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HCF GROUP **WHISTLEBLOWER** **POLICY**

OCTOBER 2022

PURPOSE

The Hospitals Contribution Fund of Australia Ltd (“HCF”) encourages the identification and reporting of concerns regarding misconduct or an improper state of affairs or circumstances at HCF or its subsidiaries, including of the types referred to in clause 1.1 below.

The purpose of the HCF Group Whistleblower Policy (‘Policy’) is to enable individuals to disclose wrongdoing safely, securely and with confidence that they will be protected and supported, and to set out HCF’s framework for receiving, handling and investigating disclosures so that they are dealt with appropriately and on a timely basis.

This Policy complies with the requirements of Part 9.4AAA of the *Corporations Act 2001* (*Corporations Act*). Further protection is also afforded to whistle blowers under the *Taxation Administration Act*.

APPLIES TO

This Policy applies to “**Disclosers**”, which means any individuals who are, or have been, any of the following in relation to HCF and its subsidiaries, collectively HCF Group:

- employees, including fixed term contractors and temporary employees;
- directors and officers;
- suppliers, consultants and service providers, and their employees;
- associates; and
- a relative, dependents or spouse of any of these individuals.

Out of scope - this Policy does not apply to personal work-related grievances, for instance including interpersonal conflicts, terms of employment, transfers, promotions, performance and discipline, where those do not:

- have any significant implications for HCF or its subsidiaries;
- relate to conduct of the type referred to in clause 1.1 below; or
- involve conduct causing detriment to the Discloser, or a threat of such conduct, in connection with a disclosure or potential disclosure.

The protections in this Policy and under the *Corporations Act* do not, therefore, apply to grievances fitting this description and other topics, where the information does not concern misconduct or an improper state of affairs or circumstances. For grievances fitting this definition, please refer to the HCF Grievance Procedure.

RISK MANAGEMENT

By providing a safe and secure means for making disclosures, this Policy is one of many key policies that together form part of the mitigation and control framework relating to material risks as outlined in HCF’s Risk Management Framework and Strategy.

WHAT IS WHISTLEBLOWING?

1.1 Whistleblowing is the confidential disclosure by a Discloser of information that the Discloser has reasonable grounds to suspect is misconduct or an improper state of affairs or circumstances relating to HCF or its subsidiaries. This may include information that indicates:

- (a) conduct that constitutes an offence against legislation, including the *Corporations Act*, *ASIC Act*, *Private Health Insurance Act*, *Insurance Act* and the *Life Insurance Act*;
- (b) misconduct, or an improper state of affairs or circumstances in relation to HCF's tax affairs;
- (c) systemic issues that a regulator should know about to properly perform its functions;
- (d) general malpractice – such as dishonest, fraudulent, corrupt, immoral or unethical conduct, or conduct that may cause harm (e.g. putting a patient's safety at risk);
- (e) gross misconduct;
- (f) breaches of the HCF Group Code of Conduct; and
- (g) conduct that represents a significant risk to public safety or the stability of or confidence in the financial system.

1.2 A Discloser will still qualify for protection under the Corporations Act and this Policy if the information turns out to be incorrect, provided they had reasonable grounds to suspect it was correct. Deliberate false reporting has the potential to cause reputational harm to HCF and to any individuals involved. It will not be protected under this Policy and may result in disciplinary action.

1.3 This Policy does not protect individuals from disciplinary action or liability if they were involved in the conduct they are reporting. However, voluntary disclosure and full cooperation with the investigation will be considered as a mitigating factor when determining what action (if any) will be taken.

HOW TO MAKE A REPORT

2A DISCLOSURES GENERALLY

- 2.1** HCF has appointed **Your-Call**, an independent, external third party to manage and operate its whistleblowing hotline. Your-Call will enable disclosures to be made anonymously, confidentially and outside of business hours.
- 2.2** If you become aware of a disclosable matter and would like to make a confidential disclosure under this Policy, for instance because you feel uncomfortable reporting it through normal channels (such as your immediate manager) without the protections provided by this Policy, HCF strongly encourages you to contact the whistleblowing hotline.

