

Whistleblower Policy

1 Purpose

At Southern Cross Care (WA) Inc (SCCWA) 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 SCCWA 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 SCCWA will deal with whistleblowing reports;
- set out the avenues available to Disclosers to report serious wrongdoing to SCCWA. 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 (Cth);
 - Aged Care Act 2024 (Cth); and
 - Any other relevant legislation.

2 Scope

This Policy applies to SCCWA and its associated entities including Southern Cross Housing Ltd.

PART 1: Corporations Act Whistleblower Protections

3 Eligible Persons

Any of the following persons may make a disclosure that is protected under this Part and the Corporations Act:

- employees (including a former employee)
- officers
- volunteers
- contractors
- suppliers of services or goods to the organisation
- associates of the organization
- any relative, dependant, or spouse (including a former spouse) of any of the above-listed persons

4 Policy Statement

4.1 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, which includes information in relation to conduct that:

- constitutes an offence against, or contravention of, a provision of any of the following:
 - the Corporations Act
 - the *Australian Securities and Investments Commission Act 2001* (Cth);
 - the *Banking Act 1959* (Cth);
 - the *Financial Sector (Collection of Data) Act 2001* (Cth);
 - the *Insurance Act 1973* (Cth);

- the *Life Insurance Act 1995* (Cth);
- the *National Consumer Credit Protection Act 2009* (Cth);
- the *Superannuation Industry (Supervision) Act 1993* (Cth);
- the *Aged Care Act (2024)* (Cth);
- any instrument made under any of the above Acts;
- constitutes an offence against any Commonwealth law punishable by 12 or more months imprisonment; or
- represents a danger to the public or the financial system.

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

Personal work-related grievances are excluded from this Policy and will be handled under the Grievance Policy.

Examples of Improper Conduct include:

- illegal conduct, such as theft; dealing in, or use, of illicit drugs; violence or threatened violence; and criminal damage against property;
- fraud, money laundering, or misappropriation of funds;
- offering or accepting a bribe;
- financial irregularities; and
- failure to comply with, or breach of, legal regulatory requirements.

4.2 Matters that are not considered Whistleblower complaints

4.2.1 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'.

4.2.2 False Disclosures

A false disclosure of Improper Conduct could have significant effects on SCCWA'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.

4.2.3 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;
- a decision relating to the terms and conditions of engagement of the discloser; and
- any disciplinary action (including suspension and/or termination of employment) taken against the person.

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.

Any complaint made as a Whistleblower complaint that does not meet the requirements as detailed in section 4 will be dealt with through SCCWA Grievance policy or the SCCWA Complaints 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.

4.3 Responsibility to report

SCCWA relies on its employees and Disclosures to help maintain and grow its culture of honest and ethical behaviour. We therefore encourage employees to make a disclosure where they become aware of or have a reasonable basis to suspect Improper Conduct.

4.4 Making a report

4.4.1 Internal Reporting for Employees

We encourage employees to make disclosures internally, as this assists SCCWA in investigating the matter.

Internal reports can be made to:

- an officer or senior manager of SCCWA (or a related entity of SCCWA);
- an auditor or actuary of SCCWA;
- an Aged Care employee where the report relates to a breach of the Aged Care Act 2024 (Cth); or
- any other person who SCCWA has authorised as being able to receive disclosures under this Policy.

4.4.2 External Reporting

A disclosure may also be made to Stopleveline, an external independent whistleblower service who SCCWA has authorised to receive protected disclosures, using any of the following methods:

				
Phone	App	Email	Post	Fax
1300 30 45 50 – Australia	Search for Stopleveline in the iTunes App Store or Google Play to download the free app and submit a disclosure	Send an email to: scrosswa@stopleveline.com.au	C/o Stopleveline, Locked Bag 8, Hawthorn VIC 3122	ATTENTION: CASE MANAGER C/O STOPLINE +61 3 9882 4480

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.

4.4.3 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:

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

4.4.4 Reporting a breach of the Aged Care Act 2024 (Cth)

People can also make a report to:

- The Aged Care Quality and Safety Commission;
- the Department of Health, Disability and Ageing or an official of the department;
- a registered provider;
- a responsible person of a registered provider;
- an aged care worker of a registered provider;
- a police officer; or
- an independent aged care advocate.

People can make the report in person, over the phone or in writing. The report can also be made anonymously.

