

Whistleblower Policy

Eldercare Australia Ltd ACN 649 235 183 (we) are committed to the highest standards for good governance and ethical behaviour and wish to maintain an environment where legitimate concerns about our affairs can be reported without fear of retaliatory action or retribution.

This policy provides guidance on how protected disclosures about Eldercare's affairs and compliance with the Aged Care Act can be made under laws which protect whistleblowers and how we will deal with those protected disclosures.

Eldercare maintains robust feedback and complaints handling mechanisms. This policy only applies to disclosures which are identified by the individual providing the information as being made as a whistleblower disclosure.

Who does this policy apply to?

This policy applies to Eldercare's current and former:

- clients and potential clients;
- officers, employees and volunteers;
- contractors, suppliers and associates and their employees; and
- any other associate of Eldercare's (as defined in the Corporations Act 2001)
- as well as the spouses and relatives of any of the above individuals.

In addition, this policy applies to any individual, whether or not they have a connection with Eldercare, if they are making a disclosure on the basis that they have reasonable grounds to suspect that a provider has failed to comply with a provision of the Aged Care Act.

Reportable matters

An individual to whom this policy applies and who has reasonable grounds to suspect that a wrongdoing relating to Eldercare's affairs has or may have occurred (Whistleblower) is encouraged to report that wrongdoing under this policy. Wrongdoing includes:

- breaches of the law;
- unethical, corrupt, dishonest or fraudulent behaviour;

- sexual exploitation, harassment or abuse;
- gross mismanagement or maladministration;
- behaviour which is a danger to the public or the financial system; and
- any other misconduct or improper situation.

Personal grievances (including employee complaints about work related matters) should not be reported under this policy.

Making an internal report

A report of a wrongdoing relating to Eldercare's affairs can be made to any one of the following:

- one of Eldercare's directors;
- Eldercare's chief executive or another of Eldercare's senior managers
- Eldercare's auditor.

Where the Whistleblower does not feel comfortable making an internal report of a wrongdoing relating to Eldercare's affairs, or where an internal report has been made, but no action has been taken within a reasonable time, the Whistleblower may make a report to Eldercare's Whistleblower Protection Officer.

Disclosures about provision of care and services under the Aged Care Act may also be made to:

- any aged care worker,
- a responsible person of a registered provider.

Making an external report

A report of a wrongdoing relating to Eldercare's affairs may also be made to a regulator such as the Australian Securities and Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA) or any Commonwealth authority prescribed for that purpose under the Corporations Act 2001.

Disclosures about suspected failure to comply with the Aged Care Act may also be made to the Aged Care Quality and Safety Commission, The Department of Health, police or an independent aged care advocate.

Making a report to a member of parliament or journalist following a report to a regulator

If the Whistleblower has previously made a report of a wrongdoing relating to Eldercare's affairs to a regulator referred to above in accordance with this policy, the Whistleblower may make a further report about that subject matter to a member of the Parliament of the Commonwealth or of an Australian State, a member of the legislature of an Australian Territory or to a professional journalist provided:

- at least 90 days have passed since the previous report was made and the Whistleblower reasonably believes that no action has or is being taken in relation to that report;
- OR
- the Whistleblower reasonably believes that the subject matter of the report concerns a substantial or imminent danger to the health or safety of one or more persons or to the natural environment.

The Whistleblower must reasonably believe that making the further report would be in the public interest and must give a written warning to the body to whom the previous report was made that the Whistleblower intends to make the further report. The further report may only include the information required to inform the recipient of the substantial and imminent danger referred to above.

Manner of making report

A report may be made in any manner, including verbally. If the report is made verbally, the recipient will make a written record of the report. The report may be made anonymously or confidentially and still qualify for protection under this policy. Where the individual making the report requests that their identity remain confidential, all reasonable measures will be taken to achieve this.

What should be included in a report

When making a report, the Whistleblower should clearly outline:

- that they intend the matter to be treated as a whistleblower disclosure,
- the alleged wrongdoing and the individuals involved;
- the Whistleblower's reasons for believing that the wrongdoing has occurred, or their reasonable grounds to suspect that a provider has failed to comply with a provision of the Aged Care Act

- Information about when and how the wrongdoing or failure occurred,
- the nature and whereabouts of any evidence that would substantiate the allegation of wrongdoing, if known.

This is to ensure that the recipient of the report has all the information required to take prompt and appropriate action.

The Whistleblower should ensure the report:

- is factually accurate;
- is based on firsthand knowledge;
- is objectively based on reasonable grounds; and
- contains all relevant details.

The Whistleblower must keep secure any relevant documents as potential evidence for the purpose of any subsequent investigation and must not alter those documents.

Investigations following internal report

All internal reports made under this policy will be subject to a preliminary assessment, and if appropriate, investigated in full in accordance with the Eldercare Whistleblower Procedure.

The purpose of the investigation is to determine whether the Whistleblower's concerns are substantiated, with a view to Eldercare then rectifying any wrongdoing uncovered when possible. The investigation will be thorough, objective, fair and independent of the Whistleblower and any individual implicated in the report.

As part of the investigation process, and subject to the Whistleblower's consent, the recipient will notify one of Eldercare's Directors or another person designated by Eldercare's Board as an appropriate person to investigate reports made under this policy (Whistleblower Protection Officer).

