

	<b>Whistleblower Protection Policy</b>	BP-020
		Version: 003
		Effective date: 01 Nov 2025

1 Purpose

This policy sets out how Community Transport Services Tasmania (CTST) enables and protects disclosures of wrongdoing (“whistleblower disclosures”), in accordance with the *Aged Care Act 2024 (Cth)*, the *Corporations Act 2001 (Cth)* and the *National Disability Insurance Scheme Act 2013 (Cth)*. It encourages people to raise concerns about misconduct without fear of retaliation, ensures proper handling of disclosures, protects whistleblowers from detrimental treatment, and supports compliance with both legislative frameworks.

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## 2 Policy Statement

Whistleblowing can be an effective way of uncovering fraud and other misconduct which may not be identified by internal or external controls within an organisation. CTST is committed to the principles of transparency and accountability and views whistleblowing as an opportunity to reflect upon organisational procedures and promote an ethical culture.

Where a member of the Board, employee, volunteer, contractor, associate of the organisation or service user (including their family, supporters, carers and independent advocates) believes, on reasonable grounds, that another person or persons associated with the organisation has been involved in illegal, improper or unethical conduct, they are encouraged and supported to report the conduct without reprisal or consequence.

CTST will treat all disclosures made under its Whistleblower policy in the same way, regardless of whether the matter qualifies for protection under Australia's Whistleblower laws.

## 3 Definitions

<b>Anonymous Whistleblower</b>	Their identity is not known by anyone, including those who receive and investigate the Qualifying Disclosure.
<b>Confidentiality</b>	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 report but is protected from the broader organisation and public.
<b>Detriment</b>	Any retaliation or adverse treatment because of making a disclosure.
<b>Disclosure</b>	A disclosure of information relating to wrongdoing whether suspected or actual.
<b>Eligible recipient</b>	An individual who can receive a disclosure.
<b>Whistleblower</b>	A person who has made a disclosure that qualifies for protection under the <i>Corporations Act 2001 (Cth)</i> or the <i>Aged Care Act 2024 (Cth)</i> .
<b>Whistleblower protection officer (WPO):</b>	The role under an organisation's Whistleblower policy that is responsible for protecting or safeguarding disclosers and ensuring the integrity of the reporting mechanism.

## 4 Associated Standards and Documents

- *Corporations Act 2001*
- *Tax Administration Act 1953*
- *Fair Work Act 2009*
- *Aged Care Act 2024* Sections 547-554
- *Aged Care Rules 2025* Sections 1645-40, 165-45, 165-50, 165-55 and 165-60
- *National Disability Insurance Scheme Act 2013 (Cth)*
- OP-053 Whistleblower Protection Policy (Aged Care Act)
- PRO-066 Whistleblower Protection Procedure

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## 5 Roles and responsibilities

<b>Board</b>	<ul style="list-style-type: none"> <li>Ensure oversight, compliance, and culture of transparency</li> </ul>
<b>CEO</b>	<ul style="list-style-type: none"> <li>Implementing CTST's Whistleblower protection policy</li> <li>Promote the policy, ensure investigations are fair and confidential</li> <li>Informing the discloser/Whistleblower of the progress and outcomes of investigations</li> </ul>
<b>Whistleblower Protection Officer (WPO)</b>	<ul style="list-style-type: none"> <li>Initial response to an accusation of wrongdoing</li> <li>Ensuring the protection and/or anonymity of the Whistleblower, where possible</li> <li>Conducting or assisting in investigations into alleged wrongdoings</li> <li>Monitoring for retaliation during and after any investigation</li> <li>Whistleblower protection system improvements</li> </ul>
<b>Executive Manager People &amp; Workplace Relations</b>	<ul style="list-style-type: none"> <li>Providing support and referrals for both Whistleblower and those accused of wrongdoing</li> </ul>

## 6 Disclosures

There are three different types of disclosures that this Whistleblower protection policy applies to (disclosures outside of this policy may be protected under other legislation, such as the *Fair Work Act 2009* and these will be managed under legal advice and in line with other relevant policy).

