medibank

Whistleblower Policy

November 2024

Medibank Private Limited
ABN 47 080 890 259

1. PRINCIPLES

The Medibank Private Limited's Whistleblower Policy ('**Policy**') and its whistleblower hotline, Medibank Alert, reflect Medibank's commitment to the effective identification, disclosure and investigation of Reportable Conduct (as defined below) by:

- encouraging people to speak up if something isn't right; and
- protecting and supporting whistleblowers by ensuring appropriate protections are in place to prevent their identification, victimisation or disadvantage in response to making a report.

Medibank's values are at the centre of everything we do, from the decisions we make to the way we serve our customers and community. Medibank's values can be found on our website and have informed the development of this Policy.

Medibank recognises that, in some instances, procedures outlined in this document and the Policy will apply to reports of Reportable Conduct made by Eligible Persons who are covered by the whistleblower protection provisions contained in the *Corporations Act 2001* (Cth), *Tax Administration Act 1953* (Cth) and other applicable legislation, as amended from time to time ('**Whistleblower Laws**'). Nothing in this document or the Policy is intended to detract from or diminish the rights or protections afforded to individuals by the Whistleblower Laws.

2. SCOPE

2.1. Who this Policy applies to

This Policy applies to Medibank Private Limited and each of its wholly owned subsidiaries ('**Medibank**'). Any of the following people may make a disclosure under the Policy ('**Eligible Persons**'):

(a) current or former officers, directors or employees of Medibank;

(b) suppliers of goods or services, contractors (including a contractor for the supply of services or goods or any employee of the same), sub-contractors and employees of outsourced providers to Medibank;

(c) individuals associated with Medibank (including agents or volunteers); and

(d) relatives or dependants of any of the above persons.

2.2. What conduct can be disclosed?

Medibank encourages the disclosure of any instances of Reportable Conduct that they have reasonable grounds to believe have occurred or are occurring.

'**Reportable Conduct**' includes, but is not limited to:

(a) theft;

(b) fraud, bribery or corruption;

(c) serious breaches of policies or procedures;

(d) illegal activities;

(e) negligence, default, breach of trust or breach of duty;

(f) unethical behaviour, including breaches of the Code of Conduct;

(g) non-declared conflicts of interest;

(h) giving or receiving gifts outside of guidelines;

(i) workplace safety hazards or unsafe work practices;

(j) insider trading;

(k) breach of trade sanctions or other trade controls;

(l) unauthorised use of Medibank's confidential information;

(m) conduct likely to damage the financial position or reputation of Medibank;

(n) any other improper conduct; or

(o) deliberate concealment of any of the above.

Reportable Conduct does not include personal work-related grievances, such as grievances regarding employment (or former employment) that have (or may have) implications for the discloser personally. Examples of personal workplace grievances include interpersonal conflicts between the discloser and another employee; decisions relating to the employment or engagement of an individual, transfer or promotion of the discloser; decisions relating to the terms and conditions of engagement of the discloser; and decisions to suspend or terminate the engagement of the discloser or otherwise to discipline the discloser, where such conduct is not taken due to a report of Reportable Conduct being made.

2.3. Identification of Reportable Conduct

(a) All Eligible Persons are encouraged, and have the responsibility, to disclose any instances of Reportable Conduct that they have reasonable grounds to believe have occurred or are occurring. Making disclosures assists Medibank to ensure that persons are safe in their work environment, continuous improvement opportunities are identified, and theft, fraud and dishonesty are eliminated.

(b) The primary goal of this Policy is the identification of Reportable Conduct therefore, it is the choice of the person making a disclosure to select the most appropriate method from the options below.

2.4. How can an Eligible Person disclose wrongdoing?

(a) An Eligible Person may make a disclosure of Reportable Conduct to Eligible Recipients. For the purposes of this Policy, an **Eligible Recipient** includes Deloitte Australia; Group Lead - Chief Risk & Compliance Officer; Chief Executive Officer; Group Lead -Trust, Legal and Company Secretariat; Group Lead - People, Spaces & Sustainability; and Group Lead – CFO & Strategy.

(b) All Eligible Persons are encouraged to disclose Reportable Conduct directly to Medibank using, Medibank Alert, which is an independently monitored reporting service operated by Deloitte. Medibank Alert can be accessed via one of the channels below:

Phone:	1800 453 411
Online:	www.medibankalert.deloitte.com.au (username: medibank; password: medibank#1)
Email:	medibankalert@deloitte.com.au
Postal:	Medibank Alert Reply Paid 12628 A'Beckett Street, VIC 8006

(c) An Eligible Person who is a current employee of Medibank may alternatively contact one of the other Eligible Recipients by using their phone or email address which is available on Medibank's intranet site.

2.5. Reportable Conduct involving employees responsible for investigating disclosures under this Policy or senior leaders

Where the Reportable Conduct relates to a Whistleblower Protection Officer (see section 5.1 for details) or a senior leader (such as a Hub Lead or Group Lead) then the Whistleblower disclosing the Reportable Conduct is encouraged to use the Medibank Alert service.

The report will be directed to the Chief Risk & Compliance Officer by the external service provider.

