



# WHISTLEBLOWER PROTECTION

POLICY & REPORTING PROCEDURE

Current at November 2023

## Version Control

Review Date	Version	Comments
14/9/16	1.1	Whistleblowing Protection Procedure – split of policy and procedure
18//7/19	1.2	Re-combine Policy & Procedure as per Head of Compliance advice. Update Whistleblowing Policy to meet requirements of the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019
3/12/19	1.3	Update Whistleblowing Protection – Policy and Reporting Procedure to meet requirements of the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019.  Introduction of independent external whistleblowing service, Your Call on 16/12/19.
11/12/19	1.4	Updated Whistleblowing Protection – Policy and Reporting Procedures approved by Auswide Bank Board.
12/10/21	1.5	Content reviewed October 2021
16/11/21	1.6	Content reviewed November 2021
14/11/22	1.7	Content reviewed November 2022
13/11/23	1.8	Content reviewed November 2023

## Distribution

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## 1. WHISTLEBLOWER PROTECTION - POLICY & REPORTING PROCEDURE

### 1.1 Our Commitment to Speaking Up

Auswide Bank (the 'Bank') has a strong values-based culture that encourages the highest standards of openness, integrity, honesty, and accountability. We encourage an open culture in our dealings between our leaders, employees, and all people with whom we engage in the course of our business.

The Board of Directors and Senior Executives are committed to a culture of respect and ethical conduct in the way we work and relate to each other. We recognise the value of keeping the laws and standards that apply to us in our work and encourage everyone to report misconduct. We will not tolerate corrupt, illegal, or other undesirable conduct nor condone victimisation of anyone who intends to disclose or has disclosed misconduct.

Our **Whistleblower Protection - Speaking Up program** is available for our employees, service providers and suppliers to feel safe in reporting concerns about unethical behaviour and corruption. This could be anything from serious misconduct to noticing something which just doesn't feel quite right.

### 1.2 Purpose of this policy

The purpose of the Auswide Bank – Whistleblower Protection – Policy & Reporting Procedure is to set out the processes for making, receiving, investigating, and addressing disclosures raised by Whistleblowers.

The Bank's purpose is to:

- encourage more disclosures of wrongdoing.
- help deter wrongdoing, in line with the Bank's risk management and governance framework.
- ensure individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported.
- ensure disclosures are dealt with appropriately and on a timely basis.
- provide transparency around the Bank's framework for receiving, handling, and investigating disclosures.
- support the Bank's Values and Code of Conduct and Ethics.
- support the Bank's long-term sustainability and reputation.
- meet the Bank's legal and regulatory obligations; and
- align with the ASX Corporate Governance Principles and Recommendations and relevant standards.

This policy is a very important tool for helping the Bank to identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing.

Nothing in this policy is intended to change or take away any other protections which may be available at law.

### 1.3 Relationship to other policies

This policy:

- forms a part of the Bank’s risk management system and corporate governance framework.
- is one of the mechanisms in the Bank’s risk management tool kit for identifying wrongdoing, and
- is available to all employees as part of their employment and induction information.

### 1.4 Every person’s responsibility

Every person to whom this policy applies has a responsibility to:

- remain alert to misconduct.
- report known or suspected misconduct in accordance with this policy.
- act in a way that reduces, prevents, or stops misconduct.
- support (and not victimise) those who have made or intend to make a disclosure, and
- ensure the identity of the Discloser and the person/s who is the subject of the disclosure are kept confidential.

### 1.5 Definitions

**Act** means Corporations Act 2001 (Commonwealth).

**Discloser** means a person who makes a disclosure as defined in the paragraph following. They may also be referred to as a Whistleblower within this Policy.

