

Whistleblowing Policy

23 September 2020

Contents

1	Introduction	1
2	Legislation and Regulations	1
3	Objectives	1
4	Application	2
4.1	Policy Application	2
4.2	Related Policies	2
4.3	Policy Access	3
5	What can I make a whistleblowing report about?	3
6	Roles and Responsibilities	5
7	Making a Whistleblowing report	6
7.1	Who can make a report?	6
	Eligible whistleblowers that qualify for protections under this policy include:	6
7.2.	Can I remain anonymous and will it remain confidential?	7
7.3.	How can a report be made?	7
7.3.1.	Internal Reporting – Aware Super	7
7.3.2.	External Reporting -Deloitte Whistleblower Service	7
7.3.3.	External Reporting – Regulator and other reporting	8
7.4.	What information should be reported	8
7.5.	Investigation and Action	8
7.6.	Outcomes of the investigation	8
8	Whistleblower Protection	9
8.1	Whistleblower protections	9
8.2	No adverse actions against Whistleblowers	9
8.3	Adverse Action	9
9	Breaches of this Policy	10
9.1	Consequences for breaching this policy	10
9.2	False Reports	10
9.3	Reporting a breach of this policy	10
10	Notification and Reporting	10
11	Training and Awareness	11
12	Document Retention	11
13	Review	12

Attachments

Annexure A – Whistleblower Protections

Annexure B – Eligible Recipients

Annexure C – Public Interest and Emergency Disclosures

Annexure D – Investigation Process

Annexure E – Consent to disclose information

Revision history

Version	Reason for amendment	Internal Review Date approved	Approving Committee/Board
1	Review	May 2014	ARCC
2	Review – pending	May 2017	ARCC
3	Review	November 2018	ARCC
4	Review – Enhancing Whistleblower Protection Bill 2017	April 2019	ARCC
5	Updates – Treasury Laws Amendment (Enhancing Whistleblower Protection) Act 2019	5 June 2019	ARCC
6	Removal of reference and usage of the whistleblowing reporting channel via ERIC Update of reporting to Board and Audit, Risk and Compliance Committee Extend coverage to all First State Super Services Employees	6 November 2019	ARCC
7	Clarification of personal grievance provisions Detailing steps to provide protection of Whistleblowers, including their identity Insertion of Investigation process Attachment of consent form	25 February 2020	ARCC
8	Updated with Aware Super Branding – no material changes	23 September 2020	Aware Super Board

1 Introduction

This Whistleblowing Policy applies to Aware Super Pty Ltd (the 'Trustee') as the trustee of the Aware Super (the 'Fund') and Aware Financial Services Australia Limited.

References to, 'we', 'us', 'our' or 'Aware Super' throughout this document refer individually or collectively to Aware Super and Aware Financial Services Australia Limited . A Whistleblower program is an important element in detecting corrupt, illegal or undesirable conduct within an organisation, and as such is a necessary part of achieving good corporate governance and risk management.

Whistleblowers (individuals who report wrongdoing), play a key role in exposing unknown acts of corruption. It is increasingly accepted that employee reporting is often the most effective and fastest way for senior management of organisations to become aware of problems in their organisation. If we do *not* manage whistleblowing effectively, it is now well known that complaints are more likely to be taken outside the organisation, including into the public domain. Misconduct can have a negative effect on our workplace and reputation. By reporting misconduct, you can ensure people are secure and safe in our work environment and help us detect fraud. This enables us to reinforce a consistent culture of proactive risk management and strong corporate governance that our people, members and regulators can rely upon.

2 Legislation and Regulations

This Policy has been prepared for the purposes of ensuring that the Aware Super satisfies, on an ongoing basis, the following legislation as amended by the Treasury Laws Amendment (Enhancing Whistleblowing Protections) Act 2019 in relation to whistleblowing provisions and protections:

- Corporations Act 2001;
- Taxation Administration Act 1953;
- Insurance Act 1973;
- Life Insurance Act 1995; and
- Superannuation Industry (Supervision) Act 1993.

3 Objectives

The Whistleblowing Policy aims to:

- provide guidance on how to raise a concern about suspected or actual unethical or unlawful behavior;
- outline how Aware Super will deal with reports of serious wrongdoing; and
- set out the avenues available to staff to raise concerns regarding any serious wrongdoing (including unethical, illegal, corrupt or other inappropriate conduct) without being subject to victimisation, harassment or discriminatory treatment.

In providing this framework, we are promoting the establishment of a transparent, safe, member-first focus in our organisation.

