Whistleblower Protection Policy.

Cura Aged Care is an brand under the Multicultural Communities Council Gold Coast (MCCGC). As such, our policies, guidelines, and governance sit under MCCGC's umbrella as our parent organisation.

Whistleblowing is a process for reporting potential fraud, misconduct, or unethical behaviour that may not be otherwise identified within an organisation. MCCGC aims to adhere to standards of integrity, transparency, and accountability across all its programs. Whistleblowing is recognised as a way to review organisational practices and promote a culture of openness and ethical conduct. This policy outlines a confidential and supportive process for raising concerns about suspected or actual wrongdoing and aligns with protections mandated by relevant legislation.

Whistleblowing may reveal fraud or other forms of misconduct not detected by internal or external controls within an organisation. MCCGC upholds the principles of transparency and accountability, treating whistleblowing as a means to examine procedures and encourage an ethical culture.

If an employee, contractor, consultant, supplier, volunteer, governing body member, or service user (including family, supporters, and carers) has reasonable grounds to believe that someone associated with the organisation has engaged in illegal, improper, or unethical conduct, they are encouraged to report it without fear of reprisal.

MCCGC provides protection for whistleblowers against actions such as:
- Dismissal
- Demotion
- Harassment or discrimination
- Victimisation of any kind
- Current or future bias
- Threats of these actions

Responsibilities and Delegations.

This policy applies to	This policy applies to all people who conduct work for, or are connected to, the organisation in a paid or unpaid capacity. This may include board members, Management Committee, executive leadership, staff, volunteers, trainees, contractors, members, consultants and family and friends of staff and/or clients.
Specific responsibilities	• The Human Resources Manager (HRM) is responsible for ensuring programs across the organisation implement and follow this policy and any associated documents and standards. • The HRM is MCCGC's delegated Whistleblower Protection Officer. • The Quality and Risk Officer (QRO) is responsible for the physical updates to this document. • Human Resource Manager (HRM) is responsible for working with the COO and Organisational Leadership Team (OLT) to ensure that they and their teams understand this policy.
Policy approval	MCCGC Board

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Policy Context - this policy relates to:

Standards	Strengthened Aged Care Quality Standards (2024) NDIS Practice Standards (2024) National Principles for Child Safe Organisations (2018) Queensland Child Safe Standards (2024) Human Services Quality Framework, Qld (2025)
Legislation	Aged Care Act 2024 Aged Care Rules 2025 NDIS Act 2024 Corporations Act (Cth) 2001 Fairwork Act (Cth) 2009
Contractual obligations	Aged Care Act 2024 Aged Care Rules 2025 NDIS Act 2024 Corporations Act (Cth) 2001 Fairwork Act (Cth) 2009
Organisation policies	Code of Conduct Child Safety and Wellbeing Policy Privacy, Confidentiality and Use of Personal information Fact Sheet Complaints Management Policy Incident Management Policy Discrimination, Harassment, Bullying and Victimisation Policy Equal Employment Opportunity, Equality and Diversity Policy
Forms, record keeping, other documents	Sexual Harassment Plan Staff Complaints Form Staff Incident Form

Definitions.

Anonymous: Is when one's identity is unknown. In the case of an anonymous Whistleblower, their identity is not known by anyone, including those who receive and investigate the Qualifying Disclosure.

Confidentiality: Is when one's identity is protected to prevent harm. In the case of a Whistleblower, their identity may be known to those receiving and investigating the Qualifying Disclosure, but their identity is protected from the broader organisation and public.

Discloser (or Whistleblower): Any person who makes a Qualifying Disclosure about a suspected contravention or misconduct in the provision of aged care.

Detriment: Any disadvantage, harm or adverse treatment including dismissal, demotion, discrimination, harassment, intimidation, injury, property damage, reputational harm, or threats of these.

Qualifying Disclosure:
A disclosure of information by a person which:
- is made to one of the people or entities as set out in e.g. Section 547 of the Aged Care Act 2024 (e.g. the Aged Care or NDIS Commissioner, a police officer, a registered service provider, an independent advocate, a responsible person of MCCGC);
- is made either orally or in writing, and either anonymously or not; and
- the Discloser has reasonable grounds to suspect indicates that an entity may have contravened the Act.

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Responsible person: Member of the governing body or any person in a role designated as a responsible person by the organisation (e.g. MCCGC Board Directors, the Chief Executive Officer or any members of the Executive Leadership Team).

Whistleblower Protection Officer (WPO): A designated senior role responsible for implementing this Policy, receiving and triaging disclosures, safeguarding disclosers, coordinating investigations and system improvements.

Purpose and Scope.

MCCGC is committed to the highest standards of integrity, transparency and accountability. This policy provides for a safe, confidential process for any person to raise concerns about suspected or actual misconduct and reflects the mandatory whistleblower protections outlined in the legislation that governs the services that the organisation delivers.