<b>Disclosable matters</b>	<ul style="list-style-type: none"> <li>Matters that qualify for protection under the <i>Corporations Act 2001</i></li> <li>CTST considers the following to be disclosable matters: <ul style="list-style-type: none"> <li>illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property;</li> <li>fraud, money laundering or misappropriation of funds;</li> <li>offering or accepting a bribe;</li> <li>financial irregularities;</li> <li>failure to comply with, or breach of, legal or regulatory requirements; and</li> <li>engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure.</li> </ul> </li> <li>Disclosable matters include conduct that may not involve a contravention of a particular law. Information that indicates a</li> </ul>
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	<p>significant risk to public safety or the stability of/confidence in CTST's financial system is also a disclosable matter.</p> <ul style="list-style-type: none"> <li>• A discloser can still qualify for protection even if their disclosure turns out to be incorrect.</li> </ul>
<b>Qualifying Disclosure</b>	<ul style="list-style-type: none"> <li>• Matters that qualify for protection under the <i>Aged Care Act 2024</i> and <i>Aged Care Rules 2025</i></li> <li>• A disclosure qualifies for protection if the Discloser has reasonable grounds to suspect a contravention of the <i>Aged Care Act 2024</i>, and the disclosure is made orally or in writing, including anonymously – to any of the following: <ul style="list-style-type: none"> <li>○ an Appointed Commissioner or member of the Department of Health and Aged Care Quality and Safety Commission;</li> <li>○ the System Governor or an official of the Department of Health and Aged Care;</li> <li>○ a registered provider, a reasonable person of a registered provider, or an aged-care worker of a registered provider;</li> <li>○ a police officer; or</li> <li>○ an independent aged-care advocate</li> </ul> </li> </ul>
<b>Protected disclosures</b>	<ul style="list-style-type: none"> <li>• Matters that qualify for protection under the <i>NDIS Act 2013</i></li> <li>• Protected disclosures can be made about breaches of the NDIS Act by current employees of NDIS providers as well as by a participant who is receiving a support or service (or their family member, carer or significant other), and by a supplier of goods or services to the NDIS provider.</li> </ul>

Disclosures that relate solely to personal work-related grievances, do not qualify for protection under this Policy and will be managed in line with OP-034 Grievance Policy.

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

- it includes information about misconduct, or information about misconduct includes or is accompanied by a personal work-related grievance (mixed report);
- the organisation has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the discloser's personal circumstances;
- the discloser suffers from or is threatened with detriment for making a disclosure; or
- the discloser seeks legal advice or legal representation about the operation of the Whistleblower protections under the *Corporations Act 2001*.

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## 7 Reporting a disclosure

### *Internal reporting*

Reports can be made internally to the Whistleblower Protection Officer (WPO):

Name	Position	Phone Number	Email address
Shelly Forster	Executive Manager Resilience & Quality	0478 755 004	Shelly.forster@ctst.org.au

If the disclosure concerns the WPO, the report can be made to either the Chief Executive Officer or another member of the Executive Management Team:

Name	Position	Phone Number	Email address
Lyndon Stevenson	CEO	0438 308 100	<a href="mailto:lyndon@ctst.org.au">lyndon@ctst.org.au</a>
Heath Dillon	CFO	0419 318 806	<a href="mailto:heath.dillon@ctst.org.au">heath.dillon@ctst.org.au</a>
Tracey Doedens	Executive Manager People and Workplace Relations	0408 287 757	<a href="mailto:tracey.doedens@ctst.org.au">tracey.doedens@ctst.org.au</a>
Rohan Twining	Executive Manager Service Delivery	0414 186 794	<a href="mailto:Rohan.twining@ctst.org.au">Rohan.twining@ctst.org.au</a>

If the disclosure concerns all of the Executive Management Team, the report can be made to the Chair of the Board.

### *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:

- Aged Care Quality and Safety Commission (ACQSC)
- Australian Securities and Investments Commission (ASIC)
- Australian Federal Police (AFP) – in the case of serious illegal conduct
- Department of Health, Disability and Ageing
- Legal Practitioner (for legal advice)
- Independent Aged Care advocate
- NDIS Quality and Safeguards Commission
- National Disability Insurance Agency

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Qualifying disclosers under the *Aged Care Act 2024* can elect for their disclosure to be managed as either a complaint or feedback and can withdraw their disclosure at any time.