Telephone: **1300 790 228** (Mon – Fri 8:30am to 8pm Melbourne time)

Online: **your-call.com.au** (24/7 access)

For HCF Group: Quote 'HCFW1932' as the Organisation ID

- 2.3** Reports can be verbal or written. They can be made anonymously or under a pseudonym and still be protected under the *Corporations Act* and this Policy.
- 2.4** Whilst HCF encourages individuals to use the whistleblower hotline, this Policy does not prevent Disclosers from contacting the following for the purpose of making a whistleblower disclosure:
- (a) **ASIC** – for instance, regarding suspected breaches of the *Corporations Act 2001* (Cth) or conditions of the Australian Financial Services Licence;
 - (b) **APRA** – for instance, regarding suspected breaches of the *Life Insurance Act 1995* (Cth), *Private Health Insurance Act 2007* (Cth), associated regulations or prudential standards that apply to HCF Life Insurance Company Pty Ltd ("**HCF Life**") and HCF respectively;
 - (c) a member of the Whistleblower Committee (refer to clause 3.8 below for the Committee's members);
 - (d) the following "Eligible Recipients" of HCF and its subsidiaries:
 - a director;
 - an officer;
 - a senior manager;
 - an internal or external auditor, or a member of an audit team conducting an audit; or
 - the appointed actuary.

Where a disclosure is made to a member of the Whistleblower Committee or an Eligible Recipient, instead of through the whistleblower hotline, it is important that the Discloser first state that they wish to make a disclosure under this Policy, so that the recipient understands that the terms of the Policy need to be met. If the disclosure is made to an Eligible Recipient, the Discloser should also state whether they consent to their identity being shared with the Whistleblower Committee.

Where an Eligible Recipient receives a disclosure, they should immediately notify a member of the Whistleblower Committee of the disclosure and, if the Discloser has provided their consent, of the Discloser's identify. The Eligible Recipient should then follow the Whistleblower Committee's directions in relation to the disclosure.

2B PUBLIC INTEREST DISCLOSURES

- 2.5** Where a Discloser has made a disclosure to ASIC or APRA (but not otherwise), they are also entitled to disclose information to a journalist or parliamentarian in the following circumstances:
- (a) at least 90 days have passed since the Discloser made the disclosure to ASIC or APRA;
 - (b) the Discloser does not have reasonable grounds to believe that action is being, or has been taken, in relation to the disclosure;
 - (c) the Discloser has reasonable grounds to believe that making a further disclosure of the information is in the public interest; and
 - (d) before making the public interest disclosure, the Discloser has given written notice to ASIC or APRA (as appropriate) that identifies the disclosure and states that they intend to make a public interest disclosure.

2C EMERGENCY DISCLOSURES

2.6 Where a Discloser has made a disclosure to ASIC or APRA (but not otherwise), they are also entitled to disclose information to a journalist or parliamentarian in the following circumstances:

- (a) the Discloser has reasonable grounds to believe that information subject to the disclosure concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- (b) before making the emergency disclosure, the Discloser has given written notice to ASIC or APRA (as appropriate) that identifies the disclosure and states that they intend to make an emergency disclosure; and
- (c) the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or parliamentarian of the substantial and imminent danger.

2D LEGAL ADVICE AND REPRESENTATION

2.7 The protections in this Policy will also apply to any disclosure made by a Discloser to a legal practitioner, in relation to HCF or its subsidiaries, for the purpose of obtaining legal advice or legal representation regarding the operation of the whistleblower provisions in the *Corporations Act* and this Policy (even if the legal practitioner concludes that a disclosure is not eligible for protection under that legislation and this Policy).

