

### 1 Purpose

At Southern Cross Care (WA) we are guided by our values. These values are the foundation of how we behave and interact with each other, our members, suppliers, shareholders, and other stakeholders. Together our values reflect the priorities of the business and provide guidance in decision making.

The Southern Cross Care (WA) Code of Conduct and other policies have been developed to align with our values to ensure that we observe the highest standards of fair dealing, honesty, and integrity in our business activities. The Whistleblower Policy is an important part of maintaining those standards.

The Whistleblower Policy (this “Policy”) has been put in place to ensure employees and other Disclosers can raise concerns regarding any misconduct or improper state of affair or circumstances (including unethical, illegal, corrupt or other inappropriate conduct) without being subject to victimisation, harassment or discriminatory treatment.

This Policy aims to:

- encourage Disclosers to report an issue if they reasonably believe someone has engaged in serious wrongdoing;
- outline how Southern Cross Care (WA) will deal with whistleblowing reports;
- set out the avenues available to Disclosers to report serious wrongdoing to Southern Cross Care (WA). Whilst it is generally expected that these issues will be raised through the normal channels of line management, reporting by other avenues may be appropriate or necessary in certain situations; and
- ensure compliance with the Whistleblower protections and principles as required by the
  - Corporations Act (2001), as amended;
  - Treasury Laws Amendment (Enhanced Whistleblower Protection) Bill 2017; and
  - Any other relevant legislation.

### 2 Scope

This Policy applies to Southern Cross care (WA) Inc and its associated entities including Southern Cross Housing Ltd. and Southern Plus

The policy applies to “Disclosers”, which means anyone who is, or has been, any of the following with respect to all entities within Southern Cross Care (WA):

- Employees;
- Directors;
- Officers;
- Contractors (including employees of contractors);
- Suppliers (including employees of suppliers);
- Associates;
- Consultants; and
- Relatives, dependants, spouses, or dependents of a spouse of any of the above.

The protections in this Policy will also apply to anyone who has made a disclosure of information relating to Southern Cross Care (WA) to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to whistleblowing protection laws.

Disclosures made to a journalist or parliamentarian under certain circumstances (public interest and emergency disclosures) also qualify for protection.

### 3 Policy Statement

#### 3.1 Matters That Should be Reported

A person (the discloser) can make a Whistleblower Disclosure if the discloser has reasonable grounds to suspect that the information they are disclosing concerns Improper Conduct.

While Southern Cross Care encourages the making of any disclosure about conduct that is not in keeping with Southern Cross Care values and Code of Conduct, only disclosures of Improper Conduct (or suspected Improper Conduct) attract Whistleblower Protections.

Please note that personal work-related grievances are excluded from this Policy and will be handled under the Grievance Policy.

Reportable matters include Improper Conduct includes any of the following:

- corrupt conduct, including misuse of position for personal gain;
- fraudulent activity;
- conduct involving a substantial mismanagement of public or company resources;
- illegal or criminal activities (including theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage against property);
- unethical behaviour, including anything that would breach the Southern Cross Care (WA) Code of Conduct;
- improper or misleading accounting or financial reporting practices;
- a breach of any legislation relating to Southern Cross Care (WA) operations or activities including any matter about which a regulator should know about to perform its duty;
- behaviour that is oppressive, discriminatory or grossly negligent;
- misconduct or an improper state of affairs in Southern Cross Care (WA) business or operations, such as, but not limited to:
  - failure to comply with a legal duty
  - any behaviour that poses a serious risk to the health and safety of any person at the workplace
  - dishonest or unethical behaviour by an individual that broadly affects Southern Cross Care (WA) business or operations
- any other conduct which may cause loss to Southern Cross Care (WA) or be otherwise detrimental to the interests of the Southern Cross Care (WA); or
- Detrimental Action (or threats of detrimental action) taken against a Whistleblower, or someone who is suspected of or who is planning to make a Whistleblower Disclosure or who is cooperating with an investigation of a Whistleblower Disclosure

### 3.2 Matters that are not considered Whistleblower complaints

#### 3.2.1 Disclosures not based on 'reasonable grounds'

For Whistleblower Protections to apply, a person making a disclosure must have 'reasonable grounds' to suspect Improper Conduct as described in section 4 of this policy. As a general rule, a mere allegation made without supporting information and evidence is unlikely to be a disclosure based on 'reasonable grounds'.

