

# Darling Downs and West Moreton PHN

## Corporate Policy

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## Summary of Revisions

<b>Date of changes</b>	<b>Summary description of changes made</b>	<b>Approved by (role)</b>
April 2018	V1.0 – New template	CEO
May 2019	V2.0 – Update to reflect organisational change	Board
January 2020	V2.1 – New template	CEO
August 2020	V2.2 – Policy Review	CEO
February 2022	V2.3 – Updated Template and Review	GM S&O
February 2023	V2.3 - Policy Review	Board
February 2024	V2.4 – Review and update	Board
February 2025	V2.5 – Review and minor updates	Board
February 2026	V2.6 – Update template and include independent whistleblower services offering.	



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# Policy Overview

The Darling Downs and West Moreton Primary Health Network ('PHN') is committed to the highest standards of conduct and ethical behaviour in all our business activities, and to promoting and supporting a culture of honest and ethical behaviour, corporate compliance and good corporate governance. The Whistleblower Policy enables this commitment to be operationalised.

Employees are expected to report any instances of suspected unethical, illegal, fraudulent or undesirable conduct involving the PHN's business. The PHN will ensure that those persons who make a report shall do so without fear of intimidation, disadvantage or reprisal.

# Policy Principles

- Encourage the reporting of matters that may cause harm to individuals or financial or non-financial loss to the PHN or damage to its reputation.
- Enable the PHN to deal with reports from whistleblowers in a way that as far as is appropriate will protect the identity of the whistleblower and provide for the secure storage of the information provided.
- Establish the policies for protecting whistleblowers against reprisal by any person internal or external to the PHN; and
- Help to ensure the PHN maintains the highest standards of ethical behaviour and integrity.

# Roles and Responsibilities

## Reporting of Concerns

Where an employee of the PHN believes in good faith, on reasonable grounds, that any other employee, volunteer, or contractor has breached any provision of the law or has behaved in a manner that is in conflict with the PHN's policies, Code of Conduct or unethical in any way, that employee must report their concern to:

- their supervisor: or, if they feel that their supervisor may be complicit in the breach,
- the CEO: or, if they feel that the CEO may be complicit in the breach,
- the organisation's nominated Whistleblower Protection Officers; Executive Director – Strategy & Operations or,
- an independent third party organisation (*see section Whistle Blowing Services*) or,
- the National Anti-Corruption Commission if the issue relates to corruption in the Commonwealth public sector or,
- the duly constituted authorities responsible for the enforcement of the law in the relevant area.

All complaints will be brought to the attention of the Board through the Board Chair.

The person making their concern known shall not suffer any sanctions from the organisation on account of their actions in this regard provided that their actions:

- are in good faith,
- are based on reasonable grounds, and
- conform to the designated procedures.

Any person within the PHN to whom such a disclosure is made shall:

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- if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision. They must also keep a record of the complaint and the reasons that the complaint was dismissed; or
- if they believe the behaviour complained of to be neither trivial nor fanciful, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.

Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness.

## Whistle Blowing Services

Whistle Blowing Services (WBS) offers an independent option for employees to report concerns. WBS can be contacted 24/7 through the following confidential pathways:

- reporting hotline;
- online form;
- email;
- phone; and
- secure messaging.

## What is Reportable Conduct?

An employee may make a report under this policy if they believe that a PHN director, officer, employee, contractor, supplier, tenderer or other person who has business dealings with the PHN has engaged in conduct (Reportable Conduct) which:

- is dishonest, fraudulent or corrupt;
- is illegal (such as theft, drug sale or use, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law);
- is unethical or in breach of the PHN's policies (such as dishonestly altering company records or data, adopting questionable accounting practices or wilfully breaching the PHN's Code of Conduct or other policies or procedures);
- is potentially damaging to the PHN, an employee or a third party, such as unsafe work practices, environmental damage, health risks or abuse of the PHN's property or resources;
- amounts to an abuse of authority;
- may cause financial loss, damage the reputation or be otherwise detrimental to the interests of the PHN;
- involves harassment, discrimination, victimisation or bullying; or
- involves any other kind of serious impropriety.

## Whistleblower Process

When a whistleblower disclosure is received an appropriate person will be appointed to look after the welfare of the whistleblower ("Whistleblower Protection Officer") and will coordinate;

- Appointment of an appropriate person from either inside or outside of the PHN to investigate the allegations in the disclosure;
- Ensuring the investigation is conducted in a fair and timely manner and confidentiality is maintained;
- Ensuring there are no reprisals, harassment, discrimination, or victimisation of the whistleblower;
- Ensuring that all practicable steps are taken to protect the identity of the whistleblower where the whistleblower has sought anonymity;
- Immediately advise the Board of the whistleblower disclosure while exercising discretion in revealing their identity and the level of detail where it may compromise the investigation;
- Involving and notify external parties, such as police or other agency, where appropriate;
- Ensuring remedial action is taken, including disciplinary action, where appropriate; and

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- Ensuring the whistleblower is provided with information on the outcome of the investigation where reasonably practicable.