- We encourage voluntary disclosure and reporting of any corporate misconduct involving Aware Super.
- We encourage staff to approach us first with the confidence that we will maintain confidentiality and anonymity (where requested).
- We expect staff to report concerns if they have reasonable grounds to suspect reportable conduct.
- We establish our commitment that when incidents are reported, staff are supported and protected from adverse actions and not disadvantaged whether it is from an individual, team or the organisation.
- We encourage staff to report wrongdoing to those who can act to ensure due investigation is done.
- We provide the mechanism by which staff can make a report anonymously (if requested) either to us or an independent party, with the confidence that we will treat it seriously AND as an arm’s length investigation.
- While internal disclosure is preferred and encouraged, staff may be of the view that there is an exceptionally serious issue which warrants reporting to an external body and this is something that we would not inhibit or prevent.
- We ensure that those implicated in disclosures also experience fairness in the resolution of reported matters.
- We respond to reported misconduct swiftly and diligently to reduce risk to Aware Super’s reputation, financial position or the wellbeing of those impacted by potential misconduct.

4 Application

4.1 Policy Application

This policy applies to Aware Super and , Aware Financial Services Australia:

- Current and former officers (e.g. directors, company secretary) ;
- Current and former employees and temporary staff (including contractors and secondees);
- Current and former service providers (e.g. auditors, accountants, consultants) and suppliers;
- Current and former custodians and investment managers, and
- Employees of current and former service providers/suppliers.

An associate or family member (spouse, dependant or child) of any individual in the above groups of people may make a whistleblowing report. If they do so Aware Super extends rights and protections under this Policy.

4.2 Related Policies

Document Name	Document Summary
Code of Conduct	Sets the ground rules for how all our workers (including employees, contractors, labour-hire workers, trainees) are expected to behave and interact with each other and our members.
Conflicts of Interest Policy	Outlines how we identify and take all reasonable actions to avoid or prudently manage all potential or actual conflicts of interests.
Employee Grievance and Complaints Policy	Sets out Aware Super’s approach to the management of worker’s complaints and grievances.

Fraud Policy	Sets out the principles and standards for the management of fraud risks and incidents within Aware Super.
Privacy Policy	Provides a summary of the personal information held by Aware Super and how such information is collected, held, used and disclosed, as well as member’s rights regarding their personal information.
Workplace Behaviour Policy	Outlines how we maintain a healthy and safe work environment free from bullying, harassment, sexual harassment, victimisation and unlawful discrimination.

We encourage the reporting of conduct or activities within or by our organisation, or any other service provider or third party, that impacts Aware Super detrimentally. Please note that this policy **does not** apply to member complaints or concerns about Aware Super, its staff or contractors.

4.3 Policy Access

A copy of this policy and summary of this policy is available to all employees, officers, directors, associates, suppliers, relatives, dependants, spouses of those parties and the general public via:

- Our Intranet – [Pulse Policies and Procedures](#)
- [Aware Super website](#)

5 What can I make a whistleblowing report about?

Aware Super encourages the reporting of suspected or actual misconduct. In order to qualify for the whistleblower protections under the Corporations Act, a whistleblowing report must be about a matter where you have reasonable grounds to suspect misconduct – which includes fraud, negligence, default, breach of trust and breach of duty – or an improper state of affairs or circumstances. This includes but is not limited to the examples listed in the table below.

Conduct/Activity	Examples
Corrupt Conduct	<ul style="list-style-type: none"> • Dishonest activity or a conspiracy or an attempt to engage in dishonest activity, in which any person related to Aware Super, either directly or indirectly, contrary to the interests of Aware Super abuses his/her position of trust to achieve some personal gain or advantage for him/herself or for another person or entity. • This includes soliciting, accepting or offering a bribe, or other such benefits from another person with the intention of influencing for business or personal advantage where the benefit is not legitimately due and regardless of whether the recipient is the intended target of the benefit.
Adverse action/reprisals/retaliation	<p>This includes but is not limited to:</p> <ul style="list-style-type: none"> • action causing injury, loss or damage; • ostracism;

