



BP_1008 - Whistleblower

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Version control

Policy description	This Whistleblower Policy (“ Policy ”) establishes a mechanism within the Credit Union in which individuals can safely raise concerns and challenge misconduct and improper practices.
Policy applies to	Anyone who is, or has been, employed by or works, or has worked, at the Credit Union, including: • Officers (managers and directors); • Employees who are permanent, part-time, fixed-term or temporary, interns, secondees; • Individuals who supply goods or services to the Credit Union (on a paid or unpaid basis) or employees of a supplier of goods or services; • Associates of the Credit Union, and • Spouses, relatives or dependents of any of the former individuals. each a Relevant Person.
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1. Introduction

Credit Union SA Ltd (the Credit Union) is required to implement a whistleblower policy because it is a regulated entity under the *Corporations Act 2001* (Cth) and is required to comply with the whistleblower provisions set out under that Act.

In addition to the legislative requirements, an effective whistleblower protection framework is essential to the risk management framework and culture of the Credit Union. It further supports us in helping South Australians thrive. An effective whistleblower protection framework promotes a positive, proactive, and transparent culture where individuals are encouraged to 'speak up'.

Individuals working for the Credit Union or related to individuals working for the Credit Union, may be reluctant to highlight misconduct or improper practices for fear of suffering personally as a consequence of speaking out.

This Policy establishes a mechanism within the Credit Union in which individuals can safely raise concerns and challenge misconduct and improper practices.

The Credit Union is committed to a high standard of integrity, ethical conduct, and transparency in all of its activities and interactions as well as the implementation of an effective whistleblower policy that supports these principles.

This Policy is underpinned by the Credit Union's corporate values of:

- People First.
- Strive to Achieve.
- Be our Best.

1.1 List of Acronyms and Abbreviations

APRA	Australian Prudential Regulation Authority
ASIC	Australian Securities and Investments Commission
Board	Board of Directors of Credit Union SA Limited
CEO	Chief Executive Officer of the Credit Union
Director	Individual Director of the Board of Directors of Credit Union SA Limited
Executive	A senior employee reporting directly to the CEO of the Credit Union and the CEO
Executive Management	The executive governing body composed of key Executives and the CEO serving as a central decision-making and oversight body responsible for shaping the Credit Union's strategic direction, policies, and operations.

1.2 Definitions

Corporations Act	<i>Corporations Act 2001</i> (Cth)
Eligible Recipients	Individuals who can receive Whistleblower Disclosures which are outlined in paragraph 2.1.4.
Relevant Persons	Anyone who is, or has been, employed by or works, or has worked, at the Credit Union, including: • Officers (managers and directors). • Employees who are permanent, part-time, fixed term or temporary, interns, secondees. • Individuals who supply goods or services to the Credit Union (on a paid or unpaid basis) or employees of a supplier of goods or services. • Associates of the Credit Union. • Spouses, relatives or dependents of any of the above-mentioned individuals.
Whistleblower Disclosure	A disclosure by a Relevant Person of information related to wrongdoing.
Whistleblower Executive Champion	The executive sponsor of the Whistleblower Protection Framework which is outlined at paragraph 2.1.3.
Whistleblower Legislation	The Whistleblower Legislation includes the <i>Corporations Act</i> , <i>Australian Securities and Investments Commission Act 2001</i> (Cth), the <i>Banking Act 1959</i> (Cth), the <i>Financial Sector Act (Collection of Data) Act 2001</i> (Cth), the <i>Insurance Act 1973</i> (Cth), the <i>National Consumer Credit Protection Act 2009</i> (Cth), the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth) and the <i>Taxation Administration Act 1953</i> .
Whistleblower Protection Officer	A person who the Credit Union has authorised to receive Whistleblower Disclosures.
Whistleblower Investigations Officer	A person who investigates all whistleblower matters referred to them by the Whistleblower Protection Officer.

1.3 Structure

This Policy forms part of the Credit Union's broader Risk Management Framework and is supported by the Credit Union's values, policies and procedures and the Customer Owned Banking Code of Practice.

This Policy forms part of the overall suite of risk management policies for the Credit Union and is a risk class within operational risk.

1.4 Purpose¹

The purpose of this Policy is to set out the Credit Union's whistleblower protection framework which aims to:

- encourage Relevant Persons to disclose information where they have reasonable grounds to suspect a contravention, misconduct or an improper state of affairs or circumstances in relation to the Credit Union or any related body corporate of the Credit Union to help the Credit Union deter wrongdoing.
- provide avenues for those Relevant Persons to disclose such information without fear of adverse repercussions or detriment.
- set out the rights and protections that will be afforded to the Relevant Person as a whistleblower, including the right to anonymity.
- outline how the Credit Union will deal with the Relevant Person's Whistleblower Disclosure to ensure disclosures are dealt with appropriately and on a timely basis.
- provide transparency on how the Credit Union receives, handles, and investigates a Whistleblower Disclosure.

