



Summary of Group Whistleblower Policy

Purpose and scope

The policy sets out the principles for making, receiving, investigating and addressing disclosures raised by Whistleblowers. It aims to provide clarity on how we will support Whistleblowers so that they:

- are encouraged to express their concerns;
- know how to express their concerns, including their right to remain anonymous;
- know what will happen when they express their concerns; and
- feel safe in expressing their concerns, and, in particular, will not be subject to retaliation or victimisation in response to expressing their concerns.

The policy applies to our directors, staff members, Whistleblowers and the Group globally, subject to local laws applicable where the Group operates which will prevail over the policy in that jurisdiction.

The policy does not form part of any contract of employment or any industrial instrument.

What is a whistleblower?

For the purpose of the policy, a **Whistleblower** is an **Eligible Person** who makes or attempts to make a disclosure of **Reportable Conduct**. The Whistleblower must refer to the policy or request the protections under the policy. There may also be instances where we otherwise determine that the protections under the policy should apply, or where protections may apply under applicable law.

An Eligible Person means our:

- directors, employees, licensees (or its authorised representatives or their employees), secondees;
- contractors, consultants, suppliers, service providers (or their employees or subcontractors);
- brokers, auditors; or
- former employees,

of, or working with, the Group. In New Zealand, individuals who provide information in support of a Whistleblower disclosure are also considered as Eligible Persons.

Reportable Conduct means any conduct or a state of affairs which is:

- dishonest;
- fraudulent;
- corrupt;
- illegal;
- in breach of a legal obligation;
- in serious breach of internal policy (including our Code of Conduct);
- unethical;
- improper;
- unlawfully discriminatory;



- bullying and harassment;
- endangering or may endanger the health or safety of an individual; or
- any other conduct which may cause us financial or non-financial loss (including reputational harm) or be otherwise detrimental to the interests of the CBA Group, our customers or staff members, including environmentally unsound practices.

Making the disclosure

The policy applies where the Whistleblower has made a disclosure of Reportable Conduct to:

- someone at the CBA Group who is a General Manager (or equivalent) or above; or
- through our SpeakUP service (contact details are here); or
- a Non-Executive Director.

The Whistleblower must act honestly and reasonably in making the disclosure, with a genuine belief that the Reportable Conduct has occurred.

Staff members based in Hong Kong are required to report suspicions of illegal activity (including those identified as Reportable Conduct) internally in accordance with the policy.

Anonymity and confidentiality

The Whistleblower may advise they wish to remain anonymous, or place restrictions on who is informed of their disclosure. We will comply with these requests (subject to the below). Whilst we will still make best endeavours to investigate the disclosure, there may be some practical limitations in doing so if the Whistleblower does not agree to share their disclosure or identity.

Information received from the Whistleblower (or that could lead to their identification), will be treated strictly confidentially, and will not be shared unless:

- the Whistleblower has provided prior consent (in writing wherever possible or required);
- we are compelled by law to do so; or
- we consider it appropriate to make a disclosure to a regulator under legislation.

Provision of disclosure to SpeakUP Program

All non-anonymous disclosures must be provided to our internal SpeakUP Program team (within the Group Investigations function) once the Whistleblower provides consents. If the disclosure has been made anonymously, and consent cannot be sought, the disclosure must also be provided to our internal SpeakUP Program team. If the disclosure relates to someone in Group Investigations or its reporting line, it must be provided to a member of our Misconduct Governance Committee (MGC).

Investigation

Review of the Allegations

Whistleblower disclosures will be referred to a Whistleblower Investigation Officer (WIO), who will carry out a preliminary review of the allegations raised in the disclosure. Following that review, the WIO will decide whether the allegations will be formally investigated.



Unless the Whistleblower has elected to remain anonymous, the WIO will advise the Whistleblower of the decision and will also confirm whether the Whistleblower is seeking the protections in the policy or under applicable laws.

If the WIO decides that the allegations will be formally investigated, the WIO will conduct an investigation or commission another staff member or external party to do so.

Investigation process

Investigations will be conducted independently of the subject of the allegations. The WIO (or their delegate) will, as appropriate, provide feedback to the Whistleblower on the progress and expected timeframes of the investigation. Where appropriate, the subject of the allegations will be informed of the allegations and provided with the opportunity to respond.

Informing the WPO

The WIO will inform the Whistleblower Protection Officer (WPO) of the matter. The WPO's role is to:

- seek to protect the Whistleblower from retaliation, as well as protect their wellbeing;
- keep in regular contact with the Whistleblower;
- maintain the confidentiality of the Whistleblower (if requested to do so or required to do so by law);
- review and consider any complaints of retaliation against a Whistleblower as a result of making the disclosure or any concern that the disclosure has not been dealt with in accordance with the policy; and
- escalate any matter the WPO considers appropriate to the MGC.