	<ul style="list-style-type: none"> • intimidation or harassment; and • discrimination, disadvantage or adverse treatment in relation to a person’s employment, career, profession, trade or business, including the taking of disciplinary action.
Fraudulent conduct	<p>This includes but is not limited to:</p> <ul style="list-style-type: none"> • dishonest activity causing actual or potential financial loss to Aware Super or any person or entity associated with Aware Super including theft of moneys, other property or confidential information by anyone at Aware Super or persons external to Aware Super and whether deception is used at the time of, immediately before or immediately following the activity; • deliberate falsification, concealment, or destruction of documentation, or use of falsified documentation; and • improper use of information or documentation associated with Aware Super.
Misconduct	<p>Action(s) taken by anyone at Aware Super including anyone connected to Aware Super which may cause financial or non-financial loss to Aware Super and its members or be otherwise detrimental to the interests of Aware Super which is:</p> <ul style="list-style-type: none"> • unethical behaviour or wrongdoing, including breaches of internal policies or our Code of Conduct; • illegal (including theft, drug sale or use, violence or threatened violence and criminal damage to property); • substantial mismanagement of company resources; • a breach of professional practice including improper or questionable accounting, internal control, compliance, actuarial, audit practices or other matters of concern to the Whistleblower; • conduct that represents a danger to the public or financial system; • conduct involving substantial risk to public health or safety, the environment or company’s reputation or value; • wrongdoing in another organisation that impacts Aware Super or its members; • considered coercion, manipulation, including threats or inducements offered to compel someone affiliated with Aware Super to perform any acts listed above.

Personal Work-related Grievances

Reportable Conduct generally does not include:

- Personal Work-related Grievances; or
- matters that may be dealt with by Aware Super’s customer complaints process.

Disclosures relating to personal work-related grievances will only qualify for protection in limited circumstances.

Personal work-related grievances include:

- an interpersonal conflict between the Whistleblower and another employee;
- a decision that does not involve a breach of workplace laws;

- a decision about the engagement, transfer or promotion of the Whistleblower;
- a decision about the terms and conditions of engagement of the Whistleblower; or
- a decision to suspend or terminate the engagement of the Whistleblower, or otherwise to discipline the Whistleblower.

A report about personal work-related grievance remains protected if, in summary:

- it concerns detriment to you because you have made or may be considering making a disclosure; or
- it is made to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the law about whistleblowers.; or
- It includes a disclosure of conduct that is described in the table above.

Employees should also consider if another avenue for raising concerns is more appropriate, for example employment matters may be better dealt with through the Workplace Behaviour Policy or the Employee Grievance and Complaints Policy.

6 Roles and Responsibilities

For your report to be protected and dealt with pursuant to the Whistleblowing Policy you must make your report using the internal or external reporting channels provided in [Section 7.3](#).

The Whistleblowing Investigations Officer (WIO) and the Whistleblower Protection Officer (WPO) defined below, operate independently of each other and discharge two separate functions. They will each be adequately resourced and have direct access to senior levels of management to ensure that Whistleblowing reports are addressed appropriately.

Role	Responsibilities
Whistleblowing Investigations Officer	<ul style="list-style-type: none"> • Acts independently and has responsibility for conducting preliminary investigations into any report received from a Whistleblower. • The WIO is the Group Executive Risk and Compliance (GERC), or in the GERC’s absence, Head of Group Compliance or Head of Operational Risk.
Whistleblower Protection Officer	<ul style="list-style-type: none"> • The Whistleblower Protection Officer (WPO) is the person who has responsibility for protecting Whistleblowers in accordance with this Policy and the applicable legislation. • The WPO is independent of the investigation and is there to ensure that the Whistleblower’s rights are protected, and he/she receives the support they need during and after the investigation. • The WPO will have access to independent financial, legal and operational advisers as required. • For the purposes of this Policy, the WPO is the Group Executive, People and Workplace Environment or in their absence the Head of HR Advisory and Operations.
Whistleblower¹	<ul style="list-style-type: none"> • A person who provides information that exposes misconduct within an organisation.

¹ Current and former present employees, spouses and dependants, contractors, associates, company directors, company officers, suppliers with a service or goods supply are considered whistleblowers eligible for protection under Australian law.

	<ul style="list-style-type: none"> • All reports must be made with a genuine and reasonable belief regarding the reportable conduct. • Whistleblowers should provide as much information as possible and any known details relating to the reportable conduct. • Whistleblowers can choose to remain anonymous via the whistleblowing channels. For more information on this refer Section 7.2.
Eligible Recipients	<ul style="list-style-type: none"> • Are responsible under law to receive whistleblowing reports and protecting the identity of whistleblowers who choose to remain anonymous. • A list of Eligible Recipients is provided at Annexure B. • As the process for receiving Whistleblowing reports is complex we have appointed Deloitte Whistleblower Service to act as an eligible recipient on behalf of the business and we encourage whistleblowers to use this service. • There are other ways to make an external whistleblowing report, for example to a relevant regulator(s) or, in certain circumstances, to a parliamentarian or journalist. For more information on these types of disclosures, see Section 7.3.3 and Annexure B of this policy.

