

Complaints and whistleblower protections

Stakeholder toolkit to support communications with older people and aged care workers

November 2025

This toolkit provides information and materials to help aged care providers, peak bodies, advocacy organisations and community groups inform older people, their families and carers and aged care workers about their rights when making a complaint or whistleblower disclosure under the new Aged Care Act (new Act).

About this toolkit

This toolkit provides information to support you to talk with older people, their families and carers and aged care workers about their rights when making a complaint or whistleblower disclosure under the new Aged Care Act.

It includes materials that may help you to communicate through your channels, such as newsletters, websites, meetings and discussions, and social media platforms.

What's in this toolkit

- key messages
- discussion guide
- editorial content
- social media posts
- videos
- resources.

Audiences

- older people, their families and carers
- · aged care workers.

Call to action

We recommend including the following calls to action in communication materials:

Older people, their families and carers

- Watch the <u>Your aged care rights</u> video to understand how the new Aged Care Act upholds your rights through a stronger complaints process. The video is available in 7 languages and in <u>Auslan</u>.
- Download the <u>Statement of Rights plain language fact sheet</u> (available in 29 languages and Easy Read) for a summary of your rights and how to provide feedback or make a complaint if your rights are not being upheld.
- Find out how you can <u>raise a concern or make a complaint</u> if your rights are not being respected
- Learn about the <u>Code of Conduct for Aged Care</u>, which describes how workers must behave while caring for you.
- Explore the resources, training and guidance materials to help you understand the new Act.
- Subscribe to <u>EngAged</u>, the Department of Health, Disability and Ageing's newsletter for older people, to keep up to date with changes to aged care.
- Subscribe to the Quality Bulletin, the Aged Care Quality and Safety Commission's newsletter.

Aged care workers

- Watch the Working in aged care video, which explains new ways of working in aged care.
- Watch the <u>Complaints in aged care</u> video, which explains the complaints process under the new Aged Care Act.
- Watch the <u>Whistleblowers protections</u> video, which explains how workers are protected if making a whistleblower disclosure under the new Aged Care Act.
- Explore the resources, training and guidance materials to help you understand the new Aged Care Act.
- Learn about the <u>new ways of working in aged care</u> to understand how the new Aged Care
 Act impacts you.
- Learn about the <u>Code of Conduct for Aged Care</u>, which describes how you must behave while caring for older people.
- Subscribe to <u>Working in Aged Care Update</u>, the Department of Health, Disability and Ageing's newsletter for workers, to keep up to date with changes to aged care.

Hashtags

- #AgedCare
- #AgedCareAct
- #AgedCareReforms

Different languages, same aged care

If you, or someone you care for, has difficulty speaking or understanding English, you can use an interpreting service to communicate in your preferred language.

Translating and interpreting services

If you are receiving care, you can get interpreting through TIS National.

Call **131 450** and tell the operator the language you speak.

TIS National is available 24 hours a day, every day of the year.

You can also ask your aged care provider to contact TIS National for you using their client code.

Help from your aged care provider

Aged care providers can translate key information into languages other than English to help them communicate with you in your preferred language.

You can ask your aged care provider to use the <u>Department of Health</u>, <u>Disability and Ageing's free translation service</u> to produce translated versions of print and digital materials in different languages, as well as 'Easy Read' or 'plain English'.

Sign language interpreting and captioning services

The National Sign Language Program (NSLP) provides free sign language interpreting and captioning services through Deaf Connect for eligible older people.

The NLSP can help you with:

- using aged care services and taking part in professional and social activities
- health and medical appointments that are covered by Medicare.

To make a booking, call 1300 773 803, email <u>interpreting@deafconnect.org.au</u> or go to the <u>Deaf Connect website</u>.