1.5 Accessibility²

The Credit Union is committed to ensuring that all Relevant Persons have access to this Policy and understand the types of reportable conduct, the whistleblowing process adopted by the Credit Union and the protections afforded under this Policy.

In order to facilitate this goal:

- a copy of this Policy will be made available on the Credit Union's intranet site, is available on request from People & Development and is publicly available on the Credit Union's website.
- training will be provided at induction for new employees and officers and in an ongoing manner as part of refresher training for existing employees.

1.6 Whistleblower Protection Framework

The Credit Union's framework for protecting whistleblowers is to include a number of important components. In particular:

- this Policy.
- positions tasked with handling and overseeing aspects of the Whistleblower Protection Framework.
- a transparent process for dealing with Whistleblower Disclosures.

¹ S 1317AI Corporations Act

² S 1317AI(5)(f) Corporations Act

- processes, procedures, and systems to support the ongoing operation of the whistleblower protection framework.
- training.
- governance arrangements including internal reporting.

1.7 Roles and Responsibilities³

1.7.1 Board

The Board is responsible for:

- approving this Policy and any material amendments.
- demonstrating a clear commitment to an open-door culture where issues or concerns can be raised without fear.
- ensuring effective implementation of this Policy.
- ensuring that any recommended actions arising from a whistleblower investigation are reviewed and, where appropriate, implemented.

1.7.2 Governance Committee

The Governance Committee is responsible for receiving and reviewing reports provided by Whistleblower Investigation Officer(s) where required.

1.7.3 Executive Management

Executive Management are responsible for:

- demonstrating a clear commitment to an open-door culture where issues or concerns can be raised without fear.
- ensuring effective implementation of this Policy.
- ensuring that any recommended actions arising from a whistleblower investigation are reviewed and, where appropriate, implemented.

1.7.4 Chief Risk Officer

The Chief Risk Officer is responsible for overseeing and facilitating compliance with this Policy.

³ ASIC Regulatory Guide 270 – paragraphs 270.144 - 270.146

1.7.5 Company Secretary and General Counsel

The Company Secretary and General Counsel is responsible for ensuring that the Policy is reviewed in accordance with the Board Policy Review Schedule, is effective and relevant and making recommendations to the Board of any changes to the Policy.

1.7.6 Whistleblower Protection Officer

The role of a Whistleblower Protection Officer is to:

- be the person to whom a Relevant Person may make a Whistleblower Disclosure.
- maintain the confidentiality and anonymity of the Whistleblower.
- protect the Whistleblower from adverse repercussions and detriment.
- keep in regular contact with the Whistleblower.
- provide updates and any findings of the investigation to the Whistleblower.
- review and consider any complaints made by the Whistleblower regarding the investigation or any adverse repercussions or detriment suffered as a result of their Whistleblower Disclosure under this Policy.
- select a Whistleblower Investigations Officer to conduct an investigation into a Whistleblower Disclosure.
- receive the final determination by the Whistleblower Investigations Officer.
- communicate the outcome of an investigation to the CEO and Chairs of the Board, Audit Committee and Governance Committee.
- authorise the use of an independent third party to investigate a matter raised in a Whistleblower Disclosure.
- escalate any matter the Whistleblower Protection Officer considers appropriate to the Whistleblower Executive Champion;
- maintain all records related to disclosures and investigations for at least 7 years.

1.7.7 Whistleblower Investigations Officer

The Whistleblower Investigations Officer is responsible for:

- investigating all Whistleblower Disclosures referred to them by the Whistleblower Protection Officer in a timely, fair, and impartial manner.
- providing a report setting out the findings of the investigation, including a summary of the allegations, evidence, and a final determination.

1.7.8 Whistleblower Executive Champion

The Whistleblower Executive Champion is an executive sponsor of the whistleblower protection framework and is responsible for:

- overseeing the effectiveness of the whistleblower protection framework and ensuring it delivers on the objectives outlined in this Policy.
- responding to complaints or escalations relating to breaches or potential breaches of this Policy.
- responding to complaints from Whistleblowers.

1.7.9 Eligible Recipients

Eligible Recipients must:

- maintain the confidentiality and anonymity of the Whistleblower.
- protect the Whistleblower from adverse repercussions and detriment.

Eligible Recipients who are directors and officers of the Credit Union must refer Whistleblower Disclosures to a Whistleblower Protection Officer and must not disclose the identity of the Whistleblower unless authorised to do so by the Whistleblower.

Eligible Recipients who are external to the Credit Union must comply with the whistleblower obligations imposed by the Corporations Act.

1.7.10 All employees

All Credit Union SA employees are encouraged to report known, suspected or potential cases of improper conduct.

