

# **Hume Bank Limited.**

## **Whistleblower policy.**

## 1. Policy Statement

- 1.1 Hume Bank Limited (“Hume Bank”) recognises an important aspect of accountability and transparency is a mechanism to enable all individuals to voice concerns when they discover information which they believe shows misconduct or an improper state of affairs in a responsible and effective manner, without fear of retribution.
- 1.2 This Whistleblower Policy (“Policy”) complements Hume Bank’s Code of Conduct which reinforces our commitment to maintaining a culture of open communication to ensure conduct that is not in accordance with Hume Bank’s values, policies, standards and applicable laws is addressed.
- 1.3 This Policy has been developed in accordance with Hume Bank’s regulatory obligations including:
  - Part 9.4AAA *Corporations Act 2001* (Cth) (“Corporations Act”);
  - ASIC Regulatory Guide 270 Whistleblower Policies;
  - Prudential Standard CPS 510 Governance; and
  - Prudential Standard CPS 520 Fit and Proper.

## 2. Scope

### Who does this policy apply to?

- 2.1 This Policy will apply to you if you if you make a disclosure of Reportable Conduct (see section 2.3 below) and are:
  - A current or former officer of Hume Bank;
  - A current or former employee of Hume Bank (including unpaid employees, contractors, secondees and trainees);
  - associates and suppliers (including the supplier’s employees) of Hume Bank; or
  - relatives, dependents and spouses of those specified above.
- 2.2 If you are an employee or officer, you will be given this Policy to read during your induction on commencement at Hume Bank and you will be provided with induction and annual training.
- 2.3 This Policy is also made available to you:
  - If you are a current employee, via the Policy & Procedures tab on Hume Bank’s intranet;
  - If you are not a current employee, on Hume Bank’s website.

## What is Reportable Conduct?

- 2.4 Reportable Conduct is suspected or actual misconduct, or an improper state of affairs or circumstances in relation to Hume Bank’s operations and can include (but is not limited to):
- Breaches of Hume Bank’s Code of Conduct or other Hume Bank policies and procedures;
  - Breaches of the law or regulations;
  - Unethical or unprofessional behaviour, including conduct that does not meet Hume Bank’s commitment to do the right thing by its customers, regulators and the community;
  - Issues of honesty or integrity, including internal fraud, theft, bribery and corruption;
  - Conflicts of interest, including those relating to outside business interests, relationships, improper payments and donations;
  - Conduct that represents a danger to the public or the financial system;
  - Any other conduct which may cause loss to Hume Bank, or otherwise which may be detrimental to Hume Bank’s interests; and
  - Deliberate concealment of any of the above.
- 2.5 Reportable Conduct generally does not include:
- Personal work-related grievances that have implications for the individual personally. Examples include interpersonal conflicts between two employees, a promotion outcome decision, a decision to suspend or terminate the individual’s employment or to discipline them. If you have a personal work-related grievance you should raise your concerns in accordance with the process outlined in Hume Bank’s Anti-Discrimination and Equal Opportunity Policy.
  - Matters which may be dealt with by Hume Bank’s customer complaints process.
- 2.6 When in doubt, you should make your report to the Whistleblower Officer. They will make sure your disclosure is dealt with under the right policy.

## 3. Disclosing Reportable Conduct

### Making a disclosure internally

- 3.1 As a first step, you are encouraged to contact your manager or supervisor. However, please be mindful that reports made to managers and supervisors will not attract whistleblower protections under the Corporations Act unless your manager or supervisor is a person listed at 3.2 or 3.3.
- 3.2 If you wish to disclose Reportable Conduct and have your disclosure dealt with under this Policy, you can do this verbally or in writing to Hume Bank’s

Whistleblower Officer (currently the Chief Risk Officer). You can contact the Whistleblower Officer directly or anonymously via dedicated 24 hour Whistleblower contact details: **(02) 60513288** and/or [whistleblowing@humbank.com.au](mailto:whistleblowing@humbank.com.au).

- 3.3 While it is Hume Bank’s preference that you disclose Reportable Conduct to the Whistleblower Officer, if you feel you cannot discuss the matter with the Whistleblower Officer, there are other individuals who can receive disclosures and are required to handle that information in accordance with this Policy. This includes members of the Executive Leadership Team (“ELT”), Hume Bank’s Directors, the Company Secretary and the Internal Auditor.
- 3.4 You may make a disclosure anonymously. If you do not share your identity, Hume Bank will assess your disclosure in the same way as if you had revealed your identity. However, there may be some practical limitations in conducting an investigation into the Reportable Conduct. Further, Hume Bank may be in a better position to offer practical support if you share your identity.

