

Whistleblower Policy - Indigo

Document No: IDG-COR-POL-033

Published Date: 30/10/2025

1. Purpose

This policy supports Indigo Australasia Incorporated (Indigo) to encourage whistleblower disclosures and apply whistleblower protections as an aged care and disability services provider under the *Corporations Act 2001* and the *Aged Care Act 2024*.

2. Scope

This policy applies to anyone making a qualifying disclosure about Indigo.

3. Policy Statement

Indigo's Whistleblower Policy is an important tool designed to provide a secure and confidential mechanism for individuals to report suspected wrongdoing including those related to misconduct, illegal activities, or unethical behaviour within the organisation, without fear of retribution. This policy establishes the framework for how such reports will be received, investigated and addressed, thereby promoting a culture of transparency, integrity and accountability.

Our policy seeks to address the following aims:

- to deter wrongdoing, in line with our organisation's risk management and governance framework;
- to ensure individuals who disclose concerns of wrongdoing can do so safely, securely and with confidence that they will be protected and supported, with their confidentiality maintained;
- to provide transparency around our organisation's framework for receiving, handling and investigating disclosures;
- to ensure that such disclosures contribute to the continuous improvement of Indigo's services and operations;
- to support Indigo's values, as well as Indigo's Employee and Volunteer Code of Conduct Policy;
- to support Indigo's long-term sustainability and reputation; and
- to meet our organisation's legal and regulatory obligations.

4. Roles and Responsibilities

4.1. Whistleblower Protection Officer

Indigo's Whistleblower Protection Officers (WPO's) are:

- Chief Executive Officer
- Board Chair
- Board Deputy Chair
- Treasurer

4.2. Indigo Staff & Board Directors

- Must protect a whistleblower's identity.
- Preserve the anonymity of other parties named in a disclosure.
- Understand their personal obligations as receiver of a disclosure.
- Ensure fair treatment of any party mentioned in the disclosure.
- Comply with this policy and related procedures.
- Comply with legal requests for information.

5. Whistleblower Eligibility

Under this policy an eligible Whistleblower is:

An individual who is, or has been, any of the following in relation to the organisation:

- a) An employee (including current and former employees, interns, managers and directors);
- b) a supplier of services or goods to the organisation (whether paid or unpaid), including their employees (e.g. current and former contractors, consultants, service providers and business partners);
- c) an associate of the organisation;
- d) a relative, dependant or spouse of an individual listed in (a) to (c) (e.g. relatives, dependants or spouse of current and former employees, contractors, consultants, service providers, suppliers and business partners); and
- e) an individual who makes a disclosure that qualifies for protection under Chapter 7, Part 5, of the *Aged Care Act 2024* (an individual who makes a disclosure to an eligible recipient detailed in section 5.2 of this policy)

Under this policy, a discloser will qualify for protection under the *Corporations Act 2001* if they are an eligible Whistleblower in relation to Indigo, and:

- a) they have made a 'qualifying disclosure' to an 'eligible recipient', refer to 4.1 and 4.2;
- b) 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
- c) they have made an 'emergency disclosure' or 'public interest disclosure' in accordance with qualifying criteria.

5.1. Qualifying Disclosures

Disclosures that are not about disclosable matters do not qualify for protection under the *Corporations Act 2001*.

Disclosable Matters

Matters that qualify for protection under the *Corporations Act 2001* are 'disclosable matters'. Disclosable matters involve information that the discloser has reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances, in relation to Indigo.

The following matters are considered qualifying disclosures:

- A breach of the Employee and Volunteer Code of Conduct;
- A breach of aged care law;

- A significant risk to health and safety;
- Fraud, money laundering or misappropriation of funds;
- Illegal behaviour, including criminal behaviour (e.g. theft, illicit drug sale/use, violence or threatened violence and criminal damage against property);
- Activities which may cause serious financial, reputational or operational damage to Indigo;
- Serious or substantial waste, misuse or mismanagement of resources.
- Reprisal or retaliation against a person who has made or was planning to make a disclosure;
- Conflicts of interest that contravene Indigo policies and procedures; or
- Unauthorised use of Indigo's confidential information.

