

<p>Aim of Procedure</p>	<p><i>Cobram Regional Care (CRC) is committed to actively promoting a ‘speak up’ culture where all employees, consumers and other stakeholders feel safe to raise concerns without fear of reprisal. This Procedure provides a guide on how you are protected if you raise a complaint or give feedback about CRC or another aged care service provider. This Procedure should be read in conjunction with the following overarching policies:</i></p> <ul style="list-style-type: none"> ➤ <u>2.6 Feedback and Complaints Management</u> ➤ <u>2.6.1 Whistleblower Policy – Aged Care Act 2024</u> ➤ <u>2.6.3 Consumer Complaints Policy</u>
<p>1. The Law¹</p>	<p>1.1 The Aged Care Act 2024 (the Act) has specific laws to protect people who “call out issues”² about aged care. These are called Whistleblower Protections.</p> <p>1.2 The Act also states that Cobram Regional Care (CRC) must:</p> <ul style="list-style-type: none"> ➤ implement and maintain a complaints and feedback management system ➤ manage complaints and feedback in accordance with that system ➤ not victimise or discriminate against anyone for making a complaint or giving feedback ➤ implement and maintain a whistleblower system, and whistleblower policy ➤ manage a complaint or feedback that qualifies for whistleblower protection in accordance with the law. <p>1.3 The laws mean that if you make a report about our service or another aged care service, you will:</p> <ul style="list-style-type: none"> ➤ be protected from any negative results that come from making the report. ➤ have your identity or identifying information protected
<p>2. Raising a Concern or Complaint</p>	<p>2.1 If you have a concern or complaint that relates to the care or services provided by CRC, the first step is to try to resolve the issue with the organisation. This process is outlined in the following policies:</p> <ul style="list-style-type: none"> ➤ <u>2.6 Feedback and Complaints Management</u> ➤ <u>2.6.3 Consumer Complaints Policy</u> <p>2.2 If, however, you are not confident that CRC would address your concerns or complaints in a fair, or impartial manner you can, in the first instance raise your concerns with another entity, for example:</p> <ul style="list-style-type: none"> ➤ The Aged Care Quality and Safety Commission ➤ An Aged Care Advocate ➤ A Police Officer
<p>3. When you are protected³</p>	<p>3.1 You are protected under Whistleblower legislation if you raise an issue with any one of the following:</p> <ul style="list-style-type: none"> ➤ An Officer of the Aged Care Quality and Safety Commission (ACQSC) ➤ An Official of the Department of Health, Disability and Ageing (DoHDA). ➤ A Registered Aged Care Provider – Cobram Regional Care (CRC) ➤ A Responsible Person of CRC – for example a member of the Committee of Management or someone in the Executive Team ➤ An employee of CRC ➤ A Police Officer ➤ An independent Aged Care Advocate <p>3.2 You can make a report to any one of these entities either face to face, by phone or in writing.</p> <p>3.3 In making the report, you must have reasonable grounds to suspect that CRC or one of our employees or Committee members has breached the law.</p>

¹ Aged Care Act (2024) at www.legislation.gov.au

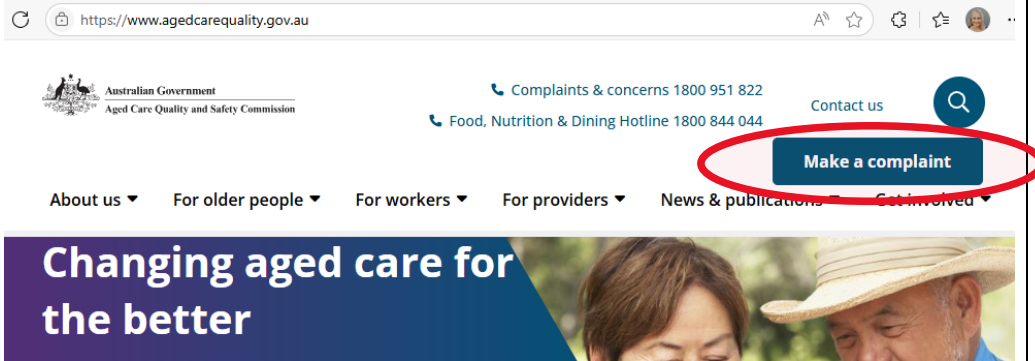
²Information about the new rights-based Aged Care Act (sourced August 2025) Australian Government Department of Health, Disability and Ageing at www.health.gov.au/our-work/aged-care-act/about#protection-for-whistleblowers

