



Whistleblower Reporting and Protections Policy

1. Purpose

The purpose of this policy is to enable reporting of suspected corporate misconduct, unlawful activity, or improper behaviour within Holstep Health related to the Corporations Act 2001 and the Aged Care Act 2024, or tax related misconduct that may constitute an offence or pose a risk to public safety, consumers or the organisation's financial and operating systems.

The law requires Holstep Health to provide due protections to disclosers because of the serious personal risk involved with reporting of serious, improper behaviour. In accordance with these obligations, the purpose of this policy is to articulate Holstep Health's commitment to ensuring whistleblowers are treated fairly and respectfully, that disclosures are handled impartially and confidentially, and that whistleblowers are protected from victimisation, retaliation or other forms of detriment as a result of making a report in good faith.

2. Scope

This policy applies to all Holstep Health workers, including but not limited to employees, independent contractors, volunteers, students and labour hire.

In addition, this policy can be accessed by suppliers and their workers, associates of Holstep Health, as well as relatives, dependants, or spouses of anyone above.

References to Holstep Health in this document includes activities conducted under all associated entities and trading names.

3. Policy Statement

Holstep Health is committed to promoting a culture of transparency, accountability and integrity across all aspects of its operations.

Holstep Health recognises that reporting such matters can involve serious personal risk for disclosers. In accordance with legislative requirements, Holstep Health is committed to providing appropriate protections to eligible whistleblowers, including confidentiality, protection from detriment, and access to support.

This policy supports workers, contractors and other eligible persons to speak up safely and confidently when they have genuine concerns about wrongdoing.



Holstep Health encourages the reporting of concerns in good faith and takes all disclosures seriously, ensuring they are assessed and addressed appropriately.

4. Procedure

4.1. What can be reported

Whistleblowers may report:

- Breaches of the provisions of the Aged Care Act 2024;
- Breaches of the Corporations Act 2001 or Australian Securities and Investments Commission (ASIC) Act 2001;
- Tax-related misconduct via the Taxation Administration Act 1953 (Cth);
- Conduct that may constitute an offence or pose a risk to public safety, clients, or the organisation's operations.
- Any other conduct of a similar nature that constitutes misconduct, or an improper state of affairs or circumstances, in relation to Holstep Health, whether or not the conduct amounts to a contravention of a particular law.

Examples include but are not limited to:

- Fraud, theft, corruption, market manipulation, or dishonesty
- Misleading or deceptive conduct affecting consumers or markets
- Serious failures in governance, risk management or compliance
- Other serious commonwealth offences punishable by 12 months' imprisonment or more.

Note: Personal grievances unrelated to misconduct are not considered protected disclosures unless they involve victimisation for reporting wrongdoing under this procedure.

4.2. Who can make a disclosure

A person who qualifies for protection under the Corporations Act 2001 (Cth) when making a disclosure includes a worker, officer, contractor or supplier of the company or organisation to which the disclosure relates, or of an associated company, as well as a spouse, relative or dependant of any of those individuals.

A person who can make protected disclosures under the Aged Care Act 2024 includes Aged Care workers (workers, contractors, volunteers) of Holstep Health, as well as care recipients, their family members, representatives, registered supporters, carers, advocates, or other persons of significance to the care recipient.

4.3. How to make a disclosure

Disclosures can be made orally or in writing, either internally or externally:



Internal Reporting Channels are via one of the nominated Whistleblower Protection Officers (WPO):

- Manager, People & Culture
- Company Secretary
- Board Chair

External Reporting Channels:

- The Victorian Ombudsman (for corporate wrongdoing/improper conduct)
- ASIC (for corporate wrongdoing)
- Australian Taxation Office (ATO) (for tax misconduct)
- External Auditor (for company auditing and compliance matters)

Internal Reporting Channels for Aged Care related disclosures:

- A WPO nominated above
- A Registered Responsible Person for Holstep Health
- An Aged Care Worker employed by Holstep Health

External Reporting Channels for Aged Care related disclosures:

- The Aged Care Commissioner (Personnel of the Commission)
- The Secretary of the Department of Health, Disability and Aging (or Official of the Department)
- Police Officers
- Independent Aged Care Advocates

Methods of disclosure:

- Orally, in person
- By phone
- In writing (email, letter or online portal)

4.4. Protections for Whistleblowers

Disclosures that qualify as protected disclosures will be afforded:

- **Confidentiality:** The whistleblower's identity must not be disclosed without consent except where required by law.
- **Immunity:** Protection from civil, criminal, or administrative liability for making the disclosure.
- **Protection from Detriment:** No victimisation, harassment, demotion, dismissal, or disadvantage.
- **Access to Remedies:** Legal recourse if detriment occurs.
- Protection from disciplinary action (for making a disclosure).
- **Fair Treatment:** Whistleblowers will be treated fairly and respectfully throughout the disclosure and investigation process, including that disclosures



are handled impartially, promptly and in a manner that does not disadvantage the whistleblower for having raised a concern in good faith.

