

WHISTLEBLOWER POLICY



Why this is important

1. The Whistleblower Policy is intended to promote a culture of conducting our business with honesty, fairness and integrity. Heritage recognises that any genuine commitment to detecting and preventing illegal, dishonest, unfair or other undesirable conduct must include a mechanism to enable individuals to report their concerns freely and without fear of repercussions.
2. Heritage is committed to ensuring all its officers, employees, secondees, contractors (and any employees of contractors) and consultants act at all times in accordance with Heritage's Code of Conduct.
3. Anyone making a disclosure based on a reasonable belief under this Policy should feel confident that they can do so without fear of retaliation.
4. The policy reflects and supports the Heritage strategic direction as it provides a framework to enable staff to speak up to build Heritage as a '*Bank to be proud of*'. It also gives effect to our corporate values of *Courage* and *Integrity* to call out unacceptable behavior and display our willingness to do what's right.
5. This Policy is designed to produce these outcomes:
 - a) Promote and encourage disclosures relating to reportable conduct, misconduct or an improper state of affairs or circumstances;
 - b) Establishes mechanisms for making disclosures as a whistleblower;
 - c) Protect the identity, well-being, dignity, career and reputation of whistleblowers making a disclosure based on a reasonable belief;
 - d) Outline the consequences for breaching the Whistleblower Policy.

Who this applies to and when

6. This Policy may be used by all current and former officers, employees, secondees, contractors or suppliers (and their employees) and consultants of Heritage and its associated entities, including associates and family of these individuals. Anyone making a disclosure under this Policy is deemed to be a Whistleblower.
7. It applies to anyone making a disclosure in accordance with this Policy, clearly indicating that the disclosure is made under the Whistleblower Policy.
8. In some circumstances, such as a Disclosure to the Heritage external reporting service or relating to nil or insufficient action taken on a previously reported matter, the disclosure may be deemed to be made under this Policy without the need for a clear indication by the Whistleblower.

Requirements

9. This Policy will be made available to all staff of Heritage and will also be publicly available.
10. A whistleblower disclosure can be made where the Whistleblower reasonably suspects reportable conduct, misconduct or an improper state of affairs or circumstance within

Heritage or an associated entity.

11. There are a number of other Heritage policies that also provide for the reporting of matters that may be considered as reportable conduct. The Whistleblower Policy compliments these reporting structures.
12. Heritage will provide appropriate structures to facilitate reporting Whistleblower disclosures. In addition to internal reporting structures, Heritage will also maintain an independent external hotline service for reporting Whistleblower disclosures.
13. Whistleblower disclosures may be made anonymously.
14. The identity of the Whistleblower will be kept confidential by all Heritage employees with involvement with the Whistleblower's disclosure, unless the Whistleblower consents to their identity being disclosed or the disclosure of their identity is required by law.
15. Heritage will identify a Whistleblower Investigation Officer to accept and investigate Whistleblower disclosures, and a Whistleblower Protection Officer to safeguard Whistleblower interests.
16. All Whistleblower disclosures will be subject to an appropriate investigation conducted by the Whistleblower Investigation Officer.
17. Whistleblowers who report matters on reasonable grounds, and provided he or she has not been involved in the conduct reported, will not be penalised, disadvantaged or suffer a detriment initiated by Heritage because they have reported a matter.
18. A Whistleblower who has been involved in the reported conduct may still be provided with immunity from Heritage initiated disciplinary proceedings, by agreement with Heritage. Heritage cannot however, provide immunity from criminal or any regulator initiated prosecution.
19. Any employee or manager who is found to have penalised, disadvantaged or caused a detriment to a Whistleblower by reason of their status as a Whistleblower, may be subjected to disciplinary measures, including summary dismissal. Under the law, such employees or managers may also be liable to compensate the Whistleblower in accordance with legislation.
20. The Whistleblower may request that an alternative means of protection such as a relocation or leave of absence be provided.
21. Where it is established by the Whistleblower Investigations Officer that the Whistleblower has no reasonable basis for the Whistleblower Disclosure, or has made a false report of reportable conduct, then he or she will be subjected to disciplinary proceedings, which may include dismissal. Any such disciplinary proceedings will be conducted in accordance within existing Human Resources policies and procedures.
22. Heritage will implement appropriate reporting mechanisms to inform the Board of whether any disclosures have been made on a regular basis. The findings of the Whistleblower Investigation Officer and Whistleblower Protection Officer will be reported to the Board and appropriate Heritage officers.
23. Heritage is committed to assessing the findings and recommendations of any investigation with a view to rectifying any wrongdoing as far as is practicable in the circumstances.
24. Where an actual or reasonable perceived conflict of interest arises between the substance of a disclosure and any Heritage staff with accountabilities under this Policy, a suitable alternate staff member or officer will take carriage of the matter as appropriate.
25. This policy does not prevent a Whistleblower from reporting any matter to a regulator under an applicable law or prudential standard.
26. Any staff member found to have breached this Policy will be subject to disciplinary action, which may include termination of employment.

