

Whistleblower Protections Policy (Ageing Well)

Policy statement

City of Whittlesea (Council) is committed to upholding the highest standard of integrity, consistent with our purpose and values. Council is committed to supporting whistleblowers to report any misconduct or wrongdoing and protecting them from any adverse consequences following disclosure by:

- ensuring workers, older adults and all stakeholders feel safe and supported to raise concerns by actively promoting a “speak up” culture, emphasising protections and the organisations commitment to addressing concerns without reprisal
- promoting at least monthly that whistleblower disclosers are welcomed and encouraged using various communication channels
- maintaining a structured and transparent system that enables individuals to make disclosures safely and appropriately by:
 - clearly defined policies and procedures
 - providing multiple secure and accessible reporting channels that enable individuals to make disclosures including:
 - internally and externally
 - face to face
 - over the phone
 - in writing (e.g. letters, emails etc.)
 - assessing disclosures to ensure it qualifies for whistleblower protections
 - providing up to date information about how disclosures can be made, what disclosures qualify for protection and eligible recipients' disclosures can be made to
 - responding in a fair, culturally safe and timely manner
 - ensuring disclosures contribute to the continuous improvement of Council’s delivery of funded aged care services
 - ensuring the system is reviewed as required, at least annually

Purpose

The Whistleblower Protections Policy (Ageing Well) will:

- Ensure that individuals who disclose misconduct, breaches of duty, or systemic failures within aged care services are protected from reprisal, in accordance with the *Aged Care Act 2024* and *Aged Care Rules 2025*.
- Promote transparency, accountability, and a culture of integrity across all aged care operations managed and provided by Council.

Scope

This policy applies to:

- Responsible Persons of Council
- Aged care workers of Council (including volunteers and students on placement)
- Associated providers (including agency staff, contractors and consultants)

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- Individuals who receive funded aged care services from Council, their supporters and families
- Any other person who wishes to make a disclosure under this Policy

Staff to staff complaints will be managed via the City of Whittlesea's Staff Complaints Resolution Policy.

Alignment to Whittlesea 2040

The [Whistleblower Protections Policy \(Ageing Well\)](#) primarily guides Council's work toward the following Goal as outlined in *Whittlesea 2040: A place for all: **Connected Community***

This policy supports the provision of high quality and safe care for older adults and is directly linked to key outcome areas such as supporting our community to live independently and safely in the community and in their own home; empowering the community to participate in decision making; and supporting the community to be healthy, well and physically active.

Overarching Governance Principles

The development of this Policy considered the *Local Government Act 2020's* Overarching Governance Principles and the following were applied:

- Council decisions are to be made, and actions taken in accordance with the relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations; and
- collaboration with other Councils and Governments and statutory bodies is to be sought.

Lawful	<input checked="" type="checkbox"/>
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Consistent with lawful as it complies with the legislative framework that applies to the provision of Commonwealth funded aged care.

This policy is guided by:

- *Aged Care Act 2024*
- *Aged Care Rules 2025*
- *Strengthened Aged Care Quality Standards:*
 - Outcome 2.2a: Quality, safety and inclusion culture to support individuals
 - Outcome 2.3: Accountability, quality system and policies and procedures
 - Outcome 2.6a: Complaints and feedback management for aged care workers
 - Outcome 2.6b: Complaints and feedback management for individuals
- *Aged Care Code of Conduct*
- *Local Government Act 2020* (Vic)
- *Privacy and Data Protection Act 2014* (Vic)
- *Public Interest Disclosure Act 2012* (Vic)

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Gender Equality, Climate Change, Human Rights and Child Safe Compliance All City of Whittlesea policies comply with the *Victorian Charter of Human Rights and Responsibilities*, *Gender Equality Act*, *Climate Change Act* and the *Child Safe Standards*.

Definitions The following terms have the same meaning as found in the Aged Care Act 2024:

Disclosable matters: any concern or reasonable suspicion that someone has breached, is breaching, or about to breach a provision of the Aged Care Act 2024. Such concerns or suspicions need to be in relation to “misconduct” or an “improper state of affairs”.