4.5. Investigation process

- A disclosure is received and acknowledged.
- Disclosures related to The Aged Care Act 2024 (Cth) will be investigated and responded to in accordance with the Holstep Health Feedback Management Procedure.
- Disclosures related to the Corporations Act 2001 or ATO regulation will be investigated and responded to in accordance with this policy.
- The WPO will assess the eligibility and scope of each disclosure promptly.
- Where necessary, an independent investigator may be appointed.
- Investigations will be confidential, fair, and timely.
- Whistleblowers will be kept informed of progress where possible.
- Outcomes will be reported to the Board Finance, Audit & Risk (FAR) Committee in de-identified form.
- The outcome will be communicated to the whistleblower (where possible)

4.6. Supports

Whistleblowers will be offered Employee Assistance Program (EAP) or counselling services. In addition, the WPO will:

- Conduct risk assessments to prevent victimisation.
- Identify measures to manage prevention of victimisation.

4.7. Confidentiality and Record Keeping

- All disclosures and investigations will be documented securely with restricted access.
- Disclosure information will only be shared with authorised personnel or required external bodies (e.g., ASIC, ATO, ACQSC, Department of Health, Disability and Aging).

4.8. Breaches

- Breach of confidentiality or victimisation of a whistleblower may result in disciplinary action, including termination.
- Criminal or civil penalties may also apply under the Corporations Act 2001 (Cth)

4.9. Training

- The policy will be accessible to workers via intranet and induction materials.



- Officers will receive training on this policy on commencement and at regular intervals.

4.10. Nominated Whistleblower Protection Officers

The nominated WPO's under this policy and their contact details are outlined below:

- Manager People and Culture
- Contact: Vicki Wright
- Email: vicki.wright@holstephealth.org.au
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- Company Secretary
- Contact: Gavin Thompson
- Email: gavin.thompson@holstephealth.org.au
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- Board Chair
- Contact: Tass Mousaferiadis
- Email: ChairPerson@holstephealth.org.au
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The Whistleblower may contact the Board Chair where the disclosure relates to, or may reasonably involve, the Manager People and Culture, the Company Secretary and/or the Chief Executive Officer (CEO).

Or via post to the requested Whistleblower Protection Officer:

Attention Whistleblower Protection Officer – <<Insert WPO Name >>

Holstep Health

11 Glenlyon Road

Brunswick Vic 3056

Contact details for external agencies:

- [Reporting improper conduct | Victorian Ombudsman](#)
- [Make a report of misconduct to ASIC | ASIC](#)
- [Landing Page | Australian Taxation Office Tip-Off Form](#)
- [Make a complaint | Aged Care Quality and Safety Commission;](#)
 - 1800 200 422
 - My Aged Care Complaints, PO Box 1237, Runaway Bay QLD, 4216



5. Responsibilities

5.1. Board of Directors

- Oversight of whistleblower compliance and organisational culture.
- The approval of the appointment of Holstep Health's WPO roles.

5.2. Chief Executive Officer

- Ensures resources, policies and practices support whistleblowing.

5.3. Registered Responsible Persons/Aged Care Worker

- Act as a primary contact for Aged Care Act 2024 (Cth) eligible disclosures.
- Ensure a disclosure is managed appropriately according to seriousness of the matter via the Holstep Health Feedback Management Procedure.

5.4. Whistleblower Protection Officer

- Act as primary contact, safeguards welfare, monitors for retaliation.
- Can act as a primary contact for Aged Care Act 2024 (Cth) eligible disclosures.
- Conducts investigations into the disclosures, including an investigation plan, a final report, including findings as to the outcome of the disclosures in accordance with the applicable work instruction.
- Present the investigation report to the whistleblower.
- Not disclose a whistleblower's identity or information that is likely to lead to their identification, unless that disclosure is authorised by law (for example, where it is necessary to share information with the ACQSC or a lawyer, or to prevent a serious threat to a person or people).
- Not cause or threaten to cause detriment to (or victimise) a whistleblower for making their disclosure.
- Ensure that the whistleblower suffers no employment-related reprisal on account of their actions and to provide additional support for the Whistleblower, where necessary.

5.5. People Leads

- Ensure workers know how to report, escalate disclosures appropriately and prevent detrimental conduct.



5.6. Workers

- Making disclosures appropriately, (i.e. to an eligible recipient) and that the disclosure relates to a protected or qualifying disclosure.
- Acts on reasonable grounds and have reasonable basis for reporting.
- Maintain confidentiality and not disclose confidential details of the disclosure to others inappropriately.
- Use the protections under the law in good faith, knowing that false, deliberate or vexatious disclosures are not protected and may be subject to disciplinary action.

