



Whistleblower Policy

1 Document summary

Document owner	General Counsel and Company Secretary
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Approval body	Board

2 Purpose

StateCover Mutual Ltd (**StateCover**) is committed to fostering a culture where you feel safe to speak up about things that concern you. We encourage you to raise concerns. This could be anything from illegal conduct to behaviour that is not in line with our core values. Suppliers and service providers are also encouraged to report any concerns they see in their interactions with us. Identifying potential problems and risks allows us to improve the way we do business and provide the best possible service to our Members.

This policy explains:

- When a disclosure of information qualifies for protections under the whistleblowing provisions of the *Corporations Act 2001* (Cth) (**Corporations Act**);
- How you can make a disclosure;
- What legal protections you receive for making a disclosure, including confidentiality, immunity and protection from detriment, and your right to seek compensation; and
- How we investigate and handle protected disclosures.

This policy is an important tool for StateCover to help identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing.

3 Compliance Statement

This policy has been developed having regard to the whistleblower obligations with which we must comply, including those contained in part 9.4AAA of the *Corporations Act* and part IVD of the *Taxation Administration Act 1953* (Cth), as well as ASIC Regulatory Guide 270 *Whistleblower*

policies, ASIC Information Sheet 239 *How ASIC Handles whistleblower reports* and the *Fair Work Act 2009* (Cth). This policy has also been developed having regard to our core values.

The Audit Committee and Board will be informed of material concerns raised under this policy through regular Board reporting.

4 Who the Policy Applies To

This policy applies whenever particular disclosures are made by 'eligible whistleblowers'. Our eligible whistleblowers include:

- Our officers, including directors, the General Counsel and Company Secretary and senior managers;
- Our current and former employees. It does not matter whether you are (or were) employed on a full-time, part-time, fixed-term or temporary basis, or what your level of seniority is (or was);
- A supplier of services or goods to us (whether paid or unpaid), and their current and former employees, contractors, consultants, service providers and business partners; or
- A relative, dependant, or spouse of any of these people or entities.

5 Matters the Policy Applies To

5.1 Disclosable Matters

This policy applies to a disclosure of information that is considered to be a 'disclosable matter' under the Corporations Act. A disclosable matter will qualify for protection under the Corporations Act if the discloser of the information has reasonable grounds to suspect that the information concerns misconduct, or an improper state of affairs or circumstances, in relation to StateCover or an officer or employee of StateCover. You should not make a deliberately false disclosure.

Examples of disclosable matters include:

- Illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property;
- Fraud, money laundering or misappropriation of funds;
- Negligence, default, breach of trust or breach of duty;
- Offering or accepting a bribe;
- Financial irregularities (including those relating to tax affairs);
- A failure to comply with, or breach of, legal or regulatory requirements;
- Engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure;
- Conduct that breaches certain Commonwealth laws (including *the Corporations Act*, the *Australian Securities and Investments Commission Act 2001* (Cth), the *Insurance Act 1973* (Cth) and their related instruments);
- Conduct that is an offence against other Commonwealth laws and is punishable by imprisonment for a period of 12 months or more;

- Conduct that represents a danger to the public or the financial system, even if it does not involve a breach of a particular law.

If the information is tax-related, your disclosure may separately qualify for whistleblower protections if you consider that the information may assist the Commissioner of Taxation or the Tax Practitioners Board in performing their functions or duties under taxation law.

A disclosure of information that does not concern a disclosable matter will not qualify for whistleblower protections. If you are unsure whether a disclosure relates to a disclosable matter, we encourage you to contact the Whistleblower Protection Officer (**WPO**) or alternatively seek legal advice from an independent legal practitioner.

The role of the WPO is to ensure that there are safeguards in place to protect the eligible whistleblower and ensure the integrity of the reporting process. The WPO is the General Counsel and Company Secretary or another officer or employee appointed by StateCover from time to time.

5.2 Certain Personal Work-Related Grievances

A disclosure that relates solely to a 'personal work-related grievance' and that does not relate to detriment (or threat of detriment) to you or another discloser of information, does not qualify for whistleblower protections.

A personal work-related grievance is a grievance that relates to your current or former employment with us and has (or tends to have) implications for you personally, but does not:

- Have any other significant implications for us; or
- Relate to any conduct (or alleged conduct) about a disclosable matter (see above).

Examples of personal work-related grievances include:

- An interpersonal conflict between you and another employee;
- A decision that does not involve a breach of workplace laws;
- A decision about your engagement, transfer or promotion;
- A decision relating to the terms and conditions of your engagement; or
- A decision to suspend or terminate your engagement, or otherwise discipline you.