1.8 Associated Policy

This Policy is to be read in conjunction with the following:

- BP_1001 – Board Charter (which includes Conflicts of Interest requirements).
- BP_1005 – Fit and Proper.
- POL_1041 - Workplace Bullying and Harassment.
- POL_1042 - Discipline Policy.
- POL_1040 - Sexual Harassment Policy.

2. Specific Policy Requirements

2.1 Key Whistleblower Roles

2.1.1 Whistleblower Protection Officers

The following roles are Whistleblower Protection Officers:

- Chair of the Board.

- Chair of the Audit Committee.
- CEO.
- Chief Risk Officer.
- External audit engagement partner.Or any other person that may be nominated by the Board from time to time.

The contact details of the Whistleblower Protection Officers are outlined in paragraph 2.3.1 below.

Where a Whistleblower Disclosure is alleged against a staff member, the CEO is to be advised prior to the commencement of any investigation and will be kept updated on the progress of the investigation at regular intervals.

Where the Whistleblower Disclosure is alleged against the CEO, the Chair of the Board is to be advised prior to the commencement of any investigation and will be kept updated on the progress of the investigation at regular intervals.

Where the Whistleblower Disclosure is alleged against a director, the Chair of the Board, or, where the Chair of the Board is implicated, the Chair of the Audit Committee, and the Chair of the Governance Committee will be advised prior to the commencement of any investigation and will be kept updated on progress of the investigation at regular intervals.

2.1.2 Whistleblower Investigations Officer

The following roles are Whistleblower Investigations Officers:

- Senior Manager, Operational Risk & Compliance.
- Senior Manager, People & Development.

From time to time, the Credit Union may, following approval by a Whistleblower Protection Officer, use an independent third party to conduct the required investigation due to the nature or complexity of the matter raised in the Whistleblower Disclosure.

In any case, the Whistleblower Investigations Officer will maintain the independence, confidentiality, and anonymity of the Whistleblower. They will conduct the investigation in a timely, fair, and impartial manner.

2.1.3 Whistleblower Executive Champion

The Whistleblower Executive Champion is the Chief Risk Officer.

2.1.4 Eligible Recipients⁴

Whistleblower Protection Officers are the Credit Union's primary Eligible Recipients of Whistleblower Disclosures.

⁴ S 1317AI(5)(b) Corporations Act

The following are also Eligible Recipients:

- a director, company secretary, actuary, officer or senior manager⁵ of the Credit Union.
- the Credit Union's external or internal auditor.
- a person authorised by the Credit Union to receive Whistleblower Disclosures (Whistleblower Protection Officers).
- a legal practitioner for the purposes of seeking legal advice.
- APRA (refer to [APRA Information](#)⁶ on whistleblowing);
- ASIC (refer to [ASIC Information](#)⁷ on whistleblowing);
- ATO (refer to the [ATO's Tax Whistleblowers](#) page⁸); or
- other prescribed authorities under Australian law.

A disclosure by a Whistleblower will be protected when the disclosure is made to an Eligible Recipient.

2.2 Qualifying for Whistleblower Protection

2.2.1 Eligible Whistleblower

An individual is an Eligible Whistleblower and is entitled to the protections set out in this Policy, if:

- they are a Relevant Person (as defined in section 1.2)⁹.
- they make a Protected Disclosure (as defined in section 2.2.2 (Protected Disclosure)¹⁰); and
- that disclosure is made to a person who is an Eligible Recipient (as defined in section 2.1.4 (Eligible Recipient)¹¹).

⁵ A 'senior manager' for the purposes of the Corporations Act means a senior executive within an entity, other than a director or company secretary, who: (a) makes or participates in making decisions that affect the whole, or a substantial part, of the business of the entity; or (b) has the capacity to significantly affect the entity's financial standing. For the purpose of the Credit Union, a 'senior manager' means members of the Executive.

⁶ <https://www.apra.gov.au/become-a-whistleblower-or-make-a-public-interest-disclosure>

⁷ <https://www.asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/>

⁸ <https://www.ato.gov.au/about-ato/whistleblowers>

⁹ S 1317AI(5)(a) Corporations Act

¹⁰ S 1317AA(4) and (5), Corporations Act

¹¹ S 1317AAC Corporations Act

There is no requirement for an individual to identify themselves in order for a disclosure to qualify for protection. The disclosure can be anonymous. Further information about the protections afforded to Whistleblowers is outlined in paragraph 2.3.7 of this Policy.

2.2.2 Protected Disclosure

A disclosure is protected under this Policy, if the Whistleblower has reasonable grounds to suspect that the information disclosed concerns misconduct, or an improper state of affairs or circumstances in relation to the Credit Union or a related body corporate of the Credit Union. The term 'reasonable grounds to suspect' is based on the objective reasonableness of the reasons for suspicion.

Basis of Protected Disclosure

While it is not the responsibility of a Whistleblower to prove the allegations within the Protected Disclosure, a mere allegation with no supporting information may be difficult to investigate. However, where a Relevant Person has some information that leads to a reasonable suspicion but not all of the details, we encourage the Relevant Person to report their concerns under this Policy.

