

Whistleblower Policy

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Approved	Board	Review date	October 2026

Policy Statement

Lutheran Homes Group (LHG) is committed to fostering a culture of integrity, transparency, and accountability. We encourage employees, volunteers, contractors, residents, families, carers, and other stakeholders to raise concerns about misconduct or wrongdoing without fear of reprisal.

This Policy provides a safe and confidential avenue for disclosures and outlines the protections available to whistleblowers under both the *Corporations Act 2001* (Cth) and the *Aged Care Act 2024* (Cth).

- The Aged Care Act applies to disclosures about care, services, resident safety, and compliance with aged care obligations.
- The Corporations Act applies to disclosures that concern misconduct, or an improper state of affairs or circumstances, including financial or corporate misconduct, fraud, conduct that represents a danger to the public or the financial system, or breaches of the Corporations Act or financial laws.

LHG will protect whistleblowers from retaliation, safeguard their confidentiality, and ensure concerns raised in good faith are managed appropriately, fairly, and promptly. In some instances, it may be appropriate to refer some matters to external bodies.

Purpose

The purpose of this Policy is to:

- Encourage and support individuals to disclose genuine concerns about wrongdoing.
- Explain what matters should be reported and how disclosures can be made.
- Outline the protections and support available to whistleblowers.
- Demonstrate LHG's commitment to fair treatment of those named in disclosures.
- Ensure alignment with legislative requirements, including the *Aged Care Act 2024* and *Corporations Act 2001*.

Scope

This Policy applies to:

- Employees and board members
- Contractors, consultants, and suppliers (including their employees)
- Volunteers providing care or services
- Residents, family members, carers, representatives, and advocates
- Any other eligible persons as defined under the *Aged Care Act* or *Corporations Act*

Definitions

Aged Care Act	<i>Aged Care Act 2024</i> (Cth).
Corporations Act	<i>Corporations Act 2001</i> (Cth).
Disclosure	Information provided about actual or suspected wrongdoing.
Eligible Person/ Whistleblower Protections Officer	<p><i>Aged Care Act</i>: employees, volunteers, residents, family members, carers, advocates.</p> <p><i>Corporations Act</i>: employees, officers, contractors, suppliers, associates, relatives of employees.</p>
Eligible Recipient	<p><i>Aged Care Act</i>: Aged Care Quality & Safety Commission, Department of Health & Aged Care, Complaints Commissioner, police, independent aged care advocates, responsible persons within LHG.</p> <p><i>Corporations Act</i>: officers of LHG, auditors of LHG, ASIC, APRA, ATO, your lawyer.</p>
Whistleblower	A person making a disclosure that qualifies for legal protection.
Wrongdoing or Misconduct	Conduct that is illegal, unethical, dishonest, fraudulent, corrupt, coercive, harassing, victimising, discriminatory, misleading or deceptive, or that breaches legal obligations or LHG policies. It includes conduct that may cause harm to residents, staff, LHG's reputation or resources, or the public.
Personal Work-Related Grievance	<p>A grievance about a matter that relates solely to an individual's current or former employment or engagement with LHG and does not have significant implications for LHG or other parties. Examples include interpersonal conflict, decisions about transfers or promotions, or disciplinary actions.</p> <p>Such grievances are not covered by this Procedure unless:</p> <ul style="list-style-type: none"> • They include information about broader misconduct (mixed report); • They involve a breach of law by LHG; or <p>They involve actual or threatened detriment for making a disclosure.</p>

Policy Detail

Protections Available

Whistleblowers are protected from the following occurring because of their protected Disclosure:

- Termination of employment or service
- Disadvantage in duties, roles, or conditions
- Discrimination, harassment, or intimidation
- Damage to reputation, financial position, or property
- Any other form of victimisation or retaliation

Under both the *Corporations Act* and *Aged Care Act*, whistleblowers are also protected by:

- Legal immunity from civil, criminal, or administrative liability (for making a protected disclosure)
- Confidentiality of their identity (unless disclosure is required or permitted by law)
- Protection from victimisation, including avenues for compensation if harm occurs
- The right to remain anonymous

Additional *Aged Care Act* obligations:

- Providers must maintain a whistleblower system and policy as a condition of registration.
- Providers must provide regular staff training and communication encouraging disclosures.
- Records of disclosures must be confidentially retained for at least 7 years.

