Whistleblowers[1]

POLICY STATEMENT

Sunrise Home Care and Sunrise Supported Living are committed to enabling the reporting of wrongdoing within the organisation and supports this through the promotion of a workplace free of unacceptable behaviour and serious misconduct. We are committed to addressing and investigating reported misconduct and rectifying proven wrongdoing.

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1 PURPOSE

The purpose of this policy is to provide a clear framework for reporting concerns about misconduct, unethical behaviour, or breaches of legal or regulatory obligations, and to ensure that individuals who make disclosures in good faith are protected from reprisal or detrimental treatment.

2 SCOPE

This policy applies to all current and former employees, contractors, volunteers, and board members of Sunrise Home Care and Sunrise Supported Living, as well as any individuals who have a business

[1] Australian Government ASIC Media Release 19-308MR ASIC gives guidance on companies' whistleblower policies and relief to small not-for-profits Website Accessed April 2024. ASIC is providing relief to not for profits or charities with annual revenue of less than $1 million from the requirement to have a written whistleblower policy. They are, however; still bound by the whistleblower protections legislation (See above link to 19-308 Media Release). GGJ Consultants recommend that all organisations have a written policy as it clarifies responsibilities and processes for whistleblowers and other people involved in whistleblower disclosures

relationship with the organisation. It covers the reporting and management of concerns related to misconduct, illegal or unethical behaviour, and breaches of policies or regulations connected to Sunrise's operations.

3 OVERVIEW[2]

This policy is endorsed by the Leadership Team and the Board following consultation with workers to ensure it supports simple and clear reporting and resolution processes in response to the identification of illegal, inappropriate, or unethical conduct.

A summary of this policy and contact details for our Employee Assistance Program (EAP) are included in the Employee Handbook, that is provided to all workers on commencement and when updated.

4 WHY HAVE A WHISTLEBLOWER POLICY?[3]

We have a whistleblower policy to:

- Encourage disclosures of wrongdoing
- Help deter wrongdoing, in line with our risk management and governance framework
- Ensure individuals who disclose wrongdoing (whistleblowers) can do so safely, securely and with confidence that they will be protected and supported
- Ensure whistleblower's reports (disclosures) are dealt with appropriately and in a timely manner
- Provide transparency around our process for receiving, handling, and investigating disclosures
- Support our values and code of conduct
- Support our long-term sustainability and reputation and
- Meet our legal and regulatory obligations.

If we are to achieve this purpose it is important that all employees (and non-employees) who are aware of possible wrongdoing have the confidence to speak up knowing that they are fully supported by Sunrise and the whistleblower legislation.

5 WHO CAN BE A WHISTLEBLOWER?[4]

Anyone who is or has been any of the following in Sunrise can be a whistleblower:

- An officer or employee (e.g. current and former employees who are permanent, part-time, fixed-term or temporary, managers, and board members/directors)
- A supplier of services or goods (whether paid or unpaid), including their employees (e.g. current and former contractors, consultants, service providers and business partners)
- An associate of Sunrise and
- A relative, dependent or spouse of current and former employees, contractors and associates.

A person qualifies for protection as a whistleblower under the Corporations Act if they are an eligible whistleblower, as per the above, and:

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2 Information on whistleblowers is taken from: Australian Government Australian Securities and Investment Commission (ASIC) [Regulatory Guide 270: whistleblower policies] (A copy is included in Forms/Resources)

3 ASIC [Regulatory Guide 270: whistleblower policies] 2019 RG 270.39 to 270.40

4 ASIC [Regulatory Guide 270: whistleblower policies] 2019 RG 270.41 to RG270.46

- They have made a report relating to a 'disclosable matter' directly to an 'eligible recipient' (See below Who Can a Whistleblower Report to?) or to ASIC, APRA or another Commonwealth body prescribed by regulation
- They have made a report 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, or
- They have made an 'emergency disclosure' or 'public interest disclosure'.

6 WHAT CAN BE REPORTED BY A WHISTLEBLOWER?[5]

The following types of wrongdoing can be reported:

- Physical, psychological, or other abuse of a consumer of our service
- Receiving gifts or monies from a consumer of our service without the permission of a senior manager
- Illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property
- Fraud, money laundering or misappropriation of funds
- Offering or accepting a bribe
- Financial irregularities
- Failure to comply with or a breach of legal or regulatory requirements
- 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.

Disclosable matters include conduct that may not involve a contravention of a particular law. Information that indicates a significant risk to public safety or the stability of, or confidence in, the financial system is also a disclosable matter, even if it does not involve a breach of a particular law.

A whistleblower can still qualify for protection even if their disclosure turns out to be incorrect, except for deliberate false reporting.

6.1 WHAT CANNOT BE REPORTED?

Worker grievances are not included as part of the whistleblower procedure as these are managed through the grievance procedure (See Workforce Development).

Consumer complaints about service delivery are also excluded and are managed through the consumer complaints process (See Complaints and Feedback).

