Policy Category	Risk Management
Authorised by	The Board of Directors
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Purpose

The purpose of this policy is to encourage and protect the reporting of misconduct, unlawful or unethical behaviour, including breaches of the Aged Care Act 2024 and Rules, abuse or neglect, fraud, corruption, safety risks, or financial impropriety. It ensures whistleblowers are safeguarded from retaliation under the Aged Care Act 2024, Corporations Act 2001, Taxation Administration Act 1953, and Privacy Act 1988, while promoting transparency, accountability, and continuous improvement. This policy establishes clear procedures for receiving, investigating, and acting on disclosures, and defines the responsibilities of stakeholders in maintaining an effective whistleblower system.

Policy Statement

Murray Mallee Aged Care Group (MMACG) is committed to integrity, accountability, and transparency, fostering a safe culture where staff, associated providers, clients, and families can report concerns without fear. In compliance with the Aged Care Act 2024, Aged Care Rules 2025 and other relevant laws, we maintain a whistleblower protection system. Retaliation or victimisation of whistleblowers is strictly prohibited and will result in disciplinary action, ensuring all disclosures are handled fairly and confidentially.

Definitions

Whistleblower (Discloser)

An individual who makes a report of wrongdoing under this policy. The whistleblower may choose to remain anonymous. Once a report is made, the whistleblower is entitled to protections provided by law (as long as the disclosure qualifies under the relevant law).

Eligible Whistleblower

Under the Aged Care Act 2024, any individual who makes a qualifying disclosure. This means even people outside of the MMACG direct workforce, such as a client's family member or an independent advocate. Definitions of eligible whistleblowers under other laws are given in *Appendix B*.

Whistleblower Disclosure (Qualifying Disclosure)

Information reported by a whistleblower that is reasonably suspected to concern misconduct, illegal or unethical

activity as defined in the “Disclosable Matters” below.

Disclosable Matters

- Violations of the Aged Care Act 2024, Aged Care Rules 2025, Strengthened Quality Standards, or the Aged Care Code of Conduct (e.g. client neglect, abuse, or breaches of rights).
- Theft, fraud, embezzlement, bribery, corruption, breaches of corporations law, financial malpractice, or tax-related misconduct such as evasion.
- Contraventions of workplace health and safety laws, or conduct that endangers staff, clients, or the public.
- Behaviour that undermines trust in aged care delivery, including cover-ups of incidents, systemic abuse, or intentional breaches of privacy.

Matters not covered

- Personal work-related grievances (e.g. interpersonal conflicts, rostering issues, or employment disputes that do not involve wrongdoing or breach of law). Such issues will be handled through other channels, unless they also involve misconduct (for example, harassment and a cover-up by Management).

- Routine feedback or minor complaints about service quality will be managed as per *Compliments, Complaints and Feedback Policy and Procedure*, unless they rise to the level of serious misconduct.

Whistleblower Protection Officer (WPO)

- The MMACG CEO is responsible for receiving, safeguarding, and managing whistleblower disclosures, ensuring confidentiality, overseeing fair investigations, and protecting whistleblowers from retaliation in line with the Aged Care Act 2024 and other relevant laws.

Eligible Recipient

A person or body authorised to receive whistleblower disclosures and afford protections. Eligible recipients under Aged Care Act 2024 include:

- Aged Care Quality and Safety Commissioner (or Complaints Commissioner) and their staff
- the System Governor (Secretary of the Department of Health) or Department officials
- MMMACG or its “responsible persons” (e.g. Board, CEO, Executive Management)
- Staff of MMACG (include directly employed staff and volunteers and associated providers and their volunteers)
- Police officers
- Independent aged care advocates

Responsible Person

Individuals involved in governing the organisation such asBoard directors and Executive Management. Responsible persons have specific duties under the Act, including receiving disclosures and ensuring protections.

Aged Care Worker

Any individual employed or engaged by the provider to deliver aged care services, including staff, contractors, volunteers, and in-reach health professionals. For simplicity, this policy uses “staff” or “employees” to encompass all aged care workers, unless otherwise specified.