Additional *Corporations Act* provisions:

- Includes protections for disclosures relating to taxation matters reported to the ATO.
- Covers a broader range of corporate and financial misconduct beyond aged care services.

Anonymity

A whistleblower can elect to remain anonymous while making a disclosure, during the investigation and after it is finalised. A whistleblower is not obliged to answer any questions that they feel could reveal their identity at any time. LHG will protect the anonymity of whistleblowers using various mechanisms (for example, using pseudonyms for the whistleblower's name).

While we will always respect a whistleblower's request for anonymity, it is important to note that this can sometimes limit our ability to conduct a thorough investigation, as the person subject of the complaint has a right to fully understand and respond to the allegations raised.

Disclosures

Anyone can report a wrongdoing, but not every report will be legally recognised as a Disclosure and receive the associated legal protections. A whistleblower disclosure is a special kind of disclosure that meets three sets of criteria:

- The disclosure must be made by an eligible person;
- The disclosure must be made to an eligible recipient; and
- The disclosure must be about suspected wrongdoing or misconduct with respect to LHG

Eligible Recipients

An eligible recipient is defined as follows under each Act:

Aged Care Act:

- Aged Care Quality & Safety Commission, Department of Health & Aged Care, Complaints Commissioner, police, independent aged care advocates, and responsible persons within LHG.

Corporations Act:

- officers of LHG, senior managers of LHG, auditors, actuaries, ASIC, APRA, ATO, or your own lawyer for the purposes of seeking legal advice.

Where disclosures cover both aged care matters and corporate/financial misconduct, protections under both Acts may apply simultaneously.

A whistleblower may make a disclosure of wrongdoing or misconduct through the following internal channels to LHG's eligible recipients:

Where the conduct concerns:	Report to:	Through MyConcern or by email to:
All person involved in LHG operations (excluding those listed below)	General Manager, Risk and Compliance (Ordinarily known as the Whistleblower Protections Officer)	MyConcern: https://lhi.buzz-er.com/myconcern Email: disclosures@lutheranhomes.com.au
Board Chair	Chair, Governance Committee	Email only: BoardChair@lutheranhomes.com.au Subject line to include "For the Chair, Governance Committee only"
A Board Director or the Chief Executive Officer	Board Chair	Email only: GovernanceChair@lutheranhomes.com.au Subject line to include "For the Board Chair only"
General Manager, Risk and Compliance	Chief Executive Officer	Email only: CEO@lutheranhomes.com.au Subject line to include "For the Chief Executive only"

Eligible Content

To qualify as a whistleblower disclosure, the person making the report must have reasonable grounds to suspect that wrongdoing or misconduct has occurred.

For the purposes of this policy, wrongdoing or misconduct means conduct that is illegal, unacceptable or undesirable, or the concealment of such conduct, and includes conduct that:

- is against the law or is a failure by LHG to comply with any legal obligation including under the *Aged Care Act* or *Corporations Act*;
- is unethical or breaches LHG policies;
- is dishonest, fraudulent or corrupt, or amounts to coercion, harassment, victimisation or discrimination;
- is misleading or deceptive conduct of any kind (including conduct or representations that amount to improper or misleading accounting or financial reporting practices either by, or affecting, LHG);
- is potentially damaging to LHG, an employee or a third party, including unsafe work practices, environmental damage, health risks or substantial wasting of LHG resources;
- may cause financial loss to LHG or damage its reputation or be otherwise detrimental to LHG;
- may be misconduct, an improper state of affairs or circumstances in relation to the financial affairs of LHG; or
- involves any other serious impropriety.

Non-Eligible Content

Personal work-related grievances are not wrongdoing or misconduct. This may include:

- an interpersonal conflict between employees of LHG;
- a decision by LHG that does not involve a breach of workplace laws;
- a decision by LHG about the engagement, transfer or promotion of an employee;

- a decision by LHG about the terms and conditions of engagement of an employee; or
- a decision by LHG to suspend or terminate the engagement of an employee or contractor, or otherwise discipline an employee.