5.2. Eligible Recipient of Qualifying Disclosures

Disclosures that qualify for protection must be made orally or in writing, and can be made anonymously. To qualify for protection, the disclosure must be made to one of the following recipients:

- the Commissioner or a staff member of the Aged Care Quality Safety Commission (ACQSC) or the National Disability Insurance Scheme Quality and Safeguards Commission (NDIS Q&SC);
- the Department of Health, Disability and Ageing, the System Governor, or an official of the Department;
- a responsible person or aged care worker of Indigo;
- a police officer;
- an independent aged care advocate;
- a regulator (Australian Securities and Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA), Australian Taxation Office (ATO), Australian Health Practitioner Regulation Agency (AHPRA);
- a legal practitioner; or
- an Indigo Whistleblower Protection Officer (WPO)

5.3. Emergency Disclosure or a Public Interest Disclosure

Disclosures made to a journalist or parliamentarian can under certain circumstances qualify for protection. It is important for the discloser to understand the specific criteria required to apply whistleblower protection when making a public interest or emergency disclosure. A discloser should contact an independent legal adviser before making a public interest disclosure or an emergency disclosure.

5.4. Personal Work-Related Grievances

Except in circumstances as set out below, this policy does not apply to personal work-related grievances. A personal work-related grievance is one that has implications for a specific person or people but does not also have significant implications for Indigo. Grievances of this

nature should be discussed with your Manager and/or the People and Culture team in accordance with Indigo's grievance process.

A personal work grievance may still qualify for whistleblower protections where there is also an allegation of illegal activity of the organisation, or where the report includes information about misconduct beyond an individual's circumstances that demonstrates a systemic issue, or if a Whistleblower is concerned about victimisation resulting from a protected disclosure under this policy.

6. How to Make a Disclosure

A Whistleblower can report either verbally or in writing. They can choose to have their disclosure managed as a whistleblower disclosure or as a complaint.

To ensure the appropriate protections, those concerned about retaliation should opt for Whistleblower disclosure. A Whistleblower may withdraw their disclosure at any time.

If handled as a complaint, then the matter will remain confidential but no longer be anonymous. Treated as a complaint, Indigo can involve the discloser during resolution, but whistleblower protections do not apply.

Eligible disclosures can be directed internally to:

- **Indigo Whistleblower Protection Officer**

The below Whistleblower email address is monitored by the CEO and Board Chair.

Email: whistleblower@indigo.org.au

Mail: Whistleblower Protection Officer. The Niche, Suite A, 11 Aberdare Road, Nedlands WA 6009.

Phone: 08 9381 0600

Eligible disclosures can be directed externally to the recipients outlined in 5.2 *Eligible Recipient of Qualifying Disclosures* or via the contact details provided below:

- **The Australian Securities and Investments Commission (ASIC)**

[Make a report of misconduct to ASIC | ASIC](#)

1300 300 630

- **Aged Care Quality and Safety Commission (ACQSC)**

[Lodge a complaint | Aged Care Quality and Safety Commission](#)

1800 951 822

- **Department of Health, Disability and Ageing**

[Complaints | Australian Government Department of Health, Disability and Ageing](#)

1800 020 103

- **NDIS Quality and Safeguards Commission**

[Complaints about a provider or worker | NDIS Quality and Safeguards Commission](#)

1800 035 544

- **Indigo's External Auditors – RSM Australia**

7. Anonymous Disclosures

Disclosures can be made anonymously and still be protected under the *Corporations Act 2001 and Aged Care Act 2024*. A discloser may adopt a pseudonym for the purpose of their disclosure to protect their anonymity.

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

A discloser who wishes to remain anonymous should maintain ongoing two-way communication with the organisation, so the organisation can ask follow-up questions or provide feedback.

If a disclosure comes from an email address from which the person's identity cannot be determined, and the discloser does not identify themselves in the email, Indigo will treat it as an anonymous disclosure.

8. Legal Protections for Disclosers

Protections apply not only to internal disclosures, but to disclosures to legal practitioners, regulatory and other external bodies, and public interest and emergency disclosures that are made in accordance with the *Corporations Act 2001*.