### **Making a disclosure externally**

- 3.5 Hume Bank expects that in almost all cases, raising your concerns internally will be the most appropriate action to take.
- 3.6 However, if you feel that you cannot raise your concerns internally and you reasonably believe the information and concerns are true, you may consider reporting the matter to Hume Bank’s external auditors, APRA, ASIC or the ATO (for tax-related misconduct only).
- 3.7 In certain circumstances described in the Corporations Act, after making a disclosure to APRA, ASIC or the ATO (“regulator”) you can make a “public interest disclosure” or an “emergency disclosure” to a journalist or parliamentarian and receive protection as a Whistleblower. Certain steps need to be taken before a "public interest" or an "emergency" disclosure can be made to a journalist or parliamentarian.
- 3.8 A “public interest” disclosure is where:
- You have disclosed Reportable Conduct to a regulator;
  - At least 90 days have passed since you disclosed the Reportable Conduct;
  - You do not have reasonable grounds to believe that action is being, or has been taken, to address the matters to which your disclosure related;
  - You have reasonable grounds to believe that making a further disclosure of the Reportable Conduct is in the public interest;

- You have given written notification to a regulator that you intend to make a public interest disclosure;
- The public interest disclosure is made to a member of Federal or State parliament or a journalist;
- The extent of the information disclosed is no greater than necessary to inform the member of parliament or journalist of the Reportable Conduct.

3.9 An “emergency disclosure” is where:

- You have disclosed Reportable Conduct to a regulator;
- You have reasonable grounds to believe that the information concerns a substantial or imminent danger to the health or safety of one or more persons or to the natural environment;
- You have given a written notification to the regulator that includes sufficient information to identify your previous disclosure and states that you intend to make an emergency disclosure;
- The emergency disclosure is made to a member of Federal or State parliament or a journalist;
- The extent of the information disclosed is no great than necessary to inform the member of parliament or journalist of the substantial and imminent danger.

3.10 If you are considering making a "public interest" or an "emergency" disclosure, it is recommended that you obtain legal advice prior to doing so (see 3.12 below).

### **Legal advice**

3.11 Hume recommends that you consider obtaining legal advice before disclosing Reportable Conduct. Access to subsidised legal advice for current employees can be authorised by the Chief Risk Officer, in which case Hume Bank will bear the cost of up to \$250. Disclosures of Reportable Conduct made for the purpose of obtaining legal advice or legal representation qualify for protection under this Policy.

## **4. Protections for Whistleblowers**

4.1 The Corporations Act provides protections for Whistleblowers. How Hume Bank ensures you receive the protections you are entitled to is set out below.

### **Confidentiality**

4.2 Hume Bank will keep your identity confidential unless:

- Hume Bank is legally required to disclose your identity;

- You consent to Hume Bank disclosing (fully or partially) your identity;
- It is necessary to prevent or lessen a serious threat to a person's health or safety; or
- The disclosure is required if and when Hume Bank decides to report the matter to the relevant regulatory authorities or the police.

4.3 The information provided by you will be disclosed as required for the purposes of conducting an investigation under this Policy. The information may also be disclosed for the purpose of Hume Bank obtaining legal advice on the information you have reported. However, reasonable steps will be taken to reduce the risk that you could be identified as part of any process conducted under this Policy.

4.4 Hume Bank will also ensure that any records relating to your disclosure are stored securely and can only be accessed by authorised staff and third parties we may engage to conduct an investigation on our behalf. Authorised staff may include the Whistleblower Officer, Directors, CEO, Company Secretary and Internal Auditor. By making a report under this Policy you consent to this information being recorded and being accessible by these people including your identity (unless you elect to remain anonymous).

4.5 Unauthorised disclosure of your identity, information from which your identity could be inferred, or details of your disclosure of Reportable Conduct will be regarded as a breach in confidentiality and will result in disciplinary action in accordance with Hume's Discipline and Dismissal Policy.

### **Non-victimisation**

4.6 Hume Bank will not tolerate any threats of, or actual detriment to you because you have made a disclosure, or someone suspects that you might make a disclosure about Reportable Conduct. This protection applies regardless of whether the concerns raised in a disclosure are found to be true, provided you are acting honestly and made the disclosure on reasonable grounds. However, protection from detriment does not shield you from the consequences of your own behaviour if you are found to have engaged in misconduct or unacceptable workplace behaviour related to the matters raised in your disclosure.