It is also important to ensure that the information reported is, to the best of Whistleblower's knowledge, true. Deliberate false reporting of information which a person knows to be untrue will not be protected under this Policy and is likely to amount to a breach of this Policy. Deliberate false reporting could have serious consequences for the reputation of the Credit Union and the person involved in the disclosure.

For the purposes of clarity, reporting of false information does not include circumstances where a Whistleblower has reported information in good faith and which they believe to be true, but which is later determined to be unfounded as a result of an investigation performed by the Credit Union.

What constitutes a Protected Disclosure?

The types of disclosures which are Protected Disclosures under this Policy include, but are not limited to, information relating to engagement in:

- dishonest behaviour.
- fraudulent activity, money laundering or misappropriation of funds, offering or accepting a bribe.
- unlawful, corrupt, or irregular use of the Credit Union's funds.
- illegal behavior (including conduct not directly related to the Credit Union's affairs, such as theft, illicit drugs, violence, or property damage).
- contravention of legislation or an offence under any law.
- conduct that represents a danger to the public or the financial system.
- conduct that is misleading or deceptive conduct of any kind (including conduct or representations that amount to improper or misleading accounting or financial reporting practices either by, or affecting, the Credit Union).
- behaviour that may cause financial loss to the Credit Union or damage its reputation or otherwise be detrimental to the Credit Union.

- potentially damaging conduct to the Credit Union, an employee or a third party, including unsafe work practices, environmental damage, health risks or substantial wasting of company resources. 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.

Protected Disclosures include conduct that although lawful may be considered unethical or may cause harm, as well as systemic issues that the Credit Union should be aware of, or conduct prohibited by the Credit Union's policies and procedures and expected level of behaviour.

Personal Work-Related Grievances

Personal work-related grievances of a Relevant Person are generally not covered by this Policy but are instead managed under the grievance process detailed in *POL_1041 Workplace Bullying and Harassment*. Claims of sexual harassment may also be considered to be personal work-related grievances and are managed under the process in *POL_1040 Sexual Harassment*.

Personal work-related grievances include, but are not limited to, interpersonal conflicts, decisions relating to the engagement, transfer or promotion of the Relevant Person, decisions relating to the terms and conditions of engagement of the Relevant Person or a decision to discipline the Relevant Person.

However, a personal work-related grievance, including a claim of sexual harassment, may qualify for protection under this Policy where the grievance:

- includes information about misconduct (i.e., it is a mixed report).
- has significant implications for the Credit Union and has implications beyond the Whistleblower personally – such as implications for other employees.
- relates to a breach of employment or other laws punishable by imprisonment for a period of 12 months or more, relates to conduct that represents a danger to the public or relates to information that suggests misconduct beyond the Whistleblower's own personal circumstances (i.e., the conduct is believed to be a systemic issue relating to the Credit Union's culture).
- relates to detriment suffered or threatened against a person in connection with a Protected Disclosure.
- relates to a matter where the Whistleblower has obtained legal advice or legal representation about the operation of whistleblower protections and has been advised that the matter is a protected disclosure.

Tax Administration

Protections are also provided in the tax whistleblower regime under the *Taxation Administration Act 1953*. This includes misconduct, an improper state of affairs or circumstances in relation to the tax affairs of the Credit Union.

Further Information

If a person is unsure whether a particular matter falls within this Policy, they can seek further guidance from the Whistleblower Protection Officer or their own independent legal advice.

2.3 Whistleblower Process

2.3.1 Making a Disclosure

The Credit Union encourages all individuals to raise concerns so that it can identify and address wrongdoing as early as possible. If the individual feels comfortable raising concerns within the usual business environment or with their direct manager, they should do so.

Alternatively, if this is not possible or the individual considers it more appropriate in the circumstances to report the matter as a whistleblower, the Credit Union has implemented reporting channels that an individual can use. An individual should choose an option which suits the individual's circumstances and level of comfort.

Disclosures under this Policy can be made as follows:

Reporting Channel	Description	Contact Details
Whistleblower Protection Officer	The Whistleblower Protection Officers as appointed by the Credit Union (refer to section 2.1.1 (<i>Whistleblower Protection Officers</i>)). When submitting a Whistleblower Disclosure in writing or by email, please ensure the subject line is marked with 'Confidential – Whistleblower Disclosure' or advise the Whistleblower Protection Officer this is the purpose if reporting verbally.	Nicole Santinon Chief Risk Officer NSantinon@creditunionsa.com.au Todd Roberts Chief Executive Officer troberts@creditunionsa.com.au Nicholas Anderson Chair of the Audit Committee nanderson@creditunionsa.com.au Louise Small Chair of the Governance Committee lsmall@creditunionsa.com.au Julie Cooper Chair of the Board jcooper@creditunionsa.com.au Paul Cenko External Audit Engagement Partner pcenko@kpmg.com.au
Mail	When submitting a Whistleblower Disclosure by mail, please ensure it is marked to the attention of the 'Whistleblower Protection Officer' and marked 'Confidential'	GPO Box 699 Adelaide 5001

In addition, Protected Disclosures can be made to Eligible Recipients under paragraph 2.1.4 of this Policy.

