

## WHISTLEBLOWER POLICY

Policy number	2.14	Version	2022v4
Responsible Person	CFOO	Approval date	17-03-2022

### INTRODUCTION

This policy is founded upon ASHM's commitment to accountability and transparency.

ASHM is committed to the highest standards of legal, ethical and moral behaviour.

This policy is intended to fulfil ASHM's obligations under the Corporations ACT, 2001; this Act provides legal rights and protections for people who meet the definition of an 'eligible whistleblower'. ASIC Information Sheet 238 describes who can qualify for protections as a whistleblower under the Corporations Act. This policy also meets the requirements set out in the ASIC Corporations (Whistleblower Policies) Instrument 2019/1146, effective 1 January 2020.

ASHM recognises that people who have a working relationship with ASHM are often the first to realise there may be concerns. However, for fear of appearing disloyal or concern about being victimised or the subject of other reprisals, they may be concerned about reporting this misconduct.

ASHM staff, volunteers, contractors and partners who are aware of possible wrongdoing have a responsibility to disclose that information.

### PURPOSE

The purpose of this policy is to provide a supportive work-relationship environment where misconduct within or by ASHM can be raised without fear of retribution.

This policy provides guidance in detecting corrupt, illegal or other undesirable conduct. ASHM strongly encourages its stakeholders to speak up if they suspect or witness any matters of concern. ASHM will take all reports made under this policy seriously

This is achieved by:

- encouraging the reporting of serious misconduct
- providing protected misconduct reporting alternatives to remove inhibitions that may impede such disclosures
- establishing fair and impartial procedures that enable:
  - protection for those that make serious misconduct disclosures
  - independent internal inquiry/investigation of disclosures made

**[ashm.org.au](http://ashm.org.au)**

**Australasian Society for HIV, Viral Hepatitis and Sexual Health Medicine**

Level 3, 160 Clarence Street, Sydney NSW 2000 T +61 02 8204 0700 F +61 02 8204 0782

ABN 48 264 545 457 CFN 17788

- resolution of the issue(s) identified

## DEFINITIONS

**Whistleblowing** is the disclosure by or for a witness, of actual or suspected misconduct in an organisation that reveals fraud, corruption, illegal activities, gross mismanagement, malpractice or any other serious wrongdoing.

A **Whistle-blower** is a person who reports serious misconduct in accordance with this policy.

An Eligible Whistle-blower can be all current and former partners, directors, officers, employees, contractors, suppliers (or their employee or subcontractor), course and conference attendees and speakers, interns and volunteers.

**Misconduct** includes behaviour that is:

- is fraudulent, corrupt or illegal
- is unethical, such as acting dishonestly; altering company records; wilfully making false entries in official records; engaging in questionable accounting practices; or wilfully breaching ASHM's code of conduct or the ACFID Code of Conduct
- is potentially damaging to ASHM, such as maladministration
- is seriously harmful or potentially seriously harmful to an ASHM employee or volunteer such as deliberate unsafe work practice or wilful disregard to the safety of others in the workplace
- may cause serious financial or non-financial loss to ASHM; or damage its reputation; or be otherwise seriously contrary to ASHM Whistle-blowing policy
- involves any other kind of serious impropriety including retaliatory action against a whistle-blower for having made or being suspected of making, a wrongdoing disclosure

## POLICY

This policy is intended to cover serious concerns that could have a large potential impact on ASHM, and it is differentiated from the normal feedback and grievance channels available to employees. Serious concerns covered by the policy could include actions that:

- may lead to incorrect financial reporting
- are unlawful
- are not in line with ASHM policy or its code of conduct
- otherwise amount to serious improper conduct

**[ashm.org.au](http://ashm.org.au)**

**Australasian Society for HIV, Viral Hepatitis and Sexual Health Medicine**

Level 3, 160 Clarence Street, Sydney NSW 2000 T +61 02 8204 0700 F +61 02 8204 0782

ABN 48 264 545 457 CFN 17788



For the purpose of this policy, reportable conduct does not include personal work-related grievances. Personal work-related grievances are managed in accordance with ASHM's Staff Grievance Policy.

All complaints and reports of wrongdoing or misconduct made under this policy must be documented.

No person should be personally disadvantaged for reporting a wrongdoing. Not only may this misconduct be illegal, but it may directly oppose the values and mission of ASHM.

ASHM is committed to maintaining an environment where legitimate concerns are able to be reported without fear of retaliatory action or retribution.

When a person makes such a disclosure they are entitled to expect that a fair and impartial investigation will ensue after a report has been made and:

- their identity remains confidential at all times to the extent permitted by law or is practical in the circumstances,
- they will be protected from reprisal, harassment or victimisation for making the report,
- should retaliation occur for having made the disclosure then ASHM will treat it as serious wrongdoing under this Policy.

The policy will be published in the ASHM website.

## RELATED POLICIES

2.05 Anti-Bullying Policy  
2.06 Misconduct Policy  
2.10 External Complaints Policy  
2.13 Staff Code of Conduct  
3.06 Fraud and Corruption Management  
3.14 Confidentiality Policy  
4.24 Staff Complaints and Grievance Policy

## AUTHORISATION

ASHM Board

## HISTORY

Version	Approved Date	Comments/ Amendments
2018v1	20-06-2018	First version
2018v2	07-04-2020	Added statement regarding the obligations under the Corporations ACT and ASIC corporations.
2021v3	N/A	New template

**ashm.org.au**

**Australasian Society for HIV, Viral Hepatitis and Sexual Health Medicine**

Level 3, 160 Clarence Street, Sydney NSW 2000 T +61 02 8204 0700 F +61 02 8204 0782

ABN 48 264 545 457 CFN 17788

<b>2022v4</b>	17-03-2022	Add eligible whistle-blower definition. Difference between this policy and staff complaints and grievances. Policy compliance reviewed and checked.
---------------	------------	---

## WHISTLEBLOWER PROCEDURE

Procedures number	2.14	Version	2022v4
Responsible person	CFOO	Approval date	17-03-2022

### RESPONSIBILITIES

The CEO and the HR and Administration Manager are responsible for promoting and enacting this policy in the ASHM workplace.

The Chief Executive Officer and the HR and Administration Manager will ensure all staff are adequately trained in understanding, identifying and (where possible) mitigating any activity that may breach the definitions of fraudulent or corrupt behaviour (as outlined in the ASHM Fraud and Corruption Policy).

### PROCEDURES

All ASHM staff will be made aware of this policy and their responsibilities to report wrongdoing to the HR and Administration Manager or Chief Executive Officer.

A fair and impartial investigation will ensue after a report has been made.

The ASHM board of directors should be involved in deciding who should be tasked to lead the investigation. In very serious cases or cases involving senior management it should take the responsibility for overseeing the investigation. In other cases, it should ensure that it is kept informed about the outcome of investigations.

The whistle-blower will be kept informed of the progress and, subject to legal constraints, the outcome of the investigation. The information provided may be limited due to confidentiality.

The ASHM Board and management will bear in mind the need to maintain confidentiality and to protect the identity of the whistle-blower.

The Board may specify the appointment of an ASHM representative to ensure the welfare of the whistle-blower and who will also update the latter on the status of the investigation.

### RELATED DOCUMENTS AND FORMS

None

### AUTHORISATION

ASHM CEO

**[ashm.org.au](http://ashm.org.au)**

**Australasian Society for HIV, Viral Hepatitis and Sexual Health Medicine**

Level 3, 160 Clarence Street, Sydney NSW 2000 T +61 02 8204 0700 F +61 02 8204 0782

ABN 48 264 545 457 CFN 17788