8.1. Identity Protection (Confidentiality)

Indigo has a legal obligation to protect the confidentiality of a discloser's identity.

A person cannot disclose the identity of a discloser or information that is likely to lead to the identification of the discloser (which they have obtained directly or indirectly because the discloser made a disclosure that qualifies for protection). An exception to this confidentiality obligation is if a person discloses the identity of the discloser:

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

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

- a) the information does not include the discloser's identity;
- b) Indigo 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); and
- c) it is reasonably necessary for investigating the issues raised in the disclosure.

A discloser can lodge a complaint with Indigo about a breach of confidentiality, as well as with a regulator, such as ASIC, APRA or the ATO, for investigation.

8.2. Protection from Detrimental Acts or Omissions

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

- a) 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) b) the belief or suspicion is the reason, or part of the reason, for the conduct.

In addition, Indigo (or any individual) cannot make a threat to cause detriment to a discloser (or another person) in relation to a disclosure.

Examples of detrimental conduct that are prohibited under the law include the following list:

- a) dismissal of a staff member;
- b) injury of a staff member in their employment;
- c) alteration of position or duties to their disadvantage;
- d) discrimination between an employee and other employees of the same employer;
- e) harassment or intimidation of a person;
- f) harm or injury to a person, including psychological harm;
- g) damage to a person's property;
- h) damage to a person's reputation;
- i) damage to a person's business or financial position; or
- j) any other damage to a person.

Examples of actions that are not detrimental conduct include the following:

- a) administrative action that is reasonable for the purpose of protecting a discloser from detriment, such as moving a discloser who has made a disclosure about their immediate work area to another office to prevent them from detriment; and
- b) managing a discloser's unsatisfactory work performance, if the action is in line with the organisation's performance management framework.

Indigo will strive to ensure that a discloser understands the reason for any administrative or management action.

8.3. 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) Indigo failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

8.4. 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); and
- c) administrative liability (e.g. disciplinary action for making the disclosure).

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

9. Support and Practical Protection for Disclosers

9.1. Identity Protection (Confidentiality)

Indigo will implement the following measures and mechanisms to protect the confidentiality of a discloser's identity, reducing the risk that the discloser will be identified from the information contained in a disclosure:

- all personal information or reference to the discloser witnessing an event will be redacted;
- the discloser will be referred to in a gender-neutral context;
- where possible, the discloser will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them; and
- disclosures will be handled and investigated by qualified staff.

9.2. Protection from detrimental acts or omissions

Indigo will implement the following measures and mechanisms to assess and control the risk of detriment to Whistleblowers:

- processes for assessing the risk of detriment against a discloser and other persons (e.g. other staff who might be suspected to have made a disclosure), which will commence as soon as possible after receiving a disclosure;
- support services (including counselling or other professional or legal services) that are available to disclosers;
- strategies to help a discloser minimise and manage stress, time or performance impacts, or other challenges resulting from the disclosure or its investigation;
- actions for protecting a discloser from risk of detriment - for example, the organisation could allow the discloser to perform their duties from another location, reassign the discloser to another role at the same level, make other modifications to the discloser's workplace or the way they perform their work duties, or reassign or relocate other staff involved in the disclosable matter;
- processes for ensuring that management are aware of their responsibilities to maintain the confidentiality of a disclosure, address the risks of isolation or harassment, manage conflicts, and ensure fairness when managing the performance of, or taking other management action relating to, a discloser;
- procedures on how a discloser can lodge a complaint if they have suffered detriment, and the actions the organisation may take in response to such complaints (e.g. the

complaint could be investigated as a separate matter by an officer who is not involved in dealing with disclosures and the investigation findings will be provided to the board or audit or risk committee); and

- interventions for protecting a discloser if detriment has already occurred - for example, the organisation could investigate and address the detrimental conduct, such as by taking disciplinary action, or the organisation could allow the discloser to take extended leave, develop a career development plan for the discloser that includes new training and career opportunities, or offer compensation or other remedies.

