

Whistle Blower Protection Policy

Forge Clarity PTY LTD

Create a Whistle Blower Protection Policy for a remote/telehealth counselling and behavioural support private practice. The practice has an anonymous reporting option available on the website: <https://forgeclarity.com.au/documents> This option does not require an email etc. Ensure the policy is succinct and meets the relevant Australian laws/acts and Australian Counselling Association and NDIS requirements.

1. Purpose

This policy provides a framework for reporting suspected wrongdoing, misconduct, or illegal activities at Forge Clarity in a safe and confidential manner. It protects individuals who make disclosures in good faith from retaliation and ensures all reports are handled fairly and appropriately.

2. Scope

This policy applies to:

- ☐ Current and former staff
- ☐ Volunteers
- ☐ NDIS participants and their families/nominees
- ☐ Contractors and consultants
- ☐ Any person who has reasonable grounds to suspect wrongdoing

3. Legal Framework

This policy complies with:

- Corporations Act 2001 (Cth) – Part 9.4AAA Whistleblower Protections
- NDIS (Code of Conduct) Rules 2018
- NDIS (Practice Standards—Worker Screening) Rules 2018
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- Privacy Act 1988 (Cth)
- Australian Counselling Association (ACA) Code of Ethics and Conduct
- Work Health and Safety Act 2011 (Cth)
- Fair Work Act 2009 (Cth)

4. What can be Reported

You can make a whistleblower disclosure about conduct that you have reasonable grounds to suspect involves:

Illegal or unlawful conduct:

- ☐ Fraud, theft, or misappropriation of funds
- ☐ Corruption or bribery
- ☐ Criminal offences

Misconduct or breach of professional standards:

- ☐ Abuse or neglect of NDIS participants
- ☐ Breach of NDIS Code of Conduct
- ☐ Breach of ACA Code of Ethics
- ☐ Unauthorised use of restrictive practices
- ☐ Sexual misconduct or harassment

Unethical or improper conduct:

- ☐ Conflicts of interest
- ☐ Breaches of confidentiality or privacy
- ☐ Misrepresentation of qualifications or services
- ☐ Inadequate or dangerous practices

Regulatory breaches:

- ☐ Breach of NDIS Practice Standards
- ☐ Failure to report notifiable incidents
- ☐ Non-compliance with registration requirements

Dangers to health, safety, or the environment:

- ☐ Risk of harm to participants or staff
- ☐ Unsafe work practices (including telehealth security risks)

Retaliation against whistleblowers:

- ☐ Victimisation, threats, or detrimental treatment of someone who has made a disclosure

5. Who You Can Report To

Internal Reporting

Primary Contact: Tegan Elza Banks, Director / Lead Therapist

Email: info@forgeclarity.com.au

Phone: 0450 205 370

Anonymous Reporting Option:

Online form: <https://forgeclarity.com.au/documents>

No email or personal details required for submission of concerns.

Note: If the concern involves the Director, or you are uncomfortable reporting internally, you may make an external disclosure (see below).

External Reporting

You may also report directly to:

NDIS Quality and Safeguards Commission:

Phone: 1800 035 544

Online: www.ndiscommission.gov.au/report-concern

Email: contactcentre@ndiscommission.gov.au

Australian Counselling Association:

Phone: 1300 784 333

Email: aca@theaca.net.au

Police:

Emergency: 000 or 112

Non-emergency: 131 444

Australian Securities and Investments Commission (ASIC):

For corporate/financial misconduct

Phone: 1300 300 630

Fair Work Ombudsman:

For workplace rights violations

Phone: 13 13 94

Legal Practitioner or Financial Counsellor:

You may seek independent advice before making a disclosure

6. Protections for Whistleblowers

If you make a disclosure in good faith and mutual respect, you are protected from:

Retaliation or detrimental conduct:

- Dismissal or termination of engagement
- Demotion or denial of opportunities
- Harassment, intimidation, or bullying
- Discrimination or unfair treatment
- Damage to reputation
- Psychological or physical harm
- Threats or coercion

Legal protections:

- Identity protection – Your identity will be kept confidential (unless you consent or legal obligation requires disclosure)
- Protection from civil, criminal, or administrative liability for making the disclosure
- Compensation and remedies available if retaliation occurs
- Immunity from contractual or other remedies (e.g., breach of confidentiality clauses)

Anonymous disclosures:

You can make a disclosure anonymously and still be protected. You may choose to remain anonymous during the investigation and after it is completed.