### Protection of Whistleblowers

The PHN will take all practicable action to ensure a whistleblower is not disadvantaged by having made a report of misconduct in good faith. This includes protection from:

- Any form of harassment or discrimination;
- Current or future bias; and
- Dismissal or demotion if they are an employee.

A Whistleblower Protection Officer will be appointed to look after the whistleblower's interests. Where a whistleblower believes that they have been victimised, disadvantaged or discriminated against, they have a right of review.

*The PHN has no power to offer any person immunity against criminal prosecution*

### Management of the Person/s Against Whom the Disclosure has been Made

The PHN recognises that persons against whom disclosures are made and investigated under this policy must also be supported during the handling and investigation process. The PHN will afford procedural fairness to the person against whom a disclosure has been made.

### What a Whistleblower Needs to Disclose

Before making a disclosure through the whistleblower program the employee must have first satisfied themselves that there is reasonable evidence to justify their concerns. The more evidence they can provide the greater the PHN's ability to investigate. The employee should be able to provide information on all or most of the following:

- what/how they believe the misconduct has occurred; and
- at least some of the people involved in the alleged misconduct; and
- when the alleged conduct occurred.

### Anonymity

When making a whistleblower report the employee can remain completely anonymous, although they should be aware that this may preclude DDWMPHN's ability to properly investigate the matter and prevent the PHN being able to provide feedback to the employee with respect to the outcome of the investigation.

Alternatively, the whistleblower can provide their name and contact details to the Whistleblower Protection Officer and request that their details be kept confidential. Where a whistleblower requests anonymity, the PHN will, as far as reasonably possible, protect the person's identity unless they are legally required to disclose it.

Information received from a whistleblower will be held in the strictest confidence and will only be disclosed to a person not connected with the investigation if:

- The whistleblower has been consulted and consents in writing to the disclosure; or
- There is a legal requirement of the PHN.

All files created with respect to a whistleblower disclosure and investigation will be kept securely.

The whistleblower will be advised if matters change in a way that affects the PHN's ability to protect the person's identity. The PHN will give the person as much warning as reasonably possible if it appears likely that the whistleblower's identity will become known. However, even if the identity of a Whistleblower is known or becomes known, the PHN will continue to ensure that all reasonable steps are taken to protect the Whistleblower from reprisal.

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At the time of making a disclosure, the Whistleblower can request a meeting in a discreet location away from their workplace.

Others who know of or suspect that another person has made a disclosure under this protocol should protect and maintain the confidentiality of that person. Staff members who breach confidentiality in relation to a known or suspected disclosure will be subjected to disciplinary proceedings, which may include summary dismissal.

### False or Malicious Disclosures

Where it is shown that a person purporting to be a whistleblower has made a false and/or malicious report, then that conduct itself is considered to be a serious matter and render the person concerned liable for legal action, or if they are an employee, then disciplinary action, which may include summary dismissal.

### How to Make a Report

Where it is shown that a person purporting to be a whistleblower has made a false and/or malicious report, then that conduct itself is considered to be a serious matter and render the person concerned liable for legal action, or if they are an employee, then disciplinary action, which may include summary dismissal.

#### How do I make an Online Report Disclosure?

To make an "Online" report please click on the 'Make a Report' button. You will be redirected to a new page where you need to enter: 'ddwmpnh' for the "Unique Key"; and 'ddwmpnh2026' for the "Client Reference Number".

How do I make a Phone Report Disclosure?

#### How do I make a Phone Report?

To make an "Phone " report please call the following numbers:

**Australia: 1300 687 927 – 24 Hours / 7 Days per week**

You will be asked to supply the same information to validate your report. When asked for the "Unique Key" please state 'ddwmpnh' to the support person. The support person will then ask you for your "Client Reference Number" that is "ddwmpnh2026".

#### What happens when I lodge a report?

When you lodge a report, you will be provided with your own unique number which will be up to 20 characters long. **Please keep a record of the unique number.** It will be important if you wish to resume a report, upload more information for your disclosure or monitor progress of your disclosure.

## Relevant Legislation

- Whistleblowers Protection Act 1994 Queensland
- Work Health and Safety Regulation 2011 (Qld)
- Federal Corporations Act 2004

## **Related Policies, Documents and Organisations**

- *Human Resource Policy*
- *Code of Conduct*
- *Behaviour Charter*
- *Conflict of Interest*
- *Corporate Values*
- *Complaints and Grievances Policy*
- *Fair Work Ombudsman*
- *National Anti-Corruption Commission*