



1. Purpose

The purpose of the Whistleblower Policy is to highlight Vital Anaesthesia Simulation Training (VAST)'s commitment to accountability, transparency and a culture whereby potential misconduct within or by VAST can be raised without fear of retribution.

2. Objective

To establish an open and supportive environment reducing barriers for disclosure of Reportable Conduct. This policy aims to foster this environment by:

- encouraging the reporting of serious misconduct
- maintaining confidentiality of the identity of the whistleblower to the extent permitted by the law or practicality of the investigation
- having a protected mechanism for reporting potential misconduct
- resolving any issue(s) identified

3. Guiding principles

VAST is committed to high standards of ethical, legal and moral behaviour. Notwithstanding, all organisations are subject to the risk of unprofessional conduct, mismanagement or criminal behaviour. The following principles underpin VAST's Whistleblower Policy:

- all VAST Representatives have a responsibility to follow the process detailed in this policy for Reportable Conduct
- all VAST Representatives have the right to speak freely and honestly without fear of reprisal or recrimination
- VAST will respond in a timely, respectful and confidential manner
- VAST will prosecute or apply other appropriate action against those who have committed fraud and or engaged in corrupt conduct.

4. Scope

This document applies to all VAST office bearers, staff and volunteers associated with VAST.

5. Dictionary

Term	Meaning
Whistleblower	A whistleblower is a person who reports serious misconduct in accordance with this policy
Whistleblowing	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

Reportable Conduct	<p>Conduct or behaviour that concerns misconduct or an improper state of affairs or circumstances of VAST, including conduct or behaviour that is reasonably believed to be:</p> <ul style="list-style-type: none"> - dishonest, fraudulent or corrupt - illegal, such as theft, use or sale of prohibited drugs, criminal damage to property, harassment, intimidation or other suspected breaches of state or federal law - unethical or a wilful breach of VAST's policies or Code of Conduct - a danger to the public.
Representative	VAST office bearers, staff and volunteers associated with VAST
Incident report	<p>The incident report will be a summary of information stored on a secure, password protected computer. The information will include, but not be limited to the:</p> <ul style="list-style-type: none"> - details of the complaint - date of incident - date and times of interviews - complaint response time - action taken - outcomes
Disclosure Manager	The Board member who receives the disclosure of Reportable Conduct from the whistleblower.
Investigation Officer	<p>A person nominated by a disclosure manager, in consultation with Managing Director to conduct an investigation into allegations of Reportable Conduct. They may be either:</p> <ul style="list-style-type: none"> - a Board member - an external independent resource; or - another suitably qualified person.

6. Policy

6.1 Confidentiality

If a suspected wrongful act is reported under this policy, VAST will endeavour to protect the whistleblower's identity. In order not to jeopardise the investigation into the alleged wrongful act, the whistleblower is also expected to keep the fact they have raised a concern, the nature of the concern and the identity of those involved confidential.

Generally, VAST will not disclose the whistleblower's identity unless:

- the whistleblower consents to the disclosure
- the disclosure is required or authorised by law and/or
- the disclosure is necessary to further the investigation.

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Mostly, reports made under this policy will be treated confidentially. However, when a report is investigated it may be necessary to reveal its substance to people such as other representatives, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies. At some point it may also be necessary to disclose the fact and the substance of a report to the person who is the subject of the report.

VAST will take reasonable precautions to store any records relating to an incident report of a wrongful act securely and to permit access by authorised personnel only. Unauthorised disclosure of information relating to a report, the identity of the whistleblower or information from which the identity of the whistleblower could be inferred will be regarded seriously and may result in disciplinary action, which may include dismissal.

6.2 Protection of whistleblowers

No person who raises genuinely held concerns in good faith under this policy will be dismissed or subjected to any detriment as a result of such action, even if the concerns turn out to be unfounded. Detriment includes, but is not limited to, unwarranted disciplinary action and victimisation in any of the following forms:

- dismissal
- demotion
- any form of harassment
- discrimination
- current or future bias or
- threats of any of the above.

Any such retaliatory action will be treated as serious misconduct and will result in disciplinary action which may include dismissal. If a whistleblower believes retaliatory action has occurred or has been threatened, the whistleblower has the right to make a submission to the VAST Board.

6.3 Procedure for raising a concern

Concerns may be raised verbally or in writing to any member of the Board. The concern should include full details together with any supporting evidence that may be available. They should state they are using the Whistleblowing Policy and specify whether they wish for their identity to be kept confidential.

Anonymous reports of alleged wrongdoing are accepted under this Policy. Anonymous reports may have significant limitations that inhibit a proper and appropriate inquiry or investigation. These limitations may include the inability to provide feedback on the outcome and/or to gather additional particulars to assist the investigation.

