



Whistleblower Policy

Document number: PO2026-013

Approval

Policy owner	Executive Director, Enabling Services		
Approved by	ELT, State Council and SVDP NSW Board		
Date approved	ELT: 01.08.2026 State Council: 27.08.2026 SVDP NSW Board: 15.10.2026	Review date	15.10.2029

Purpose

1. The Society encourages people to speak up about suspected wrongdoing, misconduct or risks to the Society.
2. The purpose of this Policy is to help create an environment in which the reporting of any instances of suspected misconduct, or of an improper state of affairs or circumstances in relation to the Society, is encouraged without fear of detriment.
3. The policy supports the Society to meet its obligations in relation to Whistleblower Protection provisions of the *Corporations Act 2001* (Cth), the *Aged Care Act 2024* (Cth) and the *National Disability Insurance Scheme Act 2013* (Cth).
4. It also supports compliance with the Aged Care Strengthened Quality Standards and NDIS Practice Standards and Quality Indicators, by encouraging and supporting people we assist, workers and others to provide feedback and make complaints about care and services, without reprisal.
5. This Policy and its associated Procedures provides guidance on reporting and responding to whistleblower matters including:
 - the types of wrongdoing that can be reported under this policy
 - protections available to whistleblowers
 - how to make a disclosure
 - how the Society will support whistleblowers and protect them from detriment
 - how the Society will investigate disclosures and ensure fair treatment
 - how the policy will be made available to relevant stakeholders.

Scope

6. This policy applies to:
 - **Eligible Whistleblowers** under the *Corporations Act 2001* (Cth), including:
 - Society Personnel
 - former Society Personnel
 - an individual, or an employee of an entity, which supplies services or goods to the Society (whether paid or unpaid)
 - a relative or dependent of an above individual, or a dependent of an above individual's spouse, and
 - individuals who make disclosures that satisfy the requirements of section 547 of the *Aged Care Act 2024* (Cth), including individuals receiving funded aged care services from the Society, and people who are close to them, including family members and carers, and
 - individuals who make disclosures that satisfy the requirements of section 73ZA of the *National Disability Insurance Scheme Act 2013* (Cth), including a person with disability who is or was receiving a support or service from the Society's NDIS services, or a nominee, family member, carer, independent advocate or significant other of that person.
7. This Policy also applies to an Eligible Whistleblower making a public interest disclosure or an emergency disclosure, where all statutory requirements of section 1317AAD (1) and (2) of the *Corporations Act 2001* (Cth) are satisfied.

8. This Policy covers reports about **Disclosable Matters** that relate to the operations, governance, or services provided by the Society.
9. This policy complements arrangements for complaints and feedback, workplace grievances, discrimination, harassment, bullying, and managing fraud and dishonest behaviour, as well as normal communication channels between individuals, managers and supervisors to address questions, concerns, suggestions and complaints.
10. Nothing in this Policy limits the rights of People We Assist, their representatives, carers or workers, to make complaints or disclosures directly to the Aged Care Quality and Safety Commission or the NDIS Quality and Safeguards Commission.

Policy principles

11. The Society is committed to creating a safe and ethical work environment in which individuals can raise concerns about wrongdoing without fear of retribution.
12. The Society will provide appropriate emotional and procedural support to those who speak up and will protect whistleblowers' rights.
13. The Society will not tolerate any actual, threatened, attempted or facilitated retaliatory actions or detrimental conduct against whistleblowers, their colleagues or relatives. Any individual who takes any reprisal action against whistleblowers may be subject to disciplinary action.
14. The Society will ensure fair treatment of employees or other persons mentioned in disclosures, including by:
 - handling disclosures confidentially,
 - conducting objective and impartial investigations that comply with the requirements of procedural fairness,
 - providing an opportunity to respond to allegations where appropriate,
 - protecting reputations where allegations are unsubstantiated.
15. A copy of this policy will be made publicly available on the Vinnies NSW website and will be published on the Society's Staff Portal, and the Members and Volunteers Portal.