WHAT HAPPENS WHEN YOU MAKE A REPORT

3A CONTACTING THE WHISTLEBLOWER HOTLINE

- 3.1** When you call the hotline, the operator will ask you for details about the incident and whether you are comfortable identifying yourself.
- 3.2** If you decide to remain anonymous (which you are entitled to do, including through the course of and after an investigation), the disclosure will be treated as seriously as if you had provided your identity. However, this may impact the effectiveness of any whistleblowing investigation into the disclosure.
- 3.3** We encourage Disclosers to maintain two-way communication with the whistleblower hotline, after making a disclosure, which can be done while maintaining anonymity. This may improve the effectiveness of any whistleblowing investigation. Disclosers are, however, entitled to refuse to answer any questions put to them, though this may impact the effectiveness of the investigation.
- 3.4** Upon receipt of a disclosure, the operator will explain the next steps and request your consent to send the details of the disclosure to the Whistleblower Committee. If you choose not to consent, the disclosure will not be able to be investigated.
- 3.5** When you make a disclosure using the whistleblower hotline internet portal, that information will be received directly by the hotline operator.
- 3.6** The operator will assess whether any individuals on the Whistleblower Committee may be involved in the conduct that has been reported or have a conflict of interest. Where either involvement or a conflict is suspected, that individual will not be notified of the disclosure.
- 3.7** In the event that one or more members of the Whistleblower Committee are suspected of being involved in the conduct, the disclosure will be escalated to the Managing Director (unless they are also suspected of being involved) and the Chair of the HCF Board.

3B REVIEW BY THE WHISTLEBLOWER COMMITTEE

- 3.8** The Whistleblower Committee will consist of the Chief Financial Officer, the Chief Officer People & Culture and Chief Risk Officer (or their delegates).
- 3.9** Once a report has been received from a Discloser, the whistleblower hotline or another Eligible Recipient, the Committee will meet within one business day. The Committee will assess the disclosure to determine whether it falls within the scope of this Policy and whether an investigation is required. Where it deems an investigation to be warranted, the Committee will:
- (a) plan the nature, scope and timeframe for the investigation (which will vary depending on the nature of the disclosure);
 - (b) appoint an investigator it believes has the appropriate skills and expertise required based on the area of the disclosure and who is operationally independent of the area under investigation;
 - (c) oversee and support the investigation of the disclosure (including receiving progress reports); and
 - (d) review the final report and decide what action will be taken.
- 3.10** Subject to any applicable law, it is in HCF's sole discretion whether to investigate a report under this Policy. In making its decision, HCF is not required to provide any reasons.
- 3.11** The Whistleblower Committee will keep all information provided to it as part of a disclosure, including regarding the identity of the Discloser, in secure physical or network locations and will allow access to that information only in accordance with the terms of this Policy. Where information is provided to an investigator or other individuals, they are to maintain confidentiality over the information in accordance with the Whistleblower Committee's directions. In passing on any information, care will be taken to minimise the risk of the discloser being identified, for instance by using gender neutral language and removing aspects of the information which could point towards the Discloser's role at HCF.
- 3.12** The Whistleblower Committee will maintain appropriate records regarding each step in the process for dealing with whistleblower disclosures as set out in this Policy, including reports, communications and other documents prepared in relation to the disclosure.

3C INVESTIGATION

3.13 The investigator's role is to use reasonable efforts to locate all available evidence that either substantiates or refutes the allegations made in the disclosure.

3.14 The investigator must be objective, fair and independent, and act with integrity, empathy and respect.

3D DISCLOSURE UPDATES

3.15 Where a Discloser agrees to be contacted in relation to their disclosure, they will be:

- (a) contacted within a reasonable period to acknowledged receipt of the disclosure;
- (b) provided with regular updates on any investigation as considered appropriate by the Whistleblower Committee having regard to the nature of the disclosure; and
- (c) advised of the outcome of the disclosure.

Where the disclosure was made through Your-Call, these communications can also be made through Your-Call. In all cases, however, HCF will have regard to the Disclosers preferred channel for communication.

3E WHISTLEBLOWER PROTECTIONS

3.16 HCF will not take any action that causes detriment to a Discloser for making a whistleblower disclosure in accordance with this Policy, including but not limited to disciplinary action, dismissal, altering their position or duties to their disadvantage, discrimination, harassment, intimidation, damage to property, reputation, business or financial position or other harm, injury or damage (referred to as detrimental conduct). For the sake of certainty, detrimental action does not include administrative action taken to protect an individual who makes a whistleblower disclosure, provided it is reasonable, or managing a discloser's unsatisfactory work performance in line with HCF's performance management framework. This Policy also does not grant immunity for any misconduct an individual who makes a whistleblower disclosure has engaged in themselves.