2.6. What to include in a report

An Eligible Person who makes a report of Reportable Conduct under this Policy should take steps to ensure that the report is factually accurate, is sufficiently detailed to ensure a fulsome investigation of the allegation and is made in good faith and based on a genuinely held belief.

Sufficient detail includes, but is not limited to:

- full names of persons against whom the allegation is made;
- dates, times and locations;
- factual description of the alleged inappropriate behaviour; and
- documented evidence, where available.

It is not the role of the Eligible Person to investigate or prove the Reportable Conduct has occurred. If an Eligible Person needs to obtain additional information in order to have sufficient details to make a report of Reportable Conduct, they may contact the Group Lead - Trust, Legal and Company Secretariat

3. PROTECTIONS

3.1. Support and protections are available to Whistleblowers

An Eligible Person qualifies for protection as a whistleblower under the Corporations Act if they have made a disclosure of Reportable Conduct directly to an Eligible Recipient, ASIC or APRA; or they have made a disclosure to a legal practitioner to obtain legal advice or representation about the operation of the whistleblower provisions in the Corporations Act; or they have made an 'emergency disclosure' or 'public interest disclosure' (as those terms are defined in the Corporations Act). In addition, disclosures qualifying for protection as a whistleblower under the Taxation Administration Act 1953 (Cth) may be made to the ATO, an Eligible Recipient or a legal practitioner.

Medibank is committed to protecting and respecting the rights of Eligible Persons who make a disclosure of Reportable Conduct to an Eligible Recipient or to ASIC, APRA or another Commonwealth body prescribed in the regulations; ('**Whistleblowers**'). Medibank will ensure appropriate protections are in place to protect Whistleblowers from identification, victimisation or disadvantage as a response to making reports and it will comply with the protections afforded to Whistleblowers under the Whistleblower Laws.

(a) **Protection from Detriment**

A Whistleblower must not be subjected to Detriment because they have disclosed a matter. '**Detriment**' includes engaging in or a threat of, dismissal, injury in employment, alteration of duties to disadvantage, discrimination, harassment, intimidation, harm or injury, damage to property, damage to reputation, damage to business or financial position, or any other damage to a person.

Any person engaged in, or who could reasonably be perceived to be engaged in, conduct causing Detriment may be subjected to disciplinary measures.

A person who believes they, or their family, has been subjected to Detriment as a result of disclosing any Reportable Conduct should immediately report the matter via Medibank Alert. This complaint will be investigated as a separate matter by an officer who is not involved in dealing with the original disclosure of Reportable Conduct.

(b) **Anonymity and identity protection (confidentiality)**

Where a Whistleblower discloses an instance of Reportable Conduct under the Policy, their identity, or information that is likely to lead to the identification of the Eligible Discloser, will not be disclosed unless it is:

i. consented to by the person making the report;

ii. required by law;

iii. necessary to prevent or lessen a serious threat to another person's health and safety;

iv. necessary to protect or enforce Medibank's legal rights or interests, or to defend itself against any claims;

v. made to any government authority or agency or any regulator which Medibank reports to; or

vi. made to a member of the police force.

Choosing to remain anonymous does not impact the ability of a Whistleblower to be afforded the protections granted under the Corporations Act or the Tax Administration Act, access updates or continue to communicate with the Whistleblower Investigation Officer (see section 4.1 for details of who is a Whistleblower Investigation Officer). Medibank may invoke various measures to protect anonymity and these may include communication through anonymized email addresses and/or the Eligible Person adopting a pseudonym for the purpose of their reporting of the Reportable Conduct.

The identity, or information that may lead to the identification, of a Whistleblower will be held in the strictest confidence and not disclosed to parties unrelated to the investigation.
However, it may be disclosed to the following parties or under the following circumstances:

i. ASIC;

ii. APRA;

iii. a member of the Australian Federal Police;

iv. a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of this Part; or

v. where the discloser consents to their identification.

(c) **Compensation and remedies**

Remedial and compensatory action may be taken through a court where Detriment has been taken against a Whistleblower, including orders against the person who engaged in the Detriment or a person who was otherwise involved.

(d) **Limited immunity – civil, criminal and administrative liability protection**

In accordance with applicable laws, Whistleblowers are protected from civil liability, criminal liability and disciplinary action (administrative liability) which might otherwise flow from making a disclosure of Reportable Conduct. This immunity will not apply to a Whistleblower’s involvement in the Reportable Conduct; criminal or illegal activities; or they act other than in good faith.

3.2. Automatic Right of Appeal

If any Detriment is taken against a Whistleblower (or a claim that Detriment has occurred) and it cannot be resolved internally, a Whistleblower has an automatic right of appeal to an independent person (the Group Lead, Trust, Legal and Company Secretariat, as delegate for the Chief Executive Officer) who has direct access to the Risk Management Committee.

4. INVESTIGATION OF REPORTS

4.1. Handling and investigating a disclosure of Reportable Conduct

Disclosures made under this Policy will be received and treated sensitively and seriously and will be dealt with fairly and objectively.