Whistleblower Protections

16. Whistleblower Protections apply when:
 - a. The discloser is an Eligible Whistleblower (see paragraph 6)
 - b. The disclosure is made to an Eligible Recipient
 - c. The Eligible Whistleblower has reasonable grounds to suspect that the disclosed information concerns a **Disclosable Matter**.
17. Whistleblower Protections may also apply where the requirements of the *Aged Care Act 2024* (Cth) or *National Disability Insurance Scheme Act 2013* (Cth) are satisfied.
18. Whistleblower Protections under the *Corporations Act* and the *Aged Care Act* and the *National Disability Insurance Scheme Act* are available when a discloser chooses to remain anonymous.
19. An individual is not covered under Whistleblower Protections if their disclosure is not a **Disclosable Matter**.

Eligible Recipients

20. Eligible Recipients include:

- the Society's internal or external Auditor
- an Officer of the Society (Board Director, Company Secretary or CEO)
- a Senior Manager (Executive Director or Chief Financial Officer)
- an individual authorised by the Society to receive disclosures of this kind (the Whistleblower Officer/s)
- the Society's appointed independent third-party Whistleblower Hotline and its employees
- recipients detailed in the *Aged Care Act* and the *Aged Care Rules 2025*, including the Aged Care Commissioner, or member of the Commissioner's staff, an official of the Department of Health and Aged Care, a police officer, or an independent aged care advocate.
- recipients detailed in the *National Disability Insurance Scheme Act 2013*, including the NDIS Quality and Safeguards Commissioner or the National Disability Insurance Agency.

Relevant contact details are available at **Appendix 2**.

Disclosable Matters

21. A Disclosable Matter is information that:

- concerns misconduct or an improper state of affairs or circumstances in relation to the Society; or
- indicates the Society or one of its officers or employees has engaged in conduct that constitutes an offence against, or a contravention of, the *Corporations Act 2001* (Cth) or the *Australian Securities and Investments Commission Act 2001* (Cth), and any instrument made under these Acts; or
- indicates a potential contravention of any provision of the *Aged Care Act 2024* (Cth); or
- indicates actual or potential contravention of any provision of the *National Disability Insurance Scheme Act 2013* (Cth). Examples include fraud, misuse of NDIS funds, conduct that puts NDIS participants at risk, concealment of breaches; or
- constitutes an offence against any other law of the Commonwealth punishable by imprisonment for 12 months or more; or
- represents a danger to the public or the financial system.

22. A disclosure is not a Disclosable Matter if it concerns **Personal Work-Related Grievances**, unless it concerns

- systemic misconduct, victimisation, breaches of employment law, or conduct extending beyond the discloser's personal circumstances.
- a contravention or an alleged contravention of section 1317AC of the *Corporations Act* that involves **detriment** caused to the discloser or a threat made to the discloser. For personal work-related grievances, see the Internal Grievance Policy.

Examples may include repeated unsafe practices, systemic bullying, deliberate understaffing affecting care outcomes, financial misconduct, or retaliation against a person who has raised concerns.