Key messages

Overarching

- The new Aged Care Act introduces a Statement of Rights. It explains what rights older people have when accessing aged care, including the right to make their own decisions about their own lives.
- Your rights are protected through provider regulations enforced by the Aged Care Quality and Safety Commission and the Department of Health, Disability and Ageing.
 - Providers must show they understand the Statement of Rights and make sure the care they give follows these rights.
 - If you don't feel your rights are being upheld, you can make a complaint or report to your provider, the Aged Care Quality and Safety Commission, the Complaints Commissioner or the Department of Health, Disability and Ageing.
- The new independent Complaints Commissioner is a part of the Aged Care Quality and Safety Commission.
- The Complaints Commissioner oversees how the Commission manages complaints and supports providers to resolve complaints efficiently, effectively and fairly.
- Older people have a right to give honest, upfront feedback to their provider and are encouraged to make a complaint if they feel their provider has not upheld their rights, without fear of punishment.
- Aged care workers are also encouraged to share feedback on the quality and safety of their service with their employer.
- They can also raise their concerns with the Complaints Commissioner about the quality and safety of services if they don't feel comfortable raising their concerns directly with their employer.
- The new Act also introduces a new whistleblower framework to protect anyone who calls out suspected misconduct.
- Anyone can share information that may be covered by whistleblower protections, including older people, their families and carers and workers.
- They will have access to protections if they experience unfair treatment, threats and victimisation.

Older people, their families and carers

- Under the new Aged Care Act, your rights are protected, including the right to make a complaint if you're not satisfied with your aged care services.
- All providers are required to have a culture that encourages you to provide feedback and make complaints.
- This is part of our collective commitment to continuously improve the safety and quality of aged care services.

- The Aged Care Quality and Safety Commission, which now includes an independent Complaints Commissioner, is supporting all providers to have a process in place to manage complaints and feedback quickly and effectively.
- The new Act also includes whistleblower protections so you can confidently and safely report someone who you reasonably believe hasn't followed aged care laws.
- You play an important role in identifying issues and calling out misconduct.
- The new and expanded whistleblower framework protects:
 - o you from unfair treatment, threats and victimisation when you raise a concern
 - your identity if you make an anonymous request or you request the Complaints Commissioner to keep your identity confidential (except in limited circumstances).
- If you don't feel comfortable raising a concern with your provider directly, you can make a
 whistleblower disclosure to:
 - the Aged Care Quality and Safety Commissioner or Complaints Commissioner
 - o a staff member of the Aged Care Quality and Safety Commission
 - the Department of Health, Disability and Ageing
 - o an aged care provider or worker
 - o a responsible person of an aged care provider such as a CEO or Board Member
 - a police officer
 - an independent aged care advocate.
- The <u>Older Persons Advocacy Network (OPAN)</u> offers a free, independent and confidential service to help you raise a concern.
- If you need support to make a complaint or find out more information about your rights and protections, call OPAN on 1800 700 600.

Aged care workers

- Through the new Aged Care Act, we are building a culture of innovation and progress this requires collective effort.
- You must support the people in your care to:
 - understand how you manage and resolve complaints
 - o feel welcome to raise concerns or make a complaint.
- Under the new Statement of Principles, your employer will support you to:
 - be innovative
 - o continuously improve
 - deliver high quality care
 - o participate in governance and deliver accountability requirements.

- As part of the strengthened Aged Care Quality Standards, your employer must:
 - o be open to your feedback
 - o create opportunities for you to share your ideas
 - o listen to your suggestions on how to improve the quality of care for older people.
- A strong feedback culture will allow you, your colleagues and your employer to:
 - build capability
 - celebrate your achievements
 - o respond to and learn from your mistakes
 - o develop an environment of continuous improvement.
- By providing feedback to your employer, they can understand what is working well and identify areas that can be improved.
- You also have the right to raise a complaint if you have concerns about the quality of your service.
- If you have a complaint about the quality or safety of care provided to older people and don't feel comfortable raising it with your employer directly, or if you're unsatisfied with the way they've handled it, you can file a complaint with the Complaints Commissioner.
- The new Act also includes whistleblower protections so you can confidently and safely report:
 - o someone who you reasonably believe hasn't followed aged care laws
 - o a policy or process that isn't in line with the Statement of Rights
 - o a situation, such as staff shortages or not having a registered nurse on duty.
- You play a critical role in identifying issues and calling out misconduct.
- We understand raising a concern can be an unsettling experience, but if you do make a
 qualifying disclosure that someone hasn't followed aged care laws, the new and expanded
 whistleblower framework protects:
 - o unfair treatment, threats and victimisation when you raise a concern
 - your identity if you make an anonymous request or you request the Complaints
 Commissioner to keep your identity confidential (except in limited circumstances).
- Your employer must have an internal whistleblower system and policy in place to ensure disclosures are effectively handled.
- You can make a qualifying disclosure to:
 - o the Aged Care Quality and Safety Commissioner or Complaints Commissioner
 - o a staff member of the Aged Care Quality and Safety Commission
 - o the Department of Health, Disability and Ageing, or an official of the department
 - your employer (aged care provider)

- o a member of your organisation's governing body such as a CEO or Board Member
- o another aged care worker
- \circ a police officer
- \circ an independent aged care advocate.