If an individual has a grievance about this type of matter the individual should follow the LHG Grievance & Dispute Resolution Procedure.

However, a personal work-related grievance may qualify for protection if:

- it includes information about misconduct, or information about misconduct is accompanied by a personal work-related grievance (mixed report)
- the grievance results from a breach by LHG of any law, or
- the grievance results from actual or threatened Detriment following the making of a Disclosure.

Notwithstanding this policy, any concerns held by an employee related to conduct that is unlawful, unethical or in breach of a LHG policy should, where possible, be reported and dealt with through the usual LHG line management arrangements and organisational policies in the first instance.

Roles and Responsibilities

Board of Directors

- Oversee the effectiveness of LHG's whistleblower framework, including regular review of de-identified reports and trends.
- Ensure independence and appropriate oversight in matters involving the CEO or Executive team.
- Receive reports of significant disclosures where appropriate, particularly those involving systemic issues or allegations relating to senior executives or Board members.

Chief Executive Officer (CEO)

- Ensure that whistleblower protections and reporting mechanisms are embedded across the organisation.
- Ensure this Policy is effectively implemented and periodically reviewed.
- Escalate serious disclosures (e.g. those involving systemic risk, significant misconduct, or senior executives) to the Chair of the Board.

General Manager, Risk and Compliance (Whistleblower Protection Officer)

- Act as a primary internal recipient of disclosures.
- Oversee the operational management of disclosures, including recording, assessment, investigation coordination, and reporting.
- Determine whether a disclosure falls under the Aged Care Act, Corporations Act, or both, and ensure appropriate handling under each regime.
- Monitor the MyConcern reporting tool and redirect disclosures to the appropriate Whistleblower Protection Officer as required.
- Ensure timely reporting to the CEO and Board on themes, systemic issues, and emerging risks while maintaining confidentiality.
- Safeguard whistleblowers from victimisation or detriment.

Whistleblower Protection Officers/ Eligible Recipients

(e.g. Board Chair, CEO, GM Risk & Compliance — depending on the disclosure pathway)

- Receive disclosures made in accordance with this Policy.
- Conduct preliminary assessments to determine whether disclosures meet the threshold for protection and investigation.
- Ensure confidentiality, security, and timely handling of disclosures.
- Appoint appropriate investigators (internal or external) where required.

- Keep whistleblowers informed, where possible, about the status and outcome of their disclosure.
- Ensure that any investigation is conducted in a fair, independent, and confidential manner.

People and Culture

- Support investigations where required, including providing advice on workplace matters, disciplinary procedures, and employee support.
- Provide training and awareness to managers and employees on whistleblower processes and protections.
- Assist in implementing protection measures for whistleblowers (e.g. workplace adjustments, access to support services).

Managers and Supervisors

- Promote awareness of this Policy and support staff in understanding reporting obligations and protections.
- Refer any disclosures received to a Whistleblower Protection Officer immediately and treat information confidentially.
- Cooperate with investigations as required and support a culture free from victimisation or retaliation.

Employees, Volunteers, Contractors, and Other Eligible Persons

- Familiarise themselves with the Whistleblower Policy.
- Report suspected wrongdoing or misconduct in good faith through appropriate internal or external channels.
- Maintain confidentiality and cooperate with investigations as required.

Non-Compliance

Failure of an employee to comply with this policy may result in disciplinary action, up to and including termination of employment.

Availability of this Policy

This policy will be available to all employees and officers of LHG through CompliSpace.

Related Documents and Legislation

LHG Whistleblower Procedure

LHG Leave policy

LHG Investigations and Disciplinary Management Procedure

Aged Care Act 2024 (Cth)

Aged Care Quality and Safety Commission Act 2018 (Cth)

Corporations Act 2001 (Cth)

Document Revision History

Version	Date	Description of changes	Approved by
1.0	October 2025	Initial Document	Board