

# Uniting Financial Services

## Speak Out (Whistleblower Protection) Policy

This document is version 0.11



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# Document Preface

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<b>Approver:</b>	Board
<b>Policy Custodian:</b>	Risk and Compliance (Legal)
<b>Applies To:</b>	<p>All Eligible Speak Out Reporters (<b>Reporter</b>) of The Uniting Church (NSW) Trust Association Limited trading as Uniting Financial Services (<b>UFS</b>). A Reporter is defined as:</p> <ul style="list-style-type: none"><li>• All current and former directors, employees, staff, and contractors of UFS;</li><li>• All suppliers to, and associates of, UFS; and</li><li>• All relatives and dependents of these categories.</li></ul>
<b>Reason for Policy:</b>	<p>UFS has Integrity as one of its four values. Integrity is defined as acting honestly, ethically, trustworthily and consistently in all of its dealings. UFS is also committed to maintaining a high standard of investor confidence and good corporate governance at all times. Our Speak Out (Whistleblower Protection) Policy (<b>Policy</b>) forms part of our risk management framework, and is a critical component of our strategy to maintain our reputation for delivering services in a reliable and ethical manner.</p> <p>Sections 1317AA-AG have been added recently to the Corporations Act 2001 (Cth), taking effect from 1 July 2019, to enhance protections for Reporters in respect of regulated entities. UFS is regulated by ASIC and endeavours to adopt the best practices imposed by APRA, both of which are included as ‘eligible recipients’, and hence falls within the definition of a regulated entity under the legislation.</p> <p>This Policy provides guidance on how to raise a concern about suspected or actual unethical or unlawful behaviour.</p>
<b>Policy Summary:</b>	<p>To provide general guidelines on:</p> <ul style="list-style-type: none"><li>• Who is a Reporter</li><li>• When to Speak Out</li><li>• When not to Speak Out</li><li>• The Information Required to Speak out</li><li>• The process of Speaking Out</li><li>• The Speak Out Platform</li><li>• Protection and Support Offered to Reporters who Speak Out</li><li>• The role of the Whistleblower Protection Officer</li></ul>
<b>Related Policies:</b>	<ul style="list-style-type: none"><li>• Staff Information Booklet</li><li>• UFS Conflicts of Interest Policy</li><li>• UFS Fraud and Corruption Policy</li><li>• UFS Gifts and Entertainment Policy</li></ul>
<b>Next Review</b>	June 2021 (every 2 years) or where relevant changes to industry regulation or business practices.
<b>Revision History</b>	Created June 2019
<b>Supersedes</b>	Not applicable for this version

# Document Signoff

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## Signoff

The following people have to sign off this document.

Person	Date
Chief Risk Officer	21 June 2019
Compliance Officer	25 June 2019
Board	28 June 2019

## Change History

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### Introduction

Direct all changes to this document to the Policy Custodian. Log agreed changes in the table below.

### History of changes

The table below shows the history of changes to this document.

Date	Version	Change Description	Author
June 2019	Draft Version 0.1	Document created	Chief Risk Officer
June 2019	Version 0.1	Approved by the Board on 28 June 2019	
7 January 2020	Version 0.11	Amendment to the Chair Risk Committee Details	Chief Risk Officer

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# 1. Policy Purpose

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UFS has Integrity as one of its four values. Integrity is defined as acting honestly, ethically, trustworthily and consistently in all of its dealings. UFS is also committed to maintaining a high standard of investor confidence and good corporate governance at all times. Our Speak Out (Whistleblower Protection) Policy (**Policy**) forms part of our risk management framework, and is a critical component of our strategy to maintain our reputation for delivering services in a reliable and ethical manner.

This Policy provides guidance on how to raise a concern about suspected or actual unethical or unlawful behaviour.

UFS is committed to protecting the dignity, wellbeing, career and reputation of anyone reporting wrongdoing. All reports made under this Policy are treated seriously and will be investigated carefully. Anyone raising a concern under this Policy should feel confident that they can do so without fear of retaliation, even if they turn out to be mistaken.

Everyone is responsible for making UFS a safe and rewarding place to work. Our behaviour, actions and decisions can have a wide impact. They can impact and affect our colleagues, clients, suppliers, the quality of work we do, and the reputation of both UFS and the Uniting Church in Australia.

When things go wrong it is important that the issue can be investigated and addressed appropriately and in a timely manner. If you are a **Reporter** (defined below) AND you have reasonable and legitimate concerns regarding conduct within UFS which appears to be illegal, unethical or otherwise improper, this Policy is designed to assist you in raising your concerns in a manner which protects you from any reprisals or repercussions. Everyone needs to be confident that they can speak out easily and without fear of retaliation.