3.17 HCF's officers and employees are similarly prohibited from engaging in detrimental conduct, including:

- (a) where they believe a person may be proposing to make a disclosure which would qualify for protection; and
- (b) making of threats to engage in detrimental conduct.

3.18 A Discloser is also protected from civil and criminal liability in relation to the making of a whistleblower disclosure in accordance with this Policy.

3.19 Where known, the identity of the Discloser will only be disclosed to persons other than the recipient of the disclosure in the following circumstances:

- (a) with the Discloser's consent;
- (b) to ASIC, APRA or the Australian Federal Police; and
- (c) to a legal practitioner for the purpose of obtaining legal advice or representation about the whistleblower provisions in the Corporations Act.

It is illegal for a person to disclose the Discloser's identity or information likely to lead to their identification other than in these circumstances.

3.20 Information the subject to the disclosure will only be provided to an investigator or other person where reasonably necessary for investigating the issues raised in the disclosure. Where that is done, the Whistleblower Committee may seek the Discloser's consent to provide their identity to those persons (where that is known). If consent is not given, the Discloser's identity will not be provided, and all reasonable steps will be taken to reduce the risk that the Discloser will be identified from other information. Refusal to consent to providing the Discloser's identity to an investigator may impact the effectiveness of the investigation.

3.21 In the event the Discloser's identity is disclosed in accordance with clauses 3.19 and 3.20, the individual to whom it is disclosed will be required to maintain confidentiality.

3.22 The protections set out in this section 3e apply from the time that the Discloser makes their disclosure.

3.23 Where a Discloser believes an individual has acted contrary to the terms of section 3b or this section 3e, they may raise the matter directly with a member of the Whistleblower Committee, which will investigate it. Disclosers are also free to seek independent advice or lodge a complaint with ASIC or APRA if they believe they have suffered detriment.

3.24 A Discloser who suffers loss, damage or injury because of a disclosure may be entitled to compensation or other orders through the Courts where HCF failed to prevent an individual from causing that detriment.

3.25 HCF will take disciplinary action against individuals who act contrary to the terms of this section 3e. Such acts may also constitute a criminal offence.

3F PROTECTION OF AND SUPPORT FOR WHISTLEBLOWERS

3.26 HCF will endeavour to protect Disclosers of whistleblower disclosures and provide support to them, including in the following ways:

- (a) the Whistleblower Committee will consider the risk of detriment against a Discloser as soon as possible after receiving a disclosure and take any steps considered necessary to reduce that risk;
- (b) Disclosers may contact members of the Whistleblower Committee directly to discuss concerns they have in relation to the disclosure, and steps that may be taken to reduce those concerns;
- (c) Disclosers may access the HCF Employee Assistance Program; and
- (c) any other support requested by the Discloser or suggested by Your-Call which, in HCF's opinion, is reasonable.

3G SUPPORT FOR PERSONS MENTIONED IN A WHISTLEBLOWER DISCLOSURE

3.27 HCF will treat any officers or employees mentioned in a whistleblower disclosure fairly, including by:

- (a) maintaining the confidentiality of those mentioned where practical and appropriate in the circumstances;
- (b) advising the individual as and when required by principles of natural justice and procedural fairness and prior to any actions being taken; and
- (c) advising the individual of the outcome of any investigation.

FURTHER INFORMATION ABOUT THIS POLICY

Questions about how this Policy works, what it covers and how a disclosure might be handled should be directed to the following delegates below (or a member of the Whistleblower Committee, as appropriate):

Name: Stuart Barnard, Head of Legal and Compliance

Phone: 0406 249 457 or 02 9290 0462

Email: sbarnard@hcf.com.au

Name: Evangeline Carpio, Head of Employee Experience

Phone: 0448 670 625

Email: ecarpio@hcf.com.au

RESPONSIBILITIES

HCF BOARD, HCF LIFE BOARD AND EXECUTIVE AUDIT RISK AND COMPLIANCE COMMITTEE ("EARCC") AND PEOPLE CULTURE AND REMUNERATION COMMITTEE

Oversee and monitor the Policy, including through the review of reports from the Whistleblower Committee on the effective operation of the Policy and on the receipt and outcome of disclosures.