Who this policy applies to:
This policy covers all people who interact with MCCGC, including:

- employees (permanent, part-time, casual, fixed term and agency staff):
- associated providers, subcontractors, consultants and suppliers of goods and services;
- volunteers, students and governing body members; and
- service users, their supporters, representatives, family members, carers and independent advocates.

Procedures.

Development and review of this policy
This policy is established in consultation with management and employees.
The governing body is responsible for implementing this policy, fostering a culture of 'speaking up,' and evaluating and improving its effectiveness.
This policy will be formally reviewed at least every 12 months and immediately following any regulatory changes to whistleblower requirements.
Any amendments will be approved by the governing body and communicated to all staff, volunteers, contractors and where relevant, service users, their families and advocates.

Awareness and Education.

MCCGC will ensure that all people associated with the organisation, including employees, contractors, volunteers, governing body members, service users, their supporters, representatives and advocates, are informed of their rights and responsibilities under this Whistleblower Protection Policy.

MCCGC will:

- provide mandatory training for all staff and volunteers on how to recognise and report misconduct or breaches, how to access internal and external reporting channels, and the protections and support available to whistleblowers;
- include policy information in onboarding materials for new staff and volunteers and provide refreshers at least annually;
- make this policy accessible on MCCGC's website; and
- train senior managers and the designated Whistleblower Protection Officer (WPO) in handling disclosures, maintaining confidentiality and supporting both whistleblowers and individuals named in Qualifying Disclosure.

MCCGC will review training content and delivery methods as part of its annual policy review to ensure ongoing compliance.

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Designation and responsibilities of Whistleblower Protection Officer/s (WPO).

The ELT will nominate a responsible person from within the organisation to be the WPO.

MCCGC's WPO responsibilities include:

- implementing and overseeing MCCGCs this policy;
- providing an initial response to an accusation of wrongdoing;
- ensuring the protection and/or anonymity/confidentiality of the Whistleblower, where possible;
- conducting or assisting in investigations into alleged wrongdoings;
- assessing and managing risk of detriment;
- monitoring for retaliation during and after any investigation;
- informing the Whistleblower of the progress and outcomes of investigations;
- ensuring that Whistleblowers do not suffer any retaliation or negative consequences; and
- providing support and referrals for both Whistleblowers and those accused of wrongdoing.

MCCGC will ensure that all people associated with the organisation know who the designated WPO is and their contact details.

Reporting Framework.

Qualifying Disclosures.

A disclosure qualifies for protection if the Discloser has reasonable grounds to suspect a contravention of any of the legislation that the organisation is governed by.

In relation to CURA Aged Care Services, an arm of MCCGC, the requirements considering Whistleblowers apply. A disclosure can be made orally or in writing, including anonymously – to any of the following:

- an Appointed Commissioner or member of the Department of Health and Aged Care Quality and Safety Commission;
- the System Governor or an official of the Department of Health and Aged Care;
- a registered provider, a reasonable person of a registered provider, or an aged-care worker of a registered provider;
- a police officer; or
- an independent aged-care advocate.

The process outlined in the Aged Care Act 2024, will be MCCGC's benchmark for ensuring due process is followed in protecting the rights of Whistleblower's.

Internal Reporting.

To report internally, the recipient of the Disclosure should report the breach to the WPO.

If they believe that the WPO is involved in the breach, they may report to another responsible person within the organisation.

External Reporting.

If the Whistleblower believes that:

- all of the above internal persons are involved in the breach; or
- all internal measures have been taken to try to get the issue addressed; or
- the issue is significant and poses dangers to health or safety;

they may report the complaint to an external agency such as the Aged Care Quality and Safety Commission, the NDIS Quality and Safeguards Commission, Department of Health, Disability and Ageing, an independent sector advocate or in cases of serious illegal conduct, the police should be contacted.

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Anonymous Reporting.

The WPO will receive and seriously consider anonymous Qualifying Disclosures and ensure the anonymity of the Whistleblower as far as is possible. Anonymous Whistleblowers should be made aware that anonymous reporting may affect the outcome of the investigation, as evidence may be more difficult to substantiate.

Where a Discloser requests anonymity, the recipient of the Qualifying Disclosure must take all reasonable steps to protect the identity of the Discloser and any other person named in the request. It is a contravention of some legislation such as the Aged Care Act 2024 to disclose the identity of a Discloser, or information likely to lead to the identification of a Discloser, if that information was obtained directly or indirectly because of a Qualifying Disclosure, unless an authorised exception applies.

Authorised exceptions occur when the Discloser consents in writing, or the Qualifying Disclosure is made to one of the persons listed above (A Commissioner, registered provider, police officer or an independent service advocate).

Where disclosure of non-identifying information is reasonably necessary to investigate the matter, MCCGC will take all reasonable steps to minimise the risk of identifying the Discloser.

External Whistleblowers.

Persons external to the organisation who wish to make a Qualifying Disclosure regarding organisational wrongdoing will be afforded the same protections as personnel of the organisation.