Victimisation (Detrimental Conduct)

Any act or threat that causes detriment to someone because they or another person made or may make a disclosure. Detriment could include termination or demotion, harassment, discrimination, harm or injury, intimidation, altering of duties to disadvantage the person, or damage to reputation or finances.

Responsibilities

Board

- Endorse and review the Whistleblower Policy for compliance and best practice.
- Oversee implementation, receive high-level reports, and protect confidentiality.
- Promote a safe “speak up” culture and ensure no detriment to whistleblowers.
- Act as eligible recipients under the law, handle reports confidentially, and promptly escalate issues where needed.
- Appoint the CEO or a delegate as a WPO.
- Ensure compliance with legislation and reporting obligations.

Chief Executive Officer (CEO)

- Allocate resources and integrate whistleblowing into the incident and complaints management system.
- Report whistleblower matters to the Board and escalate serious issues externally where required.
- Ensure the Board is trained on whistleblower protections.
- Act as an eligible recipient under the law, handle reports confidentially, and promptly escalate issues where needed.
- Act immediately on retaliation claims.
- Implement the Whistleblower Protection Policy.
- Provide an initial response to an accusation of wrongdoing;
- Ensure the protection and/or anonymity of the Whistleblower, where possible;
- Conduct or assist in investigations into alleged wrongdoings, or appoint independent investigator;
- Inform the Whistleblower of the progress and outcomes of investigations;

- Ensure that Whistleblowers do not suffer any retaliation or negative consequences; and
- Provide support and referrals for both Whistleblowers and those accused of wrongdoing.

Executive Management Team

- Act as eligible recipients under the law, handle reports confidentially, and promptly escalate issues where needed.
- Cooperate fully, provide information as needed, and avoid interference or bias in outcomes.
- Safeguard identity and well-being, develop protection plans where necessary, and monitor for any retaliation or detriment.
- Promote a safe “speak up” culture, encourage staff to report concerns, and reinforce that retaliation will not be tolerated.

Deputy CEO/Operations Manager is additionally responsible for:

- Ensuring that all staff are trained on whistleblower protections.
- Regularly communicating awareness across the organisation, including staff, clients, and families.

All employees, contractors, and volunteers

- Act as eligible recipients under the law, handle reports confidentially, and promptly escalate issues where needed.
- Speak up on suspected wrongdoing.
- Maintain confidentiality of disclosures.
- Avoid victimisation.
- Cooperate honestly in investigations.

PROCEDURE

a. There are several ways in which a whistleblower may report or disclose any issue or behaviour which could be considered as a Disclosable Matter.

Internal Reporting

a. MMACG encourages internal disclosure processes. Internal reports can be made directly to MMACG staff and responsible persons verbally or in writing. Contact details of the Responsible Persons are given in the *Appendix A*.

b. Disclosures can also be made via:

   a. MMACG website

   b. MMACG Facebook page

c. Post to MMACG

d. Phone call to MMACG

e. MMACG Compliments, Complaints and Feedback Form at office reception areas

f. MMACG Quality Management System

c. The recipient of a whistleblower disclosure will safeguard the whistleblower's interests and will ensure privacy, confidentiality, and the integrity of the reporting mechanism.

d. Disclosures can be made anonymously, confidentially, securely, and outside of business hours.

Reporting

a. In addition to or instead of using internal channels, whistleblowers can make a protected disclosure to certain external authorities or persons, as allowed by law:

a. Aged Care Quality and Safety Commission (which includes the Complaints Commissioner). The Commission can be contacted at 1800 951 822 or via its website. They handle complaints and serious issues in aged care and can provide whistleblower protections under the Aged Care Act 2024.

b. Department of Health, Disability and Ageing (the System Governor) or an official in the Department through their official departmental contact points (letters, secure email, or reporting forms)

c. A disclosure can be made directly to a police officer if the matter involves criminal conduct. For example, a whistleblower might choose to go to the police for theft, assault, or fraud. Such disclosures to police are protected under both the Aged Care Act 2024 and the Corporations Act 2001.

d. A whistleblower may choose to disclose to an independent aged care advocate, such as Older Persons Advocacy Network (OPAN). Advocates can assist whistleblowers in raising concerns and are recognised as eligible recipients under the Aged Care Act 2024.

