

CALI Whistle-Blower Policy

Purpose

The Council of Australian Life Insurers (CALI) is committed to fostering a culture where you feel comfortable to 'speak up' if you see something that concerns you. We encourage you to raise concerns. It is important that CALI can identify any wrongdoing and provide protections and measures so that those persons who report a concern may do so confidentially and without fear of intimidation, disadvantage or reprisal.

This document provides a framework which explains:

- the concerns covered by whistle-blower protections
- how to raise a concern
- how a concern will be assessed, managed and investigated, and
- how you will be supported and protected after raising a concern.

Application

This policy applies to any person who is, or has been, any of the following with respect to CALI:

- directors, officers and auditors of CALI
- employees, contractors, or temporary employees engaged by CALI
- suppliers and contractors (and their employees) to CALI, and
- relatives, spouses or dependents of any of the above.

Policy version and revision

Version	Date	Owner	Next review
1.0	20 June 2023	CEO	June 2025

Definitions

Detrimental Conduct	Any reprisal, discrimination, harassment, victimisation, retaliation or threats of retaliation against a person making a report. This may include dismissal, suspension or demotion; alteration of a person's position or duties to their disadvantage; disciplinary action; harassment or intimidation; discrimination; harm (including psychological harm) or injury; damage to the person's reputation; or damage to the person's property, business or financial position.
Eligible Recipient	A person designated in this policy as an avenue through which a concern can be reported in order to qualify for protections under this policy, being: <ul style="list-style-type: none">• the Whistle-blower hotline• the Whistle-blower Protection Officer• a director, CEO or GMCAS; or• an auditor of CALI.

Reportable Conduct	<p>Conduct in relation to CALI that:</p> <ul style="list-style-type: none"> amounts to misconduct or an improper state of affairs such as: <ul style="list-style-type: none"> fraud, money laundering or misappropriating funds corrupt behaviour (e.g., taking advantage of an employment position) illegal activities (e.g., theft, selling or using illicit drugs, acting violently, and criminal damage against property) offering or accepting a bribe financial irregularities failure to comply with, or breach of, legal or regulatory requirements systemic, willful or serious breach of the law as it relates to CALI or its internal policies or processes negligent acts, a breach of trust or a breach of duty; or indicates a significant risk to public safety or the stability of the financial system; or presents a serious risk to the reputation or financial wellbeing of CALI or our members. <p>For the avoidance of doubt Reportable Conduct does not generally include personal work-related grievances (e.g., relating to your employment or to an interpersonal conflict between you and another employee). Although not usually the case, personal work grievances may amount to Reportable Conduct under this policy if, for example, they:</p> <ul style="list-style-type: none"> indicate a systemic issue; or relate to actual or threatened Detrimental Conduct against a person because they have not disclosed or are believed or suspected to have disclosed, or be planning to disclose, other Reportable Conduct.
Whistle-blower Hotline	An external service appointed by CALI from time to time to manage whistle-blower disclosures.
Whistle-blower Protection Officer	Company Secretary of CALI

Policy statement

Any concern you report will be treated seriously and sensitively and in accordance with this policy and legislation including whistle-blower legislation, where applicable. Any form of actual or threatened victimisation towards someone as a result of raising a concern under this policy will not be tolerated.

Reporting a concern

There are several ways in which you may report or disclose any issue or behaviour which you consider to be Reportable Conduct.

You can report your concern to:

- the Whistle-blower Hotline
- the Whistle-blower Protection Officer
- a director, CEO or GMCAS; or
- an auditor of CALI.

You can report your concern anonymously, but it may be difficult for CALI to properly investigate the matters disclosed. Anonymous reports will still receive the protection provided under this policy and whistle-blower legislation, as applicable. CALI encourages you to disclose your identity when making a report under this policy, as this will enable us to monitor your wellbeing and protect you from any Detrimental Conduct. If you report your concern to an Eligible Recipient who is not the Whistle-blower Hotline / Whistle-blower Protection Officer, we also encourage you to give your consent to share the concern with the Whistle-blower Protection Officer in order for your concern to be assessed and, if appropriate investigated.