Discussion guide

This discussion guide can be used to guide conversations with older people, their families and carers and aged care workers about complaints, feedback and whistleblower protections under the new Act.

Older people, their families and carers

What is in the new Aged Care Act?

- The new Aged Care Act puts into law (legislates) measures that will put your rights first.
- The new Act:
 - o introduces laws to make sure all aged care services are safe, you are treated with respect and have the quality of life you deserve
 - o makes sure you have explicit rights, and ways to protect them
 - o makes clear what you should expect from providers and workers
 - o makes sure you get a quick and fair response if you make a complaint
- protects you when making a complaint or whistleblower disclosure, without fear or being punished
- appoints a Complaints Commissioner to support providers to handle complaints efficiently, effectively and fairly.

What rights do older people have under the new Act?

- The new Act introduces a Statement of Rights to ensure you have the right to independence, autonomy, respect and safe, high-quality care.
- If you don't think your rights are being upheld, you will have access to protections if you experience unfair treatment if you make a complaint to your provider.
- These protections work across all aged care programs.
- No issue is too small to raise. It can be about something as simple as the quality of your meals, not being able to have a say in the daily activities in which you participate or an issue with someone who is providing your care.

How can older people make a complaint if they are not satisfied with their aged care services?

- The new Act provides better support and protection so you can make a complaint or report an issue.
- This includes a new Complaints Commissioner who is leading the effort to fairly resolve complaints and educate providers on how to handle them more effectively.
- You can speak to someone who cares for you about the complaints process. They can help
 you make a complaint and explain to you how your provider will seek to manage and
 resolve your complaints.

- You can raise a complaint directly with your provider, but if you don't feel comfortable doing
 this of if you're dissatisfied with the way they've handled it, you can make a complaint
 directly to the Complaints Commissioner.
- The <u>Older Persons Advocacy Network (OPAN)</u> also provides free, confidential support to help you, your families and representatives raise concerns and make complaints about aged care services. If you prefer to speak to a representative over the phone, you can call the Aged Care Advocacy Line on 1800 700 600.

Where can older people find out more information on their rights and protections under the new Act?

- My Aged Care is a great place to find out more information on aged care.
- The Department of Health, Disability and Ageing has also developed a range of resources
 to show how the different parts of the new Act fit together and how it impacts older people
 accessing aged care services.
- This includes eLearning modules to support you to learn about the new Act and what the changes mean for you.
- Access the range of resources on the department's website.

Aged care workers

How will the new Aged Care Act support workers?

- The new Act acknowledges the valuable role you play in delivering safe, high-quality, rights-based care to older people.
- The new Act delivers a better-regulated work environment where you are trained and supported by your employer to make sure you are confident in your role and acting in a way that upholds the rights and dignity of the people in your care.
- Your expertise and perspectives on quality aged care delivery are recognised and the strengthened Aged Care Quality Standards create an expectation that employers listen to your views.
- A range of education and training is available to help you understand and adapt to the new
 ways of working. These resources include a series of self-paced <u>eLearning modules</u>, which
 cover the essential knowledge you need to deliver care under the Act.
 - Providers and employers are required by law to provide training to staff. This applies to all workers whether they are full-time, part-time, casual or subcontractors.

How can aged care workers support people in their care to make a complaint?

- You can support the people in your care to:
 - o understand how your employer manages and resolves complaints
 - o feel welcome to share feedback, raise concerns or make a complaint.
- You can also help the people in your care to raise a complaint:
 - o through your employer
 - o to the Complaints Commissioner.

How can aged care workers raise a concern or make a complaint?

