the registered provider; and is engaging in conduct under the associated provider's arrangement with the registered provider relating to the registered provider's delivery of funded aged care services; or <p>an individual who is a registered provider.</p>
Responsible Person	<p>Has the same meaning as s12 of the Aged Care Act 2024</p> <ol style="list-style-type: none"> any person who is responsible for the executive decisions of the registered provider; any other person who has authority or responsibility for (or significant influence over) planning, directing or controlling the activities of the registered provider; for any registered provider if the registered provider delivers, or proposes to deliver, a funded aged care service: <ol style="list-style-type: none"> any person who has responsibility for overall management of the nursing services delivered by the registered provider, or overall management of the nursing services delivered at an approved residential care home of the registered provider, and who is a registered nurse; and <p>any person who is responsible for the day-to-day operations of an approved residential care home or service delivery branch of the registered provider.</p>
Whistleblower	A person who reports concerns about someone who has not followed the Aged Care Act 2024, or more broadly, about an organisation that hasn't followed the Aged Care Act 2024, and the report qualifies as a Whistleblower Disclosure under this procedure.

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Whistleblower Protection Officer (WPO)	The person with responsibility for whistleblower investigation and protection. At ADH, this is the Chief Executive Officer.
What is a Whistleblower Disclosure?	<p>A Whistleblower Disclosure arises when an individual (discloser) makes a disclosure to an eligible recipient in accordance with this procedure and has reasonable grounds to suspect that the information in the disclosure indicates a potential contravention of any provision of the Aged Care Act or the Aged Care Act regulatory framework.</p> <p>This includes, but is not limited to, concerns about:</p> <ul style="list-style-type: none"> • Failure to meet aged care quality and safety standards • Breach of the Statement of Principles or Statement of Rights • Non-compliance with regulatory requirements under the Act • Misconduct or inappropriate behaviour by aged care workers • Systemic issues affecting the quality or safety of aged care services • Financial irregularities or misuse of aged care funding • Any other conduct that may constitute a breach of the Aged Care Act 2024
What is the difference between a Whistleblower Disclosure and a Complaint?	<p>A Whistleblower Disclosure is made to report serious misconduct and expose wrongdoing that may harm other residents, clients, aged care workers or the integrity of SH.</p> <p>A complaint is made to express dissatisfaction with the quality of care, services or conditions within ADH's aged care services. It will address more specific concerns that affect the wellbeing of the older person. Refer to ADH's Complaints Policy, Feedbacks and Complaints Brochure and/or Grievance Resolution</p>

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<p>Who can make a Whistleblower Disclosure?</p>	<p>This procedure covers and protects the following individuals when making a Whistleblower Disclosure:</p> <ul style="list-style-type: none"> • Older people receiving aged care services from ADH • Families, representatives, carers, or advocates of older people receiving our services • ADH staff involved in aged care service delivery, including Board members • Volunteers of ADH • Workers of Associated Providers (contractors and subcontractors) providing services to ADH • Any other persons specified in the Aged Care Act 2024
<p>Who can receive a Whistleblower Disclosure?</p>	<p>A disclosure of information qualifies for protection as a Whistleblower Disclosure if:</p> <p>a) The disclosure is made to one of the following:</p> <ul style="list-style-type: none"> • an Appointed Commissioner or a member of the staff of the Commission; • the System Governor, or an official of the Department; • a registered provider; • a responsible person of the registered provider; • an aged care worker of a registered provider; • police officer; • an independent aged care advocate; and <p>Note that the aged care workers who can receive the disclosures include any workers of associated providers (i.e., external contractors of funded aged care services) of ADH too.</p> <p>b) The disclosure is made orally or in writing (and whether made anonymously or not); and</p> <p>c) The discloser has reasonable grounds to suspect that the information indicates that the aged care provider may have violated a provision of the Aged Care Act 2024.</p>
<p>How is a Whistleblower Disclosure made?</p>	<p>A Whistleblower Disclosure can be made internally or externally, in person, over the phone or in writing. The Whistleblower can identify themselves or choose to remain anonymous.</p> <p>If an individual (the discloser) has reasonable grounds to believe that an entity has breached a requirement of the Act, they may make a disclosure regarding the matter to any of the following 'eligible recipients' under the Aged Care Act 2024:</p> <ul style="list-style-type: none"> • the Aged Care Quality and Safety Commission (www.agedcarequality.gov.au or ph:1800 951 822) • the Department of Health, Disability and Ageing (www.health.gov.au or ph:1800 020 103) • a registered aged care provider • a responsible person of ADH (as defined above)

