

# TCU Whistleblower Policy

Effective date: 31 August 2024

This is Traditional Credit Union Limited (TCU) policy which has been developed to comply with relevant Australian laws in relation to whistleblowing. This is a public version of the policy, from which certain details not suitable for publication (i.e. personal and internal details) have been removed. Employees and officers of TCU seeking these details should refer to the full policy available internally.

## 1. Overview

TCU does not tolerate known or suspected incidents of illegal, unacceptable or undesirable conduct by its employees.

The Whistleblower Policy (Policy) is part of TCU's Risk Management Framework. Overall governance of the Whistleblower Program is undertaken by the Board Risk Committee (BRC). Day to day operation of the Whistleblower Program is managed by the Chief Executive Officer (CEO). The Policy will be made available on TCU's website.

TCU is committed to conducting our business with integrity, objectivity and independence. We expect all staff to maintain high standards in accordance with our [Code of Conduct](#).

This policy is a key element to support a culture of ethical behaviour, strong corporate governance and effective compliance and risk management.

All organisations face the risk of misconduct or breaches of law or unethical conduct. A culture of openness and accountability is essential to help to prevent such situations occurring, and to promptly address them when they do occur, as well as a culture that does not associate raising concerns with negative consequences.

In responding to all whistleblowers and in acting to protect individuals, TCU are committed to applying the principles of the whistleblower laws in the *Corporations Act 2001* (Cth) (**Corporations Act**) and the *Taxation Administration Act 1953* (Cth) (together, the **Whistleblower Laws**).

The whistleblower laws under the Corporations Act do not apply to partnerships or to employees reporting personal work-related grievances (a complaint about their employment). However, we are committed to putting in place a policy that will enable all concerns to be raised and, in doing so, acknowledge that this policy encourages the reporting of concerns that are broader than the scope of the Whistleblower Laws.

This policy relates to disclosures made in relation to TCU and its operations. It does not cover situations where disclosures are made to TCU as an Eligible Recipient under the Whistleblower Laws in respect of the conduct of a member or other third party (**External Disclosures**). External Disclosures may be covered by that entity's whistleblower policy.

## 2. Purpose

This policy aims to:

- identify and respond to concerns, and foster a culture of continuous improvement;
- encourage the reporting of suspected or actual wrongdoing, misconduct, or an improper state of affairs within TCU, by TCU or by those that TCU has relationships with;
- assist TCU in identifying the risk of, or any instances of, modern slavery or breaches of its Human Rights Policy; and
- protect the whistleblower (internal and external) from any retaliation that may arise as a result of reporting suspected or actual wrongdoing.

This policy sets out the procedures and avenues available to a whistleblower reporting to TCU. This document also provides information about TCU's approach to handling whistleblowing. Whistleblowers should speak up and raise their concern via the channel through which they feel most comfortable.

## 3. Who is a Whistleblower

A whistleblower is defined as anyone who makes a report under this policy. Consistent with the provisions of the Whistleblower Laws, this will include current and former officers, clients, employees, contractors and suppliers (including employees of suppliers), and associates of TCU, as well as relatives, spouses and dependants of these individuals.

It also includes any person that TCU decides to treat as a whistleblower and protect as a result of making a report that doesn't fall within the scope of the Whistleblower Laws. In those circumstances the protections do not apply by reason of the Whistleblower Laws, but equivalent protections apply by reason of this policy.

## 4. What can be reported

TCU encourages the reporting of any suspected or actual wrongdoing, misconduct, or an improper state of affairs, including conduct that is dishonest, corrupt, illegal or unethical, or concealment of such conduct. We also encourage the reporting of any suspected or actual breaches of TCU's Code of Conduct, policies, procedures or the TCU Values or any contravention of Human Rights.

The concerns that can be reported include any past, present or likely future activity, behaviour, misconduct or improper state of affairs or circumstances, such as dishonesty, fraud, bribery, corrupt, illegal and unethical behaviour, any action that may be a breach of a law or any suspected or actual contravention of Human Rights.

*Further examples of matters that might be reported are set out in Appendix A to this policy.*

A report under this policy can relate to the conduct of TCU Directors or staff, or its operations and supply chain (which may include our interactions with a third party, including members, suppliers or service providers). As mentioned above this policy does not cover External Disclosures.

We are able to provide better support and address concerns raised by TCU staff about interactions at work (personal work-related grievances) if the matter is raised with HR directly. Personal work-related grievances can be reported through this process and will be addressed in accordance with this policy, but we note that such reports do not receive protection under the Whistleblower Laws. In raising any personal work-related grievance, it is important that the grievance raised be genuine and not malicious.

*Examples of matters which constitute a personal work-related grievance are set out in Appendix B to this policy.*

## 5. Reporting a Concern

A concern can be reported by you in a way that is either attributed to the individual raising the matter or can be reported anonymously.

## 6. Attributed reporting

If you consent to us looking into your concern and allowing us to disclose within TCU that you have raised the concern, there are a number of different channels through which your concern can be reported. These include by reporting to the whistleblower officers:

- HR Officer at [whistleblower@tcu.com.au](mailto:whistleblower@tcu.com.au); or
- Chairman of the Board at [chair@tcu.com.au](mailto:chair@tcu.com.au); and
- HR for work-related grievances; [hr@tcu.com.au](mailto:hr@tcu.com.au).

In choosing to report through one of the above channels, you will have been deemed to have consented to attributed reporting, which includes disclosure of your name.

Other than in circumstances where any of the above-named individuals are expressly defined as Eligible Recipient under the Whistleblower Laws, the above individuals are not designated by TCU and its associated entities as Eligible Recipients under the Whistleblower Laws (i.e. under s.1317AAC(1)(d) of the Corporations Act or the equivalent provisions).