Roles and responsibilities

Roles	Responsibilities
Society Personnel	• Speak up and promptly report actual or suspected wrongdoing in accordance with this policy. • Cooperate with investigations. • Maintain confidentiality and protect the identity of Disclosers and information relating to disclosures. • Not investigate or take action in relation to a disclosure unless authorised.
People Leaders	• Promote a culture that encourages speaking up and does not tolerate detriment or retaliation. • Ensure their teams understand how to make a disclosure and access support. • Promptly refer disclosures to the Whistleblower Officer or an Eligible Recipient. • Maintain confidentiality and cooperate with investigations. • Not investigate disclosures unless authorised.
Executive Leadership Team (ELT)	• In addition to their responsibilities as Society Personnel and People Leaders: - Promote and support the effective operation of this policy. - Ensure appropriate resources are available to support the whistleblower framework. - Ensure appropriate action is taken following substantiated findings within their area of responsibility.
Executive Director, Members, Volunteers and Early Intervention (ED MVEI)	In addition to their responsibilities as a member of the ELT: • In consultation with the NSW State President and/or relevant Central Council President, determine appropriate action following an investigation concerning a member, where authorised.
Executive Director, Enabling Services	In addition to their responsibilities as a member of the ELT: • Facilitate the reporting of suspected or actual criminal offences to police where appropriate, in consultation with the Chief Executive Officer and NSW State President. Ensuring appropriate support is provided for any related legal, employment or other organisational processes.
Chief Executive Officer	• Appoint the Whistleblower Officer and Whistleblower Protection Officer. • Promote a culture that supports speaking up and protects Disclosers from detriment or retaliation. • Determine appropriate action following investigations concerning employees or volunteers, where authorised. • Ensure significant matters are appropriately escalated to the Board.
Audit, Risk and Finance Committee	• Receive appropriate reporting on whistleblower disclosures and trends. • Provide assurance to the Board on the effectiveness of the whistleblower framework. • Escalate significant concerns to the Board where appropriate.
Board of St Vincent de Paul Society NSW	• Approve the whistleblower policy. • Oversee the effectiveness of the whistleblower reporting and protection arrangements. • Provide governance oversight of significant matters referred to the Board.

	• Manage and oversee disclosures or investigations concerning the Chief Executive Officer, including determining appropriate action following an investigation.
NSW State President	• In consultation with the Executive Director, Members, Volunteers and Early Intervention, determine appropriate action following an investigation concerning a member, where authorised.
Whistleblower Officer	• Receive, assess and manage disclosures made under this policy. • Determine the appropriate response, including referral, investigation and escalation to police, regulators, the CEO or Board where appropriate. • Ensure disclosures are managed confidentially and appropriately investigated. • Report on disclosures and relevant trends to the Audit, Risk and Finance Committee.
Eligible Recipient	• Receive disclosures and promptly refer them to the Whistleblower Officer or other authorised person. • Maintain confidentiality and take reasonable steps to protect the Discloser.
Whistleblower Protection Officer	• Assess and manage risks of detriment, victimisation or retaliation arising from a disclosure. • Implement and monitor appropriate protection and wellbeing measures for Disclosers. • Consider protection measures for other persons involved in a disclosure, including witnesses. • Maintain confidentiality and liaise with the Whistleblower Officer on protection matters.

Review

23. This policy and its implementation will be reviewed every three years, or as required, including to align with legislative or practice changes.

Further assistance

24. Society Personnel should speak with the Whistleblower Officer/s regarding any questions or feedback about the implementation of this Policy.
25. Individuals may seek legal advice before making a disclosure if they have any concerns about whether they will be eligible for Whistleblower Protections in relation to a specific disclosure. The costs associated with seeking legal advice will not be compensated by the Society.

Related policies and procedures

26. Related policies and procedures include:
- Code of Conduct
 - Complaints and Feedback Policy
 - Conflict of Interest Policy
 - Managing Fraud and Dishonest Behaviour Policy
 - Internal Grievance Policy

References

27. Legislation, regulations and guides relevant to this Policy include:

- Australian Standard AS 8004-2003-Whistleblower Protection Programs for Entities
- *Corporations Act 2001* (Cth)
- *Treasury Laws Amendment (Enhancing Whistleblower Protection) Act 2019* (Cth)
- ASIC's approach to enforcement. Information Sheet 151 (INFO 151)
- How ASIC handles whistleblower reports [Information Sheet 239](#) (INFO 239).
- ASIC Regulatory Guide 270: Whistleblower Policies
- *Aged Care Act 2024* (Cth)
- Aged Care Rules 2025 (as amended)
- *National Disability Insurance Scheme Act 2013* (Cth)
- NDIS Practice Standards and Quality Indicators, Version 4, November 2021