7 WHO CAN A WHISTLEBLOWER REPORT TO?[6]

A whistleblower needs to report concerns to one of the eligible recipients below to qualify for protection as a whistleblower.

If a whistleblower would like to access advice before lodging a report, they can seek advice from our Employee Assistance Program (EAP) or any of the internal or external disclosure recipients.

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[5] ASIC Regulatory Guide 270: whistleblower policies 2019 RG 270.47 to RG270.63

[6] ASIC Regulatory Guide 270: whistleblower policies 2019 RG 270.64 to 270.78

7.1 INTERNAL DISCLOSURE RECIPIENTS

Whistleblowers are encouraged to make a report to our EAP (See Workforce Development) as they have the appropriate skills and knowledge to receive the information and to assist the whistleblower throughout the whole process, while ensuring the rights of the whistleblower. If a whistleblower wishes to report to the EAP they can do so without reporting to any other person in Sunrise.

Alternatively, whistleblowers can report to senior management (Group General Manager and Managers). Senior management will confirm with the whistleblower whether they would like to work with the EAP as they have the specialised knowledge to assist the whistleblower most effectively. If the whistleblower chooses to report to senior management, senior management can request support from the EAP to assist them to manage the disclosure.

If the Whistleblower does not wish to report to senior management, they can report to BaptistCare's Whistleblower Protection Officer via wbo@baptistcare.org.au.

Note: Any eligible recipient who is implicated in a disclosure cannot be involved in any aspect of receiving, handling, or investigating the disclosure except as per the below working with the EAP.

7.2 EXTERNAL DISCLOSURE RECIPIENTS

Whistleblowers can report to:

- Stopline Whistleblower Hotline

  Available 24 hours a day, 7 days a week

  Toll free telephone call: 1300 30 45 50

  Email: makeareport@stopline.com.au

  Post to: BaptistCare c/o Stopline, PO Box 403, Diamond Creek VIC 3089
- Regulatory bodies or law enforcers relevant to the report. For example, ASIC (Australian Securities and Investment Commission) for breaches of company law. The ATO (Australian Taxation Office) for breaches of tax law and to APRA (Australian Prudential Regulation Authority) for breaches of financial requirements.
- Legal practitioners.
- Journalists or members of Commonwealth, State or Territory parliaments for public interest or emergency disclosures.[7]

Whistleblowers can also report other misconduct to ASIC and if not in their remit, ASIC may refer the whistleblower to another regulator or law enforcer.

8 HOW TO MAKE A DISCLOSURE[8]

A whistleblower can report a disclosure to any eligible recipient in person, by telephone, email or letter at any time. Non-senior management who receive a disclosure are advised to report it to a senior management member, with the discloser's permission, or to advise the whistleblower to report it to senior management.

Contact details of eligible recipients in Sunrise are included in the Internal Telephone Directory and in the Worker's Handbook. This includes the EAP.

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[7] ASIC Regulatory Guide 270: whistleblower policies 2019 RG 270 79 to 270.86

[8] ASIC Regulatory Guide 270: whistleblower policies 2019 RG 270.79 to 270.86

8.1 ANONYMOUS DISCLOSURES

If a whistleblower wishes to report an issue anonymously, they can advise the EAP who will advise a nominated person within Sunrise without identifying the whistleblower. People making anonymous disclosures are still protected by whistleblower legislation.

A whistleblower can choose to remain anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised. A whistleblower can refuse to answer questions that they feel could reveal their identity, including during follow-up conversations.

Where a person wishes to remain anonymous, Sunrise Home Care would appreciate it if they maintained ongoing two-way anonymous communication so we can ask follow-up questions or provide feedback. At no time will we pressure an anonymous whistleblower to reveal their identity.

9 PROTECTIONS FOR WHISTLEBLOWERS[9]

Protections include:

- Identity protection whereby Sunrise cannot disclose the identity of a whistleblower or information that is likely to lead to their identity. This means no person can engage in actions or make a threat towards a whistleblower because of their disclosure or planned disclosure.
- Protection from detriment, whereby the following are prohibited under law:
  - dismissal of an employee
  - injury of an employee in his or her employment
  - changes to an employee's position or duties that disadvantage them
  - discrimination between an employee and other employees of the same employer
  - harassment or intimidation of a person
  - harm or injury to a person, including psychological harm
  - damage to a person's property
  - damage to a person's reputation
  - damage to a person's business or financial position or
  - any other damage to a person.
- Compensation and other remedies, whereby a whistleblower can seek compensation and other remedies through the courts if:
  - they suffer loss, damage, or injury because of a disclosure, and
  - Sunrise Home Care failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.
- Civil, criminal, and administrative liability protection, whereby a whistleblower is protected from any of the following in relation to their disclosure:
  - civil liability (e.g. any legal action against the whistleblower for breach of an employment contract, duty of confidentiality or another contractual obligation)
  - criminal liability (e.g. attempted prosecution of the whistleblower for unlawfully releasing information, or other use of the disclosure against the whistleblower in a prosecution, other than for making a false disclosure) and

[9] ASIC Regulatory Guide 270: whistleblower policies 2019 RG 270.87 to 270.105

  - administrative liability (e.g. disciplinary action for making the disclosure). Note that the protections do not grant immunity for any misconduct a whistleblower has engaged in that is revealed in their disclosure.