4.7 Examples of detriment include:

- Retaliation, dismissal, suspension, demotion or having your engagement with Hume Bank otherwise terminated;
- Harassment, threats or intimidation;
- Discrimination or bias;
- Revealing your identity as a Whistleblower outside of the permissible

circumstances listed at 4.2 of this Policy;

- Harm or injury, including psychological harm; and
- Damage to your property, reputation, business or financial position.

4.8 Threatening to cause detriment or causing detriment is Reportable Conduct and disciplinary action may be taken against any person who engages in such conduct. They may also be subject to legal consequences in the form of civil and criminal proceedings.

4.9 It is important you report any threats of, or actual detrimental conduct immediately to the Whistleblower Officer, as it will help Hume Bank better protect you to the extent possible. Where the detrimental conduct against you involves the Whistleblower Officer, you should report the matter to the CEO.

4.10 Hume Bank is committed to ensuring you do not suffer detriment because you have made a disclosure. Hume Bank may offer, at our discretion, the following protections:

- Monitoring and managing the behaviour of other employees;
- Relocating employees (which may include the people alleged to have been involved in the Reportable Conduct) to a different team, department or location; and
- Offering you a leave of absence or flexible workplace arrangements while a matter is investigated.

4.11 For current employees and their immediate family located in the same household, Hume Bank's Employee Assistance Program provides free, confidential short-term counselling services. Information about the program can be found [here](#).

4.12 While all reasonable steps will be taken to protect Whistleblowers, Hume Bank is not able to provide the same level of protection to Whistleblowers who are not directly employed at the time of making the disclosure.

### **Other protections for Whistleblowers**

4.13 In some circumstances, you may also be entitled to:

- Compensation and other remedies through the courts if you suffer loss, damage or injury for making your disclosure;
- Protection from civil, criminal or administrative action. This protection does not apply to any action that relates to your involvement in any misconduct that is revealed in the disclosure and giving evidence in legal proceedings.

## 5. Investigations and outcomes

- 5.1. Disclosures made through any of the avenues set out at 3.2 and 3.3 will be referred to the Whistleblower Officer who will assess the disclosure. This includes determining whether the disclosure relates to Reportable Conduct and whether legal advice is necessary. The Whistleblower Officer may delegate management of an investigation to the Internal Auditor or Company Secretary (“investigation leads”), who maintain independent reporting lines to the Board.
- 5.2. If the disclosure relates to the CEO or a member of the ELT, the matter will be referred to the Board. This may include a recommendation by the Whistleblower Officer or the Internal Auditor to appoint external investigators. The Board will appoint the Whistleblower Officer or an investigation lead to conduct the investigation or, where relevant, to be the main point of contact for the external investigators.
- 5.3. If an investigation lead is appointed, they will be briefed on your disclosure and confidentiality requirements. Investigations are to be conducted in a timely, fair and impartial manner. Investigation leads are required to act independently and to treat all of those involved in an investigation fairly. Unless there are confidentiality or other reasons not to do so, persons to whom the disclosure relates will be informed of the allegation at an appropriate time, and will be given a chance to respond to the allegations made against them.
- 5.4. The results of any investigation and recommended actions will be recorded in a written report which will be provided to the CEO and/or Board (as appropriate). Recommended actions may include disciplinary action, review of Hume Bank’s control environment, referrals to regulators, referral to the Police or legal action. Actions may include appropriate disciplinary action against you if you are found to have engaged in misconduct. The CEO (or Board where the investigation relates to the CEO or ELT) will assign any action items required to action item owners.
- 5.5. Subject to any privacy, confidentiality or legal issues, you will be told how Hume Bank has decided to respond to your disclosure, including whether an investigation will be conducted and the outcome. However, the report recording the results of an investigation will not be provided to you.

### False or misleading disclosures

- 5.6. When making a disclosure, you are expected to have reasonable grounds to suspect the information you are disclosing is true, but you will not be penalised if the information you provide turns out to be incorrect. However,

you must not make a disclosure that you know is not true or is misleading. This may result in disciplinary action in accordance with the Discipline and Dismissal Policy, including termination of employment.

## 6. Reporting

6.1. Hume Bank will periodically report to the Risk Management Committee, the Risk Committee and the Board. Reporting may include:

- A high-level, de-identified notification of any Whistleblower disclosure;
- Updates on the status of Whistleblower disclosures, investigations into those disclosures (including any investigation report produced) and actions taken as a result; and
- Trends identified in Whistleblower disclosures.

## 7. Related Documents

- Anti-Discrimination and Equal Opportunity Policy
- Code of Conduct Policy
- Discipline and Dismissal Policy
- Fit and Proper Policy
- Fraud Prevention Policy
- Fraud Methodology