A **Reporter** is defined as:

- All current directors, employees, staff, and contractors of UFS;
- All former directors, employees, staff, and contractors of UFS;
- All suppliers to, and associates of, UFS; and
- All relatives and dependents of these categories.

## 2. When to Speak Out

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If you have genuine concerns about conduct within UFS which appears to you to be illegal, unethical or otherwise improper, or have suspicion or knowledge of a **Disclosable Matter** (defined below), UFS has a reporting and investigative mechanism that is objective, confidential, independent and protects you from reprisal or detriment.

You are encouraged to report your concerns (anonymously if you prefer), and will be afforded confidentiality to the extent possible. Your concerns will be properly investigated with a view to identifying and rectifying any wrongdoing as quickly as possible.

Examples of wrongdoing might include conduct or behaviour that is:

- Is dishonest, fraudulent or corrupt including soliciting and accepting or offering a bribe;
- In breach of the UFS Gifts and Entertainment Policy;

- Is illegal, such as theft, drug sale or use, violence, bullying, harassment, criminal damage to property or other breaches of applicable legislative and regulatory provisions;
- Is unethical, such as acting dishonestly, altering UFS records, wilfully making false entries in systems and records, engaging in questionable accounting practices, or wilfully breaching any relevant conduct provisions or other ethical statements;
- Is potentially damaging to UFS such as a deliberate or substantial waste of resources;
- Is seriously harmful or potentially seriously harmful to an individual, such as deliberate unsafe work practices or a wilful disregard for the safety of others in the workplace;
- Is seriously harmful or potentially seriously harmful or unethical towards any person such as workplace bullying or discrimination;
- May cause serious financial or non-financial loss to UFS or damage to the reputation of UFS and/or the Uniting Church in Australia;
- Involves any other kind of serious impropriety including retaliatory action against a Whistleblower for having made a disclosure of, or reporting, wrongdoing.
- A **Disclosable Matter** is defined as, but is not limited to:
  - breaches of applicable legislation (including but not limited to the Corporations Act and Banking Act) that are being ignored or deliberately covered up
  - breaches of any provision in Commonwealth legislation which is punishable by 12 months or more that are being ignored or deliberately covered up
  - behaviour which represents a danger to the public or the financial system.

Pursuant to this Policy, all Reporters should feel confident about raising any such concerns, without adverse repercussions, victimisation or other consequences **provided** such concerns have been raised in good faith and without malicious intent. See Reporters Protections and Support below.

### 3. When NOT to Speak Out

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This Policy and the Speak Out platform and processes are not:

- a) an internal grievance process; or,
- b) a client complaint or concern process

Anyone who wishes to raise concerns of these types should do so via the appropriate internal processes, or through our external contact methods of:

- [contactus@unitingfinancial.com.au](mailto:contactus@unitingfinancial.com.au)
- Phone: 1300 133 673



## 4. What Information is required to Speak Out

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For a report to be investigated it must contain enough information to form a reasonable basis for investigation. It's important that the Reporter provides as much information as possible. This includes:

1. Reporter details – to the extent the Reporter feels comfortable disclosing these. This includes:
  - a. Name
  - b. Relationship to UFS and/or position within UFS
  - c. Contact number and/or email
2. Does the Reporter wish to claim Speak Out Protection (See Reporters Protections and Support below).
3. Details of persons, including potential witnesses, mentioned in the report. This would include their names, contact information (number and email) and position within UFS.
4. Whether the Chief Risk Officer and/or the Compliance Officer are implicated in the report. This is to ensure an independent person will be used to investigate the report.
5. Background and details of the concern:
  - a. When and where the concern first took place
  - b. Who is involved in the concern and how are they involved
  - c. What has taken place
  - d. Why did you report the matter
  - e. How did you become aware of the concern
  - f. Have you reported the concern to anyone else
6. Who else is aware of the concern
7. Do any documents exist that relate to the report and are they included in the report
8. What outcome is the Reporter seeking by making the report

## 5. How to Speak Out (the Process)

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UFS has a number of channels to Speak Out. These include:

1. Manager – we always encourage people to first discuss issues with their manager, where it is appropriate to do so
2. Executive Director or the Chair of the Risk Committee (Craig Lee, [craigleesy@gmail.com](mailto:craigleesy@gmail.com))
3. Whistleblower Protection Officer – this is currently the UFS Chief Risk Officer
4. The Speak Out Platform – an independent external provider to receive Reports (where the above options are not appropriate).