Independence

Notwithstanding the responsibilities set out above, if any matters reported could be a perceived or actual conflict of interest for the WIO or the WPO, the WIO or the WPO must appoint a delegate.

Delegates should be:

- a direct report of a Group Executive
- independent of either the WIO or the WPO
- independent from the investigation
- independent of each other; and
- must be independent of the allegations made in the report.

7 Making a Whistleblowing report

7.1 Who can make a report?

Eligible whistleblowers that qualify for protections under this policy include:

- Current and former officers (e.g. directors, company secretary);
- Current and former employees and temporary staff (including contractors and secondees);
- Current and former service providers (e.g. auditors, accountants, consultants) and suppliers;
- Employees of current and former service providers/suppliers;
- Current and former custodians and investment managers; and
- An associate, family member (spouse, dependent or child) of any individual in the above groups of people may report misconduct.

If you have reasonable grounds to suspect that any Aware Super group entity or person related to Aware Super or an organisation that provides services to Aware Super has engaged in misconduct or has taken adverse action against someone who has made a whistleblowing report you should report that misconduct or adverse action.

7.2. Can I remain anonymous and will it remain confidential?

A Whistleblower may prefer not to provide their identity and remain anonymous from the person receiving the disclosure, as well as other parties including Aware Super. This is an acceptable practice. However, it should be noted that this may:

- impede our ability to recontact the Whistleblower confidentially to clarify or confirm information provided;
- compromise our ability to proceed with the investigation if there are gaps in the information provided;
- impede our ability to update the Whistleblower on the progress of the investigation or our response; or
- restrict our ability to actively monitor the wellbeing of anyone wishing to remain anonymous.

You will be asked to complete the consent form at [Annexure E](#), however you are not required to disclose your identity if you do not wish to.

If you choose to disclose your identity to Aware Super, your details will only be used in connection with the investigation and your identity will not be disclosed to anyone else unless:

- Aware Super is legally obliged to disclose the identity;
- the disclosure is required if Aware Super decides to report to relevant regulatory (e.g. ASIC or APRA) or the Australian Federal Police;
- you consent in writing to the disclosure.

For more information on how we will protect your identity, refer to [Annexure A](#).

All records relating to a whistleblowing report will be stored securely and remain confidential. Access to all information relating to a whistleblowing report will be limited to those directly involved in managing and investigating the report.

7.3. How can a report be made?

7.3.1. Internal Reporting – Aware Super

Any concerns of improper conduct or adverse action can be reported to the WIO or another eligible recipient. This can be done in person or by email or phone.

If a Whistleblower has chosen to remain anonymous the eligible recipient of the report will not reveal the Whistleblower's identity to anyone else without the Whistleblower's consent.

7.3.2. External Reporting -Deloitte Whistleblower Service

Alternatively, reports of improper conduct or adverse action may be made to the Whistleblower Service. The Whistleblower Service is an independent, free service (operated by Deloitte) that will accept contact on both a confidential and anonymous basis.

The Whistleblower Service will not be required to provide personal details and no attempt will be made to obtain the identity of the disclosing individual.

The Whistleblower Service is available 24 hours a day, 7 days a week. The Whistleblower Service representatives that will be receiving a report are not associated with Aware Super. They are trained, and experienced specialists dedicated to dealing with whistleblowing reports. The whistleblowing report will be directed to the WIO, and if the Whistleblower wishes to remain anonymous, it will not include any information that could reveal the Whistleblower's identity.

The Whistleblower Service can be contacted:

by telephone on 1800 173 918

via email whistleblower@deloitte.com.au

via website www.awarewhistleblower.deloitte.com.au

by fax +61 3 9691 8182

by Reply Paid Post in Australia: Deloitte Whistleblower Service,
Reply Paid 12628, A'Beckett Street, Melbourne VIC 8006

7.3.3. External Reporting – Regulator and other reporting

Whilst we encourage reports to be made to the Whistleblower Service in accordance with [Section 7.3.2](#), a Whistleblower can make a report directly to regulatory authorities, for example ASIC, APRA, or the Commissioner of Taxation (for matters relating to taxation).

An “emergency” and/or “public interest” disclosure may, in limited circumstances, be made to a member of Parliament (Commonwealth, a State or a Territory), or to a journalist. The criteria for such reports are detailed in [Annexure C](#), however before making a report of this kind, you should contact an independent legal adviser.

7.4. What information should be reported

A Whistleblower should include as much information as possible about the incident or action, including but not limited to:

- Aware Super’s name (if reporting to the Deloitte Whistleblower Service);
- name(s) of people involved;
- name(s) of any possible witnesses to the events;
- date, time and location of the misconduct; and
- any other details of the incident or action, evidence of events (e.g. documents or emails) including information about financial or non-financial loss and whether it has occurred on other occasions.