**Disclosure** means a report of misconduct made pursuant to the law or this Policy.

**Detrimental Action** means and includes:

- Dismissal of an employee
- Injury of an employee in his or her employment
- Alteration of an employee’s position or duties to his or her disadvantage
- Discrimination between an employee and other employees
- Harassment or intimidation of a person
- Harm or injury to a person, including psychological harm
- Damage to a person’s property
- Damage to a person’s reputation
- Damage to a person’s business or financial position
- Any other damage to a person

**Whistleblowing Disclosure and Protection Officer** means the senior person appointed by the Bank to receive disclosures and support and protect a Whistleblower, if necessary, from detrimental action.

**Whistleblower** means a person who makes a disclosure under this Policy. They may also be referred to as a Discloser within this Policy.

## **1.6 Who does this Policy apply to?**

This policy applies to anyone who has or is working for us or doing something in connection with their work for us. It includes past and current:

- an officer and leaders of the Bank (including directors)
- employees
- contractors, consultants, suppliers, service providers (or their employees or subcontractors)
- brokers, auditors
- work experience students
- a relative of an individual referred to above
- a dependent of an individual referred to above or of such an individual's spouse.

(Collectively referred to as 'Disclosers').

## **1.7 Who may make a disclosure?**

Any person defined as a discloser in the paragraph 1.4 may make a disclosure under this policy.

## **1.8 What misconduct should be disclosed?**

If you have seen or have reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances concerning our Bank, you should report it by making a Disclosure.

Misconduct includes but is not limited to:

- illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property
- fraud, money laundering or misappropriation of funds
- offering or accepting a bribe
- financial irregularities
- failure to comply with, or breach of, legal or regulatory requirements
- engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure
- information that indicates a significant risk to public safety or the stability of, or confidence in, the financial system is also a disclosable matter, even if it does not involve a breach of a particular law
- serious inappropriate or unethical conduct
- serious misuse of information
- bullying, discrimination, harassment, or other serious unacceptable behaviour
- serious breach of our policies and procedures or the law

- substantial waste of the Bank’s resources and
- causing substantial financial or non-financial loss or detriment to the Bank.

(Collectively referred to as “Misconduct”)

## **1.9 Personal work-related grievances**

Personal work-related grievances are not matters of misconduct which can be reported under this policy and are not matters which provide specific whistleblower protections to the discloser under Australian law.

Personal work-related grievances relate to current or former employment and have implications for the discloser personally but do have significant implications for the Bank or do not relate to misconduct disclosable under this policy.

Examples of personal work-related grievances include:

- an interpersonal conflict between the whistleblower and another employee
- a decision that does not involve a breach of workplace laws
- a decision relating to the engagement, transfer, or promotion of the whistleblower
- a decision relating to the terms and conditions of engagement of the whistleblower and
- a decision to suspend or terminate the engagement of the whistleblower, or otherwise to discipline the whistleblower.

Personal work-related grievances should be internally raised – refer to the Bank’s HR Procedures & Policy Manual – Section 4 – Equal Opportunity Policy.

## **1.10 How do I make a Disclosure?**

A disclosure may be made:

- internally to our Bank
- to the Bank’s independent whistleblower service provider – Your Call
- to external authorities and entities.

### **1.10.1 Making a disclosure internally to our Bank**

We support openness and teamwork. This policy is not intended to replace our first obligation to resolve issues quickly and internally where appropriate. All reasonable attempts to resolve an issue should first be tried. You are encouraged to raise misconduct at any time with your reporting leader, and managers and executives to resolve misconduct informally and internally.

If you do not feel safe or able to raise misconduct with your reporting leader you may make a disclosure to:

- an officer or senior executive of our Bank
- an auditor, or a member of an audit team conducting an audit of our Bank
- a person authorised by our Bank to receive disclosures.

You can also raise your concerns direct to one of the Bank’s Whistleblowing Disclosure & Protection Officers and their contact details are set out below.

