Purpose

Living My Way is committed to a safe, ethical and accountable culture where people can speak up about suspected serious wrongdoing without fear of detriment. This Policy explains who can make a protected disclosure, what can be reported, the protections available, and how Living My Way will respond.

Scope

This Policy applies to Living My Way Limited, its Board directors, officers, all current and former employees, contractors, consultants, volunteers, suppliers, students, secondees and others engaged to provide services or supports on behalf of Living My Way, as well as participants, their family members, nominees and independent advocates.

This Policy does not replace mandatory reporting, complaints, incident management, safeguarding or employment grievance processes. Where another process is also required, Living My Way will use the appropriate pathway while preserving whistleblower protections where they apply.

Where more than one whistleblower protection regime may apply, Living My Way will assess each regime separately and apply the protections that are available under each. Nothing in this Policy limits a person's statutory rights, access to a regulator, right to obtain legal advice, or obligations relating to reportable incidents, complaints, worker screening, mandatory reporting or emergency response.

Overview & Principles

1.0 Who can make a protected disclosure?

Whistleblower protections may apply to current or former people connected with Living My Way under the Corporations Act or the NDIS Act. Eligibility depends on the law that applies to the disclosure. It may include officers, employees, contractors, suppliers, service providers and their employees, associates, relatives and dependents, participants, nominees, family members, carers, advocates, workers, and other people prescribed or protected under applicable NDIS legislation.

- a current or former director or employee;

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- a current or former contractor, consultant, supplier, service provider, student or volunteer, whether paid or unpaid;
- an employee of a current or former contractor, consultant, supplier or service provider;
- associate of Living My Way;
- a spouse, relative or dependent of any of the people listed above; or
- a participant, their family member, nominee or independent advocate.

1.1 What is a reportable disclosure?

A reportable disclosure is a concern raised on reasonable grounds about serious misconduct, an improper state of affairs, breach of law or serious risk. Examples include:

- fraud, theft, bribery, corruption or financial misconduct;
- dishonest, unethical or unlawful conduct;
- serious breach of Living My Way policies, governance requirements or delegations;
- serious risk to the health, safety, rights or wellbeing of participants, workers or others;
- abuse, neglect, exploitation, violence or restrictive practice concerns involving participants;
- breaches of NDIS quality and safeguarding obligations, including failure to report or respond to incidents appropriately;
- serious privacy, information security or data misuse concerns;
- misuse of organisational funds, participant funds or NDIS-related funding;
- conduct that may damage Living My Way's reputation, financial sustainability or compliance standing;
- deliberate concealment of any of the above matters; or
- victimisation, retaliation or threats against a person who has raised concern.

1.2 Personal work-related grievances

Personal work-related grievances are generally not protected disclosures unless they also involve broader misconduct, victimisation for whistleblowing, a breach of law or a significant risk to Living My Way or another person.

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Personal work-related grievances should usually be managed under Living My Way's Grievance and Dispute Resolution Policy or another relevant employment procedure. If reportable conduct is also involved, Living My Way will assess whether whistleblower protections apply.

1.3 How to make a disclosure

A disclosure may be made in writing, by email, by telephone, in person or anonymously. The person should provide as much relevant information as they reasonably can, including dates, people involved, documents, witnesses and any immediate risks.

Living My Way will provide reasonable adjustments and accessible ways to make a disclosure. A person may communicate in their preferred format and may be supported by an independent advocate, interpreter, communication partner, legal adviser or other support person. The support person must protect confidentiality and must not interfere with the assessment or investigation.

Living My Way's preferred Protected Disclosure Officers are:

- Chief Executive Officer | Email: ceo@lmwl.org.au
- Board Chair | Email: chair@lmwl.org.au

Protected disclosures may also be made to other authorised recipients, including:

- Chair of the Finance, Risk and Audit Committee;
- Company Secretary;
- a director or office bearer of Living My Way;
- an auditor or member of an audit team conducting an audit of Living My Way;
- a senior manager authorised to receive disclosures; or
- an external whistleblower service, if appointed by Living My Way.

If the disclosure concerns the Chief Executive Officer, it should be made to the Board Chair or Chair of the Finance, Risk and Audit Committee. If it concerns a director, it should be made to the Board Chair unless the Chair is involved, in which case it should be made to the Chair of the Chair of the Finance, Risk and Audit Committee or another independent director.

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Living My Way Limited ABN 47 110 995 518

1.4 External disclosures

A protected disclosure may also be made externally where permitted by law. Depending on the subject matter and the legislation that applies, an eligible recipient may include the NDIS Quality and Safeguards Commission, ASIC, the ACNC, the Australian Taxation Office, an auditor, or a legal practitioner for the purpose of obtaining legal advice or representation about the disclosure.