e. If the matter relates to corporate wrongdoing (e.g. director misconduct, financial fraud) or breaches of corporations law, a whistleblower can report directly to ASIC (Australian Securities & Investments Commission) or APRA (Australian Prudential Regulation Authority) and receive protection under the Corporations Act 2001. ASIC has an online whistleblower portal and hotline.

f. For tax-related misconduct (such as tax evasion by the organisation), disclosures can be made to the ATO or to a registered tax agent of the entity. The Taxation Administration Act 1953 protects eligible tax whistleblowers (e.g. employees, contractors or their spouses) when reporting breaches of tax law to the ATO. The ATO has a dedicated whistleblower reporting process for tax issues.

b. Whistleblowers are always free to discuss their concerns with lawyers for the purpose of obtaining legal advice or representation. Any disclosure a whistleblower makes to a licensed legal practitioner (e.g. a solicitor) is protected. This means whistleblowers can seek advice on whether and how the whistleblower laws apply, in confidence.

c. When making a disclosure, whistleblowers should provide all relevant details they have (what happened, when, who was involved, any evidence like documents or emails, and any witnesses).

Anonymous Reporting

a. Whistleblowers have the option to remain anonymous when making a disclosure and still be protected.

b. Whistleblowers may use any method that does not reveal their identity.

c. Whistleblowers do not have to give their name at any stage. MMACG respects and protects anonymity where requested.

d. If whistleblowers choose to remain anonymous, please provide sufficient detail in a report.

e. A whistleblower is encouraged to provide some way for ongoing communication (for example, using an alias or anonymous email, or through our external service) so MMACG can ask follow-up questions or give the whistleblower updates.

f. Anonymity will be maintained unless whistleblowers later consent to identify themselves. Even if whistleblowers provide their names, they can request at any time that their identities be kept confidential among those handling the matter.

Handling and Investigation of Disclosures

a. Once a disclosure is received by the Whistleblower Protection Officer (WPO), they will, if feasible, acknowledge to the whistleblower that the report has been received within 24 hours.

b. If the report is anonymous with no contact, this may not be possible – but we will proceed with the information given.

c. The disclosure will be recorded as confidential record in the information management system (Sharepoint).

d. The WPO, in consultation with an Executive Management Team or legal assistance, will assess the disclosure to confirm:

    - it falls within the scope of this policy and qualifies for protection under the relevant law, and
    - determine the appropriate handling process.

e. If the report does not involve a disclosable matter, the WPO will either refer it to the relevant Manager or Human Resources or to the Quality and Compliance Team, depending on the nature of the disclosure.

f. The WPO will inform the whistleblower (if identity known) of how it will be managed. Regardless, all matters will be treated seriously and with appropriate confidentiality.

g. If the disclosure qualifies, the WPO will appoint a Whistleblower Investigation Officer (WIO).This could be an internal Quality and Compliance Team with no conflict of interest, or an external investigator for complex cases. The WIO will develop an investigation plan, including the scope of what will be investigated, and identify what evidence needs to be collected (e.g. interviews, documents, IT records).

h. Investigations will vary depending on the nature of the allegations: some may be resolved quickly, while others may require a formal forensic investigation.

i. Investigations handled by internal teams will be completed within 30 calendar days. Investigations conducted by external investigators (where engaged by MMACG) will be completed within 4-8 weeks, where possible.

j. The whistleblower will be kept informed of progress (if contact is available), especially if there are significant delays or extensions needed.

k. All investigations will be conducted in a fair, independent, and timely manner, and all reasonable efforts will be made to preserve confidentiality during the investigation.

l. The WIO will remind all participants in an investigation of the strict confidentiality of the process. The identity of the whistleblower will not be disclosed to the subject of the complaint or to any third party not involved in handling the disclosure, unless required by law or permitted under the law's exception.

m. Any information that could potentially identify the whistleblower will be carefully managed (e.g. redacted from reports) to protect anonymity if requested.

n. All documentation will be stored securely in the employee files (if applicable) or in the confidential record in Sharepoint.

o. After investigation, the WIO will prepare a report outlining the findings and evidence. Depending on findings, outcomes may include:

    - **Substantiated** - If misconduct is confirmed, MMACG will take appropriate disciplinary or remedial action. This could range from coaching and training, up to termination of employment or reporting the matter to police or regulators if laws were broken. MMACG will also consider changes to policies or processes to prevent recurrence.