<b>Name and position</b>	<b>Contact details</b>
Gayle Job Chief People & Property Officer	Phone: 07 41504085 Email: <a href="mailto:gjob@auswidebank.com.au">gjob@auswidebank.com.au</a>
Craig Lonergan Chief Risk Officer	Phone: 07 38287723 Email: <a href="mailto:clonergan@auswidebank.com.au">clonergan@auswidebank.com.au</a>

### **1.10.2 Making a Disclosure to the Bank’s independent service provider - Your Call**

If for any reason you do not feel safe or able to make a disclosure internally you may do so to an independent whistleblower service provider, Your Call.

Your Call operates under a Service Agreement with our Bank and acts as the intermediary, providing the means for a whistleblower to retain anonymity. Disclosures received by Your Call are reported to us in accordance with this policy. Your Call also enables us to obtain further information if required and enables the whistleblower to receive updates from us.

This is done via the use of an online anonymous Message Board which the whistleblower will have access to after making a disclosure.

The Message Board allows you to:

- communicate with Your Call and/or the Bank without revealing your identity
- securely upload any relevant documentation and/or material that you wish to provide
- receive updates
- request support or report victimisation.

This option allows you to:

- remain completely anonymous if you wish
- identify yourself to Your Call only
- identify yourself to both Your Call and the Bank.

Your Call enables disclosures to be made anonymously and confidentially. Whilst we prefer whistleblowers to disclose their identity in order to facilitate an investigation, whistleblowers are not required to identify themselves and will not be named in any report to our Bank unless they have consented to their identity being disclosed.

Your Call reporting options include:

- **Website:** <https://www.yourcall.com.au/report> - available 24/7
- **Telephone: 1300 790 228** - Available 9am to midnight on recognised Australian national business days (AEST)

Online reports can be made via the website address listed above. Our Bank's unique identifier code is: **AWB1620**.

In the event a disclosure received by Your Call relates to a Whistleblowing Disclosure & Protection Officer, Your Call will exclude that Officer from all communications when providing the disclosure to our Bank. The Whistleblowing Disclosure & Protection Officers who are not named in the disclosure will then receive and determine how the matter will be addressed or investigated as required.

Your Call remains an independent intermediary at all times and will only communicate with those authorised within our Bank.

National Relay Service: If you are deaf, or have a hearing or speech impairment, you can contact Your Call online or through the National Relay Service. Simply choose your contact method at [www.relayservice.gov.au](http://www.relayservice.gov.au) and request Your Call's hotline **1300 790 228**.

If you have difficulty speaking or understanding English, contact us through the [Translating and Interpreting Service](#) (TIS) [131 450](tel:131450) and ask for Your Call's hotline **1300 790 228**.

### **1.10.3 Making a disclosure to external authorities and entities.**

#### **Concerning misconduct under the Act**

If the misconduct relates to the Corporations Act 2001 Section 1317AA (1) you may make a disclosure to:

- ASIC
- APRA
- a Commonwealth authority prescribed for the purposes of Section 1317AA (1)

#### **Concerning disclosures made to legal practitioner**

If you make a disclosure to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of Part 9.4 of the Act (which includes the whistleblower protections and confidentiality of a whistleblowers identity) the disclosure will be protected under the Act.

### **Concerning public interest disclosures**

You may make a disclosure in the public interest to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist if:

- you have previously made a disclosure of that misconduct, and
- at least 90 days have passed since the previous disclosure was made; and
- you do not have reasonable grounds to believe that action is being, or has been, taken to address the misconduct to which the previous disclosure related; and
- you have reasonable grounds to believe that making a further disclosure of the misconduct would be in the public interest; and
- after the end of the 90-day period you give the person to whom you made the previous disclosure a written notification that:
  - includes sufficient information to identify the previous disclosure; and
  - state that you intend to make a public interest disclosure; and
  - the public interest disclosure is made to a member of the Parliament of the Commonwealth, the Parliament of a State, or the legislature of a Territory; or
  - a journalist; and
- the extent of the information disclosed in the public interest disclosure is no greater than is necessary to inform the recipient of the misconduct or the improper state of affairs or circumstances.