#### 3.2.2 False Disclosures

A false disclosure of Improper Conduct could have significant effects on Southern Cross Care (WA)'s reputation and the reputation of other individuals. In addition, a false disclosure could waste valuable resources.

Any deliberate false disclosure of Improper Conduct (where the discloser knows the information to be untrue), whether under this procedure or otherwise, will be treated as a serious disciplinary matter. Such false disclosures do not trigger Whistleblower Protections.

#### 3.2.3 Personal work-related grievances

Personal work-related grievances are not covered under this Policy and should be reported to your line manager or Human Resources representative in accordance with the Grievance Policy. "Personal workplace grievances" means a grievance about any matter in relation to the Discloser's employment, or former employment, having (or tending to have) implications for the discloser personally. This includes:

- an interpersonal conflict between the discloser and another employee;
- a decision relating to the performance feedback engagement, transfer, promotion of the discloser or matters pertaining to Enterprise Agreements or employment contracts;
- a decision relating to the terms and conditions of engagement of the discloser; and

- a decision to suspend or terminate the engagement of the discloser, or otherwise to discipline the discloser.

However, it does not include:

- any conduct that would be considered victimisation of an individual because they have made, may have made, or propose to make a report under this Policy; or
- a matter that would have significant implications for Southern Cross Care (WA).

Any complaint made as a Whistleblower complaint that does not meet the requirements as detailed in section 4 will be dealt with through Southern Cross Care (WA) Grievance policy.

If at any point during the course of a grievance process, a matter qualifies as a Whistleblower complaint, the matter will be referred through the Whistleblower policy for resolution.

### 3.3 Responsibility to report

Southern Cross Care (WA) relies on its employees and Disclosures to help maintain and grow its culture of honest and ethical behaviour. It is therefore expected that any Discloser who becomes aware of such conduct will make a report.

### 3.4 Making a report

#### 3.4.1 Internal Reporting for Employees

Employees should first report any matters of concern to their direct line manager or human resources representative.

Where this is not appropriate, where the person making a report does not feel comfortable making an internal report, or where an employee has made an internal report, but no action has been taken within a reasonable time, the report can be made using the Southern Cross Care (WA) external independent whistle-blower service.

#### 3.4.2 External Reporting

A Discloser may make a report to Southern Cross Care (WA) external independent whistleblowing service using any of the following methods:



#### Phone

[1300 30 45 50](tel:1300304550) - Australia



#### App

Search for Stopline in the iTunes App Store or Google Play to download the free app and submit a disclosure



#### Email

Send an email to:  
[scrosswa@stopline.com.au](mailto:scrosswa@stopline.com.au)



#### Post

C/o Stopline, Locked Bag 8,  
Hawthorn VIC 3122



#### Fax

ATTENTION: CASE  
MANAGER C/O STOPLINE  
[+61 3 9882 4480](tel:+61398824480)

An external report may be made anonymously, if desired, using any of these methods. However, this may impact ability to investigate the matters reported.

Reports made under this Policy should describe the grounds for the report and provide as much detail as possible of all relevant facts and supporting documentation (if any).

Information contained in reports and provided by Whistleblowers in the course of an investigation will be kept confidential, except as required by law or where disclosure is necessary to regulatory authorities, law enforcement agencies or professional advisors.

#### 3.4.3 Reporting to the Whistleblower Protection Officer

If a Discloser is unable to use the external reporting mechanism for any reason, a report can be made directly to the Whistleblower Protection Officer (WPO). Reports to the WPO:

- must be made in person or by telephone; and
- the Discloser must first inform the WPO that they wish to make a report under this Policy.

#### 3.4.4 Reporting to Eligible Recipients

If a Discloser is unable to use any of the above reporting channels, a disclosure can be made to an "eligible recipient" within the company. Eligible recipients in relation to Southern Cross Care (WA) are:

- Officers;
- Directors; and

- Senior Managers.

Reports to an eligible recipient:

- must be made in person or by telephone; and
- the Discloser must first inform the eligible recipient that they wish to make a report under this Policy.

An eligible recipient may direct the Discloser to make the report to the external whistleblowing service, or to the WPO, if they consider it appropriate in the circumstances.

### 3.5 Support and Protections Available to Disclosers

A Discloser will not be subject to any civil, criminal, or disciplinary action for making a report that is covered by this Policy, or for participating in any subsequent investigation by Southern Cross Care (WA).

