

Whistleblower Policy

Effective: January 2023

Introduction

doctorportal Learning Pty Ltd, trading as 'CPD Home' is a wholly owned subsidiary of the Australian Medical Association (WA) Inc.

CPD Home is available to non-exempt medical practitioners in Australia at www.cpdhome.org.au. It is not limited to members of the AMA.

Purpose

The CPD Home Whistleblower Protection Policy (policy) is one of a number of policies and codes that promotes a culture of conducting our business with honesty, fairness, and integrity. The aims of our policy are to:

- reinforce CPD Home and associated organisation's commitment to identifying and responding to concerns and fostering a culture of continuous improvement
- encourage the reporting of suspected or actual wrongdoing
- provide guidance on how to raise concerns and how those concerns will be investigated
- reassure anyone who raises a concern that they can do so without fear of retaliation, even if they turn out to be mistaken).

Objective

The objective of this policy is to encourage and support those aware of or suspect a wrongdoing to report it, and to provide reassurance to those who do that CPD Home management is committed to protecting their dignity, well-being, career, and good name.

Scope

This policy applies to:

- AMA (WA) Board members;
- CPD Advisory Panel members;
- all staff, including managers and supervisors; job candidates; student placements, trainees, contractors, sub-contractors, volunteers, and former employees;
- subscribers and Certified Learning Providers; and
- a spouse, relative or dependant of any of the people listed above.

CPD Home encourages anyone with knowledge or reasonable suspicion of reportable conduct to report it as soon as possible.

Definitions

The following definition(s) apply to this policy and where applicable, its procedures.

Term	Definition
CPD Advisory Panel	Panel of medical advisers which provides advice to the AMA (WA) CEO and senior leadership team regarding the CPD Home Program.
CPD Home staff	Includes employees or contracted consultants, legal or financial professionals acting for CPD Home.
Certified Learning Provider	A learning provider who is certified by CPD Home and can apply for accreditation of a CPD activity for listing in the CPD Home 'Catalogue'.
Decision maker	Any person or persons making decisions for or on behalf of CPD Home.

Reportable conduct	<p>Any past, present, or likely future activity, behaviour or state of affairs considered to be:</p> <ul style="list-style-type: none"> • dishonest • corrupt (including soliciting, accepting, or offering a bribe, facilitation payments or other such benefits) • fraudulent • illegal (including theft, drug sale or use, violence or threatened violence and property damage) • a breach of any law, regulation, internal policy, or code (such as the AMA (WA) Code of Behaviour or the AMA Code of Ethics) • impeding internal or external audit processes • improper relating to accounting, internal control, compliance, actuarial, audit or other matters of concern to the whistleblower • a serious impropriety or an improper state of affairs or circumstances • endangering health or safety • damaging or substantially risking damage to the environment • a serious mismanagement of CPD Home or AMA (WA) resources • detrimental to the organisations financial position or reputation • maladministration (an act or omission of a serious nature that is negligent, unjust, oppressive, discriminatory or is based on improper motives); or • concealing reportable conduct. <p>Reportable conduct usually relates to the conduct of staff, but it can relate to the actions of a third party, such as a customer, supplier, or service provider.</p>
Subscribers	Subscribers to CPD Home may be members of the AMA or non-member medical practitioners who have selected us as their CPD Home.
Whistleblower	Anyone, acting in good faith, who makes or attempts to make a report of reportable conduct under our policy.
Whistleblower Investigation Officer	Will be appointed by the Chief Executive Officer, AMA (WA) and will be not an individual implicated directly or indirectly in the report.
Whistleblower Protection Officer	A senior staff member of the AMA (WA), namely the Chief Executive Officer or the Chief Financial Officer.

Policy

1. Making a report

Whistleblowers when notifying of a reportable conduct are requested to provide as much information as possible and any known details about the events underlying the report (e.g., date, time, location, name of person(s) involved, possible witnesses to the events, evidence of the events (e.g., documents, emails) and steps they may have already taken to report the matter elsewhere or to try resolve the concern).

To help facilitate investigation of the reportable conduct the whistleblower is encouraged to provide their name and a method for contacting them. This will enable the Whistleblower Investigation

Officer to contact the whistleblower if they have any additional question and to update them on the progress of the investigation.

There is no requirement for a whistleblower to identify themselves for their disclosure to qualify for protection under the Corporations Act or the Taxation Administration Act. Anonymous reports will be treated as seriously as any other allegation, but investigations may be limited if the person making the report is unable or unwilling to be interviewed. Any whistleblower wishing to remain anonymous is encouraged to use an anonymous email address to facilitate communication regarding the investigation of the matter.

Our policy does not in any way restrict or diminish the right of any individual to make disclosures directly to relevant regulators.

2. Reporting channels

CPD Home has several reporting channels. Employees are encouraged to use normal business channels first for issues relating to their own personal circumstances (e.g., employment matters), or where normal business procedures exist (e.g., operational risk or compliance issues), except where a whistleblower believes they may suffer personal disadvantage or wish to use the protections under this policy.

Our policy establishes a dedicated whistleblowing channel in addition to those listed above.

The alternate whistleblowing channel is to contact one of two Whistleblower Protection Officer's – those currently being the:

- Chief Executive Officer, AMA (WA), or
- Chief Financial Officer, AMA (WA).