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	<ul style="list-style-type: none"> • an aged care worker of ADH (as defined above) • police officer • an independent aged care advocate (eg Older Persons Advocacy Network (OPAN) (www.opan.org.au or ph 1800 700 600) <p>In addition, a Whistleblower Disclosure can be made to ADH by:</p> <ul style="list-style-type: none"> • phone: contact reception on (03) 57720900 and ask for the Whistleblower Protection Officer • email: alexandra@adh.org.au (mailbox managed by the WPO) • submitting a disclosure form available on the ADH website <p>ADH can provide access to translation services and information about independent advocates if the Whistleblower requires support in making their disclosure.</p>
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5. PROTOCOL:

ADH Management of Disclosures

All Whistleblower Disclosures will be treated seriously. A Whistleblower should advise the relevant recipient whether they wish to remain anonymous. When deciding whether to remain anonymous, a Whistleblower should consider whether this may limit ADH's ability to investigate the matter reported. Recipients must take reasonable steps to preserve anonymity if requested.

Anonymity: Disclosers can request to remain anonymous, and request that any other persons named in the request anonymous.

ADH will take all reasonable steps to preserve the requested anonymity. For example, if disclosing the name of an individual is necessary to lessen or prevent a serious threat to the health, safety or wellbeing of another individual, disclosing the identity of the first-mentioned individual may be reasonable in the circumstances. However, if the serious threat could be lessened without naming the individual, then disclosing the name is unlikely to be reasonable in the circumstances.

1. If a disclosure is made verbally to an aged care worker, they will refer the individual to the ADH Aged Care Whistleblower web page or provide them with a copy of the ADH Aged Care Whistleblower Consumer information or will notify the WPO of the matter on behalf of the Whistleblower.
2. The Disclosure will be assessed by the WPO to determine whether it qualifies as a Whistleblower Disclosure under the Act, and consider and respond to any perceived or actual risk of retaliation, detriment or victimisation.

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3. If the WPO determines there is insufficient information or evidence to warrant further investigation, the Whistleblower will be informed at the earliest possible opportunity that no further action will be taken.
4. If the WPO determines an investigation needs to occur, they will notify the Whistleblower. The Whistleblower Disclosure will be investigated in compliance with the confidentiality obligations under the Act. All disclosures will be assessed and responded to by ADH in a timely manner, and in any case should be completed within 30 days (but may require a longer period if the matter is complex).
5. The discloser (if they are contactable and wish to be contacted) should be kept updated on the status of the matter, any delays, and any final findings and outcomes.
6. If applicable, a Serious Incident Response (SIRS) matter will be reported to the Aged Care Quality and Safety Commission and investigated accordingly. See [Serious Incident Response Scheme Procedure](#)

If the Whistleblower is dissatisfied with the process or outcomes of ADH's investigation, they can escalate their concern to The Aged Care Safety and Quality Commission (www.agedcarequality.gov.au or ph:1800 951 822).

Any ADH worker or responsible person of ADH will be given fair treatment if they are the subject of or mentioned in a disclosure. Such persons will be kept informed of allegations against them in the disclosure and be provided with opportunity to respond, subject to any anonymity and confidentiality requirements as discussed in this policy

ADH will review the Aged Care Whistleblower System on an biannual basis, to ensure it is meeting the requirements specified in S165 of the Aged Care Rules 2025.

RESPONSIBILITIES OF STAFF RECEIVING DISCLOSURES

If a staff member receives a complaint or feedback that might amount to a Whistleblower Disclosure, the complaint must be kept confidential while the staff member ascertains if the individual wishes to make a complaint using the feedback and complaints procedure, or through this Whistleblower Disclosure process.