    - **Not substantiated** - If the investigation does not find enough evidence, or finds the concerns were unsubstantiated, the matter will be closed. Even in such cases, if the investigation reveals other improvement opportunities or minor issues, MMACG will address those separately.

    - **Unable to conclude** - In some cases, an outcome might be inconclusive (for example, if insufficient information or anonymous allegations without enough detail). MMACG will document this and monitor any further reports on the issue.

p. If the whistleblower is known, the WPO will inform them when the investigation is completed. MMACG will share as much information as we can about the outcome, taking into account privacy and legal constraints.

q. If the whistleblower is dissatisfied with the outcome, they can escalate the matter to an external authority.

r. Throughout the investigation process, the whistleblower's welfare will be ensured. The WPO will remain available to address any concerns the whistleblower has. The whistleblower should immediately inform the WPO of any alleged reprisal – this will be treated as a separate misconduct issue to be investigated and addressed as per *Employee Investigations and Disciplinary Management Policy and Procedure.*

Protections of Whistleblowers

MMACG is legally required and fully committed to protecting whistleblowers from detriment and preserving confidentiality. The following measures are in place:

Confidentiality of Identity

a. It is illegal for MMACG to disclose a whistleblower's identity (or information likely to identify them) except in very limited circumstances. Those limited exceptions include:

    - if the whistleblower consents to disclosure.

    - if the disclosure is made to a regulator (e.g. the Commission, ASIC, the police etc.) or to a lawyer for the purpose of obtaining legal advice.

    - or if it's necessary to disclose to prevent a serious threat to someone's health or safety. Even in these cases, we would likely inform the whistleblower (unless there's a safety risk in doing so).

- or if the whistleblower elects to have the qualifying disclosure managed or dealt with as a complaint or feedback.

b. MMACG will take all reasonable steps to protect a whistleblower's identity. This includes allowing anonymous reporting, using confidential handling procedures, referring to a whistleblower in a gender-neutral or alias manner, and redacting personal information from any documents.

c. Any breach of confidentiality by an employee will result in disciplinary action and potential legal consequences. Under the Corporations Act 2001, unauthorised identification of a whistleblower can lead to penalties, including criminal charges.

Protection from Victimisation

a. Any form of retaliation against a whistleblower (or someone believed to be a whistleblower) is strictly forbidden. This protection extends to anyone who has made or is considering making a disclosure, and to those who participate or assist in an investigation.

b. Examples of prohibited detriment include: firing or demoting the person, negatively altering their duties or work location, discriminatory treatment, harassment or intimidation, physical or psychological harm, or damage to their reputation or prospects.

c. It is also unlawful to threaten someone with any such detriment. MMACG Board and Executive Management are required under the Aged Care Act 2024 to ensure, as far as reasonably practicable, that no staff member causes or permits detriment to whistleblowers.

d. MMACG has zero tolerance for reprisals: if a whistleblower experiences any, report it immediately to the WPO or CEO. MMACG will investigate and act against anyone responsible.

e. Whistleblowers are entitled by law to seek independent legal remedies if they suffer retaliation. Courts can award compensation, injunctions (to prevent or stop detrimental acts), reinstatement of a job, and even exemplary damages to punish wrongdoing.

Immunity

a. Under the law, if a whistleblower makes a protected disclosure, the whistleblower is protected from certain liabilities. Specifically, a whistleblower is immune from civil, criminal or administrative liability for making the disclosure.

b. Any contractual clauses (such as confidentiality or non-disparagement agreements) cannot be enforced to stop a whistleblower from whistleblowing. Additionally, under Corporations law, the information a whistleblower discloses cannot be used against a whistleblower in court (with some exceptions).

c. This immunity does not shield a whistleblower from consequences of a whistleblower's own wrongdoing. If a whistleblower were involved in misconduct, a whistleblower might still face action for that involvement, but a whistleblower coming forward is still highly encouraged and may be taken into account as mitigating circumstances.

