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# WHISTLEBLOWER POLICY

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## 1 Purpose

This policy documents Bethanie Group Inc and Bethanie Housing Limited’s (collectively referred to as ‘Bethanie’) commitment to a safe trusting environment for all employees, volunteers, contractors, officers and other stakeholders, where concerns can be raised regarding actual or suspected contravention without fear of reprisal.

## 2 Scope and Applicability

This policy does not exhaustively set out all of the protections afforded to Whistleblowers under legislation, nor all of the circumstances in which a person will receive those protections. Please refer to the relevant legislation for more information, such as Part 9.4AAA of the Corporations Act 2001 (Cth)

<b>Who</b> must use this policy:	All personnel classified as an eligible Whistleblower are required to understand and adhere to this policy.
<b>Why</b> this policy is important:	The policy is designed to assist all in deciding whether to make a report and how to make the report through the following sections: 1. Are you an Eligible Whistleblower? 2. What is a reportable matter? 3. How do you make a report? 4. How will the matter be investigated? 5. Protection and Support.



<b>When this policy applies:</b>	The policy applies in any situation where eligible Whistleblowers believe, on reasonable ground, that genuine matters or behaviours contravene Bethanie's Code of Conduct, practices, or the law.
<b>Who to ask for more information:</b>	Your Manager Bethanie Executive Team Chair of Risk and Assurance Committee Chair of Bethanie Group Inc Board Chair of Bethanie Housing Limited Board

### 3 Definitions

Term	Definition
Eligible Whistleblower	Eligible Whistleblowers are all personnel who happen to be a current or former: <ul style="list-style-type: none"> <li>· Officer of Bethanie</li> <li>· Employee of Bethanie</li> <li>· Individual or employee of a person who supplies services or goods to Bethanie, whether paid or unpaid (contractors and volunteers)</li> <li>· Director of Bethanie or a director of a related body corporate</li> <li>· Relative or dependent of any of the individuals mentioned above</li> <li>· Dependent of the spouse of any of the individuals mentioned above</li> <li>· Relevant Company Secretary</li> </ul>
Reportable Matter	For the purposes of making a report under this policy, any of the following matters may be included, whether actual or suspected: <ul style="list-style-type: none"> <li>· Conduct or practices which are illegal or breach any law;</li> <li>· Theft, fraud, corrupt activities or misappropriation;</li> <li>· Significant mismanagement or waste of funds or resources;</li> <li>· Serious harm to public health, safety or environment or the health and safety of any employee; or</li> <li>· Any action taken against, or harm suffered by an employee, as a result of making a report under this policy.</li> </ul> <p>In the event of a concern about a workplace grievance, which does not relate to one of the matters outlined above, refer to Grievance Resolution Policy. Concerns relating to reportable incidents in the provision of care as classified by the Serious Incident Response Scheme (SIRS) under the <i>Aged Care Act 1997</i> can also be reported to the Aged Care Quality and Safety Commission.</p>

### 4 Policy

#### 4.1 Objectives

The aim of the policy is to create an environment of trust, where all personnel are able to report an issue, which they genuinely believe on reasonable grounds has contravened Bethanie's Code of Conduct, policies or the law. It provides guidance on how any reported misconduct or unethical behaviour will be identified and dealt with.

Bethanie is committed to:

- Ensuring employees demonstrate the highest standard of ethical, legal, and moral behaviour in the conduct of their duties and responsibilities that align with Bethanie's Code of Conduct and Bethanie Behaviours.
- Providing adequate protection to employees who report incidents, and creating a climate of trust, where incidents can be reported and investigated without fear of retribution, as part of Bethanie's duty of care.



- Encouraging the reporting of issues of legitimate concern, and maintaining a systematic process for investigating, addressing, and reporting back on any breaches in a fair and equitable manner.
- Ensuring the privacy and confidentiality of those involved are always maintained.
- Meeting all obligations under the *Aged Care Amendment (Security & Protection) Act 2007* (Cth) with respect to compulsory reporting, and protection for employees who report such incidents.
- Clearly communicating the objectives of this policy and supporting procedures, so that all employees are aware of the process, roles, and responsibilities, with respect to reporting a suspected or actual breach.
- Offering counselling and support services to impacted employees to ensure their mental health and wellbeing are looked after.
- Undertaking regular reviews of this policy and supporting procedures to ensure compliance with the relevant legislation, and to identify opportunities for continuous improvement.

## 4.2 Principles

Bethanie has a Code of Conduct based on the Bethanie Behaviours, aged care legislative requirements and general practices, which have been developed to ensure high standards of conduct, clinical care, and ethical behaviour in all activities.