In addition to your rights under this policy you may communicate with a government agency, law enforcement body or a regulator (i.e., ASIC, APRA or the ATO) including making a disclosure about Reportable Conduct. Information about reporting externally can be found at the following links:

- ASIC [How ASIC handles whistleblower reports | ASIC](#)
- APRA [Become a 'whistleblower' or make a public interest disclosure | APRA](#)
- ATO [Tax whistleblowers | Australian Taxation Office \(ato.gov.au\)](#)

To be covered by the protections outlined in this policy and the *Corporations Act 2001* (Cth) (*Corporations Act*) (or the *Tax Administration Act 1953* (Cth), where relevant) you must ensure you have reported your concerns to an Eligible Recipient (as defined in this policy) in the first instance. You may choose to discuss your concerns with a legal practitioner for the purposes of obtaining legal advice or representation about the operation of the whistle-blower provisions in the *Corporations Act* and you will still be covered by the protections outlined in this policy.

You may also seek independent legal advice before or after making a report or during the investigation process, which may help you to further understand your rights and protections.

A person making a report must not make a false or vexatious claim. Protections under this policy will not be applied to false reports or vexatious claims. CALI may take disciplinary action against any person making them.

Public Interest and Emergency Disclosure Reporting

CALI encourages a person to make a report by contacting the Whistle-blower Hotline or one of the other internal CALI Eligible Recipients in the first instance where possible.

In certain situations, the conduct or wrongdoing may be of such gravity and urgency that disclosure to the media or a parliamentarian is necessary. Such reports made in 'public interest' and 'emergency disclosure' situations are also protected.

A Public Interest and Emergency Disclosure can only be made to a journalist or a parliamentarian where:

- at least 90 days has passed since you made the disclosure to ASIC, APRA or another Commonwealth body prescribed by regulation, and
- in the case of a public interest disclosure, you do not have reasonable grounds to believe that action is being taken to address the matters which you have disclosed and that making a further disclosure to a journalist or member of parliament would be in the public interest, and
- in the case of an emergency disclosure, 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
- before making the disclosure, you have given written notification to the body to which the previous disclosure was made, including sufficient information to identify your previous disclosure and that you intend on making a public interest disclosure or emergency disclosure, and
- the extent of information disclosed is no greater than is necessary to inform the recipient of the misconduct or improper state of affairs (in the case of a public interest disclosure) or of the substantial and imminent danger (in the case of an emergency disclosure).

It is important that you understand the criteria for making a Public Interest or Emergency Disclosure and you should consider seeking independent legal advice in relation to any such disclosure.

Investigation

Once your report has been received (and if relevant, shared with your consent with the Whistle-blower Hotline/ Whistle-blower Protection Officer), the Whistle-blower Hotline / Whistle-blower Protection Officer will acknowledge receipt and it will be assessed as to whether it is about Reportable Conduct and if the matter falls under this policy. If your report concerns Reportable Conduct this may also mean that you qualify for protection as a whistle-blower under the *Corporations Act*. The criteria for this include:

- you are a person to whom this policy applies (as set out in the Coverage section of the policy), and
- you have made a report containing disclosure of information relating to Reportable Conduct, and
- you have made:
 - a report directly to an Eligible Recipient or to ASIC, APRA or another Commonwealth body prescribed by regulation; or
 - a report to a legal practitioner for the purposed of obtaining legal advice or legal representation about the operation of the whistle-blower provisions in the *Corporations Act*; or
 - a Public Interest or Emergency Disclosure (as referred to above).

If the Whistle-blower Hotline / Whistle-blower Protection Officer determines your report of a concern does not relate to Reportable Conduct or fall under this policy, they will advise you and how the report will be handled under the Workplace Behaviours Policy. Disclosures that are not Reportable Conduct do not qualify for protection under the *Corporations Act*.

A report made that is assessed as relating to Reportable Conduct or falling under this policy will be investigated. The Whistle-blower Hotline / Whistle-blower Protection Officer will determine whether the investigation will be conducted by an internal or external investigator, depending on the nature of the report.

The investigator who is appointed will conduct the investigation as soon as practicable and will ensure that it is fair and independent from any persons to whom the report relates.

The investigator will conduct the investigation in an objective and fair manner, ensuring that every individual subject to the investigation is granted sufficient opportunity to reply to allegations before any findings are made.

If the report is not anonymous, the Whistle-blower Hotline / Whistle-blower Protection Officer or investigator will contact you to discuss the investigations process, its progress, expected timeframes and any other matters that are relevant to the investigation.