10 WORKING WITH THE EMPLOYEE ASSISTANCE PROGRAM (EAP)

Where the whistleblower has reported a disclosure to the EAP, or senior management have requested the EAP to assist with a disclosure, the EAP is responsible for ensuring the whistleblower and senior management are fully informed about the whistleblower process including:

- Who can be a whistleblower?
- What can be reported by a whistleblower?
- Who can a whistleblower report to?
- How to make a disclosure
- Protections and support for whistleblowers
- Handling and investigating a disclosure
- Fair treatment of individuals mentioned in a disclosure
- Keeping a whistleblower informed
- Documenting and reporting findings and
- Review of findings.

If senior management decide not to use the services of the EAP or any other external resource, they will need to follow the process of investigation detailed in the Whistleblower Act.[10]

11 ENSURING THIS POLICY IS ACCESSIBLE TO ALL STAKEHOLDERS[11]

Sunrise ensures all workers and other stakeholders are aware of and have access to our whistleblower policy through:

- Holding team briefing sessions
- Discussing the policy in team meetings
- Making a copy available in the Worker Break Room
- Providing a printout through reception on request
- Posting information on employee noticeboards
- Including the policy as mandatory training
- Including the policy in the employee handbook
- Incorporating the policy in employee orientation information and training for new workers
- Providing workers with a copy of the completed and signed Worker/Volunteer Orientation Checklist, which includes references to ASIC information on whistle blowing, and providing printed copies on of ASIC information and this policy on request
- Promotion of the policy by senior management in meetings with workers and communications to workers.

[10] Note also: Certain companies are required to have a detailed whistleblower policy for handling and investigation, particularly those meeting specific criteria as outlined in the Corporations Act 2001, including Public Companies and Large Proprietary Companies.

[11] ASIC Regulatory Guide 270: whistleblower policies 2019 RG 270.128 to 207.139

12 EDUCATION AND TRAINING

Sunrise provides the following education and training to all workers and senior management to ensure they are aware of our whistleblower policy and that all levels of management, particularly line managers, receive appropriate training in how to effectively deal with disclosures.

Training includes:

- Key arrangements of our whistleblower policy, processes and procedures, including:
  - practical examples of disclosable matters
  - practical information on how to make a disclosure and
  - advice on how whistleblowers can seek further information about the policy if required
- Information related to protecting and supporting whistleblowers, including:
  - the measures the organisation has in place for protecting and supporting whistleblowers
  - practical working examples of conduct that may cause detriment to a whistleblower and
  - the consequences of engaging in detrimental conduct towards the whistleblower
- Information about matters that are not covered by this policy, including
  - practical examples of personal work-related grievances
  - information on other policies (e.g. on bullying and – harassment, workplace health and safety, grievances and code of conduct matters)
  - information on how and where employees can report general employee feedback or personal work-related grievances and
  - practical examples of circumstances where disclosure has led to positive outcomes for Sunrise Home Care and the whistleblower.

The management team from which our whistleblower subcommittee is selected, receive training in the processes and procedures for receiving and handling disclosures, including training relating to confidentiality and the prohibitions against detrimental conduct. This training is provided internally by the People, Safety and Culture team.

Board members also receive training in Sunrise Home Care's commitment and obligations to protecting whistleblowers and the processes to be followed. Training also covers how the whistleblower policy aligns with other policies such as bullying and harassment. This training is provided internally as part of the orientation training for Board members.

Whistleblowers outside of Sunrise Home Care can access our whistleblower policy (minus names and positions) through our website.

13 MONITORING AND REPORTING ON THE EFFECTIVENESS OF THE POLICY

A report is provided to the Board on every disclosure and includes:

- The subject matter of the disclosure
- The status
- The type of person who made the disclosure (e.g. employee or supplier) and their status (e.g. whether they are still employed or contracted)

- The action taken
- How the disclosure was finalised
- The timeframe for finalising the disclosure
- The outcome of the disclosure
- Issues with the process and
- Identified improvements.

The whistleblower policy is reviewed and updated (if necessary) following completion of a disclosure, when there are legislative changes related to whistleblower requirements and when improvements are identified.

Reviews and updates are conducted through our continuous improvement process (See Continuous Improvement).

Changes to legislative requirements are managed through our regulatory compliance process (See Regulatory Compliance).

DOCUMENT INFORMATION

Owner**	People, Safety and Culture Manager
Date Approved	15 April 2025
Review History	Developed: 15 April 2025
Date of review and summary of changes	26/10/2025: Adam McEwan (GGM) Added BaptistCare Whistleblower Protection Officer details and Stopline third party details.
Date of review and summary of changes	
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**The person responsible for ensuring the Procedure is appropriate, followed and maintained up to date.