7.5. Investigation and Action

All reports will be forwarded to the WIO who will determine what action is required, and by whom that action is to be taken. Any investigation of a whistleblowing report will be conducted in a fair manner and in a timeframe, reasonable in the circumstances.

Where the Whistleblower can be contacted (including through anonymous channels), we will ensure they are kept informed of the progress of the investigation, subject to privacy and confidentiality considerations.

All Whistleblowers should maintain confidentiality of all such reports and not disclose details to any person.

To understand the steps that we will take to investigate a report of improper conduct refer to [Annexure D](#).

7.6. Outcomes of the investigation

At the end of any investigation process, you will be notified that the investigation has concluded, and where appropriate, given information regarding the outcome of the investigation. There may be circumstances where it is not appropriate for us to provide details of the investigation, however we will endeavour to give you as much information as possible to assure you that your disclosure has been investigated in accordance with this policy.

If you are not satisfied with the result, you can seek a review of the outcome by making a request in writing. While the WIO commits to review the request, Aware Super is under no obligation to reopen the investigation. If the WIO concludes that the investigation was conducted appropriately and no new information exists that would change the results of the investigation, the investigation will be concluded.

8 Whistleblower Protection

An eligible Whistleblower (see [Section 7.1](#)) who makes a report about improper conduct as described in Section 5 to an eligible recipient will be protected by the whistleblower protections under this policy and the relevant legislation. A Whistleblower still qualifies for protection even if their disclosure turns out to be incorrect.

If you make a disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions (even in the event that the legal practitioner concludes that a disclosure does not relate to a ‘disclosable matter’) you are also covered by these protections.

8.1 Whistleblower protections

Anyone covered by this policy may approach, or seek advice from, the WPO before, during, or after making a report. The Whistleblower Protection Officer can protect you by:

- ensuring confidentiality in the investigation;
- protecting, as far as legally possible, your identity;
- offering a staff member leave of absence while a matter is investigated; and
- relocating the staff member or other staff to a different work group or department
- protecting the staff member from adverse action.

8.2 No adverse actions against Whistleblowers

Aware Super **does not** tolerate retaliation or adverse action related to a whistleblowing report. Adverse action is an action that is unlawful if it is taken for specific reasons such as retribution for a Whistleblower making a disclosure about the Aware Super or to target an individual suspected (but not proven) to have committed corporate misconduct.

Adverse Action	
Definition	Adverse action includes doing or threatening to do any of the following actions to a Whistleblower, colleagues, family, friends or supporters as a result of a disclosure.
Examples of adverse action include:	<ul style="list-style-type: none"> • dismissal, suspension, demotion or being overlooked for future promotions or career opportunities; • any form of harassment, bullying, intimidation or threatening behaviour; • not giving employees their legal entitlements or providing different or unfair terms and conditions for their job • changing an employee’s job to their disadvantage; • current and future discrimination or bias; • harm or injury to a person, including psychological harm; • damage to a person’s property, reputation, business or financial position or any other damage; or • not hiring someone because they have been a Whistleblower.

If adverse action is experienced (including threats or concern of potential adverse action) it should be reported immediately to the WPO, so it can be confidentially and swiftly investigated and addressed. Any adverse actions will

be carefully documented, and Aware Super will review and where possible reinstate any forgone benefits as a result of adverse treatment experienced.

For more detailed information on the steps we will take to protect whistleblowers and your legal protections under the Corporations Act refer to [Annexure A](#).

9 Breaches of this Policy

9.1 Consequences for breaching this policy

If any officer or employee of Aware Super is found to have breached the provisions of this policy:

- may be subject to disciplinary action which may include the termination of their employment or engagement; and
- they may be guilty of an offence that is subject to prosecution under legislation.

A Whistleblower who believes he or she, or his or her family, have been subjected to reprisals or retaliation by reason of their status as a Whistleblower, should immediately report the matter to the WPO.

A Whistleblower who has been involved in improper conduct may, at our discretion, be provided with immunity from Aware Super's initiated disciplinary action unless the report is proven to be malicious or as otherwise required by law. However, we have no power to provide immunity from criminal liability.

In addition to disciplinary action, Australian legislation includes penalties that apply to persons who fail to maintain whistleblower protections.

Potential penalties under the Corporations Act 2001 for not maintaining the confidentiality of the identity of a Whistleblower can trigger penalties up to \$1million for individuals and \$10 million in the case of organisational failure.

