



MyState Limited

Whistleblower Protection Policy

Document Details

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Short description	Policy to protect persons from reporting matters without fear of recrimination so that they can be investigated and acted upon.
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Responsible Executive	Company Secretary
Lead Policy	N/A
Subordinate documents	Whistleblower Protection Standard
Submitting Authority	Company secretary
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1. Purpose

This policy outlines the MyState Limited Group's (MYS) approach to the protection of Whistleblowers and is based on Australian Standard AS 8004-2003 Whistleblower Protection Programs for Entities and the Australian Bankers Association Inc. Guiding Principles – Improving Protections for Whistleblowers.

The purpose of this policy is to:

- (a) Encourage the reporting of matters that may cause financial or non-financial loss to MYS or damage to MYS's reputation;
- (b) Enable MYS to effectively deal with reports from Whistleblowers in a way that will protect the identity of the Whistleblower and provide for the secure storage of the information provided;
- (c) Establish the policies for protecting Whistleblowers against reprisal by any person internal or external to the entity;
- (d) Provide for the appropriate infrastructure including the appointment of a 'Whistleblower Protection Officer' and a 'Whistleblower Investigations Officer' and alternative means of reporting; and
- (e) Help to ensure MYS maintains the highest standards of ethical behaviour and integrity.

2. Scope

For the purposes of this policy a Whistleblower is a person who makes disclosure of reportable conduct related to the business of MYS or the suspicion of any of these activities, so that they can be investigated and, if appropriate, acted upon. The reporting of inappropriate conduct may arise from a range of sources, including but not limited to, current or former employees, contractors, consultants, suppliers, third party providers, secondees, brokers or auditors.

Reportable conduct is likely to include (but is not limited to):

- An actual or potential criminal offence;
- Suspicion of fraud or theft;
- Suspect transactions;
- Disregard for legislation and regulation;
- Breach of corporate governance (e.g. laws, policies and procedures);
- Breach of a code of conduct;
- Actual or likely damage or loss to any of MYS's assets;
- Gross mismanagement; and
- Unethical behaviour generally.

All Directors, Officers and Employees of MYS have an obligation to disclose reportable conduct and to ensure MYS maintains a high standard of ethical conduct in all of its activities.

The perceived severity of the reportable conduct is irrelevant to the obligation to disclose it.

There is also no requirement for the Whistleblower to obtain actual proof of the reportable conduct in order for the obligation to report it to exist. However, there must be reasonable grounds for disclosure.

This policy should be read in conjunction with the MYS 'Fraud and Corruption Control' policy. This policy should also be read in the context of all other sections of MYS's policies including the Code of Conduct, standards, procedures and any governing legislation and regulation.

In addition it is acknowledged that a whistleblower may communicate with regulators at any time in relation to the suspected or actual misconduct or unlawful activity.

3. Roles

Whistleblower Protection Officer (WPO)

The WPO is the person to whom a Whistleblower concerned about personal protection may disclose reportable conduct.

The WPO is appointed by the Executive Committee and is responsible for ensuring the interests of the Whistleblower are protected within the context of MYS's policies (including this policy) and legislation.

Any person appointed to the role of WPO will undertake appropriate training in the role.

The WPO has direct access to the Managing Director or any other Executive Committee member and may seek advice directly from MYS's corporate lawyers and auditors if he or she feels it necessary to do so. If the WPO suspects any of the Executive group to be involved in the reportable conduct he or she may report to the senior partner of MYS's External Auditors.

Whistleblower Investigation Officer (WIO)

The role of the WIO is to ensure any investigation into a Whistleblower report is conducted according to the principal of professional investigations management as defined in clause 2.3.7 of the Australian Standard AS8004 – 2003.

The WIO is appointed by the Executive Committee and has responsibility to act in a project management role to co-ordinate the personnel involved in an investigation and to liaise with the Police where necessary. The WIO is not expected to conduct the investigation alone but must ensure the investigation is conducted discreetly and does not jeopardise any judicial proceedings.