Approval and amendment history

Version	Approval authority	Date	Amendment summary
Doc #1	Board of Directors	14 February 2015	NA
Doc# PO2019-013	Executive Leadership Team	December 2019	Updated to align with <i>Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019</i> (Cth) and reformatting into new policy template.
Doc# PO2019-013 Version 2	Board of Directors & State Council NSW	5 February 2020 & 22 February 2020	Minor amendments to ensure that any matters concerning complaints about Members are referred to the appropriate Council President for consideration and action
Doc# PO2019-013 Version 3	Board of Directors and State Council	9 December 2020	Changes to reflect change in ownership and responsibilities and further changes following a review by the legal team.
Doc# PO2023-013 Version 4	Board of Directors and State Council	3 August 2023 & 17 August 2023	Minor amendments to reflect change in ownership and responsibilities, changes in Whistleblower Officers and any other organisational changes.
Doc # PO2026-013	ELT State Council Board of Directors	01.08.2026 27.08.2026 15.10.2026	Updated to comply with <i>Aged Care Act 2024</i> (Cth) and <i>NDIS Act 2013</i> (Cth) (amended in May 2026), to clarify when the policy applies, and to update procedures in line with current practice.

Appendix 1: Definitions

Relevant definitions include:

Detriment	Types of detriment that could be suffered by a whistleblower may include the following non-exhaustive list of actual or threatened conduct: • dismissal of Society Personnel • injury of Society Personnel in their employment • alteration of Society Personnel's position or duties to their disadvantage • discrimination against Society Personnel • harassment or intimidation of a person • harm or injury to a person, including psychological harm • damage to a person's property • damage to a person's reputation • damage to a person's business or financial position • any other damage to a person.
Investigator	An Investigator is an employee of the Society who has received formal investigation training or has relevant experience, or a third party engaged externally by the Society, who is tasked with undertaking an investigation in relation to this policy.
Personal Work-Related Grievance	Personal Work-Related Grievances include any grievances relating to an employee's current or former employment, which has implications for the employee personally but does not have significant implications for the Society, or does not concern an offence or an alleged offence. Grievances such as personal conflicts, workplace bullying disputes etc. should be addressed under the Internal Grievance Policy.
Protected Disclosure	A disclosure that qualifies for whistleblower protection under the <i>Corporations Act 2001</i> (Cth), the <i>Aged Care Act 2024</i> (Cth), the <i>National Disability Insurance Scheme Act 2013</i> (Cth) or this Policy.
Support Person	A Support Person's role is to support any individual Society Personnel during an investigation. They may be a union representative or a family member or friend. A Support Person may provide personal not professional support and may not speak on behalf of the person whom they are supporting.
Whistleblower	An individual who makes a disclosure under this Policy or a disclosure that qualifies for statutory whistleblower protection under applicable law.
Whistleblower Officer	The individual authorised to receive whistleblower complaints and who is responsible for safeguarding the whistleblower's interests and the interests of any supporting witnesses.
Whistleblower Protection	This refers to protections outlined in Whistleblower Procedures, Appendix 3.

Appendix 2: Eligible Recipients

Eligible Recipients for whistleblower disclosures include the following:

The Society has two Whistleblower Officers: General Counsel & Director, Legal, and Director, Governance and Risk.	Email: whistleblower@vinnies.org.au Postal address: PO Box 5, Petersham NSW 2049
The Society's Internal Auditor	Postal address: PO Box 5, Petersham NSW 2049
The Society's External Auditor	Current contact details available from Company Secretary
The Whistleblower Hotline	Phone: 1300 304 550 Email: vinniesnsw@stopline.com.au Website: www.stopline.com.au
An Officer of the Society or a Senior Manager of the Society (Executive Director or above) and, for NDIS services, NDIS Key Personnel	Email: company.secretary@vinnies.org.au Postal address: PO Box 5, Petersham NSW 2049
The Australian Securities and Investments Commission (ASIC)	https://www.asic.gov.au/
The Aged Care Commissioner or a member of the staff of the Aged Care Quality and Safety Commission.	What to do if you have a complaint Aged Care Quality and Safety Commission
The NDIS Quality and Safeguards Commissioner or the National Disability Insurance Agency	https://www.ndiscommission.gov.au/complaints/report
An official of the Department of Health and Aged Care	Complaints Australian Government Department of Health, Disability and Ageing
A police officer	

Under the Aged Care Act, disclosures may also be made to persons and entities specified by that Act and accompanying Rules from time to time, whether or not they are listed in this policy.