## 8 Who is an “eligible Whistleblower”

Under this policy, an eligible Whistleblower is an individual who is, or has been, any of the following in relation to the organisation: Board member, employee, volunteer, contractor, associate of CTST, supplier of goods or services to CTST or a service user (including their family, supporters, carers and independent advocates):

### *Whistleblower under the Aged Care Act 2024*

Anyone can make a whistleblower disclosure under the *Aged Care Act 2024*, and they can make a report if they believe CTST hasn't followed aged care laws. A disclosure may also be a complaint or feedback. It is the reporter's choice whether they wish to make a complaint, provide feedback, or make a disclosure.

### *Whistleblower under the National Disability Insurance Scheme Act 2013*

A disclosure will for protection as a Whistleblower if it is about a breach of the NDIS Act by current employees or a participant who is receiving a support or service (or their family member, carer or significant other), and by a supplier of goods or services to the NDIS provider.

The Whistleblower must inform CTST of their name, have reasonable grounds to suspect a contravention of the NDIS Act by CTST, and must make the disclosure in good faith.

### *Whistleblower under the Corporations Act 2001*

A discloser will qualify for protection as a Whistleblower under the *Corporations Act 2001* if they are an eligible Whistleblower in relation to CTST *and*:

- they have made a disclosure of information relating to a 'disclosable matter' directly to the WPO or to ASIC, APRA or another Commonwealth body prescribed by regulation;
- they have made a disclosure to an auditor of CTST
- they have made a disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the Whistleblower provisions in the *Corporations Act 2001*; or
- they have made an 'emergency disclosure' or 'public interest disclosure'.

Further information on making an external disclosure can be accessed here: [ASIC Information Sheet 239 How ASIC handles Whistleblower reports](#).

Disclosures can be made to a journalist or parliamentarian under certain circumstances and qualify for protection. It is important for the whistleblower to understand the criteria for making a public interest or emergency disclosure. The disclosure must have previously been made to ASIC, APRA or a prescribed body, and the discloser must notify this body that they intend to make a public interest

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disclosure.

A discloser should contact an independent legal adviser before making a public interest disclosure or an emergency disclosure.

## 9 Anonymous reporting

Disclosures can be made anonymously and still be protected under the *Corporations Act 2001* and *Aged Care Act 2024*.

The WPO will receive and seriously consider anonymous reports 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 disclosure of non-identifying information is reasonably necessary to investigate the matter, CTST will take all reasonable steps to minimise the risk of identifying the Discloser.

## 10 Legal protections for disclosers

Protections apply not only to internal disclosures, but to external disclosures made in accordance with the *Corporations Act 2001* and *Aged Care Act 2024*.

### Identity protection (confidentiality)

CTST has a legal obligation to protect the confidentiality of a discloser's identity and cannot disclose information that is likely to lead to the identification of the discloser.

An exception to this confidentiality obligation is if a person discloses the identity of the discloser:

- to ASIC, APRA, or a member of the Australian Federal Police (within the meaning of the *Australian Federal Police Act 1979*);
- to a legal practitioner (for the purposes of obtaining legal advice or legal representation about the Whistleblower provisions in the *Corporations Act 2001*);
- to a person or body prescribed by regulations; or
- with the consent of the discloser.

A person can disclose the information contained in a disclosure with or without the discloser's consent if:

- the information does not include the discloser's identity;
- the organisation has taken all reasonable steps to reduce the risk that the discloser will be identified from the information (e.g. removing the discloser's name, position title and other identifying details);
- it is reasonably necessary for investigating the issues raised in the disclosure; or

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d) required by law (for example to a regulatory body to protect health and safety).

A discloser can lodge a complaint with CTST about a breach of confidentiality, by contacting the Quality, Safety and Risk team.

A discloser may also lodge a complaint with a regulator, such as ASIC, APRA or the ATO, for investigation.

#### **Protection from detrimental acts or omissions**

CTST or any individual cannot engage in conduct that causes detriment to a discloser (or another person), in relation to a disclosure, if:

- a) they believe or suspect that the discloser (or another person) made, may have made, proposes to make or could make a disclosure that qualifies for protection; and
- b) the belief or suspicion is the reason, or part of the reason, for the conduct.