### **Concerning emergency disclosures**

You may also make an emergency disclosure to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist if:

- you previously made a disclosure that qualifies for protection under the Act (Part 9.4 under subsection 1317AA (1)), and
- you have reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment, and
- you give the body to which the previous disclosure was made a written notification that
- includes sufficient information to identify the previous disclosure; and
- state that you intend to make an emergency disclosure; and
- the emergency disclosure is made to:
  - a member of the Parliament of the Commonwealth, the Parliament of a State, or the legislature of a Territory; or
- a journalist; and
- the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the recipient of the substantial and imminent danger.

#### **1.10.4 Where can I get information and advice?**

If you need information and advice about how to make a disclosure or the support and protection available you may discuss the matter in confidence with your immediate reporting leader, your business unit leader or the Chief People & Property Officer.

**Note:** In the event you do not formally make a disclosure we may nevertheless be compelled to act on the information provided during the discussion if the information reasonably suggests misconduct has or may occur.

## **1.11 Confidentiality and Protection**

### **1.11.1 Protections under the Law**

To qualify for protection as a whistleblower under the Act and to receive specific legal rights you must meet all three of the following requirements:

- you must be an eligible discloser (as defined above)
- disclose reportable conduct subject to the work grievance exemptions (as defined above)
- make the disclosure through an appropriate reporting channel and recipient (as defined above).

### **1.11.2 Do I have to disclose my identity?**

There is no requirement for a whistleblower to identify themselves in order for a disclosure to qualify for protection under the Act. A discloser can:

- choose to remain anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised, and
- refuse to answer questions that they feel could reveal their identity at any time, including during follow-up conversations.

The Bank encourages disclosers who wish to remain anonymous to maintain ongoing two-way communication with the Bank, so that the Bank can ask follow-up questions or provide feedback.

### **1.11.3 Will my identity be treated confidentially?**

Your identity will not be disclosed by Your Call or the Bank unless:

- you consent to disclosing your identity
- the disclosure is required by law
- it is necessary to prevent a serious threat to a person's health or safety
- it is reasonably necessary for investigating the issues raised in the disclosure.

The Bank has in place the following measures and mechanisms for protection of the confidentiality of a discloser's identity:

- Reducing the risk that the discloser will be identified from the information contained in a disclosure
- all personal information or reference to the discloser witnessing an event will be redacted
- the discloser will be referred to in a gender-neutral context
- where possible, the discloser will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them; and

- disclosures will be handled and investigated by qualified staff.

Secure record-keeping and information-sharing processes:

- all paper and electronic documents and other materials relating to disclosures will be stored securely
- access to all information relating to a disclosure will be limited to those directly involved in managing and investigating the disclosure
- only a restricted number of people who are directly involved in handling and investigating a disclosure will be made aware of a discloser's identity (subject to the discloser's consent) or information that is likely to lead to the identification of the discloser
- communications and documents relating to the investigation of a disclosure will not be sent to an email address or to a printer that can be accessed by other staff, and
- each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of a discloser's identity may be a criminal offence.

An unauthorised disclosure of:

- the identity of a whistleblower
- information that is likely to lead to the identification of the whistleblower where the information was obtained because of the disclosure will be regarded as a disciplinary matter and will be dealt with in accordance with the Bank's disciplinary procedures. It is also an offence/contravention under the Act which carries serious penalties for individuals and companies. If you are a discloser of a reportable matter and your identity is revealed without your consent, you may also be eligible to claim compensation and remedies under the Act.

As a discloser you should be aware that in practice, people may be able to guess your identity if:

- you have previously mentioned to other people that you are considering making a disclosure
- you are one of a very small number of people with access to the information or
- your disclosure relates to information that you have previously been told privately and in confidence.