Appendix 3: Whistleblower Procedures

Making a disclosure of information under this policy

1. Whistleblowers can make a disclosure of information to any of the Eligible Recipients listed in Appendix 2 of this policy.
2. Disclosers may provide information to Eligible Recipients verbally, in person or in writing. The Society will provide reasonable accessibility options and adjustments to support Disclosers in making a disclosure. This may include alternative communication methods, assistance with communication, accessible formats, or other reasonable adjustments.
3. Individuals considering making a disclosure under this policy:
 - a. should consider whether the matter of concern may be more appropriately raised under either the Complaints and Feedback Policy or the Internal Grievance Policy.
 - b. May seek legal advice before making a disclosure, if they are unsure whether the Whistleblower Protections apply to them.
4. Public interest disclosures and emergency disclosures can also be made to a journalist or a parliamentarian under certain circumstances and qualify for protection under the *Corporations Act 2001* (Cth). These kinds of disclosures must meet several legal requirements under s1317AAD of the *Corporations Act* in order for the discloser to be subject to the whistleblower protections under the law. A discloser should obtain independent legal advice to ensure that they understand the criteria for making an emergency disclosure or a public interest disclosure that qualifies for protection.
5. When making a disclosure, an Eligible Whistleblower should include the following details, as appropriate:
 - the nature of the alleged breach
 - the person or persons responsible or involved in the breach
 - the facts on which the belief that a breach has occurred are founded
 - any evidence to support the concerns
 - the nature and whereabouts of any further evidence that would substantiate the allegations, if known.
6. Any Society Personnel who receives information that may constitute a Protected Disclosure must promptly refer the matter to an appropriate Whistleblower Officer or other authorised recipient and handle the information in accordance with Appendix 4: Whistleblower Protections.
7. Confidentiality, anonymity and protection of a discloser's identity are managed in accordance with Appendix 4: Whistleblower Protections.

Confidentiality and Anonymity

8. A person making a disclosure may choose to remain anonymous. A discloser who wishes to remain anonymous may refuse to answer any questions that they believe could reveal their identity.
9. Anonymous disclosures will be assessed on the same basis as disclosures where the discloser's identity is known. However, anonymity may limit the Society's ability to obtain further

information, provide feedback or otherwise investigate the disclosure. Whistleblowers need to be made aware of the impact if they choose to remain confidential.

10. Disclosers may be encouraged where appropriate, but are not required, to disclose their identity when making a report. Providing their identity may assist the Society to:
 - a. monitoring the discloser's wellness and provide appropriate protection against detriment
 - b. investigate the report and obtain further information from the discloser where necessary.
11. The Society will protect the identity of a discloser in accordance with applicable law. A discloser's identity will not be disclosed except with the discloser's consent or where disclosure is permitted or required by law
12. If a discloser has not consented to the disclosure of their identity, the disclosure may still be investigated. The Society will take all reasonable steps to reduce the risk that the discloser will be identified as a result of the investigation. Information that is likely to lead to the identification of a discloser may be disclosed without consent where:
 - a. the information does not include the discloser's identity,
 - b. all reasonable steps have been taken to reduce the risk that the discloser will be identified from the information, and
 - c. the disclosure is reasonably necessary for investigating the issues raised in the disclosure.
13. No person may intentionally identify, attempt to identify, or disclose information likely to identify a whistleblower except as permitted by law.

