

Whistleblower Policy

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Document Control

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Classification	Public	Readership	All employees

Policy Statement

WQPHN is committed to sustaining an organisational culture that is resistant to misconduct and offers a safe and secure means for disclosure of possible misconduct.

WQPHN recognises that a transparent Whistleblower Policy is essential to good risk management and corporate governance.

Consistent with the law and WQPHN's Code of Conduct, the objectives of the Whistleblower Policy are to:

- a. encourage disclosure of possible misconduct;
- b. help deter wrongdoing, in line with WQPHN's risk management and governance framework;
- c. ensure individuals who disclose misconduct can do so safely, securely and with confidence that they will be protected and supported;
- d. ensure disclosures are dealt with appropriately and on a timely basis;
- e. provide transparency around WQPHN's framework for receiving, handling and investigating disclosures;
- f. support WQPHN's long-term sustainability and reputation; and
- g. meet WQPHN's legal and regulatory obligations.

Scope

The Whistleblower Policy applies to any person who is or has been any of the following with respect to WQPHN or a related body corporate:

- a. an officer or employee (e.g. current and former employees who are permanent, part-time, fixed-term or temporary, interns, secondees, managers, and directors);
- b. a supplier of services or goods to the entity (whether paid or unpaid), including their employees (e.g. current and former contractors, consultants, service providers and business partners);
- c. an associate of the entity;
- d. a spouse, relative or dependant of any of the above (e.g. relatives, dependants or spouse of current and former employees, contractors, consultants, service providers, suppliers and business partners).

Principles & Responsibilities

- Mitigation of misconduct is assisted through the development of a framework where individuals who disclose Reportable Conduct are protected.
- An effective framework involves identifying key risks to whistleblowers.
- Monitoring and review of the Whistleblower Policy should be a normal part of the management process.
- Robust mechanisms will be established to encourage and support the reporting of suspected Reportable Conduct by individuals from within and outside WQPHN, including anonymous reports.

- All reasonable measures will be taken to ensure that potential whistleblowers are aware of their rights to protection under the legislation and their right to compensation if relevant.
- All reasonable measures will be taken to support a person who discloses suspected misconduct, and provide protection from Detrimental Conduct as a result of making a disclosure.
- Disclosures of Reportable Conduct will be investigated and, if required, will be reported to the relevant external body.
- A person shall not make a disclosure under the Whistleblower Policy unless that person has reasonable grounds to suspect that the information is Reportable Conduct.
- Procedures defining the roles, responsibility, authority and powers delegated to management and investigators will be used to determine the investigation approach commensurate with the nature and seriousness of the matter.
- WQPHN’s employee induction and triennial refresher program will include training on the Whistleblower Policy.

Definitions

Term	Definition
Detrimental Conduct	<p>Refer to section 1317ADA Corporations Act</p> <p>Detriment Conduct includes (without limitation) any of the following:</p> <ol style="list-style-type: none"> dismissal of an employee; injury of an employee in his or her employment; alteration of an employee’s position or duties to his or her disadvantage; 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; any other damage to a person.
Eligible Recipient	<p>Refer to section 1317AAC Corporations Act</p> <p>Each of the following is an eligible recipient in relation to a regulated entity that is a body corporate:</p> <ol style="list-style-type: none"> officer or senior manager of the body corporate or a related body corporate; an auditor, or a member of an audit team conducting an audit, of the body corporate or a related body corporate; an actuary of the body corporate or a related body corporate; a person authorised by the body corporate to receive disclosures that may qualify for protection under Part 9.4AAA of the <i>Corporations Act</i>.

<p>Reportable Conduct or Disclosable Matters</p>	<p>Refer to section 1317AA(4)-(5) Corporations Act</p> <p>(4) This subsection applies to a disclosure of information if the discloser has reasonable grounds to suspect that the information concerns misconduct, or an improper state of affairs or circumstances, in relation to:</p> <ol style="list-style-type: none"> a. the regulated entity; or b. if the regulated entity is a body corporate—a related body corporate of the regulated entity <p>(5) Without limiting section (4), this subsection applies to a disclosure of information if the discloser has reasonable grounds to suspect that the information indicates that any of the following:</p> <ol style="list-style-type: none"> a. the regulated entity, or an officer or employee of the regulated entity; b. if the regulated entity is a body corporate—a related body corporate of the regulated entity, or an officer or employee of a related body corporate of the regulated entity; <p>has engaged in conduct that:</p> <ol style="list-style-type: none"> c. constitutes an offence against, or a contravention of, a provision of any of the following: <ol style="list-style-type: none"> (i) the Corporations Act 2001; (ii) the Australian Securities and Investment Commission Act 2001; (iii) the Banking Act 1959; (iv) the Financial Sector (Collection of Data) Act 2001; (v) the Insurance Act 1973; (vi) the Life Insurance Act 1995; (vii) the National Consumer Credit Protection Act 2009; (viii) the Superannuation Industry (Supervision) Act 1993; (ix) an instrument made under an Act referred to in any of subparagraphs (i) to (viii); or d. constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or e. represents a danger to the public or the financial system; or f. is prescribed by the regulations for the purposes of this paragraph.
<p>Whistleblower Policy</p>	<p>Refer to Australian Securities and Investment Commission (ASIC) Regulation Guide 270 Whistleblower policies and other guiding information.</p> <p>WQPHN’s Whistleblower Policy includes:</p> <ol style="list-style-type: none"> a. Whistleblower Policy; b. Whistleblower Procedure; and c. Whistleblower Information Guide.
<p>WQPHN</p>	<p>Western Queensland Primary Care Collaborative Limited trading as WQPHN or Western Qld PHN</p>

Related legislation, policies and resources

- this Policy must be read in conjunction with its associated procedure and information guide
- Corporations Act 2001
- Australian Securities and Investment Commission [Regulation Guide 270 Whistleblower policies](#) and other [guiding information](#) and other Whistleblower guidance material
- Taxation Administration Act 1953
- Australian Securities and Investment Commission Act 2001

- Banking Act 1959
- Financial Sector (Collection of Data) Act 2001
- Insurance Act 1973
- Life Insurance Act 1995
- National Consumer Credit Protection Act 2009
- WQPHN Employee Handbook - Code of Conduct Policy, Grievance Policy and Procedure
- WQPHN Privacy Policy
- WQPHN Quality Management Systems Manual - Risk Management Policy and Procedure

Amendment History

Version	Date	Author	Description
1	3 Apr 2020	Fox Lawyers	Initial version approved by Board
2	21 Nov 2023	Senior Quality & Compliance Advisor	Updated version approved by Board