You can lodge a complaint with us if you believe a breach of your confidentiality as a discloser has occurred by contacting one of the Bank's Whistleblower Disclosure and Protection Officers.

You can also lodge a complaint with a regulator including ASIC, APRA or the ATO if you believe a breach of your confidentiality as a discloser has occurred.

#### **1.11.4 Protection against detrimental action**

We will do everything reasonably possible to support and protect anyone who:

- intends to or actually makes a disclosure
- is mentioned in the disclosure
- acts as a witness
- otherwise assists with the investigation and resolution of the disclosure from detrimental action and victimisation.

Examples of detrimental conduct, acts and omissions include but are not limited to:

- dismissal of an employee
- alteration of an employee's position or duties to his or her disadvantage
- harassment or intimidation of a person
- harm or injury to a person, including psychological harm
- damage to a person's reputation

Examples of actions that are not detrimental conduct and omissions include but are not limited to

- administrative action that is reasonable for the purpose of protecting a discloser from detriment (e.g., moving a discloser who has made a disclosure about their immediate work area to another office to prevent them from detriment) and
- managing a discloser's unsatisfactory work performance, if the action is in line with the entity's performance management framework.

The Bank has in place the following measures and mechanisms to protect disclosers from detriment:

- processes for assessing the risk of detriment against a discloser and other persons (e.g., other staff who might be suspected to have made a disclosure), which will commence as soon as possible after receiving a disclosure
- Converge Employee Assistance Program support services (including counselling or other professional or legal services) that are available to disclosers
- strategies to help a discloser minimise and manage stress, time or performance impacts, or other challenges resulting from the disclosure or its investigation
- actions for protecting a discloser from risk of detriment—for example, we may allow the discloser to perform their duties from another location, reassign the discloser to another role at the same level, make other modifications to the discloser's workplace or the way they perform their work duties, or reassign or relocate other staff involved in the disclosable matter
- processes for ensuring that management are aware of their responsibilities to maintain the confidentiality of a disclosure, address the risks of isolation or harassment, manage conflicts, and ensure fairness when managing the performance of, or taking other management action relating to, a discloser
- procedures on how a discloser can lodge a complaint if they have suffered detriment, and the actions we may take in response to such complaints (e.g., the complaint may be investigated as a separate matter by an officer who is not involved in dealing with disclosures and the investigation findings will be provided to the board or audit or risk committee); and
- interventions for protecting a discloser if detriment has already occurred—for example, we may investigate and address the detrimental conduct, such as by taking disciplinary action, or we may allow the discloser to take extended leave, develop a career development plan for the discloser that includes new training and career opportunities, or offer compensation or other remedies.

We will thoroughly investigate reports of detrimental acts. If proven, those who have victimised another will be subject to management action including disciplinary action up to dismissal. It is also an offence/contravention under the Act which carries serious penalties for individuals and companies.

If you are a discloser of a reportable matter and you suffer detrimental acts, you may also be eligible to claim compensation and remedies under the Act. Nothing in this policy is intended to change or take away any other protections which may be available at law.

### **1.11.5 Assessing and Controlling the risk of detriment**

The Bank has established processes for assessing and controlling the risk of detriment and keeps records of its risk assessments and risk control plans.

Steps in assessing and controlling the risk of detriment:

- Risk identification: We assess whether anyone may have a motive to cause detriment—information may be gathered from a discloser about:
  - the risk of their identity becoming known
  - who they fear might cause detriment to them
  - whether there are any existing conflicts or problems in the workplace, and
  - whether there have already been threats to cause detriment.
- Risk analysis and evaluation: We analyse and evaluate the likelihood of each risk and evaluate the severity of the consequences.
- Risk control: We develop and implement strategies to prevent or contain the risks—for anonymous disclosures, we assess whether the discloser’s identity can be readily identified or may become apparent during an investigation.
- Risk monitoring: We monitor and reassess the risk of detriment where required—the risk of detriment may increase or change as an investigation progresses, and even after an investigation is finalised

### **1.11.6 Support and Protection**

If necessary, The Bank will appoint a Whistleblower Protection & Disclosure Officer to arrange or coordinate support and protection for anyone who has or is in the process of making a disclosure.