The Reporter may select the most appropriate reporting option based on whether:

- The serious matter has been previously raised but Management failed to deal with the disclosure;
- The Reporter is concerned about retaliation;

- The Reporter holds a reasonable belief that the individual receiving the report would not be sufficiently independent;
- The Report contains a disclosure of wrongdoing regarding the individual receiving the report.

All channels respect the confidentiality of the Reporter, and the use of The Speak Out Platform also allows for the Reporter to remain anonymous if they choose to do so.

## 6. The Speak Out Platform

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The Speak Out Platform is operated by an independent provider, Core Integrity. Reporters can access the platform through a number of Reporting Channels.

UFS Speak Out Reporting Channels	
Hotline Phone Number:	1800 951 145
Email:	<a href="mailto:speakout@coreintegrity.com.au">speakout@coreintegrity.com.au</a>
Mail (postal address):	PO Box 895 Darlinghurst NSW 1300
Weblink to reporting form:	To be delivered late 2019
QR Code:	To be delivered late 2019

Core Integrity will assess the report once received. When sufficient information is available, it will be forwarded to the Investigation Officer who will investigate the concern confidentially, fairly and objectively. UFS has three Investigation Officers; the Executive Director, the Chief Risk Officer and the Compliance Officer. The Investigation Officer who is assigned to the concern, cannot be directly or indirectly implicated in the report. The Investigation Officer will also provide the Reporter with regular updates where possible.

The investigation process will vary depending on the nature of the reportable concern and the amount of information provided. The Investigation Officer aims to conclude the investigation within two months of the report.

If the report raises complex issues and the Investigation Officer considers it impossible to conclude the investigation within two months, he or she will attempt to notify the individual who reported the concern of the expected investigation timeframe.

If there is insufficient information to warrant further investigation, or the initial investigation immediately identifies there is no case to answer, the Investigation Officer will notify the Reporter at the earliest possible opportunity. The Investigation Officer will tell the reporter the outcome of the investigation, where possible. This is usually done through the channel you used for the original report.

Potential outcomes are:

- The concern was substantiated and appropriate action has been taken
- The concern was not substantiated and no further action will be taken unless further evidence becomes available
- A determination was not possible and no further action will be taken unless further evidence becomes available.

The reporter may be provided with further feedback, subject to the privacy and confidentiality rights of any individual under investigation or any other UFS or the Uniting Church in Australia confidentiality requirement.

## 7. Protection and Support Offered to the Reporter

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Speaking Out can be a very stressful and difficult thing to do. Provided that the Reporter is acting in good faith and has not themselves engaged in serious misconduct or illegal conduct, they will not be subject to disciplinary sanctions by UFS in relation to any matters reported.

UFS will safeguard the Reporter's interests, and will take whatever action is possible and consistent with this Policy to make sure that they are not personally disadvantaged for making a report, whether by dismissal, demotion, any form of harassment, threat, discrimination or any form of current or future bias.

The Reporter's identity will be kept confidential to the extent possible, and will not be disclosed to anyone not connected to the investigation, unless the Reporter has consented to this, or it is otherwise legally required.

Any individual found in breach of the provisions in this Policy will be subject to disciplinary procedures, up to and including the termination of their employment or engagement with UFS. If UFS is found to breach these provisions, it could be subject to substantial financial penalties, and payment of compensation.

There are additional matters of protections available to reporters who report Disclosable Matters under the Corporations Act. Certain activities must be carried out to ensure these protections are available, including eligible Reporters must report Disclosable Matters to an 'eligible recipient' which includes a senior officer or auditor of UFS, as well as ASIC, APRA or the Australian Federal Police. In these circumstances, a whistleblower cannot be subject to any criminal, civil or administrative liability for making the disclosure, nor to any disciplinary action/termination of employment, even if it involves a breach of contract with UFS.

## 8. The Role of the Whistleblower Protection Officer

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The Whistleblower Protection Officer (**WPO**) is an officer, senior manager or employee appointed to support and provide protection to the Reporter according to this Policy. The Chief Risk Officer of UFS has been appointed the WPO.

The WPO has a direct reporting line to the Executive Director and/or direct access to the UFS Board.

The WPO will provide mentoring and other support deemed necessary by the WPO, and is responsible, in conjunction with the Investigation Officer, for keeping the Reporter informed of the progress and outcomes of the inquiry/investigation subject to considerations of privacy of those against whom a report has been made.