ROSEWOOD

welcome home

Whistleblower Policy

ROSEWOOD CARE GROUP

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Purpose

Rosewood Care Group Inc. (the Organisation) is committed to the highest standards of integrity, professionalism, accountability, and transparency. This Whistleblower Policy provides a clear, safe, and accessible framework for individuals to report suspected or actual misconduct, wrongdoing, or breaches of law, standards, or codes of conduct without fear of retaliation.

This Policy aims to:

- Promote a culture of openness, transparency, ethical conduct, and continuous improvement;
- Support the rights of older Australians to receive safe, respectful, competent, and high-quality care in accordance with the **Statement of Rights**;
- Provide strong protections and support for individuals who speak up in good faith;
- Ensure disclosures are handled confidentially, fairly, and in accordance with principles of natural justice; and
- Ensure compliance with applicable legislative and regulatory requirements.

This Policy is established in accordance with and supports compliance with:

- Corporations Act 2001 (Cth) (Part 9.4AAA);
- Aged Care Act 2024 (Cth);
- Aged Care Quality Standards and Strengthened Quality Standards;
- Aged Care Code of Conduct;
- ASIC Regulatory Guide 270;
- Work Health and Safety Act 2020 (Cth); and
- Privacy Act 1988 (Cth).

Scope

This Policy applies to disclosures made by current and former:

- Employees (permanent, temporary, casual);
- Volunteers and students;
- Contractors, agency staff, consultants, and associated providers;
- Executive team members and Board members;
- Suppliers and service providers; and
- Family members or dependents of any of the above.

Definitions

Whistleblower

Any person who makes a disclosure of information relating to actual or suspected misconduct, wrongdoing, or breaches of law, including the Aged Care Act.

Disclosable Matters

Any concern or reasonable suspicion that a person or the Organisation has breached, is breaching, or is about to breach a law, standard, or obligation, or is engaging in misconduct or an improper state of affairs.

Misconduct

Illegal, unethical, dishonest, fraudulent, corrupt, non-compliant, or undesirable conduct (actual or attempted), including conduct that:

- Compromises the safety, dignity, rights or wellbeing of older people;
- Breaches the Aged Care Act, Corporations Act, or other legislation;
- Involve abuse, neglect, mistreatment, or substandard care;
- Causes financial loss or misuse of public funds; or
- Is inconsistent with the Organisation's purpose, values, or Code of Conduct.

Workers

All staff, employees, associated providers (including contractors and agency staff), students, and volunteers of the Organisation.

Disclosures Qualifying for Protection

A disclosure qualifies for whistleblower protection where: - It is made verbally or in writing, anonymously or otherwise:

- The whistleblower has reasonable grounds to suspect the information concerns misconduct or a breach of law; and
- The disclosure is made to an eligible recipient.

How to Make a Disclosure

A disclosure may be made verbally or in writing and may be made anonymously.

Internal Reporting

A disclosure may be made to:

- a Board Member or Responsible Person;
- the Chief Executive Officer;
- an Executive or Senior Manager;

Where a disclosure concerns the **Chief Executive Officer**, a Board Member, or the Discloser considers the usual internal reporting pathway inappropriate, the disclosure may be made directly to the **Board Chair** and/or the **Chair of the Finance, Audit, Risk and Governance Committee (FARG)**:

Email: whistleblower@rosewood.org.au
Post: Mark the envelope **"Private and Confidential"** and address it to:

Board Chair and/or Chair, Finance, Audit, Risk and Governance Committee
Rosewood Care Group
PO Box 136
Mount Hawthorn WA 6915

Independent Whistleblower Reporting Service

Rosewood provides access to an independent whistleblower reporting service for Disclosers who prefer to report outside Rosewood's internal reporting channels or wish to remain anonymous.

Reports may be made through:

Online: https://whistleblowingservice.org/rosewood
Telephone: 1300 687 927

External Reporting

A disclosure may also be made to an external person or body authorised to receive disclosures under applicable legislation, including, where relevant:

- the Aged Care Quality and Safety Commissioner or an authorised member of the staff of the Aged Care Quality and Safety Commission;
- the System Governor or an appropriate official of the Department of Health, Disability and Ageing;
- a police officer;
- an independent aged care advocate;
- ASIC or APRA, where the disclosure is eligible for protection under the *Corporations Act 2001 (Cth)*; or
- a legal practitioner for the purpose of obtaining legal advice or representation in relation to the disclosure.