Information around the process of making a public interest disclosure or an emergency disclosure is outlined in paragraph 2.3.2 and 2.3.3. below.

Confidentiality and anonymity

As noted above, all Protected Disclosures made under this Policy are confidential. If an individual would like to report the matter anonymously, they should choose the appropriate channel which best suits their circumstances in order to protect their identity. Further information around the protections afforded to Whistleblowers is outlined in paragraph 2.3.7 of this Policy.

Protected Disclosures may be made anonymously and/or confidentially and at any time, including outside of business hours.

A Whistleblower can choose a pseudonym for the purposes of a disclosure (e.g., not use their actual name) and may choose to communicate with the Credit Union through an anonymized email address. A Whistleblower may refuse to answer questions, if they feel that by answering the questions their true identity could be revealed. However, a Whistleblower is encouraged to continue to maintain communications with the Credit Union as far as possible so follow up questions and feedback can be provided.

2.3.2 Making a Public Interest Disclosure

While the Credit Union encourages internal disclosure and investigation of issues at all times, a Whistleblower may be of the view that appropriate action is not being taken to address the matter. In these circumstances, a public interest disclosure may be made to an external third party, but the view must be formed on reasonable grounds.

Protection under the law for a public interest disclosure is available where:

- the Whistleblower has previously made a Protected Disclosure through one of the Credit Union's reporting channels ("original disclosure").
- 90 days have passed since the original disclosure was made.
- the Whistleblower does not have reasonable grounds to believe that action is being, or has been, taken to address the matter set out in the original disclosure.
- the Whistleblower has reasonable grounds to believe that making a further disclosure of the information would be in the public interest.
- after the 90-day period, the Whistleblower gave the Credit Union or other body to which the original disclosure was made, written notification that included sufficient information to identify the original disclosure together with the Whistleblower's stated intention to make a public interest disclosure.
- the public interest disclosure is made to either a member of the Parliament of the Commonwealth, State or Territory or to a journalist.
- 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 improper state of affairs or circumstances referred to in the original disclosure.

Whistleblowers can also contact the Whistleblower Protection Officer or an independent legal adviser for further guidance on making a public interest disclosure if needed.

2.3.3 Making an Emergency Disclosure

While the Credit Union encourages internal disclosure and investigation of issues at all times, a Whistleblower may be of the view appropriate action is not being taken by the Credit Union to address the matter and the matter poses substantial and imminent danger

to the health or safety of one or more persons or to the natural environment. In these situations, an emergency disclosure may be made to a member of Parliament (Commonwealth or State) or to a journalist. Protection under the law for emergency disclosures is available where:

- the Whistleblower has previously made a Protected Disclosure through one of the Credit Union's reporting channels ("original disclosure").
- the Whistleblower has reasonable grounds to believe that the information concerns substantial and imminent danger to the health or safety of one or more persons or to the natural environment.
- the Whistleblower gave the Credit Union or other body to which the original disclosure was made, written notification that included sufficient information to identify the original disclosure together with the Whistleblower's stated intention to make an emergency disclosure.
- the public interest disclosure is made to either a member of the Parliament of the Commonwealth, State or Territory or to a journalist.
- 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.

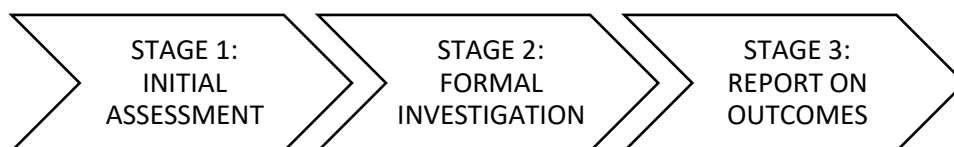
Whistleblowers can also contact the Whistleblower Protection Officer or an independent legal adviser for further guidance on making an emergency disclosure if needed.

2.3.4 Making Reports to Other Bodies

There are some circumstances in which a Whistleblower may have additional legal obligations to report the information disclosed to a statutory body or government department as well. In these circumstances, the Whistleblower Protection Officer will advise the Whistleblower of such obligations, and the Whistleblower should make sure that these obligations are complied with.

2.3.5 Investigation Process

Generally, an investigation of a Protected Disclosure will consist of the following stages:



The stages and timeframes may vary depending on the nature of the Protected Disclosure. For example, if the Protected Disclosure involves a complex matter or a large number of people, the investigation process may be conducted over a longer period of time. The Whistleblower Protection Officer will communicate with the Whistleblower throughout the investigation process (see section 2.3.6 (*Communications with a Whistleblower*)).