Review whether trends, themes or emerging risks highlighted by disclosures are being addressed and mitigated.

Review and approve updates to the Policy every two years, or as legislative changes are required.

WHISTLEBLOWER COMMITTEE

Appoint a third party to manage and operate the whistleblower hotline.

Receive reports from the hotline operator, appoint an investigator (where required), receive reports from the investigator and decide what action will be taken.

Maintain confidentiality over the identity of the Discloser and the information disclosed.

Protect Disclosers as required by this Policy.

Act as a contact point for questions about the Policy or appoint delegates, as appropriate.

Oversee the effectiveness of the Policy and integrity of the reporting process.

Provide regular reports to the EARCC

regarding the effectiveness of the Policy and reported disclosures.

Where, in the Whistleblower Committee's opinion, a disclosure concerns serious misconduct, also report the disclosure to the Chairs of the HCF Board and HCF Life Board.

Review and update the Policy annually, or more often if required, make recommendations to the EARCC, PCRC and implement any approved changes.

HOTLINE OPERATOR

Receive and collate reports, discuss next steps with the individual, refer appropriate reports through to the Whistleblower Committee for action and communicate further with the individual as directed by the Whistleblower Committee.

Maintain confidentiality over information in its possession regarding the identity of the Discloser and the disclosure.

SENIOR LEADERSHIP TEAM

Ensure all employees, fixed term contractors, temporary employees and directors are made aware of this Policy on an annual basis. Ensure in their relevant teams, there is an open environment that encourages reporting of behaviour consistent with the Policy.

ALL STAFF

Report concerns to the hotline and comply with this Policy.

POLICY AWARENESS & TRAINING

The HCF Whistleblower Policy is located on the **Policy Hub** on the intranet to which all employees have access. On an annual basis, it is the responsibility of each member of the Senior Leadership Team (SLT) to ensure members of their team are aware of the Whistleblower Policy and its purpose. It will be provided separately to Eligible Recipients who are not HCF employees (refer to clause 2.4(d)). A version of the Policy will also be made available to others entitled to make disclosures under this Policy through HCF's external website.

DELEGATIONS

Delegations to the Whistleblower Committee authorised pursuant to this Policy are:

- appointment of a third party to manage and operate the whistleblower hotline;
- appointment of an investigator – including approving payment of reasonable expenses where an external third party is engaged; and
- act in accordance with and oversee the operation of the Policy.

MONITORING COMPLIANCE

The Whistleblower Committee will monitor compliance with this Policy when a report is received. It will report to the EARCC and PCRC on the disclosures received and outcomes reached.

GLOSSARY/ DEFINITIONS

- **ASIC** means the Australian Securities and Investments Commission
- **APRA** means the Australian Prudential Regulation Authority.

POLICY REVIEW

- This policy will be reviewed every two years or more frequently if regulatory changes require.

RELATED POLICIES AND GUIDELINES

- HCF Group Code of Conduct
- HCF Group Fit and Proper Policy
- HCF Grievance Procedure

Document details	
Document owner	Chief Officer, People and Culture
Business owner	People and Culture
Review period	Every two years or more frequently if regulatory changes require.
Date approved	TBC
Date reviewed	October 2022
Next review	October 2024
Approvals	Executive Audit, Risk and Compliance Committee, People Culture and Remuneration Committee for review and recommendation to the Board.

SIGNATURE SECTION

I confirm that I have reviewed this policy and am satisfied that it captures all the regulatory requirements.

	Date	Signature
Chief Officer People and Culture	27 September 2022	<i>Angela Wilcox</i>
Chief Risk Officer	28 September 2022	<i>[Handwritten Signature]</i>
Head of Legal and Compliance	16 August 2022	<i>Stuart Barnard</i>
Head of Employee Experience	27 September 2022	<i>Evangelíne Carpio</i>

Need help or more information



If you have any questions relating to this obligation statement, please speak with your Business Risk Advisor.