The Whistleblower Protection Officer will be responsible for:

- assessing whether this policy applies to the matters reported;
- if the Whistleblower Protection Officer determines an investigation into the matters reported is warranted, coordinating the investigation;
- documenting and handling all matters related to the report and investigation; and
- subject to the privacy requirements of all those concerned, keeping the Whistleblower informed of the progress and outcome of the investigation and actions taken or to be taken in response.

Where the Whistleblower Protection Officer determines an investigation into the matters reported is warranted, an investigator must be appointed. Where the Whistleblower Protection Officer considers appropriate, the investigator will be external to Eldercare and a person who is at arm's length from Eldercare's management and the matters reported.

The investigator will be required to:

- ensure the investigation is fair, timely and that the rules of procedural fairness are applied;
- provide the Whistleblower Protection Officer with regular and timely updates on the status of the investigation; and
- report the findings of the investigation to the Whistleblower Protection Officer.

Findings and further action

On completion of an investigation, a written report of the findings must be provided by the investigator to the Whistleblower Protection Officer who must forward the written report to Eldercare's Board. The report must summarise the conduct of the investigation and the evidence collected, and should detail any conclusions drawn, as well as recommendations for response or other action to be taken by Eldercare.

The Whistleblower Protection Officer will, in consultation with Eldercare's Board, determine the appropriate responses to the findings of the investigation. This will include determining whether disciplinary action is necessary or whether the matter should be referred to the Police or other appropriate authority.

Privacy and confidentiality

A report under this policy may be made anonymously, however this may affect Eldercare's ability to investigate the matter properly and to communicate with the Whistleblower about the report. Where a report is made anonymously, the Whistleblower may refuse to answer questions that could reveal his or her identity.

We will not disclose a Whistleblower's identity, or information that is likely to lead to the identification of the Whistleblower, unless:

- the Whistleblower consents to the disclosure;
- the disclosure is necessary to prevent a serious threat to any person's health or a safety; or
- the disclosure is required or authorised by law (such as disclosure to the Police or other appropriate authority).

When a report is being investigated, it may be necessary to reveal the substance of the report to Eldercare's officers, staff, volunteers and other contacts, external persons involved in the investigation process and, in some cases, law enforcement agencies and other authorities. It will also be necessary to disclose the substance of a report to any individual implicated in the report in order to allow that individual to respond to the allegations.

Where possible, we will ensure information that is likely to lead to the identification of a Whistleblower is appropriately redacted in any communications and documents relating to the investigation of the matters reported. However, in some cases, the source of a report may be obvious to an individual implicated in the report as well as to others involved in the investigation process.

We will securely store all records relating to a report and restrict access to authorised persons. Unauthorised disclosure of information relating to a report that could prejudice confidentiality and identify the Whistleblower will be taken seriously and may result in disciplinary action.

Subject to the law, the Whistleblower must keep the fact that he or she has made a report and the substance of the report confidential and must refrain from discussing the matters reported with others. This includes making comments in commercial or social media.

Protection for Whistleblowers

A Whistleblower, as far as possible, will not be disadvantaged for making a report. Any adverse action, harassment, discrimination or reprisals for a report properly made under this policy will be treated by Eldercare as serious misconduct and may result in disciplinary action against the perpetrator.

The Whistleblower may have other rights and remedies available under law in respect of any detriment suffered by the Whistleblower because of making a report.

Any Whistleblower who have a reasonable belief that:

- they are being victimised or threatened with victimisation as a result of any disclosure (or the belief or suspicion of a disclosure),
- their confidentiality or anonymity has been breached under this policy,
- they have not been afforded any of the protections under this policy, or
- believes that they have been subject to detriment because of making a report,

should report this to the Whistleblower Protection Officer in accordance with this policy.

A Whistleblower will not be penalised if they make a report on a proper basis in accordance with this policy and it is determined that there has been no wrongdoing. However, the making of a report where there is no reasonable basis for the report, or where the person making the report knows it to be false, is not subject to protection under this policy.

Support for individuals implicated

We understand that individuals implicated in a report must also be supported during the handling and investigation of the report. They are entitled to have a person they nominate to support them during that process.

No action will be taken against an individual implicated in a report until an investigation has determined that the allegations made against that individual are substantiated. Where an individual is implicated in a report but following a preliminary assessment it is determined that no investigation is warranted, the Whistleblower will be informed of this outcome and no further action will be taken.

Where an investigation is carried out and the investigator determines that the report is not substantiated, the fact that the investigation has been carried out, the results of the investigation and the identity of the individual implicated in the report will remain confidential.

Where the investigator determines there may be a case for an individual implicated in the report to respond, the investigator must ensure that the individual:

- is informed of the substance of the alleged wrongdoings;
- is given adequate opportunity to answer the allegations before the investigation is finalised;
- has his or her response set out fairly in the investigator's report; and
- is informed about any adverse conclusions in the investigator's report that affect the individual.

Where adverse conclusions are made in an investigator's report about an individual, that individual has a right to respond to those conclusions prior to Eldercare taking any action against the individual.

Support for individuals implicated

The availability of whistleblower, complaints and feedback mechanisms have been communicated to all employees as at 1 November 2025. The policy is publicly available on Eldercare's website and will be communicated monthly to aged care residents and

workers to reinforce that disclosures are welcome and protected.

A copy of this policy is available on Eldercare's website and can be emailed to anyone on request sent to admin.headoffice@eldercare.net.au and include in email heading - Attention: Eldercare Whistleblower Protection Officer.