Whistleblower protections are contained in the Corporations Act 2001. Note that these protections may not apply to reports about matters not covered by this policy, such as personal workplace grievances. No employee, officer, or contractor of a Southern Cross Care (WA) company may engage in detrimental conduct against a Discloser who has made or proposes to make a report in accordance with this Policy, because of such report or proposed report.

Southern Cross care take Whistleblower protection seriously. A Discloser who suffers loss or damage or is not properly protected may be able to seek compensation and other remedies through the courts.

All reasonable steps will be taken to ensure that a Whistleblower will not be subject to any form of victimisation, discrimination, harassment, demotion, dismissal, or prejudice, because they have made a report. However, this Policy will not protect the Discloser if they are also involved in or connected to the improper conduct or illegal activities that are the subject of a report.

#### 3.5.1 Anonymous Reporting

A report can be made anonymously. However, it may be difficult for Southern Cross Care (WA) to properly investigate or take other action to address the matters disclosed in anonymous reports. In circumstances where the Discloser has not consented to the disclosure of their identity, the matter may be referred for investigation, but the investigator will be required to take all reasonable steps to reduce the risk that the discloser will be identified as a result of the investigation.

Information about a Discloser's identity and information that is likely to lead to the identification of the Discloser may be disclosed in the following circumstances:

- Where the information is disclosed to ASIC, APRA or the Australian Federal Police;
- Where the information is disclosed to a legal practitioner for the purpose of obtaining legal advice in relation to the operation of applicable whistleblowing protection laws; or
- Where the Discloser consents.

#### 3.5.2 Support for Disclosers

Support is available for Disclosers via Human Resources or the Employee Assistance Program (EAP).

Use of these support services by a Discloser may require the Discloser to consent to disclosure of their identity or information that is likely to lead to the discovery of their identity

### 3.6 Resources

The Board of Southern Cross Care (WA), via Governance Committee, governs and is responsible for the ultimate decision-making power regarding reports and investigations under this Policy.

#### 3.6.1 Whistleblower Protection Officer ("WPO")

The Whistleblower Protection Officer (WPO) will safeguard the interests of Discloser making reports under this Policy and will ensure the integrity of the reporting mechanism.

The WPO will refer any reports that require further investigation to the Whistleblower Investigation Officer.

The WPO reports directly to the Chief Executive Officer (CEO) and the Governance Committee for any Whistleblower matters. The WPO also has access to independent advisers as and when required.

#### 3.6.2 Whistleblower Investigations Officer ("WIO")

The Southern Cross Care (WA) Group has also appointed a Whistleblower Investigations Officer (WIO) who will carry out or supervise the investigation of reports made under this Policy.

The WPO and WIO act independently of each other, and the responsibilities of these roles do not reside with one person.

### 3.7 Reports Concerning the CEO, WPO and WIO

If a report involves the CEO, the WPO and the WIO (or all three representatives for the avoidance of doubt), this will be directed to the Board Chair of the Southern Cross Care (WA) for investigation and further action. Any whistleblower complaint that names or involves the CEO, WPO or WIO must be able to demonstrate that they could have been involved. Whistleblower complaints that name any of these roles where it could not have been reasonably possible that they contributed to the complaint will not prevent them from performing their role under this policy.

### 3.8 Investigating a Report

Where a report is made under this Policy, the WIO will investigate the report. Where the WPO deems necessary, the WIO may use an external investigator to conduct an investigation, either in conjunction with the WIO or independently. Where the WPO deems necessary, the WIO may also use an external expert to assist with an investigation. All investigations will be conducted in a fair and independent manner and all reasonable efforts will be made to preserve confidentiality of an investigation.

To avoid jeopardising an investigation, a Discloser who has made a report under this Policy is required to keep confidential the fact that a report has been made (subject to any legal requirements).

Where a Discloser wishes to remain anonymous, the Discloser's identity will not be disclosed to the investigator or to any other person. Information that is likely to lead to the identification of the Discloser can be disclosed without the Discloser's consent, provided that:

- It is disclosed for the purpose of reasonably investigating the matter; and
- All reasonable steps are taken to reduce the risk that the Discloser will be identified.

### 3.9 Support for Persons Implicated

No action will be taken against employees or officers who are implicated in a report under this Policy until an investigation has determined whether any allegations against them are substantiated. However, an employee or officer who is implicated may be temporarily stood down on full pay whilst an investigation is in process, or may be temporarily transferred to another office, department or workplace, if appropriate in the circumstances.