Accountabilities

27. The accountabilities specific to this Policy appear in the table below:

POSITION	ACCOUNTABILITIES
Heritage Board	<ul style="list-style-type: none">• Ensure that Heritage has an effective program for Whistleblower protection;• Reviewing and approving the Policy;• Reviewing compliance with the Policy;• Ensuring a Whistleblower Protection Officer is appointed;• Ensuring a Whistleblower Investigations Officer is appointed (that is a separate individual to the Whistleblower Protection Officer); and• Reviewing reports on Whistleblower activity.
Chief Executive Officer	<ul style="list-style-type: none">• Establishing an effective program for Whistleblower protection;• Establishing and maintaining a dedicated, highly visible means for the reporting of reportable conduct.
Whistleblower Investigation Officer	<ul style="list-style-type: none">• Receiving reports of reportable conduct directly from Whistleblowers, or through an eligible internal report recipient or the external reporting hotline;• Investigating the substance of the report from the Whistleblower;
Whistleblower Protection Officer	<ul style="list-style-type: none">• Safeguarding the interests of the Whistleblower in terms of this policy and the policies of Heritage and any applicable legislation.

Contacts for Questions & more Information

28. This Policy is owned by the Chief People Officer. If you would like more information or have any questions about this Policy, you should contact:

Mr Anthony Johns, Manager Employee Relations

Telephone (07) 4694 9288 or 0488 070 249

Email johns.a@heritage.com.au

Definitions

29. In this Policy the words listed below have the meanings shown below:

Detriment means dismissal, demotion or other form of injury to their employment, alteration of an employee's position or duties to their disadvantage, any form of harassment or intimidation, harm or injury (including psychological harm), damage to property, reputation, business or financial position, discrimination, bias or any other damage.

Disclosure means a report by a Whistleblower of reportable conduct made under this Policy.

- Heritage** means Heritage Bank Limited and all related entities.
- Improper State of Affairs or Circumstances** means policies, practices, acts or conduct, while not unlawful, that are unethical, unconscionable or fall below reasonable community standards and expectations.
- Misconduct** means acts or conduct in breach of the standards and duties required in employment including but not limited to theft, fraud, deception or dishonesty, illegal or unlawful acts or conduct, corruption, conflict of interest, negligence, serious breach of policy or procedure, disrepute, breach of trust or good faith duty.
- Officer** means a member of the Heritage Senior Executive Group.
- Reportable Conduct** means breaches of the Code of Conduct, or activities that could be damaging to our members, employees or the community.
- Whistleblower** means current and former Officers, employees, secondees, contractors or suppliers (and their employees) and consultants of Heritage and its associated entities, including associates and family of these individuals, who attempts to make or wishes to make a report in connection with reportable conduct, misconduct or improper state of affairs or circumstances under this Policy and avail themselves of the protections offered by this Policy.

Policy Information

Effective from	1 March 2019		
Owner	Chief People Officer	Darren Stephens	8/01/2019
Approver	Board		21/2/2019
NEXT Review due:	1 March 2022		
Related documents	Code of Conduct Whistleblower Procedure		

Document History

Version	Date	Amended by	Details of amendment
1	8/01/2019	Anthony Johns	Draft of Whistleblower Policy