However, a personal work-related grievance may still qualify for protection if:

- Your disclosure includes information about misconduct, or the information about misconduct includes (or is accompanied by) a personal work-related grievance (i.e. a mixed report);
- We have breached employment or other laws punishable by imprisonment for a period of 12 months or more;
- We have engaged in conduct that represents a danger to the public;
- Your disclosure relates to information that suggests misconduct beyond your personal circumstances;
- You suffer from or have been threatened with a detriment for making a disclosure; or
- You seek legal advice or representation on whistleblower protections.

If you have a personal work-related grievance that does not qualify for protection, you should raise it with your immediate manager or the People and Performance Manager. You may also want to seek legal advice about your rights and protections under employment law or contract law.

6 Who Can Receive a Disclosure

6.1 Eligible Recipients and Regulatory Bodies

You will qualify for whistleblower protections if you make your disclosure to one of our 'eligible recipients', the Australian Prudential Regulation Authority (**APRA**), the Australian Securities and Investments Commission (**ASIC**), the Australian Tax Office (**ATO**) or the Tax Practitioners Board (TPB).

Our eligible recipients are:

- Our directors, the General Counsel and Company Secretary and senior managers, including the Chief Risk & Compliance Officer;
- Our internal auditor, including the Chair of the Audit Committee;
- Our external auditor, KPMG; and
- Our consulting actuary, Finity Consulting Pty Ltd ('Finity').

We encourage you to make your disclosure to us in the first instance, however you are not legally required to do so. ASIC, APRA, the ATO and TPB have published whistleblowing information sheets and guidance to assist you in understanding their disclosure procedures. You can find this information on their websites. If you wish to make a disclosure to one of these regulators, whether at first instance or otherwise, we encourage you to review the relevant guidance before making a disclosure.

6.2 Legal Practitioners

You can also 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 in the Corporations Act. Your disclosures are protected even if the legal practitioner concludes that the information does not relate to a disclosable matter.

6.3 Journalists and Members of Parliament

A disclosure to a journalist or a Member of Parliament will qualify for whistleblower protections if the disclosure is a 'public interest disclosure' or an 'emergency disclosure'.

To make a public interest disclosure:

- You must have made a previous disclosure that qualifies for protection;
- At least ninety (90) days must have passed since you made the previous disclosure;
- You must reasonably believe that action is not being (or has not been) taken to address the matters to which your disclosure related;
- You must have reasonable grounds to believe making a further disclosure of the information would be in the public interest; and
- You must then give the entity who you made the previous disclosure to written notice that includes sufficient information to identify your previous disclosure and stating that you intend to make a public interest disclosure.

To make an emergency disclosure, you must satisfy the following criteria:

- You must have made a previous disclosure that qualifies for protection;
- You must have reasonable grounds to believe the information concerns a substantial and imminent danger to the health or safety of people or to the natural environment; and

- You must give the entity who you made the previous disclosure to written notice that includes sufficient information to identify the previous disclosure and stating that you intend to make an emergency disclosure.

The extent of the information disclosed in the public interest disclosure or the emergency disclosure must be no more than is necessary to inform the recipient of our conduct, misconduct or impropriety, or of the substantial and imminent danger (as the case may be).

If you are considering making an emergency or public interest disclosure, we encourage you to seek independent legal advice.

7 How To Make a Disclosure

You can make a disclosure at any time by personal contact, telephone, email, or mail. To assist, the following contact information is provided:

- You can email us at whistleblower@statecover.net.au – this email address auto-forwards to the WPO only. In your email you may specifically address your disclosure to any of the eligible recipients referred to in Clause 6.1 above;
- If you are inside the organisation, you can look up the Internal Directory for contact details of the General Counsel and Company Secretary, Chief Risk & Compliance Officer or the Internal Auditor;
- If you are outside the organisation, you can click on the link to this policy at the bottom of our website home page. In your communication you may specifically address your disclosure to any of the eligible recipients referred to in Clause 6.1 above;
- You can write to us at PO Box R1865, Royal Exchange NSW 1225. Please address your letter to the WPO, and clearly mark the envelope '*Private & Confidential – to be opened by addressee only*'. In your communication you may specifically address your disclosure to any of the eligible recipients referred to in Clause 6.1 above;

When reporting your disclosure, you can use the Whistleblower Reporting Form to assist in providing the appropriate details. A copy of this form is available as **Annexure A** to this policy.

7.1 Anonymous Disclosures

You can choose to remain anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised. In particular, you can:

- Adopt a pseudonym for the purposes of communication; and
- Refuse to answer any questions that you feel may reveal your identity at any time, including during follow-up conversations.

If you choose to remain anonymous, you should maintain an ongoing two-way communication with the entity you disclose to, so they can ask follow-up questions, give you progress notifications and provide you with feedback. You could use an anonymous telephone number or email address. If you do not do this, you may limit the entity's ability to investigate your disclosure.

