



FPA Confidential (Anonymous Reporting)

November 2009

Purpose

This policy articulates the FPA's position on information pertaining to potential member misconduct received from an anonymous source and outlines our systems and processes for the handling of anonymous complaints.

Background

FPA Professional Framework

FPA Confidential (Anonymous Reporting) complements the FPA's Professional Accountability program and the existing the FPA Professional Framework. The Framework consists of three components:

Professional Framework



Professional Membership

Professional Membership ensures that only the right people can become members of the FPA.

Professional Conduct

Professional Conduct ensures that members adhere to the Code of Professional Practice: the high standards set for the profession, and that they are supported in following professional ideals.

Professional Accountability

Professional Accountability protects the reputation of all members by putting in place an independent, peer-driven disciplinary mechanism.

Anonymous Complaints Reporting

Professional Accountability Program

The FPA's existing complaints and disciplinary systems, include formal processes to enable complaints about members to be heard, evaluated and, where appropriate, disciplinary action to be taken. These processes are established in the FPA's Disciplinary Regulation and empower the FPA's Conduct Review Commission made up of an independent chair and professional peers to:

- issue breach notices to Members; and
- hold hearings, and where appropriate, determine sanctions concerning FPA Members professional conduct.

Limitations to the current complaints system

The FPA recognises complaints as being a vital source of information about the professional practices of our members. We also acknowledge that complaints tend generally to be made by people who are willing to be identified, such as aggrieved clients. People who are unwilling on the other hand, tend to stay silent resulting potentially in inappropriate activities going unnoticed.

A potential shortcoming of the traditional complaints systems is that aggrieved clients are not able to warn us in time to prevent the professional misconduct from occurring and thereby prevent potential financial losses. By the time a client lodges their complaint, the time for taking preventative action has already passed and the damage is done.

Unfortunately clients are not usually well placed to act as an "early warning system", however others may be able to assist by providing information about practices that are not in keeping with the FPA's Code of Professional Practice. This might include work colleagues or other members of the association who are able to recognise unprofessional conduct.

Anonymous Complaints Reporting

FPA Confidential (Anonymous Reporting) is a facility that allows people who may have information about unprofessional practices to come forward with their complaints and remain anonymous.

Operation

Figure 1.1 below illustrates how the FPA Anonymous Complaints Service will operate.