³Aged Care Act S.547 (2024) at www.legislation.gov.au



<p>4. Things you are protected from</p>	<p>4.1 If you raise a concern or complaint to any one of the individuals or entities named above under Part 3, then the law states that certain actions cannot be taken against you for doing so.</p> <ul style="list-style-type: none"> ➤ We cannot take Detrimental action or conduct against you. ➤ You must not be subject to any civil, criminal or administrative liability as a result of raising the issue/making the disclosure ➤ If you are an employee, we cannot take disciplinary action against you <p>4.2 Detrimental Conduct is conduct that results in detriment or harm to you or someone to whom the concern relates, for example:</p> <ul style="list-style-type: none"> ➤ Discrimination, victimisation, harassment or intimidation towards you or others ➤ Harm or injury to you, including psychological harm ➤ Damage to your property ➤ Damage to your reputation ➤ Dismissal if you are an employee ➤ Alteration of your position or duties to your disadvantage if you are an employee ➤ Financial disadvantage <p>4.2 You must also be protected from any contractual remedy or contractual right being enforced against you because of your disclosure, including actions taken by CRC for breach of your employment contract.</p> <p>4.3 You may still, however, be subject to any civil or criminal liability for your own conduct that may be revealed in the course of making the disclosure.</p>
<p>5. Preserving your anonymity/ confidentiality</p>	<p>5.1 If you raise a concern or complaint to any one of the individuals or entities named above under Part 3; and you request anonymity; then individual or entity to whom you have made the disclosure must take all reasonable steps to preserve your anonymity.</p> <p>5.2 CRC is committed to ensuring all complaints and feedback is treated with the strictest confidence and respect, and that you are treated fairly and do not suffer any detriment or reprisal.</p> <p>5.3 There is no requirement for you to identify yourself when raising a concern or complaint if that is what you choose.</p> <p>5.4 Your identity will not be disclosed by CRC unless:</p> <ul style="list-style-type: none"> ➤ consent is obtained to disclose your identity; or ➤ it is necessary to prevent a serious threat to health or safety or; ➤ it is required by law <p>5.5 CRC will take all reasonable steps to maintain your confidentiality and protect you. These steps may include:</p> <ul style="list-style-type: none"> ➤ Restricting the number of people who are made aware of your identity for the purpose of handling and investigating the matter ➤ Redacting your personal or identifying information ➤ Storing electronic material related to your concern securely and using secure channels of communication for handling and investigating the matter ➤ Limiting access to information relating to your concern to only those directly involved in handling and investigating it. ➤ Providing awareness training to those involved in an investigation to ensure they understand their obligations in relation to maintaining your confidentiality. ➤ Permanently deidentifying or deleting any personal information seven (7) years after your concern is raised or investigation is closed (whichever is later), unless otherwise required. <p>5.6 Failure by CRC or any other individual or entity to whom you have disclosed information to protect your identity/confidentiality can result in penalties under the Act for them.</p>