8 Legal Protections for Disclosures

If you make a protected disclosure, you receive the following rights and protections:

- Identity protection and confidentiality;

- Protection from detrimental acts, omissions and threats;
- A right to seek compensation and other relief; and
- Immunity in relation to most civil, criminal and administrative liability.

8.1 Identity Protection (Confidentiality)

If you make a protected disclosure, it is illegal for any person to identify you or to disclose information that is likely to identify you as the person who made the disclosure. This extends to any information that the person obtains directly or indirectly because of your disclosure.

There are narrow exceptions to this rule. A person can disclose your identity or related information:

- To ASIC, APRA or a member of the Australian Federal Police (**AFP**);
- To a legal practitioner for the purposes of obtaining legal advice or legal representation about the whistleblower provisions in the Corporations Act; or
- If you give consent.

If you believe we have breached our confidentiality obligations, you may lodge a complaint with us by contacting the WPO. You can also lodge a complaint with ASIC, APRA or the ATO for investigation.

8.2 Protection from Detrimental Acts or Omissions

If you make a protected disclosure, a person cannot engage in conduct that causes you (or some other person) detriment in relation to your disclosure if:

- The perpetrator believes or suspects that you (or another person) made, may have made, proposes to make or could make a disclosure that qualifies for whistleblower protections; and
- That belief or suspicion is at least part of the reason for their conduct.

A person also cannot threaten to cause you (or another person) detriment in relation to the disclosure. A threat may be express or implied, or conditional or unconditional. You do not need to actually fear that the threat will be carried out.

Examples of detrimental conduct include:

- Dismissal
- Injury in your employment;
- Alterations to your position or duties that are to your disadvantage;
- Discrimination between you and another employee;
- Harassment or intimidation;
- Harm or injury, including psychological harm;
- Damage to your property or reputation;
- Damage to your business or financial position (particularly for suppliers);
- Any other damage to you.

Examples of actions that are not detrimental conduct include:

- Administrative action that is reasonable for the purpose of protecting a discloser from detriment (e.g. moving you to another office to prevent you from detriment); or
- Managing unsatisfactory work performance in accordance with our performance management framework.

Any officer or employee who victimises a whistleblower will be subject to the Performance and Misconduct Policy.

8.3 Compensation and Other Remedies

If you make a protected disclosure, you can seek compensation and other remedies through the courts if you suffer loss, damage or injury because of a disclosure, and we fail to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

If you wish to seek relief through the Courts, we encourage you to seek independent legal advice.

8.4 Civil, Criminal and Administrative Liability Protection

If you make a protected disclosure, you are immune from the following in relation to the disclosure:

- Civil liability, such as legal action against you for breach of your employment contract, duty of confidentiality or some other contractual obligation, such as non-disclosure;
- Criminal liability, such as an attempt to prosecute you for unlawfully releasing information, or an attempt to use your disclosure against you in criminal proceedings (other than for making a false disclosure); and
- Administrative liability, such as disciplinary action for making the disclosure.

The whistleblower protections do not grant you immunity for any misconduct you engaged in that is revealed in the disclosure.

9 Support and Practical Protection for Disclosers

9.1 Identity Protection (Confidentiality)

We will implement measures and mechanisms to protect your identity as are appropriate to the circumstances. Examples of actions we may take are:

- Redacting all personal information or reference in the disclosure to you witnessing an event;
- Referring to you in a gender-neutral context;
- Where possible, contacting you to help identify certain aspects of your disclosure that could inadvertently identify you;
- Ensuring that disclosures are handled and investigated by qualified staff;
- Securely storing all paper and electronic documents and other materials relating to your disclosure;
- Limiting access to all information relating to your disclosure to those directly involved in managing and investigating the disclosure; and
- Reminding each person who is involved in handling and investigating a disclosure that unauthorised disclosure of your identity may be a criminal offence.

Despite our best efforts, people may be able to guess your identity if:

- You have previously mentioned to other people that you are considering making a disclosure;
- You are one of a very small number of people with access to the relevant information; or
- Your disclosure relates to information you have previously been told privately and in confidence.

9.2 Protection from Detrimental Acts or Omissions

We will also implement measures and mechanisms to protect you from detriment as are appropriate to the circumstances. Examples of actions we may take are:

- Establishing processes for assessing the risk of detriment to you and other persons as soon as possible after receiving your disclosure;
- Making support services (e.g. counselling or other professional or legal services) available;
- Implementing strategies to help you minimise and manage stress, time or performance impacts, or other challenges resulting from your disclosure or the investigation;
- Implementing actions to protect you from a risk of detriment. We could allow you to perform your duties from another location, reassign you to another role at the same level, make other modifications to your workplace or how you perform your duties, or reassign or relocate other staff involved in the matter;
- Ensuring management are aware of their legal obligations;
- Intervening to protect you if detriment has already occurred. We could take disciplinary action, allow you take extended leave, develop a career development plan, or offer compensation or other remedies.