Support and Wellbeing

a. Whistleblowers, or anyone or any entity associated with whistleblowers, to which detriment might be caused

because of the disclosure, will have access to support in the following ways.

- MMACG offers an Employee Assistance Program (EAP) which provides confidential counselling. Whistleblowers and affected staff are encouraged to use this free service for emotional support.
- The WPO or a delegate may be assigned as a support person to periodically check on the whistleblower's well-being. If the whistleblower feels at risk in the workplace, MMACG will discuss interim arrangements (for example, allowing remote work, leave of absence, or relocation to a different team, with the whistleblower's agreement).
- If a whistleblower must participate in an investigative process (e.g. be interviewed), they can have a support person present (such as a friend or counsellor), provided that person agrees to confidentiality.
- MMACG will also provide support to people who may be the subject of a disclosure - e.g. they may access EAP and will be treated fairly (as noted above) during any investigation. If no wrongdoing is found, MMACG will take steps to ensure there are no lingering unfair consequences for that person (such as addressing any unfounded rumours).

Communications and Training

Policy Accessibility

a. This policy will be provided to MMACG staff and responsible persons at induction. Additionally, it will always be made available to them via the quality management system. Those who do not have access to the quality management system will receive the policy through other means.

b. Additionally, the policy will be shared with the following people:
   - MMACG clients
   - supporters of clients who request it
   - any other person who requests it.

c. MMACG will also publish this policy (or a summary) on its public website for transparency.

d. If required or needed for understanding, MMACG will provide the policy in different languages or formats to clients and their supporters.

e. MMACG will also assist clients or supporters to understand how the whistleblower system works (through conversations, brochures, etc.).

Regular Communication

a. As required by the Aged Care Rules 2025, MMACG will regularly (at least monthly) remind its staff, responsible persons, clients or/and their supporters that they are encouraged to raise concerns and that whistleblower disclosures are welcome. This might be done via staff meetings, newsletters, posters on site, and client communications. The message will reinforce that everyone has a right to be heard without fear.

b. Specifically, the following or similar statement will be added to the clients' monthly statements and staff pay slips:

a. *MMACG encourages you to speak up about any concerns regarding misconduct, illegal or unethical activity. You can report anonymously and are protected from retaliation. Contact any staff member, responsible person, or call the Aged Care Quality and Safety Commission on 1800 951 822. For more information, see the Whistleblower Policy on our website.*

Training

a. MMACG will conduct dedicated training sessions on whistleblower protections and this policy for all MMACG staff and responsible persons. The training will contain:
    - their rights (e.g. to report anonymously, to be protected) and responsibilities (to speak up and to not retaliate).
    - what types of issues to report, how to do so, and what happens when they do (process overview).
    - how to recognize and respond to qualifying disclosures made to them, confidentiality obligations, how to spot and prevent retaliation, and their specific duties under law.
    - When and how to escalate disclosures.
    - the penalties for contravening obligations under Aged Care Act 2024.
    - the differences between the Aged Care Act 2024, Corporations Act 2001 and Taxation Administration Act 1953 regimes and ensure compliance with all.

b. The training will be provided at the following times:
    a. At induction
    b. every year.
    c. When there is a change to how whistleblower system works; particularly, that affects their roles and responsibilities.
    d. when there is a change to the person's role that affects the person's roles and responsibilities in the system.

Continuous Improvement

c. MMACG will periodically assess the effectiveness of its whistleblower program through staff surveys on comfort with speaking up, or after cases, a debrief on what could be improved.

d. MMACG is committed to continuous improvement, in line with its regulatory obligations to use feedback and complaints to improve services.

Additional Information and External Disclosure Rights

Public Interest and Emergency Disclosures (Corporations Act 2001)

a. The Corporations Act 2001 provides that in certain circumstances, if a whistleblower feels that their concerns were not addressed or that there is an imminent risk to public safety or welfare, they may make a disclosure to

a journalist or parliamentarian and still retain protection. These are called public interest disclosures or emergency disclosures.