4.4.5 Reports to Other Bodies

SCCWA encourages the use of internal processes in the first instance. However, a discloser may choose to report the matter to the Australian Securities and Investments Commission, the Australian Consumer and Competition Commission, the Australian Prudential Regulation Authority, the Aged Care Quality and Safety Commission, or the Australian Taxation Office. Each of these bodies have a website which provides more information about them.

A whistleblower may also made a protected disclosure to a member of parliament or a journalist if, and only if, all of the following criteria have been satisfied:

- the whistleblower has previously made a disclosure to ASIC, APRA, or a body prescribed by the Corporations Act or regulations;
- either:
 - at least 90 days have passed since the disclosure was made and the whistleblower does not have reasonable grounds to believe that action is being taken or has been taken in relation to the protected disclosure; or
 - the whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- the whistleblower has reasonable grounds to believe that making a further disclosure would be in the public interest;
- the whistleblower notifies the person or body (after the 90-day period, where applicable) to which the disclosure was made that they intend to make a 'public interest disclosure';
- the 'public interest disclosure does not contain information greater than necessary to inform the member of parliament or journalist of the misconduct or improper state of affairs or the substantial and imminent danger alleged.

Whistleblowers are encouraged to seek independent legal advice before making a public interest disclosure.

1.1 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 SCCWA.

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 SCCWA 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.

SCCWA takes 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.

1.1.1 Anonymous Reporting

A report can be made anonymously. However, it may affect SCCWA's ability to investigate the matter, especially if there is no way for SCCWA to get in contact with the discloser to seek more information. In circumstances where the Discloser has not consented to the disclosure of their identity, the matter may be referred for investigation, and 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.

1.1.2 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

1.2 Resources

The Board of SCCWA, via Governance Committee, governs and is responsible for the ultimate decision-making power regarding reports and investigations under this Policy.

1.2.1 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.

The current Whistleblower Protection Officers are:

Angela North – Chief People Learning & Culture Officer

Bret Campbell – Chief Financial Officer

Deanne Dixon – General Manager People

Jodee Hartley – General Manager Clinical Governance

Matthew Helstrip – Senior Manager Risk & Procurement

1.2.2 Whistleblower Investigations Officer (“WIO”)

SCCWA will appoint a suitable 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.

1.3 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.

1.4 Reports Concerning the CEO, WPO and WIO

If a discloser wishes to make an internal disclosure (to SCCWA) but reasonably believes that a matter being disclosed involves the CEO, the WPO and/or the WIO, it should be disclosed to the Board Chair of SCCWA for investigation and further action.

1.5 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 suspended 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 suspension 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 will 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).

1.6 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.

1.7 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.

1.8 General

It is a condition of any employment or engagement by SCCWA 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 SCCWA, nor does it constitute terms and conditions of any person's employment or engagement with SCCWA.

This policy will be made available to officers and employees of all SCCWA companies by making it accessible from the SCCWA intranet home page and the SCCWA website.

2 Roles and Responsibilities

Role	Responsible for:
Board Members	Endorse and ensures compliance with this policy Be familiar with legislative requirements of this policy
Executive Management Committee	Endorse and ensures compliance with this policy Be familiar with legislative requirements of this policy
Senior Leaders	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

3 Legislation and Supporting Documents

3.1 Legislation and Standards

- Corporations Act 2001
- Taxation Administration Act 1953
- Aged Care Act 2024 (Cth)
- Aged Care Rules 2025
- Strengthened Aged Care Quality Standards 2025

3.2 Related SCCWA Policy and Procedures

- SCC-QUA-POL-0005 Feedback and Complaints Policy
- SCC-HUM-POL-0007 Code of Conduct Policy
- SCC-HUM-PRO-0030 Whistleblower Procedure
- SCC-HUM-POL-0013 Employee Grievance Policy
- SCC-RIS-POL-0009 Privacy Policy
- SCC-HUM-POL-0051 Bullying Harassment Discrimination Policy
- SCC-HUM-POL-0052 Disciplinary Matters

4 Document Control

Rev	Owner	Sections Modified	Date Reviewed	Next Review Date
1	Chief People Learning and Culture Officer	Southern Cross Housing, Whistleblowing, renumbered and repurposed to cover SCCWA	18/08/2022	18/08/2025
2	Chief People Learning and Culture Officer	Review and Update	11/06/2025	01/11/2025
3	Chief People Learning and Culture Officer	Updated to include Whistleblower amendments in Aged Care Act 2024	01/10/2025	01/10/2028