## 7. Anonymous reporting

If you want to report a concern and remain anonymous, then we ask that you use the email addresses mentioned above. If making an anonymous report, please provide as much information as possible.

## 8. What happens to a reported concern?

TCU will promptly investigate any reasonable report of a concern. The task of investigating the matter will be allocated based on the nature of the issue raised and the skillset needed to review such matters. TCU's CEO will be involved as required. If appropriate, TCU may also engage a third party to assist with the investigation process. Any third party involved will be subject to strict confidentiality obligations.

We will take action where, as a result of an investigation, we identify wrongdoing (being conduct that is dishonest, corrupt, illegal, or concealment of such conduct), breaches of

TCU's Code of Conduct, policies, procedures or the TCU Values, or a contravention of Human Rights.

The whistleblower, where possible and appropriate, will be kept apprised of the investigation progress on a regular basis. The frequency and timeframe may vary depending on the nature of the disclosable matter(s). TCU endeavours to complete investigations within a reasonable timeframe following receipt of the disclosure; however, acknowledges that the time period may be dependent on the nature and circumstances of the matter(s).

## 9. Confidentiality and fairness

TCU limits the number of people who have access to the details of a concern raised and information obtained through any investigation process.

Concerns are thoroughly investigated in order to identify verifiable facts and ensure fairness. Those involved in conducting the investigation are required to do so in compliance with TCU's Values. Decisions around the investigation process and any action required are not made by any person alleged to have been involved in inappropriate conduct or wrongdoing.

All individuals who contribute information to an investigation are directed to maintain confidentiality. We take this step, in order to protect and respect all individuals involved in the process.

If a report concerns the conduct of a particular person, then the matters raised in the report may be discussed with them to obtain an understanding of their perspective. They will be directed to maintain confidentiality, to maintain compliance with TCU's Code of Conduct, policies, procedures and the TCU Values, and to take no action that could be considered retaliatory in nature.

## 10. Whistleblowing protection and support

We encourage openness and will support individuals who report under this policy, regardless of the outcome of the matter raised. TCU does not tolerate any form of retaliation or adverse action resulting from a whistleblowing disclosure. Anyone found to be victimising or disadvantaging someone for making a disclosure, or proposing to make a disclosure, under this policy will be subject to disciplinary action.

If a concern is reported, TCU will act in a manner consistent with the protections available under the Whistleblower Laws. TCU will not:

- subject the whistleblower to any civil, criminal or administrative liability (including disciplinary action) for whistleblowing;
- enforce a contractual or other remedy or exercise a contractual or other right against the whistleblower based on the whistleblowing; or
- cause any detriment to the whistleblower or threaten to cause any detriment to the whistleblower based on the whistleblowing.

This policy is to be read in conjunction with the TCU Code of Conduct.

This policy does not in any way restrict or diminish the right of any individual to make disclosures directly to Regulators of TCU.

## 11. Further information

This policy is available to all officers, Partners and employees of the company on the Intranet. External parties can obtain access via TCU's external website.

## 12. Document Control

Version	Approval Date	Next Review Date
1.0	August 2024 by Board	August 2026

## Appendix A

Disclosable matters include, but are not limited to:

### **(a) Dishonesty and fraud**

Dishonest activity that causes actual or potential loss, financial or otherwise, or an unjust advantage, to TCU or any person or organisation, including activity involving customers or third parties where TCU systems and processes are involved.

### **(b) Bribery**

Activity that includes soliciting, accepting or offering a bribe, facilitation payments or other such benefits with the intention of influencing for a business or personal advantage where the benefit is not legitimately due and regardless of whether the recipient is the intended target of the benefit. This includes activity involving clients or third parties.

### **(c) Corrupt behaviour**

Individuals dishonestly acting, or dishonestly failing to act, in the performance of functions of their employment, or dishonestly taking advantage of their employment to obtain benefit for himself or herself, or for another person or organisation, or to cause loss to another party or person.

### **(d) A breach of law or regulation**

Illegal behaviour (such as theft, drug sale or use, violence or threatened violence and property damage). Disclosable behaviour could also include any breaches of the following specified legislation:

- Corporations Act 2001 (Cth)
- Taxation Administration Act 1953 (Cth)
- Australian Securities and Investments Commission Act 2001 (Cth)
- Banking Act 1959 (Cth)
- Financial Sector (Collection of Data) Act 2001 (Cth)
- National Consumer Credit Protection Act 2009 (Cth)
- Superannuation Industry (Supervision) Act 1993 (Cth)

### **(e) Adverse human rights impact**

An adverse impact on an internationally recognised human right set out in the United Nations Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the eleven ILO fundamental conventions encompassed by the Declaration on Fundamental Principles and Rights at Work.

### **(f) Adverse behaviour**

Unethical behaviour or wrongdoing, including breaching TCU policies and Code of Conduct and concealing a disclosable matter.

**(g) Improper conduct relating to accounting, internal control, compliance, actuarial, audit or other matters of concern to the whistleblower.** Accounting/auditing practices that may be technically legal, but do not comply with the intent or spirit of the law, accounting or auditing standards, or impeding internal or external audit processes.

### **(h) A serious impropriety or an improper state of affairs or circumstances.**

A serious improper conduct that may be detrimental to the interests of TCU and its staff, or causes either significant financial or non-financial loss, including endangering health or safety, damaging or substantially risking damage to the environment, serious mismanagement of TCU resources and maladministration.

## Appendix B

Examples of personal work-related grievances include, but are not limited to, grievances about:

- an interpersonal conflict with an employee;
- a decision about your employment, transfer or promotion;
- a decision about the terms and conditions of your employment; or
- a decision to suspend or terminate your employment, or otherwise to discipline you.