6. Definitions

For the purposes of this policy, the following definitions apply:

Term	Description
Aged Care Worker	An aged care worker under the Aged Care Act in Australia is defined as any person who provides accommodation and care services for aged persons. This includes a wide range of roles such as nurses, therapists, personal care assistants, and interpreters. The Aged Care Act covers direct care workers, as well as labour hire businesses and their employees placed with an organisation in the aged care industry.
Aged Care Quality and Safety Commission (ACQSC) (Aged Care Act)	The national regulator responsible for monitoring, investigating, and enforcing compliance in aged care. It is a key recipient of qualifying disclosures.
Anonymous Disclosure	A disclosure made without identifying oneself. Both Acts allow disclosures to be made anonymously while still affording protections.
ASIC / APRA / ATO (Corporations Act)	External regulators who may receive protected disclosures under the Corporations Act.
Disclosure	The act of reporting information about suspected or actual wrongdoing, misconduct, breaches of law, or risks to safety, quality, or integrity of services.
Eligible Recipient	A person or body authorised to receive a disclosure. Under the Corporations Act: officers, senior managers, auditors, ASIC, APRA, ATO. Under the Aged Care Act: the provider,

Term	Description
	Aged Care Quality and Safety Commission, Department of Health and Aged Care, or another regulator.
Eligible Whistleblower	A person who can make a protected disclosure under the Corporations Act (e.g. current/former employees, officers, contractors, suppliers, relatives/dependants) or a person able to make a qualifying disclosure under the Aged Care Act (e.g. recipients of care, family, representatives, aged care workers).
Improper State of Affairs (Corporations Act)	A broad concept under the Corporations Act referring to misconduct, illegal activity, or unethical behaviour within the company that may not necessarily breach a specific law but indicates systemic problems.
Investigation	The formal process of assessing, reviewing, and acting on a disclosure in a fair, timely, and impartial way, with findings reported to decision-makers and regulators (where required).
Misconduct	Unlawful, unethical, negligent, or improper behaviour by an individual or organisation. Can include fraud, corruption, abuse, negligence, or substandard care.
Protected Disclosure (Corporations Act)	A disclosure made by an eligible whistleblower to an eligible recipient about misconduct, an improper state of affairs, or breaches of law. These disclosures are legally protected.
Qualifying Disclosure (Aged Care Act)	A disclosure made by an eligible person about suspected contraventions of the Aged Care Act, substandard care, unsafe practices, neglect, abuse, or failure to uphold the Statement of Rights. These disclosures are protected under the Act.
Registered Responsible Person (Aged Care Act)	The following positions are identified specifically to exercise accountability and responsibilities under the Aged Care Act 2024 • Board of Directors (BOD) • Chief Executive Officer (CEO) • Executive Leadership Group (ELG) • Senior Leadership Group (SLG) • Management Leadership Group (MLG) - identified positions only that perform acting up duties for ELG/SLG/MLG and/or form part of the Operational Leadership Group for certain parts of the Aged and

Term	Description
	Primary Care Division and/or applicable NDIS related program/area Plus, any other identified employee on a case-by-case basis (People Leaders – Home Care, Aged Care etc.)
Registered Supporter (Aged Care Act)	Registered supporters help care recipients to make and communicate their own decisions about their aged care services and needs. Registered supporters can also request access and receive information about the older person they support.
Reprisal / Detriment	Any act of victimisation against a whistleblower, including dismissal, demotion, harassment, discrimination, intimidation, reputational harm, or other disadvantage because they made a disclosure.
Statement of Rights (Aged Care Act)	A legislated set of rights under the Aged Care Act 2024, guaranteeing safety, dignity, respect, choice, and quality care for aged care recipients.
Whistleblower (Both Acts)	A person who makes a disclosure of suspected or actual misconduct, breaches of law, or improper conduct under the Corporations Act or the Aged Care Act. Includes current and former employees, contractors, volunteers, officers, suppliers, their relatives and dependants, and in aged care – care recipients, family members, and representatives.
Whistleblower Protection Officer (WPO)	A senior officer within the organisation responsible for receiving disclosures, ensuring whistleblower confidentiality, protecting against reprisals, and overseeing investigations.

7. Document Governance

Supporting Procedures	- Disciplinary Management Procedure - Dispute Resolution Procedure - Feedback Management Procedure
Supporting Schedules	Work Instruction: Whistleblower Reporting, Protections and Investigation
Associated Policies	- Disputation and Disciplinary Policy - Fraud Control Policy - Delegations of Authority - Workplace Conduct Policy - Workplace Health Safety and Wellbeing Policy
Related Legislation & Other References	- Corporations Act 2001 (Cth) - The Aged Care Act 2024 - Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth) - Fair Work Act 2009 - Privacy Act 1988
Appendices	None

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