Where you have chosen to remain anonymous, your identity will not be disclosed to the investigator or any other person and the investigation will be based on the information available.

Once an investigation ends, the investigator will report on the findings to the Chairs and the CEO of CALI. The Whistle-blower Hotline / Whistle-blower Protection Officer will inform you of the outcome of the investigation. To the extent permitted by law, the Whistle-blower Hotline / Whistle-blower Protection Officer may inform a person against whom allegations have been made of the findings of the investigation.

Any written report of the investigation will remain the property of CALI and will not be shared with you or any person(s) against whom the allegations have been made.

Protection of Whistle-blowers

CALI is committed to ensuring that any person feels safe in reporting a concern. This means that it will take steps to ensure that any person who reports a concern is treated fairly, is protected from Detrimental Conduct and that confidentiality is preserved in respect of all matters raised under this policy.

Detrimental Conduct

CALI (or any person engaged by CALI) must not engage in Detrimental Conduct against you if you have reported a concern under this policy. CALI will take all reasonable steps to protect you from Detrimental Conduct and take necessary action where such conduct is identified. CALI also strictly prohibits all forms of Detrimental Conduct against any person who is involved in an investigation of a matter disclosed under this policy in response to their involvement in that investigation.

Any Detrimental Conduct against a person reporting Reportable Conduct will be treated as a serious wrongdoing. These protections will apply even where it is subsequently determined that a report was mistakenly made or not substantiated.

If you make a report and subsequently face any kind of Detrimental Conduct, you are encouraged to notify the Whistle-blower Hotline / Whistle-blower Protection Officer. The Whistle-blower Hotline / Whistle-blower Protection Officer will ensure the matter is investigated promptly. If it is found that you have been disadvantaged or retaliated against by a person because of the submission of a report, that will be grounds for disciplinary action against the person who has taken such action against you, up to and including dismissal. You may also seek remedies including compensation, civil penalties or reinstatement where you have been subject to any Detrimental Conduct.

CALI understands that there may also be some serious repercussions for individuals who are mentioned in a report. CALI will also ensure their fair treatment and will extend the protections stated above to those individuals where appropriate.

Confidentiality

CALI will treat all reports, as well as confidential information acquired in the course of investigating a report, with the strictest confidence. Subject to compliance with legal requirements, CALI will only disclose your identify if you have made a report, or any other information that is likely to lead to your identification if:

- you give your prior consent, or
- it is reasonably necessary for the effective investigation of the matter, and if this is likely to lead to your identification, all reasonable steps will be taken to reduce the risk that you will be identified, or
- the disclosure is to a legal practitioner to obtain legal advice or representation, or
- the disclosure is permitted or required by law (e.g., your identity may be disclosed to ASIC, APRA or the Australian Federal Police).

The reasonable steps we will take to protect your identity and information in your report that is likely to identify you, may include:

- securely storing all paper and electronic documents and other materials relating to your report, and
- where possible, communicating with you to help identify the aspects of your concerns that could inadvertently identify you, and
- potentially using a pseudonym to refer to you, and
- providing training and awareness about the confidentiality requirements and consequences of breaching confidentiality to those involved in receiving, handling and investigating reports under this policy.

Legal Action

If you are protected as a whistle-blower under the *Corporations Act*, you will not be subject to any civil, criminal or administrative legal action for making a report in respect of Reportable Conduct under this policy or participating in any investigation. Any information you provide will not be admissible in any criminal or civil proceedings other than for proceedings in respect of the falsity of the information.

Support Available

The Whistle-blower Hotline / Whistle-blower Protection Officer will assist you in maintaining your wellbeing, which may include providing strategies to minimise and manage stress resulting from making a report under this policy or refer you to counselling and/or other professional services as appropriate.

In addition, any person who makes a report under this policy or is implicated as a result of such a report can access CALI's Employee Assistance Program (EAP) which is a free and confidential counselling service.

Breach of Policy

Any breach of this policy may be regarded as misconduct and may result in disciplinary action up to and including termination of employment, where relevant.

A breach of this policy may also amount to a civil or criminal contravention under the Australian whistle-blower protection laws (in particular under the *Corporations Act*), giving rise to significant penalties.