The protections available to a Discloser depend on the nature of the disclosure and the applicable legislation. Disclosures may be protected under the *Aged Care Act 2024 (Cth)* and, where applicable, Part 9.4AAA of the *Corporations Act 2001 (Cth)*.

Whistleblower Protections

A whistleblower who makes a disclosure in accordance with this Policy and relevant legislation is protected from detriment, including:

- Dismissal, termination, demotion, or adverse changes to employment;
- Harassment, bullying, discrimination, or intimidation;
- Damage to reputation;
- Legal action or enforcement of contractual rights due to the disclosure; or
- Any other conduct that causes harm.

Protections apply regardless of whether the disclosure is substantiated, provided it is made honestly and with reasonable grounds.

Where a whistleblower has been involved in the reported misconduct, protections may still apply provide the disclosure is made prior to disciplinary action commencing and the individual cooperates fully with any investigation.

Nothing in this Policy prevents the Organisation from taking reasonable and lawful management action in relation to performance, conduct, or operational matters, where such action is unrelated to the making of a protected disclosure.

Organisational Commitment to Whistleblower Protection

The Organisation commits to:

- Actively promoting a “speak up” culture where workers, older people, their supporters, and stakeholders feel safe to raise concerns;
- Regularly communicating that disclosures are welcomed and protected;
- Maintaining clear, accessible, and secure reporting channels;
- Assessing disclosures promptly to determine eligibility for protection;
- Reporting matters externally where required, including to the Aged Care Quality and Safety Commission;
- Investigating all disclosures objectively, confidentially, and in accordance with principles of natural justice;
- Providing regular feedback to whistleblowers where possible;
- Taking appropriate corrective and preventive action;
- Supporting whistleblowers through access to counselling, workplace adjustments, relocation or reassignment where agreed, and other appropriate supports;
- Protecting whistleblower identity to the fullest extent permitted by law; and
- Not tolerating any form of retaliation or victimisation.

Confidentiality

The Organisation will:

- Take all reasonable steps to protect the identity of the whistleblower;
- Not disclose identifying information without consent, except as permitted by law;
- Limit access to information to those directly involved in managing or investigating the disclosure; and
- Store all records securely.

Anonymous disclosures are accepted; however, anonymity may limit the Organisation’s ability to investigate or provide feedback.

Investigation Process

All disclosures will be: - Acknowledged promptly where practicable;

- Assessed to determine appropriate action and reporting obligations;
- Investigated impartially by an appropriately qualified and independent person;
- Documented and evidence-based;

- Reported to the CEO, Executive Team, and/or Governing Body as appropriate; and
- Referred to external regulators (e.g. Aged Care Quality and Safety Commission, AHPRA, Police) where required.

Whistleblowers will be informed of outcomes where lawful and appropriate.

Natural Justice and Procedural Fairness

The Organisation is committed to procedural fairness. Individuals named in a disclosure will:

- Be informed of the allegations as soon as practicable;
- Be given an opportunity to respond;
- Be treated respectfully and without bias; and
- Have matters determined based on facts and evidence.

False or Malicious Reporting

Disclosures must be made in good faith. Knowingly false, misleading, or malicious reports may result in disciplinary action. This does not apply to disclosures made honestly that are not substantiated.

Roles and Responsibilities

Governing Body

The Governing Body has ultimate responsibility for oversight of whistleblower disclosures, ensuring effective systems, compliance, monitoring, and an open culture that supports speaking up.

Management

Management is responsible for:

- Ensuring awareness and understanding of this Policy;
- Supporting and escalating disclosures appropriately;
- Monitoring compliance and identifying improvement opportunities; and
- Reporting to the Executive Team, Governing Body, and regulators as required.

All Workers

All workers, including associated providers, volunteers, and students, must comply with this Policy and act within their delegated authority.

Records Management

The Organisation will:

- Maintain secure and confidential records of disclosures and investigations;
- Restrict access to authorised personnel only; and
- Retain records for a minimum of seven (7) years.

Review and Continuous Improvement

This Policy will be reviewed at least every three (3) years, or earlier if required due to legislative change, regulatory guidance, or identified risk. Feedback and learnings from disclosures will inform continuous improvement.

Related Policies and Documents

- Code of Conduct
- Feedback and Complaints Policy
- Incident Management Policy
- HR – Grievance Management Policy