7. Confidentiality

Your identity will be protected:

- Your identity (or information likely to identify you) will not be disclosed without your consent unless required by law
- All reports are stored securely with restricted access
- Information will only be shared on a need-to-know basis for investigation purposes

- Anonymous reports submitted via the website form will remain anonymous

Exceptions where identity may be disclosed:

- You provide consent
- Required by law or court order
- Necessary to prevent serious harm to health or safety
- Disclosure to police, ASIC, NDIS Commission, or legal practitioner (with protections maintained)

8. How Reports Are Handled

Step 1: Receipt of Report

Reports are received through the Anonymous Feedback option available via

<https://forgeclarity.com.au/documents>

- All reports are acknowledged within 3 business days (where contact details provided). Anonymous reports will be reviewed immediately upon receipt.

Step 2: Assessment

The report is assessed to determine:

- ☐ Whether it qualifies as a whistleblower disclosure
- ☐ Severity and urgency
- ☐ Whether external authorities must be notified
- ☐ Whether investigation is required

Step 3: Investigation

If an investigation is warranted:

- ☐ An internal or external investigator will be appointed (external if conflict of interest)
- ☐ Investigation will be conducted fairly, objectively, and confidentially
- ☐ All parties will be afforded natural justice
- ☐ Timeline: Investigations will be completed within 60 days where possible

Step 4: Outcome

- ☐ Appropriate action will be taken based on findings
- ☐ The reporter will be informed of the outcome (if contact details provided and where appropriate)
- ☐ Systemic improvements implemented as needed

Step 5: Follow-up

- ☐ Monitoring to ensure no retaliation occurs
- ☐ Final check-in offered (if identity known)

9. Malicious or False Reports

This policy protects disclosures made in good faith, even if the disclosure is later found to be incorrect.

However, deliberately false or malicious reports may result in:

- ☐ No whistleblower protections applying
- ☐ Disciplinary action (for staff/volunteers)
- ☐ Service review or termination (for participants, if applicable)

Making a report in good faith means you genuinely believe the information is true based on reasonable grounds, even if it later proves to be mistaken.

10. Support for Whistleblowers

We are committed to supporting individuals who make disclosures:

Available supports:

- ☐ Confidential discussions with the Director (if not subject of complaint)
- ☐ Access to supports are available via the registered body that they are licensed with, for example ACA/PACFA (for staff/volunteers)
- ☐ Can nominate an independent support person during investigation
- ☐ Regular communication and updates (where contact details provided)
- ☐ Protection from workplace based negative treatment from fellow staff/volunteers

If you experience retaliation:

Report it immediately using either the anonymous channel <https://forgeclarity.com.au/documents> or the regular channel <https://forgeclarity.com.au/contact> . Retaliation is taken seriously and will result in immediate action.

11. Record Keeping

All whistleblower reports and investigations will be:

- Recorded in a secure, confidential register being the Incidents Register
- Stored separately from personnel or participant files
- Retained for 7 years (or longer if required by law)
- Accessible only to authorised personnel involved in the investigation ie the Director or the NDIS
- Managed in accordance with Privacy Act 1988 (Cth)

12. Training and Awareness

All staff and volunteers will receive:

- Training on this policy during induction
- Annual refresher training
- Information about how to make a disclosure

- Awareness of protections available to whistleblowers

NDIS participants and families will be provided information about:

- How to raise concerns or complaints
- Anonymous reporting options
- External reporting channels (NDIS Commission)

13. Policy Review

This policy will be reviewed:

- Following any whistleblower disclosure
- When legislation or standards change
- As required by NDIS Commission or ACA

14. Roles and Responsibilities

Director/Lead Therapist (Tegan Elza Banks):

- Receive and assess whistleblower reports
- Ensure investigations are conducted fairly and promptly
- Protect whistleblowers from retaliation
- Report to external authorities as required
- Implement recommendations from investigations
- Maintain confidentiality

All Staff, Volunteers, and Participants:

- Can report suspected wrongdoing in good faith
- Cooperate with investigations
- Maintain confidentiality
- Refrain from retaliation against whistleblowers

15. Contact Information

Forge Clarity:

Director: Tegan Elza Banks

Email: <https://forgeclarity.com.au/contact>

Phone: Available upon request via <https://forgeclarity.com.au/contact>

Anonymous Reporting: <https://forgeclarity.com.au/documents>

External Support:

NDIS Commission: 1800 035 544

Australian Counselling Association: 1300 784 333

Police: 000 (emergency) or 131 444

Fair Work Ombudsman: 13 13 94

Legal Aid: 1300 650 585

16. Policy Approval

Approved By: Tegan Elza Banks, Director

Date:

Version: 1.0

Next Review Date: 15/11/2027

This policy is available:

- On the Forge Clarity website
- Provided during service agreements
- Provided during volunteer induction
- Available upon request

Your voice matters. We are committed to maintaining the highest standards of ethical conduct and protecting those who speak up.