Segregation of WPO and WIO roles

It is the intention of this policy that the WPO and WIO act independently of one and other and do not liaise directly, in order to ensure the integrity of the assertion of protection for the Whistleblower. It is the responsibility of all parties involved in the process to ensure this separation is upheld.

External Auditor

The role of the External Auditor, in the context of this policy, is to act as a receiving mechanism for anonymous Whistleblower reports to ensure that:

- there can be no accusation of false allegations by the WPO and
- the identity of the Whistleblower cannot be determined by means of familiarity.

The External Auditor also serves as an external reporting mechanism in the unlikely event that it is inappropriate to advise any of the Executive Committee of the receipt of a Whistleblower report.

Company Secretary

The Company Secretary is responsible for maintaining and analysing a database containing all disclosures of reportable conduct, the identity of the Whistleblower (where it is known) and the outcomes of any subsequent investigation.

4. Principles

No Disadvantage

Any person who discloses reportable conduct will not be personally disadvantaged by having made the report by:

- Dismissal
- Demotion
- Any form of harassment
- Discrimination
- Current or future bias

All MYS personnel:

- Are to ensure that harassment or victimisation of a Whistleblower, including informal pressures are not tolerated; and
- Will do all in their power to ensure that those who raise concerns are protected from exposure to the possibility of harassment or victimisation in accordance with the policies contained herein.

Any such victimisation or harassment, or allowing victimisation or harassment to occur without attempting to intervene by the appropriate channels, will be treated as a serious disciplinary offence.

The commitments contained herein apply equally to the Whistleblower Protection Officer and the Whistleblower Investigations Officer as to the Whistleblower.

Disclosure Test

In determining a valid allegation the following disclosure test will be applied:

- The disclosure is made in good faith;
- The Whistleblower has reasonable belief (but not necessarily proof) that the information disclosed, and any allegation contained in it, is substantially true;
- The disclosure is not made for the sole purpose of personal gain (the fact that the Whistleblower may personally gain from the disclosure is not sufficient cause in itself to dismiss the disclosure as invalid); and

In all the circumstances of the matter, it is reasonable for the disclosure to be made.

False allegations proven to be unfounded and malicious will be treated as a breach of relevant Code of Conduct policies and disciplinary procedures will apply.

Resources

To ensure the commitment to whistleblower protection is effective in practice, Executive management will ensure sufficient resources are allocated to provide for the following:

- An appropriately trained Whistleblower Protection Officer (WPO);
- An effective Whistleblower Investigations Officer (WIO);
- Internal and external reporting lines;
- Ongoing training where required; and
- Access to the MyState Employee Assistance Program.

Contact details for the WPO are to be made highly visible throughout the organisation. At a minimum the details will appear on the Intranet. Attention will also be drawn to MYS's Whistleblower Protection Policy in written communications with staff on at least a semi-annual basis. The Company Secretary is responsible for ensuring these communications occur.

Reporting to the Group Audit Committee

The Company Secretary is required to provide a report to the Group Audit Committee on any conduct reported under the Whistleblower Protection Policy as soon as practicable after completion of the relevant investigation. If the timing of the next Group Audit Committee meeting extends the period of reporting beyond a month then the matter is to be reported to directly the next Board meeting.

A report must also be produced for the Group Audit Committee on an annual basis outlining all reported incidents for the prior year.

5. Related regulation

- Banking Act 1959 (Cth) Part VIA 'Protections In Relation To Information' Division 1 'Protection for Whistleblowers'
- APRA CPS 520 'Fit and Proper' – in respect of Officer Fitness and Propriety

6. Review frequency

This policy shall be reviewed on a three yearly cycle unless an earlier change to legislation or the relevant standard requires otherwise.

Version Control

Version Number	Date Approved	Brief Description	Change Author	Approver
1.00	16/01/14	Original (Old Format) Policy	Chief Risk Officer	Board
2.00	16/06/16	Re-write of the policy and separation of relevant content into linked management standards and procedures.	Company Secretary	Board
3.00	22/06/17	Update to ensure ABA guiding principles are appropriately incorporated into the Board Policy.	Company Secretary	Board
3.10	19/07/18	Update to introduce additional reporting requirement to the Group Audit Committee.	Company Secretary	Board