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Confidentiality:

If ADH receives a disclosure (that is not anonymous) it treat the discloser’s identity, and anything that may lead to their identification, as confidential and will not disclose it unless authorised by the Act, for example, where the discloser has consented, the disclosure is made to the Aged Care Quality and Safety Commissioner, or the disclosure is made to the Secretary or an official from the Department of Health, Disability and Ageing.

If the individual nominates to have their disclosure treated as a complaint, this procedure does not apply.

1. Otherwise, the staff member should report the disclosure to the WPO. If the individual consents, their identity can be shared with the WPO. The WPO will provide guidance to staff on further action. If the disclosure meets SIRS reporting requirements, staff will need to report as per the process in Serious Incident Response Scheme (SIRS) for Aged Care Services. See [Serious Incident Response Scheme Procedure](#)

COMMITMENT TO CONFIDENTIALITY

In the event that ADH becomes aware of a Whistleblower Disclosure made to an external body, ADH will, unless required by law:

- Maintain confidentiality over the existence of, and any information relating to, the Whistleblower Disclosure that comes to its knowledge and attention; and
- Protect the identity of any person who it knows has made a Whistleblower Disclosure, or any person who is assisting, or has assisted, with an investigation of a Whistleblower Disclosure.

TRAINING AND EDUCATION

ADH will ensure all aged care employees, responsible persons, volunteers and associated providers employed by ADH are trained on this procedure. Training will occur:

- a) an annual basis
- b) when there is a change to this procedure that affects the roles and responsibilities of the individuals specified above; and
- c) when an individual’s role changes that affects the individual’s roles and responsibilities in the system.

Training content will be in alignment with the Act including:

- a) How to handle personal information and data
- b) How to recognise and respond to disclosures that qualify for protection
- c) Managing relationships and communication with Whistleblowers
- d) When and how to escalate Whistleblower Disclosures in accordance with this procedure
- e) Their roles and responsibilities in the Whistleblower regime
- f) The penalties for violating confidentiality of identity of Whistleblowers

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ACCESS TO PROCEDURE

ADH is required to make this procedure publicly available. ADH will communicate monthly that disclosures that qualify for protection under the Aged Care Act 2024 are welcome. These communications will be made to aged care employees, responsible persons, volunteers and associated providers employed by ADH as well as older persons and their representatives receiving aged care services by ADH. ADH will ensure that any required translations/accessible formats are available when requested.

These are summarised in Table 1 below.

Stakeholder Group	Communication Method
CHSP participants	Monthly invoice statements, Welcome pack at commencement of service, Social Media
Aged Care Workers (as defined above)	Standard agenda item on team meetings
Governing Body	Patient Feedback report

Table 1. Monthly communications about Whistleblower Disclosures

6. REFERENCES / LEGISLATION:

[Aged Care Act 2024](#)

[Aged Care Rules 2025](#)

Privacy Act 1998

Australian Government. Federal Register of Legislation. (2024). Aged Care Act 2024 (Cth) no. 104. Available from: <https://www.legislation.gov.au/C2024A00104/latest/text>

Australian Government. Federal Register of Legislation. (2025). Aged Care Rules 2025. Available from: <https://www.legislation.gov.au/F2025L01173/asmade/text>

Australian Government. Aged Care Quality and Safety Commission. (2025). Managing Whistleblower Disclosures Policy. Available from: <https://www.agedcarequality.gov.au/sites/default/files/media/managing-whistleblowers-disclosures-policy.pdf>

Seymour Health (2025), *Aged Care Whistleblower Framework*, PROMPT. Accessed April 2026

7. RELATED DOCUMENTS:

[Public Interest Disclosure \(previously Protected Interest and Whistleblowers\)](#)

[Serious Incident Response Scheme Procedure](#)

[Serious Incident Response Scheme SIRS Guidelines for Providers of Home Services](#)

[Fraud Management Framework](#)

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ALEXANDRA
DISTRICT HEALTH

[Complaints Policy](#)

[Feedbacks and Complaints Brochure](#)

[Grievance Resolution](#)