Should either of the above be implicated directly or indirectly in the whistleblower's intended report they should instead report the matter to the AMA (WA) President - [insert email].

3. Investigating reports

Investigations of reportable conduct will be conducted in a manner that is confidential, fair, and objective.

Confidentiality extends to all information received from whistleblowers. All information will be held securely and in strict confidence. All reports received through whistleblowing channels are assigned to a suitable Whistleblower Investigation Officer.

4. Whistleblower protection

CPD Home will not disclose the identity of or any information likely to identify the whistleblower unless:

- the whistleblower gives their consent;
- the disclosure is required by law, or where CPD Home refers the matter to regulatory body;
- the disclosure is necessary as part of the investigation process, including for the purposes of obtaining legal advice.

Whistleblowers will be protected from personal disadvantage or victimisation by CPD Home and AMA (WA) staff and/or decision makers, from having made a report. This protection extends to anyone else within or outside of the organisation who is assisting the investigation, as well as to the Whistleblower Investigation Officer.

CPD Home will not tolerate any retaliatory action against a whistleblower including:

- dismissal or termination of services;
- demotion;
- denial of access to services or processes to which they have a right
- any form of discrimination or harassment; and
- current or future bias or threats of any kind.

Any retaliatory action will be treated seriously and may be considered a serious misconduct resulting in disciplinary action, which may include termination of employment or position within CPD Home.

Note: This policy does not prevent the whistleblower being subject to:

- regular performance review or any reasonable management action, carried out in a reasonable manner, to manage their conduct or performance; or
- regular audit processes, if a CPD Home prescriber; or
- the consequences of any involvement in the reportable conduct disclosed.

Roles and Responsibilities

The whistleblower when making a report must do so with a genuine and reasonable belief regarding the reportable conduct.

The Whistleblower Investigation Officer, will be appointed by the Chief Executive Officer, AMA (WA) and will not be an individual implicated directly or indirectly in the report. The Whistleblower Investigation Officer is responsible for conducting the investigation, and for keeping the whistleblower informed of the investigation's progress in a timely way.

The Whistleblower Protection Officer will be either the Chief Executive Officer, AMA (WA) or the Chief Financial Officer AMA (WA) provided they are not implicated directly or indirectly in the report. The Whistleblower Protection Officer is responsible for protecting whistleblowers from personal disadvantage as a result of making a report. The Whistleblower Protection Officer is authorised to provide certain protections where he/she deems appropriate for fulfilling their role. Anyone covered by our policy can approach the Whistleblower Protection Officer prior to, during, or after making a whistleblowing report to seek advice.

In the case of staff, Human Resources will maintain processes to monitor the welfare of whistleblowers under this policy, to ensure the effectiveness of protections offered under the policy.

In the case of CPD Home subscribers or certified learning providers, the Chief Executive Officer, AMA (WA), when communicating with the whistleblower will check with them to ensure no retaliatory action has occurred.

Action

All reports of alleged or suspected reportable conduct received by the Whistleblower Investigation Officer will be assessed to ascertain the seriousness of the report and to determine whether an investigation is required. Factors relating to the seriousness may include, but are not limited to:

- the gravity of the conduct itself;
- the context in which the conduct occurred;
- the extent of the potential or actual consequence(s); and
- the potential to expose systematic wrongdoing beyond the allegation made.

The Whistleblower Investigation Officer may decide not to investigate a report if it is considered that the:

- alleged conduct is not reportable conduct under this policy

- report is not made in good faith or is frivolous, vexatious or malicious
- report is made anonymously and there is insufficient information to undertake an investigation
- subject matter of the report has been or could be satisfactorily dealt with or resolved through another grievance or reporting procedure.

An investigation will generally be conducted if the matter is deemed to be serious. The Whistleblower Investigation Officer will determine the appropriate process for conducting the investigation. This may include whether an external investigator is warranted or where the reportable conduct is a criminal nature, the matter may be referred directly to the CPD Home legal counsel and/or appropriate authorities.

All investigations will be conducted in a fair, independent and timely manner that affords procedural fairness to all involved.

On completion of an investigation, a written report will be provided to the Chief Executive Officer, AMA (WA) Board or if that is not appropriate to the AMA (WA) President. The report should:

- summarise the conduct of the investigation;
- summarise the evidence collected;
- detail any conclusions drawn; and
- make recommendations for the response of Chief Executive Officer, AMA (WA), or if that is not appropriate to the AMA (WA) President.

The Chief Executive Officer, AMA (WA), or if inappropriate, the AMA (WA) President will communicate the outcome of the investigation and any action to be taken by the CPD Home in response. CPD Home will take any action appropriate, internally or externally, for addressing any wrongdoing. This may include any necessary disciplinary action of CPD Home Staff, referrals to external regulatory bodies, reviewing CPD Home policies and processes to prevent a re-occurrence of the reportable conduct.

Compliance

If it is found that the Whistleblower has knowingly made a false or vexatious report then that conduct itself will be considered a serious matter and may result in disciplinary action, including termination of employment.

Relevant Board Committees charged with overseeing the whistleblower program, and the Risk and Compliance Committee will be provided updates on whistleblowing as relevant.

A breach of the policy may, in some circumstances, result in disciplinary action up to and including dismissal. Any report of breaches under the policy will be investigated.

Version Tracking

Version	Date	Comments
1.0	December 2022	