6.4 Whistleblowers implicated in the wrongful act

Even though a whistleblower may be implicated in the wrongful act, they will not be subjected to any actual or threatened retaliatory action or victimisation in reprisal for making a report under this policy. However, making a report will not necessarily shield the whistleblower from the consequences flowing from that person's involvement in the wrongful act. In some circumstances an admission may be a mitigating factor when considering disciplinary or other action.

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6.5 False disclosure

VAST will treat all disclosures of wrongful acts seriously and protect staff who raise concerns in good faith. However, while protection is provided to whistleblowers under this policy, deliberate false reports will not be tolerated and anyone found making a deliberate false claim or report will be subjected to appropriate disciplinary action, which may include dismissal.

6.6 Communication with the whistleblower

The whistleblower will be kept informed of the progress of the investigation. The whistleblower will be informed of the outcomes of the investigation subject to the consideration of privacy against those against whom the allegations have been made.

6.7 How a disclosure will be handled

All disclosures will be taken seriously and the following procedures will be followed:

- 6.7.1 The whistleblower must disclose at the outset, any personal interest they may have in the matter. This must include full disclosure of any involvement the whistleblower has had in the matter.
- 6.7.2 The person to whom it was raised shall manage the disclosure (Disclosure Manager).
- 6.7.3 The Disclosure Manager will an Investigation Officer. VAST undertakes to start the investigation within two weeks of the disclosure. The length and scope of the investigation will depend on the subject matter of the disclosure. In most instances, there will be an initial assessment of the disclosure to determine whether there are grounds for a more detailed investigation to take place or whether the disclosure is, for example, based on erroneous information.
- 6.7.4 The whistleblower may be asked to provide more information during the course of the investigation.
- 6.7.5 The Investigation Manager will prepare an investigation report that will be reviewed by the Disclosure Manager.
- 6.7.6 Appropriate action will be decided by the Disclosure Manager in discussion with the Board. Action may include initiating a disciplinary process or informing external authorities if a criminal action has been committed, e.g. fraud or theft. If referral to an external authority is necessary the Board will be advised and the whistleblower will be informed, although if VAST considers it appropriate to do so, such a referral may need to be made without the whistleblower's knowledge or consent.
- 6.7.7 If it is found that there is not sufficient evidence of a wrongful act, or the actions of the individual(s) are not serious enough to warrant disciplinary action, it may be appropriate for the Disclosure Manager to take a more informal approach to dealing with the matter. In this circumstance possible outcomes of the investigation could be that:
 - the allegation could not be substantiated or
 - action has been taken to ensure that the problem does not arise again.
- 6.7.8 If the whistleblower is not satisfied with the response, they have received they have the option to raise the matter directly with a Board member directly.

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6.8 Management of the person against whom a report is made

Generally, the person who is the subject of any report that is investigated, will:

- be informed as to the substance of the allegations
- be given the opportunity to answer the allegations before any investigation is finalised
- be informed about the substance of any adverse comments that may be included in any report arising from the investigation before it is finalised
- have their defence set out fairly in any report.

VAST recognises that individuals against whom a report is made must also be supported during the handling and investigation of the alleged wrongful act. VAST will take reasonable steps to ensure the person who is the subject of a report, is treated fairly, particularly during the assessment and investigation process. Support provided by VAST may include referral for counselling.

Where a person is named by a whistleblower as being suspected of a possible wrongful act but preliminary inquiries determine that the suspicion is baseless or unfounded and that no formal investigation is warranted then the whistleblower will be informed of this outcome and the matter laid to rest.

Where an investigation does not substantiate the report, the fact that the investigation has been carried out, the results of the investigation and the identity of the person who is the subject of the report must be handled confidentially.

6.9 Corrective action and compliance

Should allegations be found to be unsubstantiated, every effort will be made to address any negative effects on the reputation and morale of personnel involved.

As part of the investigation into disclosures made under this policy, recommendations for change will be invited from the Investigation Officer to enable VAST to minimise the risk of the recurrence of any wrongful act that has been disclosed. The Disclosure Manager, or a Board member, will be responsible for reviewing and implementing these recommendations.

7. Procedure

The orientation process of Board members will ensure members are aware of VAST's Whistleblower Policy.

For questions about this policy, contact the Board via [email](#) or email VAST's Managing Director ([Dr Mossenson](#)).

8. Related and supporting documents

- Legislation:
 - o *Corporations Act 2001*
 - o *Taxation Administration Act 1953*
- VAST Code of Conduct
- VAST Fraud and Corruption Policy
- VAST Complaints Policy
- VAST Sexual Exploitation and Harassment

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9. Document revisions

Version	Date approved	Summary of changes
v1.0	24 October 2020	