

Whistleblower Policy & Procedure

When giving information to us under this policy you can tell us if you would like it to be handled as a complaint, feedback or as a whistleblowing disclosure. If you elect for it to be handled as a complaint or feedback, we will follow our Complaints and Feedback Policy.

1 What is whistleblowing?

Where you disclose any information to us (in writing or verbally) and you have reasonable grounds to suspect that the information indicates that we may have breached the Aged Care Act.

You can make a disclosure anonymously.

2 Who can make a whistleblowing disclosure?

You can make a disclosure if you are:








- (a) accessing funded aged care services;
- (b) a supporter of someone accessing funded aged care services;
- (c) a responsible person;
- (d) an aged care worker;
- (e) an individual who becomes aware of information the disclosure of which would be protected under the Aged Care Act can make a disclosure.

3 Who can I make a disclosure to?

You can make a whistleblowing disclosure to:

- (a) the Aged Care Quality and Safety Commission (**ACQSC**) (including the Commissioner or a staff member of the ACQSC);
- (b) the Department of Health and Aged Care (**Department**) (including the System Governor, or an official of the Department);
- (c) a registered provider (including us);
- (d) a responsible person of a registered provider;
- (e) an aged care worker of a registered provider;
- (f) a police officer;
- (g) an independent aged care advocate.

4 How to make a whistleblowing disclosure to us

					
<p>Use our portal</p> <p>Scan the code below to submit your feedback</p> 	<p>Talk to us in person</p> <p>Speak to the any of our staff or the manager in your area</p>	<p>Talk to us by phone</p> <p>Call us on 02 60604000 and ask to speak with the manager on site</p>	<p>Use a feedback form</p> <p>Complete a form and drop it in the feedback box at any of our locations</p>	<p>Send us a letter</p> <p>Addressed to: The Facility Manager; or The Home Care Services Manager</p> <p>at 10 Somerset Drive Albury NSW 2640</p>	<p>Send us an email</p> <p>Addressed to: The Facility Manager; or The Home Care Services Manager</p> <p>at info@lacialbury.com</p>

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In carrying out our investigation, we will attempt to locate evidence to support any claims or allegations made in a whistleblowing disclosure.

7 How will we support whistleblowers and ensure their fair treatment?

We will support all whistleblowers while a disclosure is being investigated, including by:

- (a) maintaining the confidentiality (and anonymity, where requested) of all whistleblowers, including by:
 - (i) redacting relevant information;
 - (ii) referring to the whistleblower in a gender-neutral context;
 - (iii) where possible, contacting the whistleblower to help identify certain aspects of their disclosure which may inadvertently identify them; and
 - (iv) having disclosures handled by qualified and appropriate staff;
- (b) assessing the immediate welfare and protection needs of any whistleblower;
- (c) safeguarding the interests of a whistleblower in accordance with this policy and our obligations under the Aged Care Act;
- (d) addressing any issues or concerns of victimisation or threats of victimisation, including by:
 - (i) educating and training recipients of disclosures to ensure they can identify victimisation and threats of victimisation;
 - (ii) taking action, including disciplinary action, against any recipients of disclosures (including staff) engaging in victimisation or threats of victimisation.

Victimisation and threats of victimisation will not be tolerated.

8 Protection from Liability

Under the Aged Care Act, whistleblowers are protected from:

- (a) any civil, criminal or administrative liability (including disciplinary action) for making a disclosure; and
- (b) any contractual or other kind of remedy being enforced or exercised against the whistleblower on the basis of the disclosure, including termination on the basis that disclosure constitutes breach of the contract.

9 What to do if you have not been protected under this policy as a whistleblower

Any whistleblowers who have a reasonable belief:

- (a) that they are being victimised or threatened with victimisation as a result of any disclosure (or the belief or suspicion of a disclosure);
- (b) that their confidentiality or anonymity has been breached under this policy; or
- (c) that they have not been afforded any of the protections under this policy,

must report this behaviour to the **Human Resources Manager**.

10 Further Information

If you require assistance in understanding this policy or if you require a translation of this document in order to understand it, please contact us by speaking with one of our staff or the manager in your area. You can also use any of the other methods listed above. For further information on how this policy operates, please contact the Human Resources Manager.