Disclosures qualifying for protection: a disclosure of information by an individual qualifies for protection if:

- the disclosure is made to one of the following:
 - an Appointed Commissioner or a member of the staff of the Commission
 - the System Governor, or an official of the Department
 - a registered provider of funded aged care services
 - a responsible person of the registered provider
 - an aged care worker of a registered provider
 - police officer
 - an independent aged care advocate
- the disclosure is made either verbally or in writing and is submitted anonymously or not
- the individual has reasonable grounds to suspect that the information concerns conduct that may breach a provision of the Aged Care Act 2024.

Independent aged care advocate: a client advocate that is independent from the Department of Health, Disability and Ageing, the Aged Care Quality and Safety Commission (ACQSC) and registered aged care providers who provides free independent and confidential support, information, advocacy, and education about the rights of individuals under the Statement of Rights.

Misconduct: illegal, unacceptable or undesirable conduct or behaviour (actual or attempted) that is: dishonest, unethical, fraudulent, corrupt, non-compliant or may give rise to questionable accounting or auditing practices, may cause financial loss, or acts inconsistent with the organisation’s purpose, values and code of conduct.

Responsible person: any person who is responsible for the executive decisions of Council (Mayor, Councillors, Executive Leaders and Senior Ageing Well Department staff members).

Supporter: of an individual, means a person registered as a supporter of the individual under the Aged Care Act 2024 (this replaces the term Registered Representative).

Whistleblower: any person who discloses or reports actual or suspected misconduct, wrongdoing or breaches of the Aged Care Act 2024.

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Whistleblower disclosure: a disclosure of information made by an individual is protected if the discloser has reasonable grounds to suspect that the information indicates that an entity may have contravened a provision of the *Aged Care Act 2024*.

Workers: refers to all staff, employees, associated providers (i.e. agency staff, contractors, etc), students and volunteers of the organisation.

Procedures and implementation

How to Make a Disclosure

- Disclosures may be made anonymously, verbally (in person or via telephone) or in writing, to any of the entities listed under the definition of ‘**Disclosures qualifying for protection**’ within this Policy
- Disclosures made to Council will be directed to the Ageing Well Whistleblower Protections team to ensure the discloser is given the appropriate protections under the *Aged Care Act 2024* and this Policy.

Protections for Whistleblowers

Under the *Aged Care Act 2024* and Victorian law, whistleblowers are protected from:

- Dismissal or disciplinary action
- Harassment or victimisation
- Legal liability for making the disclosure (unless the discloser is the person in breach of the *Aged Care Act 2024*)
- Breach of confidentiality

Council will take all reasonable steps to protect the identity and wellbeing of whistleblowers under this Policy.

Investigation Process

- All disclosures will be assessed promptly and confidentially
- Investigations will be impartial and conducted by qualified personnel
- Findings will be reported to ACQSC if required (for example, if the disclosure relates to a suitability matter for a Responsible Person of Council)
- Corrective actions will be implemented where necessary
- Whistleblowers will be kept informed of outcomes where it is appropriate to do so

Recordkeeping

- All disclosures and investigations will be documented in accordance with the *Aged Care Act 2024* and stored securely for 7 years
- Access to disclosure and investigation data will be restricted to a designated whistleblower protections team
- Council will monitor de-identified disclosure data trends to improve aged care service provision and governance.

Roles and Responsibilities

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Role	Responsibility
Chief Executive Officer	Oversight and accountability
Whistleblower Protection Team	Intake, support, and coordination
Human Resources & Legal	Ensuring compliance and protection
All Staff	Upholding ethical standards

Training and Awareness

- Training for Responsible Persons and aged care workers on whistleblower rights and procedures will be provided at least yearly
- Aged care recipients, their supporters and families will be informed of their rights monthly
- Integration into onboarding and compliance programs will be ongoing

Related Documents

- [Protection for Whistleblowers – Aged Care Commission](#)
- [Guide to Aged Care Rules 2025 – Department of Health](#)
- [Complaints Handling and Feedback Policy \(Ageing Well\)](#)

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