A discloser may seek independent legal advice or contact regulatory bodies, such as ASIC, APRA or the ATO, if they believe they have suffered detriment.

10. Handling and Investigating a Disclosure

10.1. Handling a Disclosure

Indigo will take the following key steps after it receives a disclosure:

- all disclosures will be considered seriously;
- an internal investigation of the facts of the case will be conducted by the People & Culture Manager, with the WPO to verify the allegations made and take further action if necessary;
- an internal investigation will be undertaken if the matter does not necessitate a police investigation; and
- when a report is received, the WPO will use their discretion to decide whether legal advice is required.

Indigo will assess each disclosure to determine whether:

- a) it qualifies for protection; and
- b) a formal, in-depth investigation is required.

10.2. Investigating a Disclosure

On investigation of a disclosure the following steps will be taken:

- Without disclosing the identity of the discloser unless previously agreed to, the WPO will first notify the CEO, Board Chair and People and Culture Manager of any alleged misconduct. If any of the above persons are the subject of the disclosure, then investigation will be supported by another WPO.
- In consultation with the WPO, CEO, People and Culture Manager and other relevant Managers, terms of reference and an investigation plan will be prepared, which will include:
 - The key issues to be investigated;
 - The scale of the investigation, in proportion to the alleged wrongdoing and basis (evidence) of the concern; and
 - Allocation of resources.
- Indigo will then conduct an investigation that is confidential, fair and objective.

- Indigo staff will comply with all legal requests for information in a timely manner. Requests by external parties for information will be responded to in line with Indigo's Privacy Policy.
- The WPO and People and Culture Manager overseeing the investigation, or working on the issue raised by the whistleblower, will keep the whistleblower and all other parties informed about the process and the outcome of the investigation, where permitted.
- If the matter is investigated by an external party or referred to police or another investigating body, there may be limits on what information can be shared. Involved parties will be advised of any limitations on the release of information.
- Indigo staff be offered support through the Employee Assistance Program (EAP).

10.2.1. Keeping a Discloser Informed

A discloser will be provided with regular updates, if the discloser can be contacted (including through anonymous channels). The frequency and timeframe may vary depending on the nature of the disclosure.

Indigo will acknowledge a discloser after receiving their disclosure.

In addition, Indigo will provide updates to a discloser during the key stages, such as:

- when the investigation process has begun;
- while the investigation is in progress; and
- after the investigation has been finalised.

10.2.2. Investigation Reporting

Findings from an investigation will be documented and reported to the CEO and Board for oversight of the policy, while preserving confidentiality.

Throughout the course of the investigation conversations, interviews, communications and relevant documents will be recorded and stored. Upon completion, an investigation report will be prepared and filed.

The investigation report will include:

- the allegations;
- a statement of facts and the corroborating evidence;
- conclusions reached by the investigation; and
- recommended amendments to organisational policy to avoid future wrongdoing.

All documents relating to whistleblowing reports and investigations will be kept securely and confidentially, and access to documents granted only when necessary.

Disclosers will receive information on the outcome of their disclosure at the end of the investigation, as appropriate.

The method for documenting the findings will depend on the nature of the disclosure. There may be circumstances in which it may not be appropriate to provide details of the outcome to the discloser.

10.2.3. Secure Record-Keeping and Information-Sharing Processes

- all paper and electronic documents and other materials relating to disclosures will be stored securely;
- access to all information relating to a disclosure will be limited to those directly involved in managing and investigating the disclosure;
- only a restricted number of people who are directly involved in handling and investigating a disclosure will be made aware of a discloser's identity (subject to the discloser's consent) or information that is likely to lead to the identification of the discloser;
- communications and documents relating to the investigation of a disclosure will not be sent to an email address or to a printer that can be accessed by other staff; and
- each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of a discloser's identity may be a criminal offence.

11. Ensuring Fair Treatment of Individuals Mentioned in a Disclosure

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

Indigo will implement the following measures and mechanisms to ensure the fair treatment of employees 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 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
- an employee who is the subject of a disclosure may contact the organisation's EAP.