Where a matter involves NDIS or DSOA participant safety, serious harm, abuse, neglect, exploitation, restrictive practices, complaints, reportable incidents, fraud or another breach of NDIS obligations, a disclosure may be made to the NDIS Quality and Safeguards Commission where permitted by the NDIS Act. Living My Way may also be required to notify the Commission, police or another authority. Making an internal disclosure does not prevent a person from approaching an external regulator or obtaining independent legal advice.

1.5 Anonymous disclosures

Disclosures may be made anonymously and may remain anonymous throughout and after the process. Living My Way will investigate anonymous reports with the same rigor as named reports, taking all reasonable steps to assess anonymous disclosures, although anonymity may limit investigation or updates.

Where possible, anonymous whistleblowers are encouraged to maintain a way for Living My Way to communicate with them, such as through an anonymised email address or external reporting channel.

1.6 Protections available to whistleblowers

Eligible whistleblowers are protected under law and this Policy. Protections may include:

- protection of identity and confidentiality;
- protection from civil, criminal or administrative liability for making a protected disclosure, subject to legal limits;
- protection from contractual or other remedies being enforced against the person because they made a protected disclosure;
- protection from dismissal, demotion, harassment, intimidation, discrimination, harm, injury, damage to reputation, financial loss or other detriment; and

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- access to support measures appropriate to the person's circumstances.

These protections do not provide immunity for a person's own misconduct, although Living My Way may consider self-disclosure, cooperation and the circumstances of the matter in its response.

1.7 Confidentiality

Living My Way will protect a whistleblower's identity and information likely to identify them. Identity information will only be disclosed with the whistleblower's consent or where disclosure is authorised or required by law, including to an appropriate regulator, police, a legal practitioner for advice or representation, or another person permitted by the applicable legislation. Information that does not reveal the person's identity may be disclosed where reasonably necessary to investigate the matter and reasonable steps are taken to reduce the risk of identification.

Information about a disclosure will be handled on a need-to-know basis, de-identified where appropriate, and stored securely. Breaches of confidentiality may result in disciplinary action and legal consequences.

Unauthorised disclosure of a protected whistleblower's identity is a serious breach of this Policy and may also contravene applicable whistleblower protection laws. It may result in disciplinary action, including termination of employment or engagement, and referral to an appropriate regulator or law enforcement authority.

1.8 Protection from detriment

Living My Way will not tolerate detrimental conduct against a person because they have made, may make, propose to make, or are believed or suspected to have made a protected disclosure. Living My Way will take reasonable steps to prevent detriment, assess risk promptly, document agreed controls, monitor their effectiveness and respond to actual or threatened retaliation. Detriment includes dismissal, demotion, harassment, discrimination, intimidation, injury, reputational damage, financial loss, disadvantage, threats and damage to property, business or personal relationships.

A person who believes they have experienced or been threatened with detriment should report it to an authorised recipient who is not involved in the alleged conduct. If the concern involves the Chief Executive Officer,

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it should be reported to the Board Chair or Chair of the Finance, Risk and Audit Committee. If it involves the Board Chair, it should be reported to the Chair of the Finance, Risk and Audit Committee or another independent director. Living My Way will promptly assess the risk, implement protective measures and consider whether external notification is required.

1.9 Support for whistleblowers

Living My Way will consider appropriate support for whistleblowers, including:

- appointing a contact person to provide updates where appropriate;
- conducting a risk assessment for confidentiality and detriment;
- adjusting reporting lines or work arrangements where reasonable and appropriate;
- providing access to employee assistance or well-being supports;
- monitoring for retaliation or adverse treatment; and
- taking timely action if detrimental conduct is identified.

1.10 Assessing and investigating disclosures

Living My Way will acknowledge a disclosure as soon as reasonably practicable, assess immediate safety, confidentiality and detriment risks, determine the applicable legal and reporting pathways, and record the reasons for its assessment. Where an investigation is required, Living My Way will appoint an appropriately independent and skilled investigator and define the scope, responsibilities and expected timeframes. The process will be proportionate to the seriousness and complexity of the matter, and any delay or change in approach will be communicated where lawful and practicable.

Where an investigation is required, Living My Way will appoint an appropriately independent and skilled investigator. The process will be proportionate to the seriousness and complexity of the matter.

Investigations may include document review, interviews, specialist advice, evidence preservation and consideration of participant safeguarding obligations. Updates will be provided where appropriate and where this does not compromise confidentiality, privacy, legal obligations or the investigation.

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Living My Way Limited ABN 47 110 995 518

1.11 Fair treatment of people named in a disclosure

Living My Way will treat people named in a disclosure fairly. This includes maintaining confidentiality where appropriate, managing conflicts of interest, avoiding assumptions before findings are made, and providing procedural fairness where lawful and appropriate.

Disciplinary or corrective action will only be taken where supported by evidence and in accordance with applicable policies, contracts and legal obligations.

1.12 Outcomes and reporting

Following an investigation, Living My Way may take action such as process improvements, disciplinary action, referral to an external authority, participant safeguarding action, recovery of funds, changes to controls, training, policy updates or no further action.

