Whistleblower Policy

Policy Statement

Healthcare Australia (HCA) is committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations from occurring and to address them when they do.

This policy aims to:

- Encourage staff and customers to report suspected wrongdoing as soon as possible (whether past, present or future), in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected to the extent reasonably possible.
- Provide staff and customers with guidance on how to raise those concerns
- Reassure staff and customers that they should be able to raise genuine concerns in good faith, without fear of reprisals, even if they turn out to be mistaken.
- Reassure staff and customers that protections are in place for qualifying disclosures.

Scope

This policy applies to all individuals working at all levels of the organisation, including senior managers, officers, directors, employees, consultants, contractors (and employees of contractors), trainees, homeworkers, part-time and fixed-term workers, casual and agency staff and volunteers (collectively referred to as staff in this policy) and customers.

What is Whistleblowing?

Whistleblowing is the disclosure of information that relates to suspected wrongdoing or dangers at
work, and any breaches of the aged care or NDIS legislation. This may include:

- Criminal activity
- Reportable incident under the Aged Care and NDIS acts
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Failure to comply with any legal or professional obligation or regulatory requirements
- Bribery
- Financial fraud or mismanagement
- Negligence
- Breach of our internal policies and procedures
- Conduct likely to damage our reputation
- Unauthorised disclosure of confidential information and
- The deliberate concealment of any of the above matters

A whistle-blower is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger

affecting any of our activities (a whistleblowing concern), you should report it under this policy. This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Policy or the Bullying and Harassment Policy as appropriate. If you are uncertain whether something is within the scope of this policy, you should seek advice from the Chief People Officer (CPO) or equivalent.

Raising a Whistleblowing Concern

We hope that in many cases you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree on a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the CPO. However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- CPO (Cheyne.Woolsey@healthcareaustralia.com.au)
- CEO (John.Pappalardo@healthcareaustralia.com.au)
- Any member of the Board of Directors (dmckennay@crescentcap.com.au)

We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

Raising a Whistleblowing Concern under the New Aged Care 2025 Act

Under the proposed new aged care act, whistleblowers cannot be victimised for making a disclosure, and it imposes a positive obligation on HCA to prevent victimisation of our workers and protect their identities if they make a disclosure. You can disclose any breaches of the Aged Care Act to one of the following groups:

- the Commissioner or a member of the staff of the commission
- the System Governor (being the Secretary of the Department of Health and Aged Care)
- a registered provider
- the responsible person of the provider
- an aged care worker of the provider
- a police officer

Specific Protection under the Corporations and Aged Care Act

Under Australian law, if your whistleblowing concern relates to an alleged breach of the Corporations or Aged Care Act, you may qualify for certain protections in relation to the disclosure. However, there is a specific procedure that must be followed before the protection will apply.

Under the new Aged Care Act, when an individual discloses information that they have concerns about, they must do several things to qualify for protection:

- They must tell one of the groups of people referred to in the above list
- They must make their disclosure orally or in writing (this includes submissions made anonymously).
- They must have reasonable grounds to suspect that the person or entity their disclosure relates to has breached a provision of the Act.

Disclosures made to journalists will not attract protection under the Aged Care Act.

Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, suppose you wish to raise your concern confidentially. In that case, we will make every effort to keep your identity secret, subject to any legal requirements that may necessitate disclosure, or if disclosure is required for the purpose of investigating your complaint.
However, there are exceptions which allow HCA to disclose this identifying information to the following groups if the matter relates to a breach of the Aged Care act:

- the Aged Care Quality and Safety Commissioner, or their staff
- the System Governor (being the Secretary of the Department of Health and Aged Care)
- an official of the Department of Health and Aged Care
- the Inspector-General of Aged Care
- a police officer
- a lawyer, but only for the purpose of obtaining legal advice
- a court or royal commission

If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you. HCA may also disclose this information if you consent or if it is necessary to prevent or lessen a serious risk to the safety of another person.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more challenging to establish whether any allegations are credible and have been made in good faith. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to a nominated person, and appropriate measures can then be taken to preserve their identity.

Specific Obligations of Management

If you are a nominated person under paragraph or a manager or officer and a concern is raised with you which relates to an alleged breach of the Corporations or Aged Care Act, you have specific obligations in respect of that disclosure. In short, you must take all necessary and appropriate steps to ensure the concern is thoroughly investigated, and you must not disclose the identity of the discloser without their prior consent.

External Disclosures

This policy aims to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases, you should not find it necessary to alert

anyone externally. However, the law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as ASIC or the company's audit team. It will be rarely, if ever, applicable to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external.

Investigation and Outcome

Once you have raised a concern, we will generally carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our evaluation. You may be required to attend additional meetings to provide further information.

In some cases, we may appoint an investigator or a team of investigators (including staff with relevant experience of investigations or specialist knowledge of the subject matter). The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing. We will aim to keep you informed of the progress of the investigation and its likely timeframe.

However, sometimes the need for confidentiality may prevent us from giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
If we conclude that a whistle-blower has made false allegations maliciously, in bad faith, or with a view of personal gain, the whistle-blower will be subject to disciplinary action.

If You Are Not Satisfied

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and appropriately. By using this policy, you can help us achieve this. If you are not happy with the way in which your problem has been handled, you can raise it with one of the other key contacts on page 2. Alternatively, you may contact the chairman of the Board of Directors or our external auditors.

Protection and Support for Whistle-blowers

Understandably, whistle-blowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Staff will not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern.

If an individual makes a disclosure qualifying for protection under the Aged Care Act, the rules say that specific actions can't be taken against them for making the disclosure:

- The individual will be shielded from any civil, criminal, or administrative liability for making the disclosure, and their employer cannot take disciplinary action against them.
- Protected from dismissal, victimisation, discrimination, or harassment
- Individuals will be protected from any contractual remedy or contractual right being enforced against them because of their disclosure, including actions taken by their employer for breach of their employment contract.
- Safeguard their identity (with only limited exceptions)

If you believe that you have suffered any such treatment, you should inform the CPO immediately. If the matter is not remedied, you should raise it formally using our Grievance Policy procedure. Staff must not threaten or retaliate against whistle-blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

Other Responsibilities of Employees with Reporting Obligations

Employees may have a legal obligation to report certain offences or other matters (such as workplace safety incidents) to government or regulatory authorities. Making a report under this policy does not relieve an employee from those legal obligations. If you are unsure about whether you have further reporting obligations, you should speak with your direct manager or the CPO.

Responsibility for the Success of this Policy

The Board has overall responsibility for this policy and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

The CPO has day-to-day operational responsibility for this policy. It must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

The CPO, in conjunction with the Board of Directors, should review this policy from a legal and operational perspective as per the Quality System review guidelines.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to hr@healthcareaustralia.com.au.

Signed: _____ **Date: 08/09/2025**

John Pappalardo
Chief Executive Officer