9.2 False Reports

You must not knowingly make a false report or make malicious allegations against anyone at Aware Super or a related person. If you are found to have breached the above, you will be subjected to disciplinary action which may include the termination of your employment or engagement.

All contracts of employment require staff to comply with the Code of Conduct (Code). Non-adherence with this Policy may also represent a breach of the Code.

9.3 Reporting a breach of this policy

If you believe that there has been a breach of confidentiality, or any other part of this policy, we encourage you to raise your concerns with the WPO as soon as possible, who will investigate your report.

You may also lodge a complaint with a regulator, such as ASIC, APRA or the ATO (for taxation related matters), if you believe we have not protected your identity or complied with the relevant legislation.

While we encourage you to seek independent legal advice in relation to your rights and obligations under the relevant legislation, you may also seek advice from the WPO or the General Counsel and Company Secretary.

10 Notification and Reporting

- **Whistleblower Protection Officer**

If the Whistleblower has identified themselves, the WIO will inform the WPO as soon as they receive a Whistleblowing Report.

The WPO receives notification of a Whistleblowing Report made via the Whistleblower Service.

- **Board Chair and Chief Executive Officer**

The WIO will notify the Chair of the Board and the Chief Executive Officer within 5 working days of a Whistleblowing Report being received. The WIO will also notify the Chair of the Board and the Chief Executive Officer the outcomes of the investigation. Anonymity and confidentiality will be maintained.

- **Boards and Committees**

Ensuring that the identity of the Whistleblower will not be revealed, the WIO will report the following information on a quarterly basis as part of the Group Executive, Risk and Compliance Report to the Board and the Audit, Risk and Compliance Committee:

- The nature of the report eg misconduct and/or any other reportable matter as described [Section 5](#));
- The affected business unit(s);
- The status of the whistleblowing report;
- Whistleblowing reporting channel used;
- Date the whistleblowing report was made;
- Date that the investigation concluded;
- The outcome of each disclosure.

The WIO will also provide a trend analysis of the whistleblowing reports for the financial year.

- **Regulators**

A report will also be made to ASIC or APRA where it is determined that a reportable breach has occurred.

11 Training and Awareness

This Policy is communicated to all new employees as part of our induction program. There is an e-learning module available to all staff. Training can be delivered in numerous ways such as through group/ classroom training sessions or individual online training modules or communications. Specialist training is given to employees responsible for key elements of the program.

12 Document Retention

All information, documents, records and reports relating to the investigation of improper action will be securely stored and retained in an appropriate and confidential manner for disclosures made through internal and external reporting channels outlined in Section 6.

13 Review

This Policy is subject to review every **two years**, but where we become aware that:

- legislative changes or rulings by a Regulator require a review of the Policy;
- the Policy is no longer appropriate; or
- there are reasons to believe that this Policy has failed, or may fail, to support the compliance and/or operational obligations of our organisation and stem misconduct risk.

Author: Group Compliance

Date: 13 September 2020

No part of this publication, including but not limited to edited versions of this publication or any part of this publication, may be reproduced or made publicly available in any form by print, photo print, microfilm or any other means without prior written consent of Aware Super.

Annexure A - Whistleblower Protections

How we will protect your identity and maintain confidentiality

[Section 7.2](#) of the Whistleblowing Policy discusses how a Whistleblower can remain anonymous when making a whistleblowing report. On receipt of a report the WPO will conduct a risk assessment to help identify what protections need to be put in place to protect your identity. Some of these protections include:

- Your right to anonymity and to not identify yourself at any time during the investigation process.
- Tools and the Deloitte Whistleblowing platform that help protect your identity after submitting a report.
- The secure retention of files and records arising from your report and the investigation.
- Your right to refuse to answer questions if you feel this could reveal your identity.
- If you reveal your identity at any time, documenting who will have access to your identity.
- Reminding those involved in the investigation of their obligations to maintain confidentiality at all times.

You also have legal protections as it is illegal for a person to identify a Whistleblower or disclose information that is likely to lead to the identification of a Whistleblower, beyond those exceptions set out in [Section 7.2](#).

How we will protect you from adverse action/reprisals

On receipt of a report, the WPO will undertake a risk assessment to consider the risk of reprisals or adverse action and what protections can be put in place to mitigate these risks. The protections offered will be determined by the WPO following consultation with you, will depend on things such as the alleged misconduct and people involved. Some of these protections may include the following:

- monitoring and managing the behaviour of other employees;
- relocating employees (which may include the people alleged to have been involved in the potential misconduct) to a different division, group or office or revising the reporting lines of employees;
- offering a leave of absence or flexible workplace arrangements while a matter is investigated; and
- rectifying any detriment that you have suffered.