The Board, or a delegated Board committee, will receive periodic de-identified reporting on the number and types of disclosures, assessment and investigation timeframes, substantiated matters, detriment risks, systemic themes, external notifications and actions taken. Reporting will preserve confidentiality, privacy and legal professional privilege and will not include information that creates an unreasonable risk of identifying a whistleblower.

Roles & Responsibilities

Role	Responsibilities
Authorised recipients	Receive disclosures, protect confidentiality, escalate appropriately, appoint investigators, and avoid conflicts of interest.
Board of Directors	Approve this Policy, oversee organisational culture, and monitor de-identified whistleblower trends and material risks.
Chief Executive Officer	Ensure this Policy is implemented, resourced, communicated and reviewed; ensure disclosures are handled appropriately.

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Finance, Risk and Audit Committee	Oversee whistleblower governance, risk controls and reporting, and escalate significant matters to the Board.
Investigation Lead	Conduct confidential fact-finding, support procedural fairness, maintain records, and make recommendations as appropriate.
Managers	Promote a speak-up culture, support workers, and promptly refer concerns through the appropriate pathway.
Workers, Participants and representatives	Raise concerns honestly and on reasonable grounds, cooperate with investigations where appropriate, and maintain confidentiality. A person will not lose protection merely because their disclosure is mistaken, provided the applicable statutory test for protection is met.

Record Keeping and Privacy

Records relating to whistleblower disclosures will be stored securely and accessed only by people with a legitimate need to know. Personal information will be handled in accordance with Living My Way's Privacy Policy and applicable privacy laws.

Training & Communication

Living My Way will make this Policy readily available in accessible formats to officers, workers, participants, nominees, families, advocates, contractors and other people covered by the Policy. Induction and refresher training will explain how to recognise, receive, escalate and manage disclosures, protect identity, prevent detriment, arrange reasonable adjustments and distinguish whistleblower matters from complaints, incidents and employment grievances.

Protected Disclosure Offices and authorised recipients will receive role-specific training and their competence will be reviewed periodically.

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Living My Way Limited ABN 47 110 995 518

Breaches of this Policy

Breaches of this Policy may result in disciplinary action, contract termination, referral to a regulator or other appropriate action. This includes retaliation, victimisation, breach of confidentiality, knowingly false disclosures, interference with an investigation or failure to escalate a disclosure appropriately.

Definitions

ACNC	Australian Charities and Not-for-profits Commission, the national charity regulator.
ASIC	Australian Securities and Investments Commission, Australia's corporate regulator.
ATO	Australian Taxation Office, Australia's principal revenue authority.
Authorised Recipients	Any person explicitly designated and authorised by Living My Way to receive, triage, and handle whistleblower disclosures. This includes the designated Whistleblower Protection Officer(s), members of the Executive Team, Directors, Company Secretary, Senior Managers, and internal or external auditors.
Board Chair	The independent leader of the Living My Way Board and an authorised recipient for whistleblower disclosures.
Chief Executive Officer (CEO)	The most senior executive of Living My Way, responsible for implementing this Policy.
Corporations Act	The Corporations Act 2001 (Cth), which includes statutory whistleblower protections.
EAP	Employee Assistance Program, a confidential counselling and wellbeing support service.
Officers / Office Bearers	Board Directors/the Board Chairperson, Vice Chairperson, and Board Committee Chairs.
Protected Disclosure Officer (PDO)	A person authorised by Living My Way to receive whistleblower disclosures. At Living My Way, the CEO and Board Chair are the preferred Protected Disclosure Officers.
NDIS Act	National Disability Insurance Scheme Act 2013 (Cth), which includes the National Disability Insurance Scheme Amendment (Integrity and Safeguarding) Act 2026,

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Living My Way Limited ABN 47 110 995 518

Related Standards, Legislation, Guidelines, Policies, Procedures & Forms

Standards (Core)	• ACNC Governance standard 5, Duties of Responsible People
Legislation	• Corporations Act 2001 • National Disability Insurance Scheme Act 2013 • National Disability Insurance Scheme Amendment (Integrity and Safeguarding) Act 2026 • National Disability Insurance Scheme Amendment (Securing the NDIS for Future Generations) Act 2026
Guidelines	• Living My Way Board Charter
Policies & procedures	• Living My Way Code of Conduct

Document Control

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Living My Way Limited ABN 47 110 995 518

Appendix A: Quick guide for raising a concern

If your concern is about...	Use this pathway
Fraud, corruption, serious misconduct, concealment or serious governance breach	Whistleblower Policy
Participant abuse, neglect, exploitation, violence, restrictive practice or serious safety risk	Immediate safeguarding and incident response, with whistleblower protections applied where relevant
Participant complaint, service quality or feedback	Complaints and Feedback Policy, with escalation if serious misconduct is alleged
Personal employment grievance	Living My Way Grievance and Dispute Resolution Policy, unless broader reportable conduct is involved

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