Handling allegations and disclosures

14. When an Eligible Recipient receives a disclosure they will acknowledge receipt of the allegation as disclosed, where appropriate and practicable.
15. In most circumstances, an Eligible Recipient will refer the matter to be handled by one or both of the Society's Whistleblower Officers.
16. Where a matter concerns a Whistleblower Officer, it will be handled by the most appropriate Eligible Recipient (e.g. an Executive Director, the CEO, or the Board).
17. The Society's Whistleblower Officer/s will conduct an initial assessment to determine:
 - a. if the disclosure meets the criteria for a Protected Disclosure under this policy,
 - b. if the police, a regulator or the Board should be notified.
18. In assessing the disclosure, the Whistleblower Officer may obtain internal or external legal advice in relation to the obligations relating to the whistleblower provisions in the *Corporations Act* and the *Aged Care Act and the National Disability Insurance Scheme Act*.
19. If the Society determines that the matter does not appear to qualify for statutory whistleblower protection, it may be managed under another appropriate Society policy or process, having regard to the nature of the concern and any applicable legal obligations. The

Whistleblower Officer/s will advise the person who made the disclosure of the approach taken and the reason for that approach.

20. If the disclosure is to be further investigated, the Whistleblower Officer/s will assign an allegation to a suitably qualified and trained Investigator to undertake an investigation following consultation with the Executive Director, Enabling Services or Executive Director, People, Culture and Safety.
21. The Society will seek to investigate disclosures as promptly as reasonably practicable, having regard to their nature, complexity, risk and any applicable legal and regulatory requirements.
22. The Society will, where appropriate and reasonably practicable, keep the discloser informed of the progress of the matter and, where there is a material delay, the reasons for the delay and, where practicable, the expected timeframe.
23. Where required, the Whistleblower Officer/s will ensure that appropriate support is available to the whistleblower which may include access to internal support and the Employee Assistance Program (EAP) or other wellbeing services, and/or in some cases, the appointment of a Whistleblower Protection Officer.

Investigation

24. The investigation should seek to clarify details of the Protected Disclosure and obtain any new information.
25. The investigation must comply with procedural fairness, including:
 - the right to a procedurally fair process
 - a reasonable opportunity for persons whose interests may be adversely affected by the investigation to be heard
 - the investigation process being conducted by an independent and unbiased investigator
 - an opportunity to respond to relevant allegations before findings are finalised.
26. The investigation may include interviews with relevant individuals for clarification or additional information.
27. Where appropriate, a formal interview should be held with the person alleged to have engaged in wrongdoing unless the matter has been reported to the police. If the matter has been reported to the police, the advice of the police is to be sought before an interview is conducted.
28. In preparation for a formal interview, the person under investigation must be provided with at least 48 hours' notice before the interview and with the following details:
 - information regarding the nature of the concern raised
 - they have a right to have a **Support Person** present during interview
 - the investigation will be based on relevant evidence
 - the interview and investigation process will be conducted by an independent Investigator.

Investigation report

29. The Investigator's completed report must detail the findings, conclusions and recommendations of the investigation.
30. When the report is received, the Eligible Recipient or Whistleblower Officer, must:

- review the report and recommendations
- endorse the report and recommendations and/or make comments.

Further Action

31. If the investigation contains recommendations for disciplinary action, the Whistleblower Officer/s, having regard to the obligations of confidentiality and anonymity set out in this policy, will submit the report to the Chief Executive Officer who will determine what action will be taken in consultation with Executive Director, People, Culture and Safety, and the State Council President, for matters that concern members.
32. If it is not appropriate to submit the report to the CEO or the State Council President, it will be submitted to the Chair of the Board or the National Council President.
33. If required, the Whistleblower Officer/s will ensure the matter is reported to the police and/or any external regulators.
34. Where a whistleblower disclosure and subsequent investigation suggest corrective actions are required to address systemic issues or support continuous improvement, the recommendations will be shared with the relevant Executive Director and/or relevant President.

Record-Keeping

35. Records relating to disclosures and investigations will be securely stored and retained in accordance with the Privacy Management and Records Management policies.