11.1. Consequences for Identifying a Discloser's Identity

Staff who disclose the identity of, or information which would likely lead to the identification of a whistleblower, or the person to whom the disclosure relates, will be subject to disciplinary action up to and including termination of their employment.

12. Accessibility

Indigo's Whistleblower Policy will be publicly available on Indigo's website. The version of this policy made publicly available may exclude information that would not be suitable for external publication (e.g. the names and contact phone numbers of internal eligible recipients for employees).

Information regarding this policy will be provided to all individuals receiving a funded aged care service from Indigo. If the policy is required in an alternate language or format this will be provided on request.

13. Education

This policy will be made available to all Indigo staff. The Whistleblower protection policy will be accessible and will be communicated in the following ways:

- monthly organisational newsletter;
- all staff broadcast meetings;
- posting the policy on staff noticeboards, intranet and controlled document management system;
- mandatory acknowledgement of the policy within employee management system; and
- incorporating the policy in employee induction information packs and training for new starters.

Indigo will inform staff monthly, and provide annual training on the Whistleblower Policy, procedures for reporting, and the protections available to them in order to facilitate a safe environment in which concerns of misconduct may be voiced without reprisal.

Staff involved in the management of Whistleblower reports will receive appropriate training in dealing with reports, investigation, and supporting disclosers and employees who are the subject of allegations.

14. Policy Review

Indigo will review its Whistleblower policy, processes and procedures annually ensuring that they reflect the most up-to-date legal and corporate governance requirements.

Any changes made to the policy will be communicated to all employees.

15. Definitions

Term	Definition
Confidentiality	Is when 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.
Detrimental conduct	Conduct, or a threat to engage in conduct, that causes detriment to a discloser.
Disclosable matter	Information to which the Whistleblower protections apply.
Discloser	An individual who discloses wrongdoing.
Disclosure	A disclosure of information relating to wrongdoing or a disclosable matter.
Disclosures qualifying for protection	Disclosures made orally or in writing which the Whistleblower protections apply.
Eligible recipient	An individual who can receive a disclosure.
Emergency disclosure	The disclosure of information to a journalist or parliamentarian, where the discloser has reasonable grounds to believe that the information concerns a substantial and imminent danger to the

	health or safety of one or more persons or to the natural environment.
Personal information	Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether: • true or not; and • recorded in a material form or not.
Personal work-related grievance	A disclosure that relates to the discloser's current or former employment, which has implications for the discloser personally, but does not: • have any other significant implications for the organisation (or another organisation); or • relate to conduct, or alleged conduct, about a disclosable matter.
Public interest disclosure	The disclosure of information to a journalist or a parliamentarian, where the discloser has reasonable grounds to believe that making a further disclosure of the information is in the public interest. The disclosure must meet a number of other criteria to qualify.
Staff	Board directors, employees, volunteers and contractors.
Whistleblower	A person who has made a disclosure that qualifies for protection under the <i>Corporations Act 2001</i> or the <i>Aged Care Act 2024</i> .
Whistleblower Protection Officer (WPO)	Responsible for protecting or safeguarding disclosers and ensuring the integrity of the reporting mechanism.

16. Governance

Associated procedures / documents	IDG-BRD-POL-074 - Employee and Volunteer Code of Conduct Policy ILG-PC-PRO-013 - Grievance Procedure ILG-PC-PRO-019 - Performance Improvement Policy and Procedure IDG-BRD-POL-065 - Privacy Policy IDG-BRD-POL-078 - Risk Management Framework IDG-PC-POL- 068 - Conflict of Interest Policy IDG-COR-FRM-043 - Whistleblower Report Form
Related legislation	Corporations Act 2001 Aged Care Act 2024 Aged Care Rules 2025 National Disability Insurance Scheme Act 2013 Taxation Administration Act 1953 Fair Work Act 2009
Division	Board
Approval	Board
Endorsement	Executive Committee
Owner	Board
Date effective	01/03/2021
Date last published	30/10/2025
Next review date	01/10/2027

Version	3
---------	---

For advice and support please contact the Quality Lead at Quality@indigo.org.au