If you are concerned that you may be, are being, or have been subject to adverse action as a result of making a report you should immediately advise the WPO.

Any person who engages in taking adverse action may be subject to disciplinary action (including but not limited to termination of employment or engagement). In some circumstances, this may also be a criminal offence punishable by imprisonment and we may refer the matter to law enforcement authorities for investigation.

How we will provide you with support

On receipt of a report, the WPO will consider what support we can offer you. This is the case, even if you have chosen to remain anonymous, however our ability to provide support will be greater if we know who you are.

A Whistleblower who is a current or former employee may access our Employee Assistance Programme (EAP) which can be contacted on 1300 687 327.

We will look for ways to support all Whistleblowers, but we will not be able to provide non-employees with the same type and level of support that we can provide to employees (for example, because we cannot offer flexible workplace arrangements to a supplier). In such cases, we will still seek to offer as much support as practicable.

Other legal protections

You may also be able to rely on the following legal protections:

- protection from civil, criminal (unless the disclosure is false) or administrative legal action (including disciplinary action);
- in some circumstances, protection from having to give evidence in legal proceedings; and/or
- compensation or some other legal remedy if you have suffered detriment because of someone else's belief or suspicion that you have made a report.

Annexure B – Eligible Recipients

Whistleblower Service

- (t) 1800 173 918
- (e) whistleblower@deloitte.com.au
- (f) +61 3 9691 8182
- (w) www.awarewhistleblower.deloitte.com.au
- (m) Deloitte Whistleblower Service, Reply Paid 12628, A'Beckett Street, Melbourne VIC 8006

Whistleblower Officers

Whistleblower Protection Officer
Group Executive, People and Workplace
Environment

Whistleblowing Investigations Officer
Group Executive Risk and Compliance

Other Eligible Recipients

- Directors of Aware Super: for a current list of Directors click [here](#).
- Directors of Aware Financial Services Australia: for a current list of Directors click [here](#).
- Group Executive: for a current list of Executives click [here](#).

Auditors:

Deloitte Touche Tohmatsu
(t) +61 2 9322 7000
(w) www.deloitte.com.au
Grosvenor Place, 225 George Street
Sydney, NSW 2000

Ernst & Young
(t) +61 2 9248 5555
(w) www.ey.com/en_gl
200 George St, Sydney NSW 2000

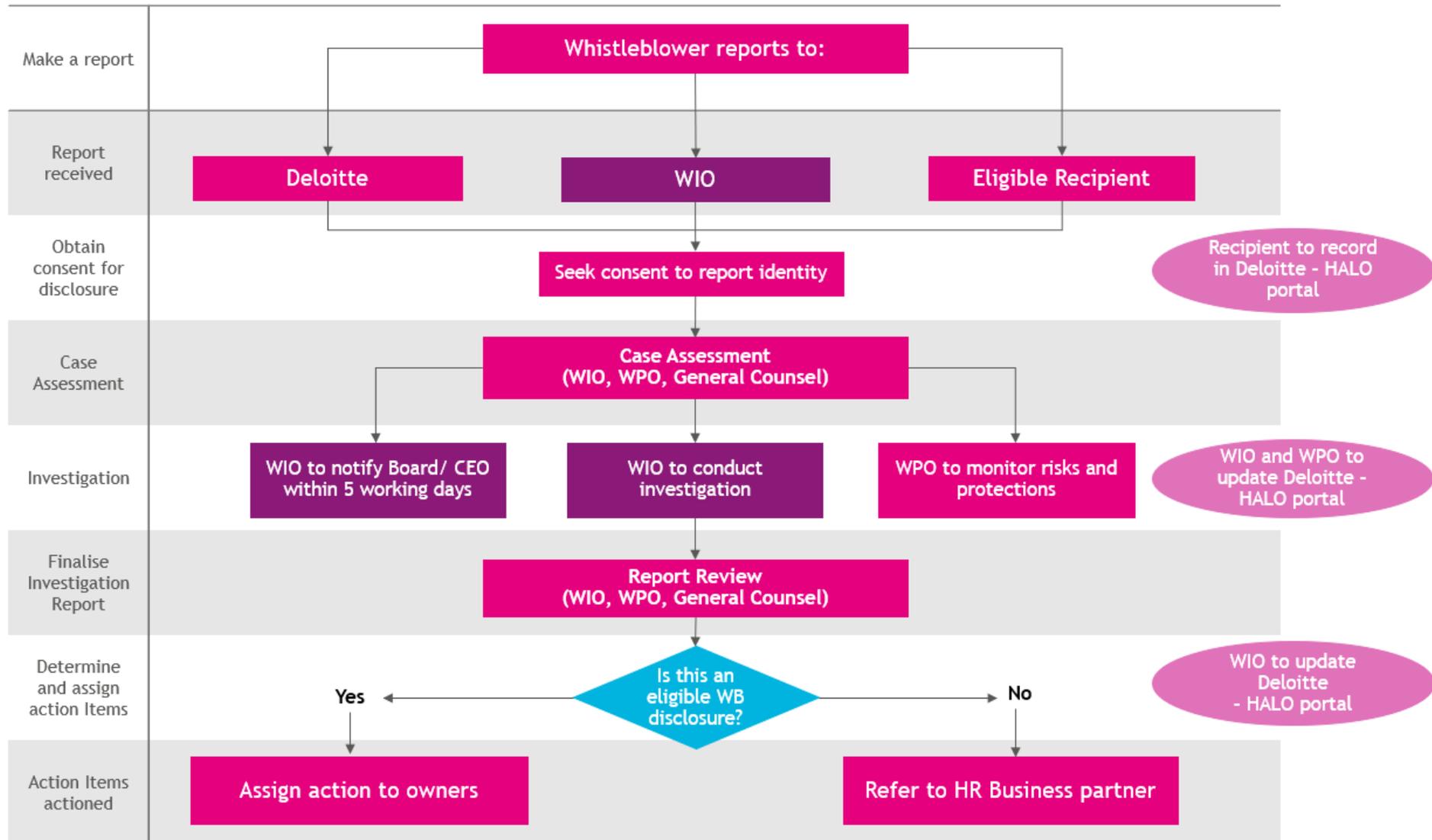
- Actuaries: Mercer Administration Services (Australia) Pty Limited
(t) +61 2 8864 6800
(w) www.mercer.com.au
(m) 100 Barangaroo Ave, Barangaroo NSW 2000