<p>6. Investigating</p>	<p>6.1 Investigations will generally be overseen by the Complaints/Compliance Officer. At CRC this is the CEO/Director of Nursing.</p> <p>6.2 CRC takes all reports of potential wrongdoing seriously. Where a concern or complaint is made to CRC, this information must be documented and investigated promptly.</p> <ul style="list-style-type: none"> ➤ All reports will be assessed and based on the nature and circumstances of the concern raised, thoroughly investigated ➤ Any investigation will be conducted in a timely, fair and objective manner, and independent from any person to whom the report relates. <p>6.3 Other people, including employees or external advisers, may also be asked to assist or run the investigation. Where possible, you will be informed how we are responding to your report, including whether an investigation will be conducted.</p> <p>6.4 Unless there are confidentiality or other reasons not to do so, employees who are the subject of a report of wrongdoing will also be informed of the matters raised in the report at an appropriate time and will be given a chance to respond to any allegations made against them. They will also be advised of the outcome of any investigation.</p> <p>6.5 Refer further to policy <u>2.6 Feedback and Complaints Management</u></p>
<p>7. CRC Obligations</p>	<p>7.1 Under the Act, as a provider of aged care services, CRC must also meet other requirements in relation to Whistleblower protection:</p> <ul style="list-style-type: none"> ➤ Prepare and keep up to date a Whistleblower policy. This is policy <u>2.6.1 Whistleblower Policy – Aged Care Act 2024</u> ➤ Publish the policy in an accessible document ➤ Give a copy of the policy to workers and responsible persons ➤ Give the policy to the following: <ul style="list-style-type: none"> ○ Care recipients/consumers ○ Representatives or supporters of consumers if requested ○ Other individuals who request the policy ➤ Support individuals if required, to understand the policy, to translate the policy into another language or present the policy in an alternative format. ➤ Help individuals to understand how the whistleblower system works ➤ Communicate the policy regularly to staff, care recipients and other stakeholders ➤ Communicate to all stakeholders that complaints and feedback and any disclosures that qualify for protection under section 547 of the Act are welcome. ➤ Train employees and key persons responsible for the organisation in the law relating to Whistleblower protections. <p>7.2 The Complaints/Compliance Officer is also responsible for:</p> <ul style="list-style-type: none"> ➤ The overall administration of policy <u>2.6.1 Whistleblower Policy – Aged Care Act 2024 (the Policy)</u>. ➤ Monitoring the implementation of the Policy and reviewing its suitability and effectiveness on an ongoing basis. ➤ Ensuring that any person or entity to whom you raise concerns or a complaint (including Committee members and the Executive team) are trained in the legislative requirements of the Whistleblower protections ➤ Ensuring that all stakeholders including employees, consumers, representatives are given information on complaints management and Whistleblower protections. <p>7.3 If you raise a concern or complaint to any one of the individuals or entities named above under Part 3 CRC must:</p> <ul style="list-style-type: none"> ➤ Actively protect you from detrimental conduct ➤ Assist you to maintain wellbeing ➤ Maintain your confidentiality as required by law

<p>8. If you suspect a contravention of the law</p>	<p>8.1 If you suspect that there has been a contravention of the law in relation to the complaint or concern you raised, you can complain to the Complaints Commissioner, an official of the Aged Care Quality and Safety Commission.</p> <p>8.2 For example – you may believe:</p> <ul style="list-style-type: none"> ➤ your identity/anonymity was not protected ➤ you were subject to detrimental conduct as a result of your complaint or concern ➤ the person or entity you complained to made threats (either express or implied) of detrimental conduct towards you or others as a result of your disclosure. <p>8.3 The Law gives the Complaints Commissioner the power to issue CRC with a required action notice in relation to any matter raised in a complaint received by the Commission. This includes where you suspect that there has been a contravention of the Act in relation to your disclosure.</p> <p>8.4 Contact: Aged Care Quality and Safety Commission Phone: 1800 951 822 Address: GPO Box 9819, Melbourne Website: www.agedcarequality.gov.au</p> <p>8.5 If you are making an online complaint, there is a blue ‘make a complaint’ button at the top of the screen and you will be prompted through the process:</p>  <p>8.6 Remedies by court order for contraventions of the Act can include injunctions, compensation (including exemplary damages), and reinstatement of employment.</p>
<p>Review</p>	<p><i>This policy is reviewed every three years, or more frequently in response to identified risk, or where legislative or best-practice changes require amendment.</i></p>