Assessment of Protected Disclosures and, if applicable, investigation of a Protected Disclosure will be treated in a thorough, objective, fair and impartial manner by the Credit

Union and the persons involved in the investigation. In particular, some of the actions taken to ensure this occurs include:

- confidential handling of the Protected Disclosure and the identity of the Whistleblower and any persons involved in or related to the disclosure.
- all Protected Disclosures made under this Policy will at a minimum be subject to an initial assessment.
- the primary objective of an investigation will be to determine whether there is enough evidence to substantiate or refute the matters reported.
- an employee(s) who are the subject of a Protected Disclosure will be informed about the subject matter of the disclosure, treated in accordance with applicable employment laws and principles of natural justice and procedural fairness and advised of the outcome in due course.

The investigation process is set out in more detail in Appendix B (*Key stages of the investigation process*).

2.3.6 Communications with a Whistleblower

Generally, all communications with a Whistleblower will be undertaken by the Whistleblower Protection Officer to ensure that the confidentiality of the Whistleblower and, if elected by Whistleblower, anonymity, and to safeguard the independence and integrity of an investigation.

The Whistleblower Protection Officer will contact the Whistleblower to acknowledge receipt of the disclosure and to establish a process, including expected timeframes, for reporting to the Whistleblower on the progress of dealing with the Protected Disclosure. In addition, the Whistleblower will also be informed of the appointment of a Whistleblower Investigations Officer.

All relevant information regarding an investigation will be provided to the Whistleblower Protection Officer by the Whistleblower Investigations Officer so that the Whistleblower Protection Officer can keep the Whistleblower apprised of the progress.

Where it is determined that there is insufficient information to warrant a formal investigation, the Whistleblower Protection Officer will inform the Whistleblower as soon as practicable.

Upon determination of the final outcome of an investigation, the Whistleblower will be contacted by the Whistleblower Protection Officer and provided with appropriate details regarding the outcome.

2.3.7 Protection and Support for Whistleblowers

The Credit Union will take steps to ensure fair treatment for all Whistleblowers that qualify for protection including:

- maintenance of the Whistleblower's confidentiality.
- protection from suffering detriment.

The Whistleblower will be contacted by the Whistleblower Protection Officer, as soon as practicable after making a disclosure, to discuss their welfare (as appropriate).

A Whistleblower may also be entitled to other protections at law including:

- compensation and remedies for loss, damage or injury suffered by a Whistleblower because of a disclosure or where the Credit Union has failed to prevent a person from causing detriment.
- civil (e.g., for breach of employment contract), criminal (e.g., for unlawfully releasing information) and administrative liability protection.

The above protections at law do not grant immunity for any misconduct a Whistleblower themselves has engaged in which may be revealed in their disclosure or any fraudulent or false disclosure. A Whistleblower should seek independent legal advice if they require further advice or guidance on the protections available to them.

2.3.8 Steps to ensure a Whistleblower's confidentiality

The Credit Union is required under the Whistleblower Legislation to protect the confidentiality of a Whistleblower's identity. It is illegal to disclose the identity of a Whistleblower or information that is likely to lead to the identification of such a person.

The Credit Union will take all reasonable steps to protect the confidentiality of a Whistleblower. In particular, the identity and information that can lead to the identification of a Whistleblower will be safeguarded so that they can remain anonymous (if preferred) or strictly confidential.

With regards to confidentiality, a Whistleblower Protection Officer will only disclose the identity, or information that could lead to the identification of the Whistleblower to other officers or employees of the Credit Union on a "needs to know" basis where necessary to investigate the issues raised in the disclosure and subject to strict confidentiality requirements. The identity of the Whistleblower or information that could lead to the identification of the Whistleblower may be disclosed to an external legal advisor to enable the Credit Union to obtain legal advice regarding the Protected Disclosure.

The Whistleblower's identity will also not be disclosed in Court or Tribunal proceedings, unless compelled or necessitated by law.¹²

The Credit Union will protect a Whistleblower's confidentiality by:

- securely storing paper, electronic documents and other materials relating to the Protected Disclosure.
- restricting access to information relating to a Protected Disclosure to only those persons necessary to undertake or assist with an investigation of the Protected Disclosure.
- ensuring communications (including emails) with the Whistleblower or relating to a disclosure are sent to authorised addresses and/or staff.

¹² S 1317AG Corporations Act

- limiting printing of documents relating to the disclosure to only where it is strictly required and ensuring that printed documentation can only be accessed by persons authorised under this Policy.
- ensuring that all parties involved in a disclosure are regularly reminded that they should keep the identity of the Whistleblower and the Protected Disclosure confidential.