In addition, CTST (or any individual) cannot make a threat to cause detriment to a discloser (or another person) in relation to a disclosure. A threat may be express or implied, or conditional or unconditional. A discloser (or another person) who has been threatened in relation to a disclosure does not have to actually fear that the threat will be carried out.

The Whistleblower has 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.

#### **Compensation and other remedies**

A discloser (or any other employee or person) can seek compensation and other remedies through the courts if:

- a) they suffer loss, damage or injury because of a disclosure; and
- b) CTST failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

Disclosers to seek independent legal advice in relation to compensation and other remedies.

#### **Civil, criminal and administrative liability protection**

A discloser is protected from any of the following in relation to their disclosure:

- a) civil liability (e.g. any legal action against the discloser for breach of an employment contract, duty of confidentiality or another contractual obligation);
- b) criminal liability (e.g. attempted prosecution of the discloser for unlawfully releasing information, or other use of the disclosure against the discloser in a prosecution (other than for making a false disclosure)); and
- c) administrative liability (e.g. disciplinary action for making the disclosure).



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These protections do not grant immunity for any misconduct a discloser has engaged in that is revealed in their disclosure.

## 11 Ensuring fair treatment of individuals mentioned in a disclosure

CTST will ensure the fair treatment of our employees and volunteers, who are mentioned in a disclosure that qualifies for protection, including those who are the subject of a disclosure.

CTST will implement the following measures and mechanisms to ensure the fair treatment of employees and volunteers mentioned in a disclosure that qualifies for protection:

- disclosures will be handled confidentially, when it is practical and appropriate in the circumstances;
- each disclosure will be assessed and may be the subject of an investigation;
- the objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported;
- when an investigation needs to be undertaken, the process will be objective, fair and independent;
- an employee/volunteer who is the subject of a disclosure will be advised about the subject matter of the disclosure as and when required by principles of natural justice and procedural fairness and prior to any actions being taken—for example, if the disclosure will be the subject of an investigation; and
- an employee who is the subject of a disclosure may contact CTST's support services (e.g. EAP provider).

## 12 Awareness and education of this policy

CTST 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.

CTST will:

- provide mandatory training for all staff, contractors 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;
- train managers and designated Whistleblower Protection Officers (WPOs) in handling disclosures, maintaining confidentiality and supporting both whistleblowers and individuals named in Qualifying Disclosure; and
- Advise stakeholders who may make whistleblower disclosures under the Aged care Act 2024 of their rights under this policy on a monthly basis.

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### 13 Development and review of this policy

This policy is established in consultation with management, employees, volunteers and, where appropriate, service users and their representatives, including consideration of their views on reporting mechanisms and protections.

The Board is responsible for fostering a culture of 'speaking up' within CTST, and for evaluating the Policy and making improving its effectiveness.

The CEO is responsible for implementing this policy within CTST.

This policy will be formally reviewed at least every 12 months and immediately following any regulatory changes to whistleblower requirements. Every 12 months the Whistleblower protection system will be reviewed for its effectiveness.

Any amendments will be approved by the Board and communicated to all staff, volunteers, contractors and where relevant, service users, their families and advocates.

## DOCUMENT CONTROL

Version	Document Owner / Author	Date of update	Rationale for change	Summary of changes
<b>1.0</b>	Shelly Forster, Executive Manager Resilience & Quality	3 Nov 2025	Updates required to make compliant to new Aged Care Act 2024	Rewrite of policy

	Role	Name
<b>Document owner</b>	CTST Board	CTST Board
<b>Prepared by</b>	Exec Manager Resilience & Quality	Shelly Forster
<b>Validated by</b>	CEO	Lyndon Stevenson
	CFO	Heath Dillon
	Exec Manager People & Workplace Relations	Tracey Doedens
<b>Approved by</b>	CTST Board 25 November 2025	CTST Board

Review, approval and date of issue information is held in the CTST document management system.

Restrictions of use	For internal use only. Cannot be used externally without approval of Executive Manager Resilience & Quality
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