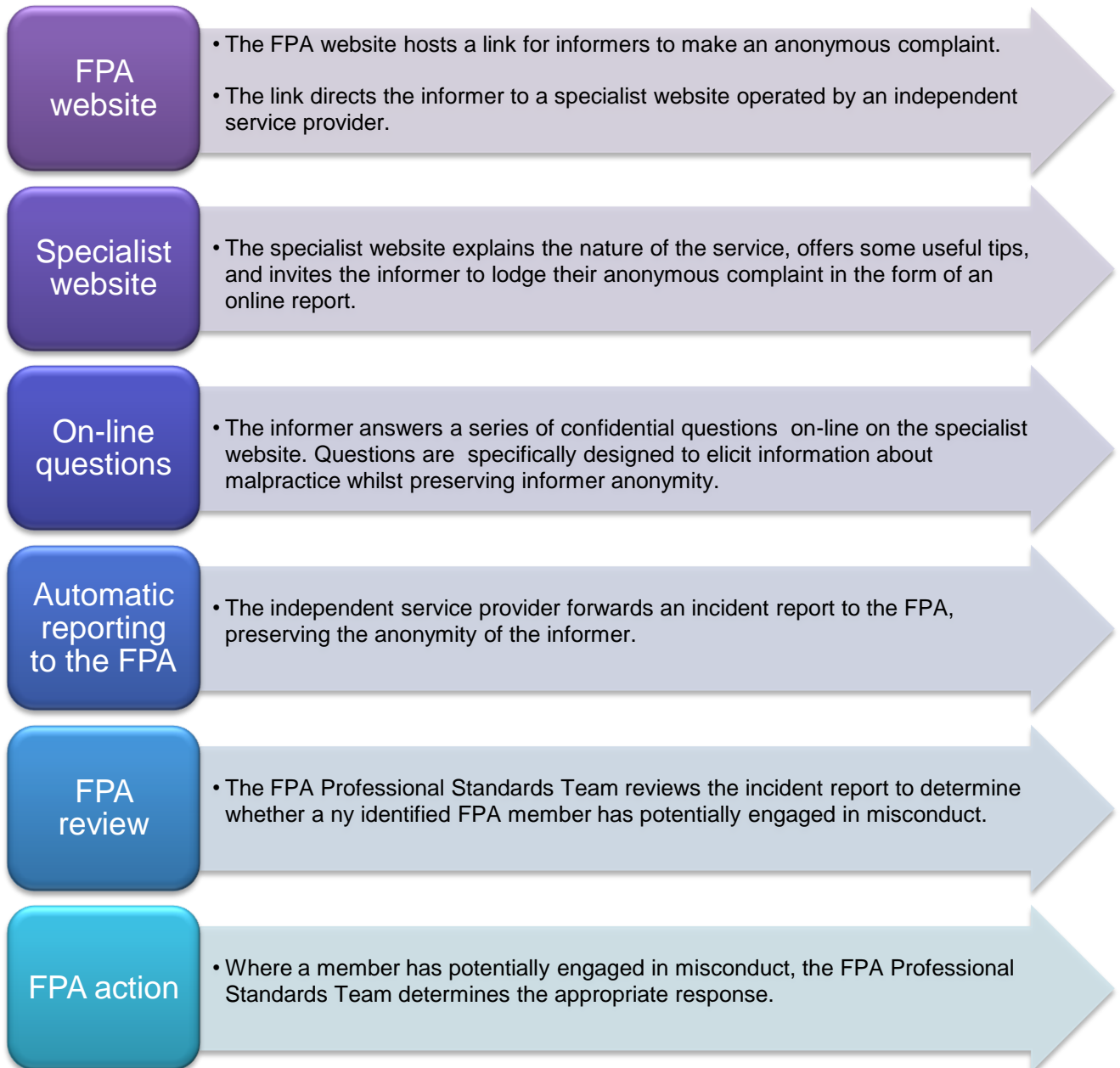


Figure 1.1: FPA Anonymous Complaints Service

Anonymous Complaints Reporting

Complaints

The FPA is committed to promoting member adherence to professional obligations. FPA Confidential (Anonymous Reporting) supplements the FPA Complaints and Disciplinary process. Together these FPA initiatives constitute the FPA Professional Accountability program.

The FPA Complaints and Disciplinary process continues as the most appropriate channel for clients and FPA members to lodge their complaints. FPA Confidential (Anonymous Reporting) should be used only by complainants and informers who wish to remain anonymous.

All complaints must be made in good faith. Disciplinary action may be taken against any FPA member found to have made a malicious complaint, or a complaint which they knew to be false.



Informer protections

Where an informer discloses his identity on condition that it be kept confidential, the FPA will make every endeavour to do so (to the extent permitted by law).

Where a reported FPA member discovers or suspects the identity of an informer, the member must not discriminate, harass, victimise or seek reprisals against the informer. Disciplinary action will be taken against any member that engages in such conduct.

Privacy

The FPA Privacy Policy applies to information collected from informers under FPA Confidential (Anonymous Reporting). A copy of the FPA Privacy Policy is available on the FPA Website: www.fpa.asn.au

Reporting FPA Confidential (Anonymous Reporting) outcomes

All data gathered by the FPA's third party web-service provider is reported to the FPA. The FPA Compliance Officer is responsible for collating and analysing the data and identifying and reporting potential violations of FPA Professional Standards identified from the data. The FPA Compliance Manager is responsible for determining whether violations and suspected violations are pursued by the FPA. The FPA reserves the right absolutely to determine whether or not to take action against any member as a result of information received under FPA Confidential (Anonymous Reporting). The FPA may publish statistics of the suspected violations reported in a manner determined by the FPA, consistently with the maintenance of informer anonymity. Violations acted upon are captured in the FPA's Professional Accountability Reporting.

Anonymous Complaints Reporting

Question Set

Details of the current question set for FPA Confidential (Anonymous Reporting) are set out separately in Annexure A to this policy document.

Deloitte Screen

Screen shots set out in Annexure B to this policy document provide typical detail of FPA Confidential (Anonymous Reporting) externally hosted web-service.

