

NQPHN Policy

Title:	Whistleblower Protection Policy	Doc ref.:	CORP-PLY23	Version:	2
Category:	CORP	Owner:	Chief Executive Officer	Authoriser:	Board

1. Purpose

Whistleblowers help maintain and implement Northern Queensland Primary Health Network's (NQPHN's) values and integrity. This policy aims to encourage employees to disclose wrongdoings with confidence that NQPHN will protect them.

This Whistleblower Protection Policy and its supporting procedure provide a clear and confidential process for reporting any unethical, illegal, or fraudulent activities within the organisation. By encouraging transparency and protecting those who report misconduct, we aim to uphold our commitment to these principles and ensure the long-term success and integrity of our organisation.

This policy has been developed and applies to all NQPHN employees and Board Directors to:

- provide an understanding of what can be reported under this Policy
- demonstrate the importance NQPHN places on ensuring a safe and supportive environment where our people feel confident to raise breaches of internal rules or disclosable matters relating to the organisation, employees, or members
- assist in creating a culture within NQPHN that encourages our people to speak up and raise breaches of internal rules or policy, or disclosable matters relating to the Organisation and employees
- explain the processes for reporting breaches of internal rules or policy, or disclosable matters, including what happens when you make a report
- outline how you will be protected if you make a report.

The Whistleblower Protection Policy and Procedure should be read in conjunction and are available on our website.



NQPHN acknowledges the Aboriginal and Torres Strait Islander peoples as Australia's First Nation Peoples and the Traditional Custodians of this land. We respect their continued connection to land and sea, country, kin, and community. We also pay our respect to their Elders past, present, and emerging as the custodians of knowledge and lore.



2. Terms and definitions

Term	Definition
Board of Directors (Board)	The Board of Directors described on the NQPHN website which is jointly responsible for the activities of the organisation.
Contractors	Contractors are individuals or businesses that provide services to NQPHN. They aren't employed by NQPHN. Contractors usually negotiate their own fees and working arrangements and can work for more than one client. Contractors are also called independent contractors or subcontractors.
Employee	Individuals hired to provide a service to NQPHN either on a permanent or fixed-term full or part time basis in exchange for payment.
Whistleblower	A whistleblower is an individual who makes a disclosure relating to a breach of internal rules or Disclosable Conduct under this Policy. A whistleblower may request protection in terms of this Policy.

3. Scope

This procedure applies to all NQPHN Board Directors and employees

It also applies to individuals, organisations and their employees, who supply services or goods (whether paid or unpaid) to NQPHN. Including current and former contractors and consultants, service providers and business partners.

4. Policy

NQPHN is committed to adhering to its statutory obligations, rules, and values. We are committed to providing those involved with our organisation a safe environment to raise breaches of internal rules or policy, or disclosable matters relating to the organisation, employees, or members.

In cases where people feel they need to be protected in relation to raising a matter, this Policy outlines the protections that will apply.

All persons are encouraged to report any genuine disclosable matter.

Disclosable matters include any actual or suspected conduct founded on reasonable grounds relating to:

- misconduct or an improper act or circumstances relating to the company, including dishonest, fraudulent, corrupt, unethical conduct, or conduct in breach of our internal policies
- contravention of any law administered by Australian Securities and Investments Commission (ASIC) and/or the Australian prudential regulation authority
- conduct that represents a danger to the public or financial system
- an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more

Some examples of misconduct that may be disclosed include:

- an employee intentionally disclosing tender information to give an agency an unfair advantage in the tender process
- an employee directing company funds to a family member's business for personal gain
- an employee accepting bribes to accept a contract from a medical practitioner.

Personal employment grievances ARE NOT eligible disclosures. Such personal grievances include:

- an interpersonal conflict between the discloser and another employee
- a decision that does not involve a breach of workplace laws
- a decision about the engagement, transfer, promotion, or termination of the discloser.

This policy and the protections under the Corporations Act do not apply to personal grievances or other matters which do relate to disclosable matters.

Personal grievance or other complaints to which this policy does not apply can be discussed with your supervisor or manager.

Personal grievances or other disclosure which do not qualify for protection under the Corporations Act may be protected under other legislation, such as the *Fair Work Act 2009 (Fair Work Act)*.

For full details on making a disclosure refer to the Whistleblower Protection Procedure.

4.1 Legal protections for disclosures

This refers to the *Corporations act 2001 (Cth), part 9.4aaa*.

There are certain protections provided to persons who make a genuine disclosure:

- identity protection (confidentiality)
- protection from detrimental acts or omissions
- compensation and remedies
- civil, criminal, and administrative liability protection
- a discloser can still qualify for protection even if their disclosure turns out to be incorrect.

4.2 Support and practical protection for disclosures

- NQPHN will ensure the protection of the confidentiality of a discloser's identity and protect disclosers from detrimental acts or omissions.
- If you report a disclosable matter in good faith, you will not be the subject of disciplinary action, unfavourable treatment, or victimisation, even if the disclosure is discovered to be incorrect.

Victimisation of persons who make disclosure is prohibited. This includes action such as:

- termination of employment
- harassment, bullying, or intimidation
- unlawful discrimination

- harm or injury, including psychological harm.

If you feel victimised, you should inform Chief Executive Officer (CEO) or the Chair of the Board immediately.

4.3 The Chief Executive Officer will:

- ensure adequate resourcing and support is provided to management teams for implementation of the policy
- ensure NQPHN complies with the whistleblower protection provisions (whistleblower provisions) in *Part 9.4AAA of the Corporations Act 2001 (Corporations Act)*
- ensure the whistleblower provisions are not breached when handling a whistleblower disclosure
- ensure this policy and associated procedures are applied and committed to by all employees.

4.4 NQPHN will:

- receive whistleblower disclosures and referrals from eligible recipients
- determine manner and outcomes of investigations
- consider and take next steps following an investigation
- report outcomes of investigations
- ensure disclosers are protected
- ensure NQPHN employees comply with all relevant legislation, policies, and procedures where applicable.

5. Adherence

All employees, Board members, and contractors are responsible for complying with this policy. In the instance of a breach of the policy, appropriate disciplinary action will be taken in accordance with relevant NQPHN policies and procedures.

6. Management approval

Authorised by:	NQPHN Board		
Date:	27 September 2024	Review date:	September 2026

7. ISO 9001:2015 requirements

Clause 7: Support

7.5 Documented information

7.5.1 General

7.5.2 Creating and updating

7.5.3 Control of documented information

7.5.3.1 Documented information shall be controlled

7.5.3.2 For the control of documented information

Clause 9: Performance evaluation

9.1 Monitoring, measurement, analysis, and evaluation

9.1.1 General

9.3 Management review

9.3.1 General

9.3.2 Management review inputs

9.3.3 Management review outputs

Clause 10: Improvement

10.1 General

10.2 Nonconformity and corrective action

10.2.2 The organisation shall retain documented information

10.3 Continual improvement