The discloser can contact People & Property to discuss how a Whistleblower Protection and Disclosure Officer may be able to provide support and protection.

The Whistleblower Protection & Disclosure Officer is appointed by the Bank to:

- assess the immediate welfare and protection needs of a whistleblower
- safeguard the interests of a whistleblower in accordance with this policy and the law
- address any issues or concerns of detrimental acts/detrimental treatment

## 1.12 What will Auswide Bank do with the disclosure?

The Whistleblowing Disclosure & Protection Officer has been appointed by the Bank to receive the disclosure directly from you (if you make an internal disclosure to our Bank) or from Your Call (if you make an external disclosure to Your Call).

Your Call is the external go-between you and Auswide Bank. Your Call will:

- receive the disclosure you make to Your Call
- make a record of the information you provide
- ensure your identity is kept confidential from the Bank if you wish
- allow you to access the Your Call Message Board to enable you to communicate with the Bank. You may post questions and information online for the attention of the Bank. If you wish you can remain anonymous throughout the communications
- Your Call will refer the disclosure, including the information and documents provided by you, to the Whistleblower Disclosure & Protection Officer within one business day.

Please Note: Your Call is not the decision maker. All decisions relating to dealing with the disclosure including the investigation and resolution of the disclosure are entirely the responsibility of Auswide Bank.

The Whistleblowing Disclosure & Protection Officer will:

- carefully assess the information provided to decide the best action to take, including whether an investigation is required, to determine whether the misconduct is proven or not proven
- keep the information provided in a confidential and secure system
- coordinate and oversee the investigation where an investigator has been appointed
- support and protect the Whistleblower, if necessary, from detrimental acts
- advise the Whistleblower (through Your Call where anonymity is requested) of the progress of the matter to the extent it is legally permissible and appropriate to do so
- take all reasonable steps to ensure fair treatment for and to ensure the identity of the Whistleblower and the person/s who is the subject of the disclosure are kept confidential. An employee who is the subject of a disclosure will be advised about the subject matter of the disclosure as and when required by principles of natural justice and procedural fairness and prior to any actions being taken. An employee who is the subject of a disclosure may contact the Bank's Converge Employee Assistance program.

### 1.12.1 Investigation of the disclosure

The Bank's Whistleblower Disclosure & Protection Officer will carefully assess and use the information provided in the disclosure to decide the best action to take, including whether an investigation is required and, if so, determine the appropriate investigation process, including:

- the nature and scope of the investigation
- who will conduct the investigation and whether that person should be external to our Bank
- the nature of any technical, financial, or legal advice that may be required; and
- a timeframe for the investigation (having regard to the level of risk).

### 1.12.2 How will the investigation be conducted?

The investigation will be conducted in a constructive, impartial, and lawful way according to the principles of natural justice and procedural fairness and all efforts will be made to meet investigation best practices.

The Investigator will:

- gather information, material and documentation concerning the disclosure as quickly as possible. (This may involve taking steps to protect or preserve documents, materials, and equipment.)
- focus on the substance of the disclosure and will not focus on the motives of the discloser
- not assume that disclosures about conduct or behaviour that appear to have had a personal impact on a discloser are somehow less serious. The discloser's experience may indicate a larger or systemic issue.
- take a statement or record of interview and or tape formal interviews with witnesses as required. (Where the whistleblower wishes to remain anonymous and does not wish to make a statement they will not be asked to do so.)
- keep information gathered in the investigation securely
- take all reasonable steps to protect the identity of the Whistleblower. Where disclosure of the identity of the whistleblower cannot be avoided due to the nature of the allegations, the investigator will first gain the consent of the whistleblower before providing identifying information to any additional persons
- complete the investigation and provide a report of their findings as soon as is reasonably practical

### 1.12.3 Investigator's Report

At the conclusion of the investigation, the investigator will provide a written report to the Whistleblower Protection & Disclosure Officer/s including:

- a finding of all relevant facts
- whether the disclosure is proven, not proven or otherwise
- recommendation/s, when requested to do so, as to any action that may be taken in respect of the findings

The Bank will use the report to determine the action (if any) to be taken including disciplinary action. The findings will be communicated to the relevant parties involved to the extent that it is legally permissible and appropriate to do so.