2.3.9 Steps to protect a Whistleblower from detriment

It is an offence under the Whistleblower Legislation for a person to cause detriment, or threaten to cause detriment, to a person who has made a disclosure as a Whistleblower or someone whom they suspect may make a Protected Disclosure. A threat can be express or implied, conditional, or unconditional. The types of detriment which are covered by this prohibition include:

- termination of employment.
- victimisation.
- performance management or disadvantageous alteration of duties.
- discrimination between the Whistleblower and other employees of the Credit Union.
- any harm or injury, including any psychological harm.
- harassment or intimidation.
- damage to property or reputation.
- damage to a business or financial position.
- harassment or intimidation.
- any other damage to a person.

A Whistleblower is protected from civil liability, criminal liability and administrative liability in relation to the Protected Disclosure (except immunity shall not apply for misconduct a Whistleblower has engaged in).

A person who causes or threatens to cause detriment to a Whistleblower may be subject to potential civil and criminal liability in addition to the Credit Union's internal disciplinary process. The Credit Union will take seriously any adverse actions against, or threats to, Whistleblowers. However, actions taken by the Credit Union (such as administrative action or management) which are reasonable to protect the Whistleblower or other persons, is not detrimental conduct. Where action is taken to protect the Whistleblower, the Whistleblower Protection Officer will explain to the Whistleblower the reasons why such action has been taken.

The Credit Union will take reasonable precautions and steps to protect people who have or intend to make a Protected Disclosure under this Policy from detriment by:

- making this Policy easily accessible.

- appointing independent and impartial persons to perform duties in connection with this Policy including the Whistleblower Protection Officer[s], the Whistleblower Investigations Officer[s] and the Whistleblower Executive Champion.
- taking appropriate action to protect the Whistleblower from the risk of detriment in accordance with any assessed risks (for example, re-location of the Whistleblower to another role at the same level, reassigning or relocating other staff involved in the disclosable matter or other modifications to the Whistleblower's workplace or the way they perform their duties).
- maintaining the confidentiality of the Whistleblower's identity and information that could lead to the identification of the Whistleblower.
- implementing a secure record keeping system to hold information, documentation and communications relating to a Whistleblower Disclosure.
- conducting training and awareness communications outlining (i) the importance of whistleblowing, (ii) the Credit Union's support of those individuals who decide to make a Whistleblower Disclosure and (iii) the consequences for breaching this Policy to all staff and in particular Management.
- providing access to the Employee Assistance Program/counselling service.

If a Whistleblower has or may have suffered any detriment, they should report this to the Whistleblower Protection Officer as soon as possible. The Whistleblower Protection Officer will arrange for the Credit Union to provide all reasonable assistance and protection to prevent the Whistleblower from suffering any further detriment. Some of the actions which may be considered appropriate include but are not limited to:

- allowing the Whistleblower to take extended leave.
- developing an alternative career development plan or working arrangements.
- offering other support or remedies such as counselling.

A Whistleblower can seek compensation and other remedies through the Courts if they suffer loss, damage or injury because of the Protected Disclosure or if the Credit Union failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

2.3.10 Support provided to Whistleblowers

A Whistleblower who is a current or former employee of the Credit Union, is able to access the Credit Union's confidential counselling service below:

Cognition

Phone number 8373 1341

Other publicly available support service which a Whistleblower (including those external to the Credit Union) may wish to access include:

Beyond Blue on 1300 22 4636

Lifeline on 13 11 14

A Whistleblower may also request additional independent support by contacting the Whistleblower Protection Officer.

2.3.11 Complaints from Whistleblowers

If a Whistleblower has any complaints or concerns about the manner in which the investigation is being handled, they can raise their concerns with the Whistleblower Protection Officer. The Whistleblower Protection Officer may escalate the complaint or concern to the Whistleblower Executive Champion. Where the complaint or concern is regarding the Whistleblower Protection Officer, the Whistleblower may address their complaints or concerns directly to the Whistleblower Executive Champion.

3. Other Policy Matters

3.1 Breaches of this Policy

Breaches of this Policy may result in serious consequences including disciplinary action by the Credit Union and civil or criminal penalties.

3.1.1 Legal consequences for Non-Compliance

An individual who is found not to have complied with this Policy may be subject to civil or criminal liability for a breach of the Corporations Act. In particular:

- if an individual is found to have engaged in conduct that caused a Whistleblower to suffer detriment, that individual may be liable for a penalty, 6 months in prison, or both.
- if an individual is found to have disclosed information breaching the Whistleblower's right to anonymity and confidentiality, the individual may be liable for a penalty or imprisonment for 2 years, or both.
- in addition, a court may also impose a further pecuniary fine on an individual.

3.1.2 Employment Related Consequences for Non-Compliance

In addition to any civil or criminal consequences under the Corporations Act for non-compliance with the Whistleblower obligations, an employee of the Credit Union who does not comply with this Policy, may be subject to disciplinary action in accordance with the terms of the *POL_1042 Discipline Policy*. Action taken by the Credit Union may include the termination of employment.

