



ASUM

Standards of Practice

Promoting ultrasound excellence

Guidelines, Policies and Statements

ASUM Whistleblower Policy

Approved October 2019

Disclaimer and Copyright

The ASUM Board of Directors have made every effort to ensure that this Policy is accurate and reflects best practice at the time at which it is issued. The information provided in this document is of a general nature only and is not intended as a substitute for medical or legal advice. The Society and its employees do not accept any liability for the consequences of any inaccurate or misleading data, opinions or statements issued by ASUM. Approved Policies/Standards/Guidelines/Statements may be distributed freely with the permission of ASUM: asum@asum.com.au.

Table of Contents

1. Introduction	3
Purpose	3
Policy overview	3
2. Scope	3
3. Policy Requirements	3
3.1 Anonymity	4
3.2 Protection for Whistleblowers	4
3.3 Confidentiality	4
3.4 Fair Treatment	4
3.5 Investigation Process	5
4. Relevant Legislation	5
5. Review	5
6. Last Updated	5
6.1 Approval and Review	5
6.2 Version History	6

1. Introduction

Purpose

The purpose of this policy is to help board members of the Australasian Society for Ultrasound in Medicine (ASUM) to effectively govern ASUM.

Policy overview

The Australasian Society for Ultrasound in Medicine (ASUM) strives to operate with a culture of ethical and appropriate corporate behaviour in all our business and education activities. This includes ensuring that the ASUM acts with integrity, honesty and in accordance with good governance principles. ASUM is committed to fostering a culture where people feel safe to speak up on matters.

The purpose of this Policy is supported by ensuring that ASUM has sound procedures to allow all staff/members and their families to identify and report genuine concerns about unethical, or illegal conduct or any improper state of affairs pertaining to ASUM, without fear of reprisals.

If any local laws are in any way inconsistent with this Policy or impose a higher level of protection than this Policy, that local law take precedence in that jurisdiction to the extent of the inconsistency.

ASUM complies with the obligations relating to protection of whistleblowers in Public Interest Disclosure Act 2013, Protected Disclosures Act 2000 (New Zealand), Corporations Act 2001 (Cth), and equivalent legislation in other jurisdictions.

2. Scope

This Policy applies to whistleblowers if they are or have previously been:

- an employee or member (whether permanent, part time, fixed-term or temporary) of ASUM;
- an individual who supplies goods or services to ASUM (or an employee of a person who supplies goods or services to ASUM) including contractors, and consultants;
- a relative, spouse or dependent of any of the above persons; or
- a dependant of a spouse of any of the above persons.

3. Policy Requirements

This Policy applies where the above-mentioned person make a disclosure of reportable conduct to:

- a director on the ASUM Board;
- the Chief Executive Officer (CEO) of ASUM;
- a manager of the ASUM Management team.

A reportable conduct usually involves malpractice, misconduct or conflicts of interest behaviour within education, health policy recommendations or corporate management, as judged by one's common sense. Some examples are:

- dishonesty;
- fraud;
- corruption;
- illegal activities;
- unethical behaviour;
- breach of any internal Policy;
- discrimination, harassment, bullying and victimisation;
- unsafe work-practices;
- danger, or imposing dangers, to the public health system;
- deliberate concealment of information tending to show any of the matters listed above.

3.1 Anonymity

Under this Policy, disclosures may be made anonymously. However, anonymous disclosures may not be dealt with as effectively as direct reports, as ASUM will be unable to obtain additional information from an anonymous whistleblower.

All whistleblowers who disclose their identity while making a relevant disclosure will be afforded confidentiality protections in respect of their identity.

3.2 Protection for Whistleblowers

ASUM is committed to ensuring that the confidentiality of any eligible whistleblower's identity is safeguarded and the whistleblower is protected from retaliation or victimisation.

3.3 Confidentiality

Strict confidentiality obligations apply in relation to any relevant disclosures. The identity or any information that may lead to the identification of the whistleblower (or any information which would be used to identify the whistleblower) may only be disclosed if:

- the whistleblower consents to the disclosure; or
- the disclosure is made to:
 - a. a relevant regulatory body or the police; or
 - b. a lawyer for the purposes of obtaining advice or legal representation in relation to the operation of any applicable whistleblower law; or
- the confidential information disclosed is not of the identity of the whistleblower and:
 - a. the disclosure is reasonably necessary for the purpose of investigating the disclosure; and
 - b. ASUM has taken all reasonable steps to reduce the risk that the whistleblower will be identified.

3.4 Fair Treatment

ASUM will not tolerate any reprisals or threats of reprisals made against whistleblowers and will take appropriate steps to protect whistleblowers from such retaliation. This may include conducting an investigation into the alleged reprisal, where appropriate.

By this Policy, ASUM is committed to ensuring all personnel feel supported and are able to raise issues which relate to any misconduct or improper state of affairs or circumstances within ASUM's business operation.

3.5 Investigation Process

ASUM takes all relevant disclosures seriously and, where appropriate, will investigate them. ASUM will need to make preliminary enquiries to decide whether a full investigation will be necessary. If such an investigation is necessary then, depending on the nature of the matter, ASUM may investigate the disclosure internally or refer it to an appropriate external body for further investigation.

The referral of a disclosure for investigation will be done in accordance with the confidentiality obligations that ASUM owes to the whistleblower. ASUM will aim to keep the whistleblower informed of the progress of the investigation and its expected timescale. However, confidentiality concerns, if any, may prevent ASUM from providing specific details of the investigation or any disciplinary action taken as a result. All staff/members should treat any information about the investigation as confidential. The ASUM Board of Directors and Management team will be informed of all material incidents reported under this Policy.

4. Relevant Legislation

Australia – Public Interest Disclosure Act 2013; Corporations Act 2001
Australian Capital Territory – Public Interest Disclosure Act 2012
New South Wales – Public Interest Disclosures Act 1994
Northern Territory – Public Interest Disclosure Act 2008
Queensland – Public Interest Disclosure Act 2010
South Australia – Whistleblowers Protection Act 1993
Tasmania – Public Interest Disclosures Act 2002
Victoria – Protected Disclosure Act 2012
Western Australia – Public Interest Disclosure Act 2003

5. Review

24-month review of the Whistleblower Policy to ensure effectiveness governance and legislative requirements are maintained.

The latest version of the policy can be accessed the website www.asum.com.au.

6. Last Updated

6.1 Approval and Review

Lead Author	CEO
Approver	Board
Date endorsed	19 October 2019
Date reviewed	19 October 2019
Timeframe for next review	24 months

6.2 Version History

This policy will be reviewed and evaluated periodically to ensure relevance and currency.

Version	Date Published	Details
1.0	September 2019	Created
1.1	October 2019	Approved by Board of Directors
1.2	February 2023	Updated template; Changed 'Council' to 'Board'.