### 1.12.4 Will the whistleblower be kept informed?

Subject to privacy and confidentiality requirements the whistleblower will be kept informed of:

- when the investigation process has begun
- relevant progress of the investigation

- the outcome of the investigation to the extent that it is legally permissible and appropriate to do so.

### **1.12.5 What happens if the misconduct is proven?**

If the misconduct is proven, the Bank will decide what action to take including disciplinary action up to dismissal. The disciplinary action will depend on the severity, nature, and circumstance of the misconduct.

### **1.12.6 Avenues for Review**

A discloser may request a review of the investigation findings if the discloser is not satisfied with the outcome. The review will be conducted by an officer who is not involved in handling and investigating disclosures and the review findings will be shared with the Bank's Board Risk Committee

The Bank is not obliged to reopen an investigation if it finds that the investigation was conducted properly, or new information is either not available or would not change the findings of the investigation.

### **1.12.7 What immunities are available to a whistleblower?**

We want you to speak up against misconduct.

Anyone who makes a disclosure:

- with reasonable grounds for suspecting misconduct has or may occur, and
- has not engaged in serious misconduct or illegal conduct relating to the disclosure will be provided with immunity from disciplinary action.

If you make a disclosure that qualifies for protection under the Act:

- you are not subject to any civil, criminal, or administrative liability (including disciplinary action) for making the disclosure; and
- no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against you on the basis of the disclosure; and
- the information is not admissible in evidence against the whistleblower in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information.

Note: Except as provided for by the Act it does not prevent a whistleblower being subject to any civil, criminal, or administrative liability for conduct of the whistleblower that is revealed by the disclosure.

### **1.12.8 What are the consequences of making a false disclosure?**

Anyone who makes a disclosure knowing it to be false or misleading may be subject to disciplinary action, including dismissal. The disciplinary action will depend on the severity, nature, and circumstance of the false disclosure.

The Bank, however, does not wish to deter staff from making disclosures. In cases where disclosers have some information leading to a suspicion, but not all the details, staff are encouraged to speak up and report the misconduct and will not face disciplinary action in those circumstances.

### **1.12.9 How will this policy be made available to officers and employees of our Bank**

The Bank makes the policy available to employees and officers by:

- posting the policy on the Bank's intranet, AB Connect
- publicly on the Bank's Corporate Website
- incorporating the policy in the new employee's on-boarding documentation.

## **1.13 Training and Monitoring**

Auswide Bank's Whistleblower Protection - Policy & Reporting Procedure is part of our mandatory compliance training for all employees.

All employees will be required to complete the Whistleblower Protection - eLearning training at induction and a 12 monthly refresher course.

## **1.14 Report to the Board**

The Chief People & Property Officer will arrange for the compilation of a report to the Board at least 12 monthly on the effectiveness of this policy.

Subject to privacy and confidentiality the report will include:

- a brief description of the disclosure
- the action taken in response to the disclosure
- the outcome and
- the timeframe in resolving/finalising the disclosure.

## **1.15 Review of this Policy**

The Chief People & Property Officer will monitor, review, and update this policy and associated processes and procedures when needed and annually to ensure it meets its objectives.

Any amendments to this policy shall be made known to employees and officers of our Bank by posting an updated version of the policy on the Bank's intranet, AB Connect, the Bank's Corporate Website and providing training when necessary.