- You also have the right to raise a complaint or provide feedback to your employer without fear of retribution or discrimination.
- If you think your employer, or someone you work with, is not following the aged care laws, you can raise a concern with your employer.
- If you don't feel comfortable raising an issue with your employer, or if you are not happy with how they've handled it, you can make a report to the Complaints Commissioner.
- If you make a report to the Complaints Commissioner, you can make it anonymous or request that your identity is not disclosed to the person the report is about.

What is being done to explain the aged care reforms to workers?

- A range of resources are available, in a variety of formats, to show how the different parts of the new Act fit together and how it impacts different people, including the aged care workforce.
- eLearning modules have also been created to support you to learn about the new Act and Support at Home:
 - Department of Health, Disability and Ageing: <u>resources for aged care workers</u>
 - Aged Care Quality and Safety Commission: <u>education and training for workers</u>.

Editorial content

For older people, their families and carers

This content can be used to communicate with older people, their families and carers on your website, email, printed newsletters or e-newsletters.

Sharing feedback and making a complaint

The new Aged Care Act puts you at the centre of your aged care and introduces new laws to protect your rights.

The Statement of Rights outlines your explicit rights when accessing aged care services.

Your rights are protected through provider regulations enforced by the Aged Care Quality and Safety Commission and the Department of Health, Disability and Ageing.

Giving feedback if you have concerns

Under the new Act, you will be encouraged to share feedback and make a complaint if you feel your provider has not upheld your rights.

If you're not happy with the quality of your services, you have the right to give honest, upfront feedback to your provider without fear of being punished or treated unfairly.

Whether it's a concern about your care, a breach of your rights or something that just doesn't feel right, you will be protected.

Your feedback is an important way for your provider to understand what is working well and to identify areas that can be improved.

The Aged Care Quality and Safety Commission, including an independent Complaints Commissioner, will support all providers to have a process in place to manage complaints and feedback quickly and effectively.

Workers can help you to make a complaint. They can also connect you with advocacy and support services, like the <u>Older Persons Advocacy Network (OPAN)</u>.

If you don't feel comfortable raising an issue with your provider, or if you're unsatisfied with the way they've handled it, you can make a complaint directly to the Complaints Commissioner.

Identifying issues and calling out misconduct

The new Act also contains whistleblower protections. You play an important role in identifying issues and calling out misconduct.

We understand making a disclosure can be an unsettling experience.

If you make a report that someone hasn't followed aged care laws, you will have access to protections if you experience unfair treatment, threats and victimisation.

Your identity will also be protected.

You can make a complaint to your aged care provider or the Complaints Commissioner.

You can make a whistleblower disclosure to:

 the Complaints Commissioner or a staff member of the Aged Care Quality and Safety Commission

- the Department of Health, Disability and Ageing
- an aged care provider or worker
- a responsible person of an aged care provider such as a CEO or Board Member
- a police officer
- an independent aged care advocate.

For aged care workers

This content can be used to communicate with aged care workers on your website, email, printed newsletters or e-newsletters.

Raising concerns and whistleblower protections

The new Aged Care Act puts the rights of older people at the centre of aged care and introduces new laws to protect their rights.

When delivering aged care services, you must recognise the rights of older people in your care.

This includes helping them understand how complaints are managed and resolved and making them feel welcome to share feedback, raise concerns or make a complaint.

You also have the right to raise complaints or feedback with your employer.

A culture of feedback

Feedback helps providers know what is working well and identify areas that can be improved.

A strong feedback culture will allow you, your colleagues and your employer to:

- build capability
- celebrate your achievements
- respond to and learn from your mistakes
- develop an environment of continuous improvement.

If you have a complaint and don't feel comfortable raising it with your employer directly, or if you're dissatisfied with the way they've handled it, you can file a complaint with the independent Aged Care Complaints Commissioner.

Making a whistleblower disclosure

The new Act also contains whistleblower protections. You play an important role in identifying issues and calling out misconduct.

We understand making a disclosure can be an unsettling experience.

If you make a qualifying disclosure that someone hasn't followed aged care laws, you will have access to protections if you experience unfair treatment arising directly from that qualifying disclosure.

Your employer must have an internal whistleblower system and policy in place to ensure disclosures are effectively handled.

You can raise a concern to your organisation or the Complaints Commissioner.