External persons may report wrongdoing to the organisation's WPO.

Alternatively, external persons may report wrongdoing to external agency such as the Aged Care Quality and Safety Commission, the NDIS Quality and Safeguards Commission, Department of Health, Disability and Ageing, an independent sector advocate or in cases of serious illegal conduct, the police should be contacted.

Investigation Procedures.

All Qualifying Disclosures received will be considered seriously, and an internal investigation of the facts of each one will be conducted by the WPO to verify the allegations made and take further action if necessary. An internal investigation will be undertaken if the matter does not necessitate a police investigation.

When a Qualifying Disclosure is received, the WPO will use their discretion to decide whether legal advice is required.

If the WPO is implicated, the matter will be referred to a responsible person of the organisation or an independent investigator.

Notification Procedures.

The WPO will first notify the CEO and Chair of the Board of any alleged misconduct. The person/s accused will then be notified, so that they may present their case.

Investigation Planning.

In consultation with the WPO and other relevant managers, terms of reference and an investigation plan will be prepared, which will include:

- the key issues to be investigated;
- the scale of the investigation, in proportion to the alleged wrongdoing; and
- allocation of resources.

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Principles of Conducting Investigations.

Investigations will apply fair and ethical principles, and as such:

- any person accused of wrongdoing will have the presumption of innocence;
- all investigations will be conducted without bias;
- persons accused of wrongdoing will be supported throughout the process and referred to external support services if necessary;
- investigations will follow the procedures of natural justice;
- in circumstances where the Whistleblower is unable to remain anonymous, they must remain free from any retaliatory action;
- during and after the investigation the WPO should monitor for any detriment or threats towards the Whistleblower from any member of the organisation; and
- all disciplinary action will be proportionate to the seriousness of the breach.

Documentation.

Throughout the course of the investigation conversations, interviews, communications and relevant documents will be recorded and stored. Upon completion, an investigation report will be prepared and filed. The investigation report will include:

- the allegations;
- a statement of facts and the corroborating evidence;
- conclusions reached by the investigation; and
- recommended amendments to organisational policies and procedures to avoid future wrongdoings of a similar nature.

All documents relating to Whistleblowing reports and investigations must be kept securely and confidentially, and access to documents granted only when necessary.

The Whistleblower will be kept informed of the progress and outcomes of the investigation.

Support and Protection for Whistleblowers.

MCCGC is committed to protecting anyone who makes a Qualifying Disclosure under this Whistleblower Protection Policy. Whistleblowers found to have made Qualifying Disclosures in good faith, according to organisational procedures and based on reasonable grounds will receive support and protection as below:

- the confidentiality of a Whistleblower's identity will be kept confidential as required, unless disclosure of their identity is:
  - consented to by the whistleblower, or;
  - required by law (for example, to a regulatory authority to protect health and safety);
- the Whistleblower can elect for their Qualifying Disclosure to be handled as a complaint or feedback and can withdraw their Qualifying Disclosure at any time;
- the Whistleblower will have the right to request positive action for the purposes of protection, such as relocation or a leave of absence while the matter is under investigation;
- the WPO will be responsible for ensuring that the Whistleblower receives any necessary support and referrals, and that they are not subject to any form of negative employment-related consequence as a result of reporting;
- the Whistleblower will be able to request an interpreter or other translation aids for reporting their Qualifying Disclosure and obtaining appropriate support;
- if an act of reprisal is alleged, the Whistleblower will have the automatic right of appeal to an independent appeal body;
- the Whistleblower will not be subject to any civil, criminal or administrative liability for making the disclosure;

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- no contractual or other remedy or right can be exercised against the Whistleblower for their Qualifying Disclosure;
- if the Whistleblower believes that they have been subjected to reprisal, they may lodge an internal complaint with the WPO of escalate directly to e.g. the Aged Care Quality and Safety Commission or its equivalent; and
- a contract to which the Whistleblower is a party may not be terminated on the basis that the disclosure constitutes a breach of the contract.

Protection from Victimisation.

MCCGC prohibits any conduct that causes or threatens detriment, including dismissal, demotion, harassment, discrimination, disadvantage or harm, because a person has made, may make or intends to make a Qualifying Disclosure.

A 'threat' may be express or implied, conditional or unconditional and liability does not require proof that the person feared the threat would be carried out.

Note: reasonable administrative action taken to protect a person from detriment is not victimisation.

False Reporting.

If it is discovered that the Whistleblower knowingly and intentionally fabricated an accusation against an employee or associate of the organisation, for their own personal gain or with malicious intent, they may be subject to disciplinary action which may include dismissal, termination of services or cancellation of client relationship.

Procedures for Review of this Policy.

This policy will be reviewed and updated biennially, by the HRM and any changes made will be approved by the Board. It will also be reviewed along with any other policies deemed necessary following the recommendations made from an investigation report to avoid future wrongdoing and increase transparency.