Annexure C – Public Interest and Emergency Disclosures

A Whistleblower can make a public interest or emergency disclosure to a journalist or a parliamentarian in certain limited circumstances, as set out below:

Public Interest and Emergency Disclosure Requirements	
<ul style="list-style-type: none"> the Whistleblower has made a qualifying disclosure to ASIC, APRA, or a prescribed Commonwealth authority; 	
Public interest disclosures Additional requirements	Emergency disclosures Additional requirements
<ul style="list-style-type: none"> at least 90 days have passed since the previous disclosure was made to ASIC/APRA or other authority; the Whistleblower has reasonable grounds to believe the disclosure is in the public interest; the Whistleblower has no reasonable grounds to believe that action is being taken or has been taken to address the disclosed matter; and the Whistleblower has gives ASIC/APRA or other authority a written notice that includes sufficient information to identify their earlier report (such as contacting the officer who considered their concerns and quoting the reference number of their case), and states their intention to make a public interest disclosure. 	<ul style="list-style-type: none"> the Whistleblower has reasonable grounds to believe that information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; the Whistleblower gives ASIC/APRA or other authority a written notice that includes sufficient information to identify your earlier report (such as contacting the officer who considered their concerns and quoting the reference number of their case), and states your intention to make a public interest disclosure; and 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.

Annexure D - Investigation Process



Annexure E - Consent to disclose information

Acknowledgement and Consent to Disclosure for Investigation Purposes

Date: _____

Deloitte Case Reference: _____

Declaration

- I believe that the information I have disclosed is true.
- I understand that that I cannot be required to give my consent to disclosure.
- My disclosure is entirely voluntarily and without any threat or undue influence exerted over me, or inducement held out to me, by anyone.
- I have read and received a copy of the Whistleblowing Policy.

I wish to remain anonymous.

(If ticked, the Whistleblower does not have to complete the last section of this Form).

I would like a summary of my concerns and proposed action to be provided to me

Consent

By making this Whistleblowing report I consent to the use of the information provided in this report in accordance with this Whistleblowing Policy and all relevant laws and regulations.

I give my consent to the disclosure of my identity, under conditions of confidentiality, except for the purpose of investigation and reporting, to the following people ("Authorised Persons"):

- Whistleblowing Investigations Officer
- Whistleblower Protection Officer
- Deloitte Whistleblower service
- General Counsel and Company Secretary
- I acknowledge that those persons I have nominated above may disclose the relevant information to one another.

Personal Details of Whistleblower OPTIONAL

(It is recommended that you provide your contact details as you may need to be spoken to again if clarification or further information is needed)

Name of Reporting Person [print:] _____

Signature of Reporting Person: _____ Date: _____

All Whistleblowing reports will be treated with strict confidence.