You can make a whistleblower disclosure to:

- the Complaints Commissioner or a staff member of the Aged Care Quality and Safety Commission
- the <u>Department of Health</u>, <u>Disability and Ageing</u>, or an official of the department
- your employer (aged care provider)
- a member of your organisation's governing body such as a CEO or Board Member

- another aged care worker
- a police officer
- an independent aged care advocate.

Social media

Below are suggested posts you can publish on your social media channels for older people, their families and carers.

Complaints and whistleblower protections

Channel	Сору	Social media tile
Facebook	The new Aged Care Act puts your rights at the centre of aged care.	Embed short video: https://www.youtube.com/wa tch?v=4kQrRaRRe6M
	The new Act introduces laws to protect your rights when making a complaint about your care with your provider.	
	If something goes wrong, or your rights have not been supported, you can:	
	give feedback to your provider without fear of being treated unfairly	
	☑ lodge a complaint with the Aged Care Quality and Safety Commission	
	 ✓ contact the Older Persons Advocacy Network (OPAN) to help you with your complaint.	
	For more information, see the comments below \mathbb{Q} .	
	First comment: Learn more about complaints and whistleblower protections https://www.health.gov.au/our-work/aged-care-act/about	
Instagram	The new Aged Care Act puts the rights of older people at the centre of aged care.	Embed short video: https://www.youtube.com/wa tch?v=4kQrRaRRe6M
	The new Act introduces laws to protect the rights of older people when making a complaint about a provider.	
	When something goes wrong, older people have the right to:	
	give feedback to their provider without fear of being treated unfairly	
	☑ lodge a complaint with the Aged Care Quality and Safety Commission	
	✓ contact the Older Persons Advocacy Network(OPAN) for help to lodge a complaint.	

To learn more about complaints and whistleblower
protections, visit <a> https://www.health.gov.au/our-
work/aged-care-act/about

Complaints

Channel	Сору	Social media tile
Facebook	Aged care workers are key to making aged care safe and respectful.	Embed short video: https://youtu.be/NidXGuJZE JQ?si=putw1Ch4ryJ4nl98
	The new Aged Care Act introduces laws to make sure you support the people in your care to:	
	✓ understand how you manage and resolve complaints	
	feel welcome to share feedback, raise concerns or make a complaint.	
	You also have the right to make a complaint or provide feedback to your employer.	
	If you don't feel comfortable raising it with your employer, you can make a complaint to the Complaints Commissioner without fear of being treated unfairly.	
	First comment: Learn more about raising complaints: https://www.health.gov.au/news/your-new-ways-of-working-in-aged-care-act/about	
	Aged care workers are key to making aged care safe and respectful.	
Instagram	The new Aged Care Act introduces laws to make sure workers support the people in their care to:	Embed short video: https://youtu.be/NidXGuJZE JQ?si=putw1Ch4ryJ4nl98
	✓ understand how you manage and resolve complaints	
	feel welcome to share feedback, raise concerns or make a complaint.	
	Workers also have the right to make a complaint or provide feedback to their employers.	
	If workers don't feel comfortable raising a complaint with their employer, they can make a complaint to the	

	Complaints Commissioner without fear of being treated unfairly.	
	Click 1 the link in our bio for more.	
	Link for bio: https://www.health.gov.au/our-work/aged-care-act/about	
	Aged care workers are key to making aged care safe and respectful.	
X	The new Aged Care Act introduces a new complaints system.	Embed short video: https://youtu.be/NidXGuJZE JQ?si=putw1Ch4ryJ4nl98
	For more info visit: https://www.health.gov.au/our-work/aged-care-act/about	
	Aged care workers are key to making aged care safe and respectful.	
LinkedIn	The new Aged Care Act introduces laws to make sure you support the people in your care to:	
	understand how you manage and resolve complaints	
	✓ feel welcome to share feedback, raise concerns or make a complaint.	Embed short video: https://youtu.be/NidXGuJZE JQ?si=putw1Ch4ryJ4nl98
	You also have the right to make a complaint or provide feedback to your employer.	
	If you don't feel comfortable raising it with your employer, you can make a complaint to the Complaints Commissioner without fear of being treated unfairly.	
	First comment: Learn more about raising	
	complaints: https://www.health.gov.au/news/your-new-ways-of-working-in-aged-	
	carehttps://www.health.gov.au/our-work/aged-care-	
	act/about	