Bethanie is committed to continue developing its culture of safety to ensure all employees are encouraged to report any genuine matters or behaviours that they have reasonable grounds to believe or know contravene Bethanie's Code of Conduct, practices, or the law.

This policy protects those who have reasonable grounds to suspect or are aware that the information disclosed about the organisation, its employees or officers is in regard to:

- Misconduct
- Legal breaches, and/or
- Represents a danger to the public or financial system

### 4.2.1 How to make a report

If the concern relates to the conduct of the Chief Executive Officer or any other matter, then it can be raised directly with the Chair of the Risk and Assurance Committee and/or the Board Chair via email: [whistleblower@bethanie.com.au](mailto:whistleblower@bethanie.com.au). The email will be automatically forwarded to those parties. Matters can also be raised directly via post with the envelope to be marked 'Private and Confidential' and addressed to the Board Chair and/or Risk and Assurance Committee Chair, Bethanie, PO Box 143, Northbridge WA 6865.

This is not an exhaustive list, and matters can be reported to anyone identified in the legislation, Part 9.4AAA of the *Corporations Act 2001* (Cth).

Bethanie maintains an independent service to support the reporting of whistleblower disclosures and the anonymity of Disclosers. Reports can therefore also be made externally from the organisation by contacting:

- By mail: The FairCall Manager KPMG Forensic PO Box H67 Australia Square Sydney NSW 1213
- On-line: <https://www.kpmgfaircall.kpmg.com.au/Bethanie>
- or by phone: 1800 500 965



## 4.2.2 How the matter will be investigated

The individual to whom the Whistleblower makes a report will identify an investigating officer. While the unique circumstances of the report may require different investigation steps the investigation process will:

- Follow a fair process
- Be conducted as quickly and efficiently as the circumstances permit
- Determine if there is enough evidence to substantiate the matters reported
- Be independent of any person or persons concerned with the allegation

The process will also allow fair treatment of any individuals who are the subject of a report.

- Reports will be handled confidentially
- Matters reported will be assessed and may be subject to an investigation
- There will be a presumption of innocence until the outcome of the investigation is determined
- The purpose of the investigation is to determine if there is enough evidence to substantiate the matters reported

Bethanie will notify the Whistleblower once an investigation is complete but may not be able to disclose the particular details or the outcome of the investigation.

## 4.2.3 Protection and Support

Bethanie is committed to taking all reasonable steps to protect all Whistleblowers from detriment because of making a report that is in line with this policy. Part 9.4AAA of the *Corporations Act 2001* (Cth) provides protection for Whistleblowers, including provisions to prevent victimisation for anyone making a report in good faith. A report may be made confidentially, and all steps will be taken to protect confidentiality to the extent permitted by law.

Employees and their immediate family members may access confidential support through Bethanie’s Employee Assistance Program.

Bethanie recognises that Whistleblowers may seek legal advice before making a report. Employees will not be penalised for obtaining independent legal advice.

## 5 Consequences of Policy Breach

- This policy is binding on Bethanie employees, as per Section 2: Scope and Applicability.
- Roles and Responsibilities in relation to this policy are set out in Section 7 below.
- A breach of this policy may, in some circumstances, result in disciplinary action.

## 6 Roles and Responsibilities

Role	Responsibilities
Chair of Bethanie Group Inc Board Chair of Risk and Assurance Committee Chair of Bethanie Housing Limited Board	<ul style="list-style-type: none"> <li>• Identify an investigating officer for matters raised directly to the Board of Directors via email or post</li> </ul>
Executive Team, Managers	<ul style="list-style-type: none"> <li>• Identify an investigating officer for matters raised directly to a Line Manager or one of the Bethanie Executives</li> </ul>
All Bethanie Employees	<ul style="list-style-type: none"> <li>• Any matter or behaviour that contravenes Bethanie’s Code of Conduct, practices, or the law, should be reported to an immediate supervisor or manager.</li> </ul>



	<ul style="list-style-type: none"> <li>Alternatively, matters can be raised directly with any member of the Executive Management Team (provided they are not a suspected party to the reportable matter)</li> </ul>
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## 7 Committees and Working Groups

Committee / Working Group	Contribution
N/A	

## 8 Related Documents

<b>Legislation</b>
<i>Aged Care Amendment (Security &amp; Protection) Act 2007 (Cth)</i>
<i>Aged Care Act 1997</i>
<i>Corporations Act 2001 (Cth)</i>
<b>Governance frameworks &amp; policies</b>
<i>Code of Conduct</i>
<i>Bethanie Behaviours</i>
<i>Grievance Resolution Policy</i>
<b>Standards</b>
<i>Whistleblowing protections are covered in the Aged Care Act itself</i>
<b>References</b>
<i>&lt;List external sources consulted in preparing the policy&gt;</i>

## 9 Document Control

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