3.2 Record Keeping

The Credit Union will ensure the whistleblowing process is adequately evidenced by appropriate records and those records are securely maintained. At a minimum, the following types of records shall be maintained:

- the Whistleblower Disclosure.
- the investigation report and related evidence, communications, and records.
- communications with the Whistleblower and any other stakeholders involved in the process.
- internal/external reporting on the Whistleblower Disclosure.

Due to the sensitive nature of the Whistleblower Disclosure, the records above must be kept separate from day-to-day systems, strictly confidential and with restricted access. The storage location of records should be informed by general principles of legal professional privilege, confidentiality, and security.

All records relating to the whistleblowing process will be retained for a minimum of 7 years.

The Whistleblower Protection Officer must ensure there is a clear process in place for secure record keeping and that all relevant parties involved in the process are properly informed of this process.

3.3 Reporting

3.3.1 Breaches

Breaches of this Policy will be reported to the Whistleblower Executive Champion.

3.3.2 Ongoing Reporting

The Credit Union is committed to monitoring the effectiveness of this Policy and ensuring compliance with its legal obligations. The effectiveness of this Policy and compliance with legal obligations will be monitored through the following reporting:

Name of Report	Audience	Preparer	Timing	Description
Whistleblower Investigation Summary	• Executive Management • Audit Committee • Board	Whistleblower Executive Champion	Ad hoc	Reporting on the receipt, ongoing investigation, and final outcome of whistleblower investigations (while maintaining the Whistleblower's confidentiality)
Whistleblower Protection Framework Review	• Executive Management • Audit Committee • Board	Whistleblower Executive Champion	Bi-annually	Periodic reporting on performance of the Whistleblower Protection Framework including on complaints, escalations of breaches/potential breaches of this Policy, whistleblowing trends, insights into culture and key learnings from investigations

Appendix A: Key stages of the Investigation Process

Stage 1: Initial Assessment

Upon receipt of a disclosure, the Whistleblower Protection Officer will assess the disclosure to determine:

- whether the disclosure falls within the definition of a Protected Disclosure, and
- if so, whether a formal investigation is required.

As part of the initial assessment, the Whistleblower Protection Officer will assess the risk of detriment to the Whistleblower or any other person in relation to the disclosure. The Whistleblower Protection Officer will ensure appropriate measures are in place to protect the Whistleblower during the investigation process, which take into account the level of assessed risk.

A disclosure received by an Eligible Recipient other than a Whistleblower Protection Officer, will be immediately referred to a Whistleblower Protection Officer with the consent of the Whistleblower, so that the disclosure can be assessed and mechanisms for protecting and safeguarding the Whistleblower can be implemented.

Stage 2: Formal Investigation

If further investigation is appropriate, the matter will then be referred to a Whistleblower Investigations Officer for formal investigation.

In preparing for the investigation, the Whistleblower Investigations Officer will:

- confirm their independence.
- determine the nature and scope of the investigation.
- consider whether any technical, financial, or legal advice may be required to support the investigation and seek approval from the Whistleblower Protection Officer.
- assess the appropriate timeframe to conduct the investigation.

The investigation will be conducted in a fair and impartial manner by the Whistleblower Investigations Officer (or by their delegate), independently of the business unit or persons to which the allegations relate. However, if it is appropriate, the subject of the allegations may be contacted to respond to the allegations.

It may be necessary to contact the Whistleblower to obtain further information regarding the Protected Disclosure. The ability of the Whistleblower Investigations Officer to conduct an investigation may be limited or prevented from proceeding if the disclosure has been made anonymously or the Whistleblower refuses to provide information to the Whistleblower Investigations Officer.

Stage 3: Report on outcomes

Once the investigation has been completed, the Whistleblower Investigations Officer will provide a report setting out the findings of the investigation to the Whistleblower Protection Officer and Whistleblower Executive Champion. The Whistleblower Protection Officer will then communicate the outcome to the CEO and the Chairs of the Board, Audit Committee and Governance Committee.

The report will include a summary of the allegations and the evidence. The report will also provide a final determination, being that any allegation was:

- substantiated.
- partially substantiated.
- unable to be substantiated, or
- disproven.

It is the Whistleblower Investigations Officer's responsibility to ensure that the investigation is conducted in a timely manner. Where possible, the investigation will be completed within 90 days of the Credit Union being notified of the issue. If this is not possible, the Whistleblower will be advised of the longer time period needed to investigate the matter and as far as appropriate, the reasons for the extended period.

The Whistleblower Protection Officer and Whistleblower Investigations Officer will ensure fair treatment of employees who are mentioned in a disclosure that qualifies for protection, including those who are the subject of a Protected Disclosure.

If at any time the Whistleblower has concerns as to how the investigation is being conducted or is not satisfied with the outcome, they may express these concerns to the Whistleblower Protection Officer or any Eligible Recipient (which includes ASIC or APRA).