Whistleblower protections

Channel	Сору	Social media tile
Facebook	The new Aged Care Act introduces whistleblower protections to protect anyone making a complaint about someone who hasn't followed aged care laws.	Embed short video: https://www.youtube.com/wa tch?v=lpifpxIHd7k
	You play a critical role in identifying issues and calling out misconduct. We understand making a disclosure can be an unsettling experience.	
	If you make a report that someone hasn't followed aged care laws, you will be protected.	
	The new and expanded whistleblower framework protects:	
	you from punishment, unfair treatment, threats and victimisation	
	your identity – except in limited circumstances or with your consent.	
	First comment: Learn more about whistleblower protections: https://www.health.gov.au/news/your-new-ways-of-working-in-aged-care	
Instagram	The new Aged Care Act introduces whistleblower protections to protect anyone making a complaint about someone who hasn't followed aged care laws.	Embed short video: https://www.youtube.com/wa tch?v=lpifpxIHd7k
	You play a critical role in identifying issues and calling out misconduct. We understand making a disclosure can be an unsettling experience.	
	If you make a report that someone hasn't followed aged care laws, you will be protected from punishment or unfair treatment.	
	The new and expanded whistleblower framework protects:	
	you from punishment, unfair treatment, threats and victimisation	
	your identity – except in limited circumstances or with your consent.	
	Click the link in our bio for more.	
	Link for bio: https://www.health.gov.au/news/your-new-ways-of-working-in-aged-care	

X	The new Aged Care Act introduces a new whistleblower protections framework to protect anyone making a complaint about someone who hasn't followed aged care laws. For more info, visit: https://www.health.gov.au/news/your-new-ways-of-working-in-aged-care	Embed short video: https://www.youtube.com/wa tch?v=lpifpxlHd7k
LinkedIn	The new Aged Care Act introduces whistleblower protections to protect anyone making a complaint about someone who hasn't followed aged care laws. You play a critical role in identifying issues and calling out misconduct. We understand making a disclosure can be an unsettling experience.	Embed short video: https://www.youtube.com/wa tch?v=lpifpxIHd7k
	If you make a report that someone hasn't followed aged care laws, you will be protected. The new and expanded whistleblower framework	
	protects:	
	you from punishment, unfair treatment, threats and victimisation	
	your identity – except in limited circumstances or with your consent.	
	First comment: Learn more about whistleblower protections: https://www.health.gov.au/news/your-new-ways-of-working-in-aged-care	

Videos and animations

The below videos and animations can be used in your communications with older people, their families and carers:

- New Aged Care Act (available in 7 languages and <u>Auslan</u>)
- Your aged care rights (available in 7 languages and Auslan)
- A trusted aged care workforce (available in 7 languages and Auslan)
- Choice and Control (available in 7 languages and Auslan)
- Aged Care Quality Standards (available in 7 languages and Auslan)

The below videos and animations can be used in your communications with aged care workers:

- Working in aged care
- Complaints in aged care
- Whistleblower protections in aged care
- Aged Care Quality Standards
- Aged care worker screening
- Statement of Rights and Statement of Principles

Resources

Older people, their families and carers

- About the Aged Care Act 2024 plain language fact sheet
- About the Aged Care Act 2024 fact sheet Easy Read fact sheet
- Culturally safe care for older Aboriginal and Torres Strait Islander people fact sheet
- New Aged Care Act infographic
- <u>'Exploring aged care' consumer booklet</u>
- New Aged Care Act What is new or changing?
- <u>eLearning for older people</u>, their families and carers
- Guide to Aged Care Law
- A new Aged Care Act for the rights of older people plain language fact sheet
- A new Aged Care Act for the rights of older people Easy Read fact sheet

Aged care workers

- About the Aged Care Act 2024 plain language fact sheet
- About the Aged Care Act 2024 fact sheet Easy Read fact sheet
- Culturally safe care for older Aboriginal and Torres Strait Islander people fact sheet
- Working in aged care A guide for workers about the new Aged Care Act
- New Aged Care Act resources for aged care workers
- eLearning for aged care workers
- A new Aged Care Act for the rights of older people plain language fact sheet
- A new Aged Care Act for the rights of older people Easy Read fact sheet
- Guide to Aged Care Law
- New Aged Care Act What is new or changing?

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