(a) **Handling a disclosure**

While making a disclosure does not guarantee that the disclosure will be formally investigated, all reports will be assessed and considered by Medibank and a decision made by the Whistleblower Investigation Officer as to whether they should be investigated and whether it qualifies for protection. An Eligible Person may still qualify for protection even if the alleged Reported Conduct is not correct. Medibank's decision will vary depending on the nature of the disclosure (including the amount of information provided).

(b) **Investigating a disclosure**

The Chief Risk and Compliance Officer and the Group Lead, People, Spaces & Sustainability will appoint a person who has appropriate independence, skills and experience to investigate the disclosed Reportable Conduct ('**Whistleblower Investigation Officer**').

The Whistleblower Investigation Officer will investigate the substance of the disclosure to determine whether there is evidence to substantiate the allegation or, alternatively, to refute the disclosure made.

In certain circumstances and depending on the nature of the Reportable Conduct alleged, it may be necessary and/or appropriate for Medibank to engage an independent third party to conduct an investigation on its behalf.

The objective of the investigation is to locate and consider evidence that either substantiates or refutes the allegations made by the Whistleblower. All employees and contractors must cooperate fully with any investigations.

Any investigations commenced will be conducted in a timely manner and will be fair and independent from any persons to whom the disclosure relates. Any person mentioned in the disclosure or to whom the disclosure relates will be afforded fair treatment and procedural fairness in any investigation, including by being provided with an opportunity to respond to any allegations of Reportable Conduct made against them.

Substantiated Reportable Conduct will be assessed against the Medibank Code of Conduct, which also outlines the actions that may be taken if the Medibank Code of Conduct is found to be breached.

4.2. Response to findings

A response to any substantiated Reportable Conduct may include disciplinary action. For example, where an investigation identifies a breach of law, Medibank's Code of Conduct or internal policies or procedures, appropriate disciplinary action will be taken, up to and including terminating or suspending the employment or engagement of the person(s) involved in the misconduct. Additionally, a referral to an external body, including ASIC or a law enforcement authority may occur.

Any person who is found to have engaged in Reportable Conduct will be afforded an opportunity to provide a response before Medibank decides to take any disciplinary action against them.

Where allegations of Reportable Conduct made against a person cannot be substantiated or disproven, that person will be advised accordingly and they will be entitled to continue in their role as if the allegations had not been made.

4.3. Notification of outcome

The results of any investigation may be recorded in writing in a formal internal report that will be confidential and is the property of Medibank.

Once an investigation is completed and the matter (including any subsequent disciplinary action) has been concluded, Medibank will take steps to notify the Whistleblower that the matter has been finalised.

Medibank may notify the Whistleblower of the investigation outcome, including whether some or all of the allegations are substantiated. However, it may not always be appropriate to provide Whistleblowers with this information, including where information disclosed by the outcome is confidential, legally privileged and/or where Medibank is bound by a law or agreement that prevents such disclosure being made.

An anonymous Whistleblower should not expect to be notified of the outcome.

5. ROLES & RESPONSIBILITIES

5.1. Eligible Recipients

The role of the Eligible Recipient is to receive disclosures of Reportable Conduct that qualify for protection under the Whistleblower Laws.

5.2. Whistleblower Protection Officer

The role of the Whistleblower Protection Officer is to safeguard the interests of the Whistleblower as stated within this Policy and the applicable legislation, including ensuring the Whistleblower does not suffer detriment as a result of their disclosure. The Whistleblower Protection Officers have access to independent financial, legal and operational advisors, as required.

Medibank's Whistleblower Protection Officers are:

i. Hub Lead, Operational Risk Mastery; or

ii. such other independent role (which may be internal or external) which is nominated by the Group Lead, Chief Risk and Compliance Officer.

5.3. Whistleblower Investigation Officer

The role of the Whistleblower Investigation Officer is to investigate the disclosed Reportable Conduct in accordance with section 4.1.

5.4. Independence of the Whistleblower Protection Officer and Whistleblower Investigation Officer

The responsibilities of the Whistleblower Protection Officer and Whistleblower Investigation Officer should not reside in the same person. The two roles should operate and be seen to operate independently of each other and must act in a way that they discharge the two quite separate functions independently of each other.

6. MAINTENANCE & GOVERNANCE

6.1. Education & Training

Requirements of employees under the Policy, including Reportable Conduct and consequences are embedded within Risk Management training and included within the Code of Conduct.

Employees, including managers and others who may receive disclosures of Reportable Conduct, will be provided with specific training about the Policy and their rights and obligations under it.

6.2. Visibility & Communication

This Policy will be communicated and made available to all relevant stakeholders through Medibank's intranet and external website.

6.3. Review & Accountability

This Policy will be reviewed by the Board on a periodic basis (being no less than every 2 years) and is aligned with applicable Commonwealth legislation.

Regular reporting to the Risk Management Committee on the operation of Medibank Alert and other disclosure channels will be presented by the Chief Risk and Compliance Officer.

For the avoidance of doubt, this policy does not form part of any contract of employment or industrial instrument.

POLICY HISTORY

Version	Effective Date
2.0	7 November 2024