Public Interest Disclosure

- After first reporting to ASIC or APRA and waiting 90 days without sufficient action, the whistleblower may disclose to a journalist or parliamentarian if it is in the public interest, provided the whistleblower notifies ASIC or APRA in writing of their intention and limit the disclosure to what is necessary.

Emergency Disclosure

- After first reporting to ASIC or APRA and having received no sufficient action, if the whistleblower believes that there is an imminent danger to people's health, safety, or the environment, they may immediately disclose to a journalist or parliamentarian after giving written notice to ASIC or APRA, limiting the disclosure to what is necessary.

b. While MMACG encourages whistleblowers to use internal or regulator channels, the law recognises this outlet if all else fails. If a whistleblower plans to make a public interest or emergency disclosure, it's advisable to seek legal advice first to ensure the whistleblower meets the conditions so they don't inadvertently lose protections.

Interaction with Complaints Handling and Serious Incident Response Scheme (SIRS)

a. Sometimes a matter might be raised as a complaint or feedback through normal channels but also qualify as a whistleblower disclosure. Under the Aged Care Rules 2025, a person can choose to have their issue treated as a protected whistleblower disclosure even if it came in as a complaint or feedback. MMACG will extend all whistleblower protections afforded by the law.

b. If persons elect to have their disclosures rather treated as complaints or feedback, MMACG will manage the disclosure under *Compliments, Complaints and Feedback Policy*, rather than under the whistleblower procedures. This ensures that individuals retain full control over how their concerns are handled, while still guaranteeing that all matters are addressed promptly, fairly, and in line with regulatory requirements.

c. A disclosure made under this Policy may also trigger other legal obligations, including mandatory reporting under the SIRS. MMACG will act in accordance with all applicable obligations, ensuring that the whistleblower is protected from reprisals while also reporting and managing the incident under SIRS.

d. To support compliance and clarity, this Policy should be read in conjunction with the *Incident Management Policy and Procedure*, as both frameworks may overlap and must be followed concurrently by all concerned.

Privacy and Data Protection

a. All personal information collected in connection with a disclosure (including the identity of the whistleblower, and names of any individuals involved) will be handled in accordance with the Privacy Act 1988 (Cth) and *Privacy and Confidentiality Policy*.

b. MMACG will only use or disclose such information for the purposes of addressing the disclosure, investigating

and reporting as required by law, or as otherwise permitted by law.

c. MMACG will not share personal information without consent unless required or allowed (for example, giving information to the Commission or police as part of a report, or if ordered by a court).

d. MMACG maintains secure systems to store records, and once matters are concluded, any identifying details are retained only as needed for legal compliance.

If Protections are Breached – Remedies

a. If a whistleblower believes their confidentiality or other whistleblower protections have been breached or they have been subjected to detriment by the organisation (or someone in it), they should immediately notify any WPO, CEO, or Board Chair. MMACG will investigate this as misconduct and in accordance with the *Employee Investigations and Disciplinary Management Policy and Procedure.*

b. Additionally, the whistleblower has the right to escalate such concerns externally: for example, they can report breaches of whistleblower protections to ASIC, the Aged Care Quality and Safety Commission, or even pursue civil legal action. The Aged Care Act 2024 and the Corporations Act 2001 provide avenues for the enforcement of these protections.

Review and Oversight

a. This policy will be reviewed at least annually by the Board (or a Board committee) and updated to incorporate any changes in law or best practice.

b. MMACG will also consider feedback from staff and other stakeholders when updating the policy. Any revised policy will be circulated to all staff and made accessible to stakeholders as per our communication commitments.

c. If this Policy is amended, MMACG will provide clients with at least 14 days' notice of the change.