All Whistleblowers will have access to the assistance of the WPO as provided in the policy.

The WIO and the WPO cannot be the same person in relation to the same matter, other than in exceptional circumstances.

Concluding the investigation

The WIO (or other investigator) will provide a report setting out the findings on the allegations and a summary of the evidence.

Findings may be that an allegation is:

- fully substantiated;
- partially substantiated;
- not able to be substantiated; or
- disproven.

To the extent permitted, the WIO will inform the Whistleblower of the findings, however they will not receive a copy of the formal report.

Where appropriate, the WIO will inform the Manager once Removed (MoR) of the subject of the allegations of findings that relate to that person. If allegations have been substantiated, the MoR will then engage with the Workplace Relations team to consider the appropriate next steps.

Any findings that relate to criminal activity will be reported to the police and/or regulators.

Provided there are no confidentiality or privacy restrictions, the WIO will keep the SpeakUP Program updated on the status of the investigation and also inform the SpeakUP Program of the outcome.



Escalations to the MGC

A Whistleblower may request that the WPO escalate their concerns to the MGC if they are not satisfied with the:

- findings of the investigation; or
- decision of the WIO not to conduct a formal investigation.

When considering the request, the MGC is not required to reopen or reinvestigate the matter. To arrive at a decision, the MGC may review:

- any written submission provided by the Whistleblower;
- the basis of the decision (as explained by the WIO);
- the formal investigation report, if relevant (including the findings and relevant evidence); and
- any other information the MGC considers relevant.

The MGC will make a determination as to whether, given the circumstances, it is:

- reasonably satisfied that the findings were appropriate and that the investigation will be concluded;
- not reasonably satisfied that the findings were appropriate and will make recommendations in relation to next steps; or
- reasonably satisfied that it was open to the WIO not to conduct a formal investigation.

Protection

Retaliation prohibited

We strictly prohibit all forms of retaliation against a Whistleblower as a direct result of making a disclosure within the scope of the policy or applicable legislation.

We will take all reasonable steps to protect Whistleblowers from such retaliation. This includes (but is not limited to) protection from:

- termination of employment, disciplinary action;
- performance management;
- harassment or bullying;
- personal or financial disadvantage;
- unlawful discrimination; or
- any other conduct that constitutes retaliation.

Escalation

A Whistleblower who considers themselves at risk of retaliation can ask the WPO to work with them to take appropriate action. The WPO may be unable to do so if the Whistleblower wishes to remain anonymous. Where requests cannot be met, the Whistleblower will be told why.

A Whistleblower who considers that they have been retaliated against, or is concerned about how the policy has been applied to their disclosure, should raise this with the WPO. The WPO will take action as they consider appropriate and may make recommendations (e.g. that the concerns be investigated).

A Whistleblower who considers that the WPO has not adequately resolved their concerns can escalate such concerns to the MGC.



Support

A Whistleblower who is our current or former employee can access our confidential counselling service, MyCoach, and may also request additional support.

While we may not be able to provide the same level of practical support to other whistleblowers, we will look at ways to provide support to the extent reasonably possible.

We retain the ability to raise with a Whistleblower matters that arise in the ordinary course of their employment or engagement (e.g. separate performance or misconduct issues).

We have discretion to grant a Whistleblower who has not engaged in serious or unlawful conduct, immunity from disciplinary proceedings relating to matters that come to light as a result of their disclosure.

Some laws provide protection for certain disclosures made in accordance with the provisions of that legislation. These protections are designed to encourage people to disclose unlawful, improper or unethical behaviour to relevant parties.

We seek to protect people who are involved in investigating disclosures from retaliation in response to their involvement in that investigation.

Reporting to regulators

Nothing in the policy is intended to restrict a Whistleblower from disclosing Reportable Conduct, providing information to, or communicating with a government agency, law enforcement body or a regulator in accordance with any relevant law, regulation or prudential standard in all jurisdictions in which we conduct business.

Compliance Statement

The policy forms part of our SpeakUP Program and has been developed having regard to the *ABA Guiding Principles – Improving Protections for Whistleblowers*.

Breach of Policy

Breach of the policy may be regarded as misconduct, which may lead to disciplinary action (including termination of employment or engagement). In particular, any breach of confidentiality of the information provided by a Whistleblower, or a Whistleblower's identity, and any retaliation against a Whistleblower, will be taken seriously and if appropriate will be separately investigated.

An individual who is found to have disclosed the information or to have retaliated (or threatened to retaliate) against a Whistleblower may be subject to further action (including disciplinary action in the case of employees). An individual may also be exposed to criminal or civil liability for a breach of relevant legislation.

Governance

We will review the policy at least every two years. The policy will be approved and endorsed by our Board of Directors and Executive Leadership team.

Group Whistleblower Policy: Last updated January 2019