Any such stand-down or temporary transfer may only continue for the duration of the investigation. If the investigation determines that the allegations are not substantiated, the employee officer must be immediately reinstated to full duties.

Any disclosures that implicate an employee or officer must be kept confidential, even if the Discloser has consented to the disclosure of their identity and should only be disclosed to those persons who have a need to know the information for the proper performance of their functions under this Policy, or for the proper investigation of the report.

An employee or officer who is implicated in a disclosure has a right to be informed of the allegations against them and must be given an opportunity to respond to those allegations and provide additional information, if relevant, in the course of an investigation into those allegations (subject to the Discloser's right to anonymity).

Support available for persons implicated in a report under this Policy is provided by access to the Employee Assistance Program (EAP).

### 3.10 Investigation Feedback

Wherever possible, and assuming that the identity of the Discloser is known, the Discloser will be kept informed of the progress and outcomes of the investigation, subject to privacy and confidentiality considerations.

### 3.11 Reports to Other Bodies

Southern Cross Care encourages the use of internal processes in the first instance. However, a discloser may choose to report the matter to an external authority, - for examples ASIC, AHPRA, the Aged Care Quality and Safety Commission or another Commonwealth body. In certain circumstances, a Discloser may have a legal obligation to make a report to a statutory body or government department. Disclosers should ensure that they comply with all such reporting requirements. The WPO can advise Disclosers on how to report to external bodies, and on any obligations to make a report.

### 3.12 Breach of this Policy

Any breach of this Policy will be taken seriously and may result in counselling and/or disciplinary action, up to and including summary dismissal.

### 3.13 General

It is a condition of any employment or engagement by the Southern Cross Care (WA) Group that all employees, officers, and contractors must comply at all times with this Policy. However, this Policy does not form part of any agreement between any person and Southern Cross Care (WA), nor does it constitute terms and conditions of any person's employment or engagement with a Southern Cross Care (WA).

This policy will be made available to officers and employees of all Southern Cross Care (WA) companies by making it accessible from the Southern Cross Care (WA) internet home page and the Southern Cross Care (WA) website.

## 4 Roles and Responsibilities

Role	Responsible for:
Executive Management Committee	Endorse and ensures compliance with this policy Be familiar with legislative requirements of this policy
General Manager/Executive managers/Head of Department	Oversee compliance with this policy Support staff competence and compliance with this policy and ensures staff receive appropriate training and supervision to comply with this policy Report on collated information regarding policy scope and key performance indicators, to ensure operational decision making is informed by outcomes and this policy Support the review of this policy
Manager, Co-ordinators/Team Leaders	Manage and monitor compliance with this policy and facilitate access for staff to receive appropriate training, and supervision to comply with this policy Collate and escalate reported information as required Ensure operational decision making is informed by this policy
Staff	Comply with this policy Maintain knowledge of the current practices in relation to the subject of this policy, as applicable to their role Report any incidents as per organisational policy Participate in regular practice supervision

## 5 Legislation and Supporting Documents

### 5.1 Legislation and Standards

- Residential Tenancies Act 1987
- National Community housing Standard 1:1
- Age Discrimination Act 2004
- Privacy Act 1988
- Occupational Safety and Health Regulations 1996 (WA)
- Australian Human Rights Commission Act 1986
- Sex Discrimination Act 1984
- Residential Tenancy Act 1987 (WA)
- Mental Health Act 2014 (WA)
- Occupational Safety and Health Act 1984 (WA)
- Racial Discrimination Act 1975
- Western Australia Equal Opportunity Act 1984 (WA)

## 5.2 Related SCCWA Policy and Procedures

- SCC-QUA-POL-0005 Feedback and Complaints Policy
- SCC-QUA-POL-0001 Continuous Improvement Policy
- SCC-HUM-POL-0007 Code of Conduct Policy
- SCC-HUM-POL-0013 Employee Grievance Policy
- SCC-RIS-POL-0008 Privacy Policy
- SCC-HUM-POL-0051 Bullying Harassment Discrimination Policy
- SCC-HUM-POL-0050 Confidentiality & Privacy Policy
- SCC-HUM-POL-0052 Disciplinary Matters

## 6 Document Control

Rev	Owner	Sections Modified	Date Reviewed	Next Review Date
0.1	Chief People Learning and Culture Officer	Southern Cross Housing, Whistleblowing, renumbered and repurposed to cover SCCWA	18/08/2022	18/08/2025