Reporting

36. A confidential de-identified register of Disclosures will be maintained by the Whistleblower Officers a report provided at least annually to the Audit, Risk and Finance Committee.
37. Reports will be prepared and handled in accordance with the confidentiality and privacy requirements in this Policy and applicable law

Appendix 4: Whistleblower Protections

Confidentiality and Anonymity

1. A person making a disclosure may choose to remain anonymous and may refuse to answer questions that they believe could reveal their identity. A discloser may also use a pseudonym when making a disclosure.
2. Anonymous disclosures will be assessed on the same basis as disclosures where the discloser's identity is known. However, anonymity may limit the Society's ability to:
 - obtain further information from the discloser;
 - investigate the disclosure;
 - provide feedback about the progress or outcome of the matter; or
 - assess whether the discloser is eligible for statutory Whistleblower Protection.
3. The Society will protect the identity of a discloser in accordance with applicable law. An Eligible Recipient must not disclose the identity of a whistleblower, or information likely to lead to their identification, except:
 - with the discloser's consent;
 - where the disclosure is permitted or required by law; or
 - in circumstances expressly authorised by applicable whistleblower protection legislation.
4. Where a discloser has not consented to the disclosure of their identity, the Society may disclose information that could identify the discloser only where permitted by applicable law. The Society will take all reasonable steps to reduce the risk that the discloser will be identified as a result of the investigation or handling of the disclosure.
5. Protected Disclosures and information relating to them must be handled confidentially, subject to applicable legal and regulatory requirements, including where information is required or authorised to be disclosed to law enforcement or a regulator.
6. No person may intentionally identify, attempt to identify, or disclose information likely to identify a whistleblower except as permitted by law.
7. A discloser can still qualify for Whistleblower Protection if they had reasonable grounds to suspect the information concerned a Disclosable Matter, even if the disclosure turns out to be incorrect or unsubstantiated.

Protection from Proceedings

8. If an individual makes a disclosure qualifying for statutory Whistleblower Protection:
 - the individual cannot be subject to any civil, criminal or administrative liability for making the disclosure and the Society cannot take disciplinary action against the individual for making the disclosure,
 - no contractual or other remedy may be enforced or exercised against the individual on the basis of the disclosure including actions taken by the Society for breach of the individual's employment contract, and
 - the information is not admissible in evidence against the individual in criminal proceedings, unless it concerns whether the Protected Disclosure was false.

- the individual is still subject to any civil or criminal liability or any disciplinary action for conduct of the individual that may be revealed by the disclosure.
9. Whistleblower Protection does not provide immunity for the individual's own conduct. An individual remains subject to any civil or criminal liability, or disciplinary action, for conduct of the individual that may be revealed by the disclosure.

Protection from Detriment

10. The Society will not tolerate any actual, threatened, attempted or facilitated retaliatory action or detrimental conduct against whistleblowers because they have made, or are suspected of having made, a Protected Disclosure.
11. The Society will take all reasonable steps to prevent retaliatory action against a whistleblower who makes a Protected Disclosure. Protective measures may include risk assessments, temporary workplace arrangements or changes to reporting lines, wellbeing support, regular check-ins, monitoring for reprisals, and other measures appropriate to the circumstances.
12. Protection from detriment may also extend to other individuals involved in or connected with a disclosure, where appropriate, including witnesses, support persons and people assisting with an investigation.
13. Any Society Personnel who takes any reprisal action against a whistleblower who has made a Protected Disclosure may be subject to disciplinary action.
14. If an individual believes retaliatory or detrimental action has been taken against them as a result of making a Protected Disclosure, they should report the matter immediately to the Whistleblower Officer or another Eligible Recipient.
15. A whistleblower or any other person may seek compensation and other remedies through the courts if:
- a. they suffer loss, damage or injury because of a disclosure; and
 - b. the Society failed to take reasonable precautions and exercise due diligence to prevent detrimental conduct.
16. ASIC recommends whistleblowers seek legal advice if they feel victimised or are subject to litigation.¹
17. The Society acknowledges its obligations under the *Aged Care Act 2024* (Cth) and the *National Disability Insurance Scheme Act 2013* (Cth) to protect disclosers from victimisation and to protect their identity. Contravention of these obligations may attract civil penalties under the Acts.
18. Reporting misconduct does not guarantee immunity from liability or disciplinary action for any part played by the whistleblower in that misconduct. Whistleblowers may still be liable for any misconduct they took part in, regardless of whether they later report it.

¹ See ASIC: <https://www.asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/whistleblower-rights-and-protections>