If you believe you have suffered detriment, we encourage you to seek independent legal advice or contact regulatory bodies such as ASIC, APRA, or the ATO.

10 Handling and Investigating a Disclosure

The following is a summary of the key steps that we will take after you make a disclosure:

- Your identity (if disclosed) will be kept confidential and will only be made known to those conducting or overseeing the follow-up action to the disclosure. Any information that may identify you will also be kept confidential. If you think we have breached our confidentiality obligations, we encourage you to contact the WPO.
- The WPO will assess your disclosure to determine whether it qualifies for protection, and whether a formal, in-depth investigation is required. If not, the WPO will contact you (if possible) and give you reasons for not proceeding with an investigation.
- If the WPO decides to investigate a disclosure, the WPO will appoint a Whistleblower Investigation Officer (**WIO**) to conduct and oversee an independent investigation. Within 48 hours of their appointment, the WIO will determine the nature and scope of the investigation and identify required resources.
- The WIO will then investigate the disclosure using appropriate resources, including professional investigators if necessary. All information relating to the investigation will be kept confidential, including the identity of anyone named in the disclosure.
- The WIO will contact you (if possible) to provide you with an estimate of how long the investigation may take. The duration of the investigation will vary depending on the nature and complexity of the disclosure and the amount of information available.

- The WIO may contact you (if possible) to ask follow-up questions to help with the investigation.
- The WIO will contact you (if possible) to update you of the progress of the investigation at regular intervals, including likely timeframes.
- After the WIO concludes the investigation, the WIO will prepare a report. The WPO will make an assessment and decide on further action. Where appropriate (and if possible), the WPO will inform you of the report's findings.

11 Ensuring Fair Treatment

To ensure fair treatment of individuals mentioned in any disclosure that qualifies for protection:

- Disclosures will be handled confidentially, when practical and appropriate in the circumstances;
- Each disclosure will be assessed and may be investigated;
- The object of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported;
- When an investigation occurs, the process will be objective, fair and independent
- If you are a current employee and you are the subject of a disclosure, you:
 - Will be informed about the subject matter of the disclosure as and when required for natural justice and procedural fairness and prior to any steps being taken (unless we reasonably believe this will compromise the effectiveness of the investigation);
 - Will be informed about any adverse findings and have an opportunity to comment on them before we take any action; and
 - May contact our support services.

12 Review of Decisions

If you are not satisfied with the outcome of our investigation, you may request a review through the WPO. However, we are not obliged to reopen an investigation, and we may conclude a review if we believe the investigation was conducted properly, or new information is either not available, or if available, would not change the findings of the investigation.

You may lodge a complaint with a regulator such as ASIC, APRA or the ATO, if you are not satisfied with the outcome of our investigation.

13 Accessibility

This policy is available on our website and our intranet.

From time to time, we will hold staff briefing and training sessions or smaller team meetings to discuss this policy and its processes and procedures. We will also provide specialist training to staff members who have specific responsibilities under this policy.

This policy is reviewed every two years or as otherwise agreed by the Board.

Any changes to this policy and its processes and procedures following a review will be communicated to employees, and additional specialist training will be provided if necessary.

14 Acknowledgement

Click here to acknowledge that you have read and will adhere to this policy.

15 Attachment A – Whistleblower Reporting Form

To be completed and submitted to an eligible recipient

Details of reporter <i>(you can make an anonymous report by leaving this section blank)</i>			
Name			
Position (if internal)			
Division/Unit		Preferred method of contact	
Telephone		<input type="checkbox"/>	Telephone
Email		<input type="checkbox"/>	Email
Postal address		<input type="checkbox"/>	Post

Details of the alleged wrongdoing being reported		
Description, e.g.: <ul style="list-style-type: none"> • <i>What happened?</i> • <i>Where did it happen?</i> • <i>When did it happen?</i> • <i>Is it still happening?</i> 		
How did you become aware of it?		
Name and position of people involved in the alleged wrongdoing	Name	Position
Attach any additional relevant information or indicate where supporting evidence may be found	Supporting evidence	Attached
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

Statement	
I honestly believe that the above information shows or tends to show serious wrongdoing	
Signature of reporter	Date reported submitted
<i>(Do not sign if you wish to make an anonymous disclosure)</i>	<i>(Must be completed)</i>

16 Version control

Version no.	Last date	revision	Change summary	Approved by	Approval date
1.0	-		Inaugural document	Board	Dec 2019
1.1	Dec 2019		Numerous updates	Executive Team	Aug 2022
1.2	Aug 2022		Numerous updates	Audit Comm/Board	Aug/Sept 2022
1.3	Aug/Sept 2024		Alignment with RG 270	Audit Comm/Board	Oct/Nov 2024
1.4	Jan 2025		Best practice alignment with RG 270 and other updates	Audit Comm/Board	29 January 2025