Appendix A - Internal and External Contact Details

Internal	External
Anonymous (Australia Post) Address to one of the below Whistle-blower Protection Officers and send to: PO Box 1315 Murray Bridge South Australia 5253	**Australian Securities and Investments Commission (ASIC)** Phone: 1300 300 630 Online reporting link: https://asic.gov.au/
Chairperson of the Board of Directors Trevor Kerley Phone: 8532 2255 Email: tkerley@murraymallee.org.au	**Australian Prudential Regulation Authority (APRA)** Phone: 1300 558 849 Email: whistleblower@apra.gov.au
Chief Executive Officer Anna Howard Phone: 8532 2255 Email: ahoward@murraymallee.org.au	**Aged Care Quality and Safety Commission** Phone: 1800 951 822 On Commission's website
Deputy CEO & Operations Manager Foster Davis Phone: 8365 0151 Email: fdavis@murraymallee.org.au	
In-Home Care Manager Amy Joinbee Phone: 8532 2255 Email: ajoinbee@murraymallee.org.au	
Clinical Manager Heide Callery Phone: 8532 2255 Email: hcallery@@murraymallee.org.au	
Finance Manager Wendy Bartlett Phone: 8532 2255 Email: wbartlett@murraymallee.org.au	

Appendix B – Summary of Protections for Eligible Whistleblowers Under Various Laws

Please refer to and follow the legislations where confusion or conflict exists.

Element	Aged Care Act 2024	Corporations Act 2001	Taxation Administration Act 1953
Scope	Applies specifically to aged care providers as a condition of registration.	Applies to companies, large proprietary companies, public companies, APRA-regulated superannuation trustees, banks, insurers, etc. Some obligations limited to public and large entities.	Applies to entities and individuals in relation to their tax affairs. Focus is on compliance with Commonwealth taxation laws.
Eligible Whistleblowers	Broadly defined as “any individual,” including carers, clients, family members, staff, contractors, volunteers.	Includes current/former employees, officers, contractors, suppliers (paid/unpaid), associates, and their relatives/dependents.	Includes current/former officers, employees, contractors, associates, and their relatives/dependents who have information about tax misconduct or avoidance.
Disclosable Matters	Information indicating a contravention of any provision of the Aged Care Act or Rules (e.g. breaches of standards, neglect, abuse, rights violations).	Broader scope: misconduct, improper state of affairs, breaches of Corporations Act or financial laws, Commonwealth offences punishable by 12+ months, conduct dangerous to public or financial system.	Information suggesting misconduct or improper conduct in relation to tax affairs of an entity or associate. Includes tax evasion, avoidance schemes, misreporting of income, or breaches of tax law.
Eligible Recipients	- Responsible persons (Board, CEO, executives). - Aged care workers. - Aged Care Quality and Safety Commission, Dept officials, police, advocates.	- Company officers, senior managers. - Auditors, actuaries. - Legal practitioners (for advice). - ASIC, APRA. - Limited protection for journalists/parliamentarians in public interest/emergency cases.	- Commissioner of Taxation (ATO). - Registered tax agents of the entity. - Auditors. - Legal practitioners (for advice).
Protections	- Strict confidentiality of whistleblower identity. - Protection from detriment (incl. threats,	- Confidentiality obligations. - Strong protection from detrimental conduct (dismissal, discrimination,	- Confidentiality of identity. - Protection from victimisation for making a disclosure in good faith

Element	Aged Care Act 2024	Corporations Act 2001	Taxation Administration Act 1953
	retaliation).	harassment, injury, reputation damage).	about tax misconduct. - Immunity from civil, criminal, and administrative liability for the act of disclosure itself.
Remedies	Court orders include injunctions, compensation, reinstatement, and exemplary damages.	Court remedies include compensation, injunctions, reinstatement, apologies, and exemplary damages. Regulators (ASIC/APRA) can also take enforcement action against organisations that breach whistleblower protections.	Whistleblowers may seek compensation, injunctions, or remedies if they suffer victimisation. Courts can order compensation for loss/damage and penalties against offenders.

Policy Owner	MMACG Board of Directors
Related Policies	Employee Investigations and Disciplinary Management Policy Privacy and Confidentiality Policy Statement of Rights Enterprise Risk Management Policy Code of Conduct Incident Management Policy and Procedure
Related Forms:	Incident and Hazard Reporting Form Bullying and Harassment Form Feedback, Compliments and Complaints Form
Related Standards:	Standard 2: The Organisation
Legislative Reference:	*Corporations Act 2001* (Corporations Act) *Taxation Administration Act 1953* (Taxation Administration Act) *Aged Care Act 2024*
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Signed (Chairperson):	