

WHISTLEBLOWING POLICY

LGSS Pty Limited (ABN 68 078 003 497) as Trustee for Local
Government Super (ABN 28 901 371 321) (Active Super)

December 2023 | Version 9

Please consider the environment
before printing this document

ACTIVE  **SUPER**

CONTENTS

1. Policy statement.....	3
2. Definitions	3
3. Purpose.....	6
4. Legislative and Regulatory Obligations.....	6
5. Who and what does this Policy apply to?	7
6. Matters this Policy applies to.....	8
7. How to Make a Disclosure	9
7.3 Other Designated Bodies that can receive Disclosures	10
8. False reports.....	11
9. Anonymity when Reporting.....	11
10. Protections for Protected Whistleblowers.....	11
11. Investigation of Disclosures	14
12. Communications with the Protected Whistleblower	14
13. Ensuring fair treatment of individuals mentioned in a Disclosure	15
14. Accessibility	16
15. Policy information.....	16
Annexure A – Key Contact Details	17
Annexure B – Consent Form to Release Confidential Information	19
Annexure C – Whistleblower’s Guide.....	20

1. Policy statement

The Trustee is committed to the highest standards of integrity and conduct, and recognises that Whistleblowing can play a critical role in the early detection, investigation and prosecution of misconduct. Additionally, robust processes and protections for Whistleblowers can improve compliance with the law and can contribute to a more ethical culture.

This Policy seeks to encourage Disclosures of wrongdoing and to reassure potential Whistleblowers, that in the event of them making a Disclosure, there are many protections available to them under this Policy. It sets out the protections, principles, and processes that the Trustee will follow when a Whistleblower makes a Disclosure.

2. Definitions

Unless stated otherwise, capitalised words in this document have the same meaning as in the Constitution.

Active Super means the superannuation fund known as Local Government Super (ABN 28 901 371 321) governed by a trust deed dated 30 June 1997 and amended from time to time.

Anonymous Disclosure means a Disclosure made in circumstances where the Whistleblower does not, or refuses to, provide his or her identity to the Disclosure Officer.

APRA means the Australian Prudential Regulation Authority.

ASIC means the Australian Securities and Investments Commission.

Chief Executive Officer or CEO means the person who is appointed to control the overall management of the Fund.

Corporations Act means the *Corporations Act 2001* (Cth).

Connected Entity has the same meaning as in the SIS Act and applies to an entity that would be a subsidiary under the Corporations Act, if section 48(2) of the Corporations Act did not apply.

Deputy Chief Executive Officer or Deputy CEO means the person who is appointed to control the overall management of the governance, compliance and legal requirements of the Fund in support of the Board along with the management of the financial and support operations of Active Super.

Detriment or Detrimental Treatment includes, without limitation:

- a. dismissal of a person;
- b. injury to a person in their employment;
- c. alteration of a person's position or duties to their disadvantage;
- d. discrimination between a person and other employees of the same employer;

- e. harassment or intimidation of a person;
- f. harm or injury to a person, including psychological harm;
- g. damage to a person's property, reputation, or business or financial position; or
- h. any other damage to the person.

Detrimental Conduct or Detrimental Action means any conduct or action that:

- a. causes a detriment to another person; or
- b. constitutes a threat (which may be express or implied, or conditional or unconditional) to cause a detriment to another person.

Disclosable Matter means any matter or Disclosure listed in paragraph 6.1 of the Policy.

Disclosure means a complaint, report, allegation or disclosure made under this Policy.

Disclosure Officer means any of the:

- a. CEO;
- b. Chair of the Board;
- c. Deputy Chair(s) of the Board;
- d. Fraud Awareness Manager; and
- e. Independent Officer,
whose details appear in Annexure A.

Eligible Recipient means any person or entity listed in paragraph 7.2 of the Policy.

Eligible Whistleblower means any person or entity listed in paragraph 5.2 of this Policy.

Emergency Disclosure means a Disclosure that qualifies for protection under subsection 1317AAD(2) of the Corporations Act, that is, a Disclosure where:

- a. the person making the Disclosure has previously made a Disclosure that qualifies for protection to ASIC, APRA or another body authorised to receive the Disclosure; and
- b. the person has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of a person or persons, or to the natural environment; and
- c. the person has notified the recipient of the previous Disclosure in writing that the person intends to make an Emergency Disclosure and the notification includes sufficient information to identify the previous Disclosure; and
- d. the Public Interest Disclosure is made to:
 - i) a member of the Parliament or legislature of a State, Territory or the Commonwealth; or
 - ii) a journalist; and
- e. the extent of information disclosed is no greater than necessary to inform the recipient of the substantial and imminent danger.

Fraud Awareness Manager means the Active Super Head of Risk function.

Independent Officer means the Active Super Internal Auditor as appointed from time to time.

Misconduct means fraud, negligence, default, breach of trust and breach of duty Policy means this whistleblowing policy.

Protected Whistleblower means any person or entity listed in paragraph 5.1 of the Policy.

Public Interest Disclosure means a Disclosure that qualifies for protection under subsection 1317AAD(1) of the Corporations Act, that is, a Disclosure where:

- a. the person making the Disclosure has previously made a Disclosure that qualifies for protection to ASIC, APRA or another body authorised to receive the Disclosure; and
- b. at least 90 days have passed since the previous Disclosure was made; and
- c. the person does not have reasonable grounds to believe that action is being taken, or has been taken, to address the matters to which the previous Disclosure related; and
- d. the person has reasonable grounds to believe that making a further Disclosure would be in the public interest; and
- e. before making the Public Interest Disclosure, the person notified the recipient of the previous Disclosure in writing that the person intends to make a Public Interest Disclosure and the notification includes sufficient information to identify the previous Disclosure; and
- f. the Public Interest Disclosure is made to:
 - i) a member of the Parliament or legislature of a State, Territory or the Commonwealth; or
 - ii) a journalist; and
- g. the extent of information disclosed in the public interest is no greater than necessary to inform the recipient of the relevant misconduct, improper state of affairs or conduct being disclosed, as the case may be.

Qualifying Disclosure means a disclosure which is made under section 1317AA of the Corporations Act or section 14ZZT of the TAA 1953.

Responsible Persons has the meaning given to that term in the Fit and Proper Policy.

RG 270 means ASIC Regulatory Guide 270 *Whistleblower policies*.

SIS Act means the *Superannuation Industry (Supervision) Act 1993* (Cth).

SPS 520 or the Standard means APRA Prudential Standard SPS 520 *Fit and Proper*.

TAA 1953 means the *Taxation Administration Act 1953* (Cth).

Trustee means LGSS Pty Limited (ABN 68 078 003 497) as the trustee of Local Government Super, trading as Active Super.

Whistleblower means a person who makes a Disclosure under this Policy.

Whistleblower Protection Officer means the CEO or Fraud Awareness Manager.

3. Purpose

- a. Active Super is committed to encouraging the reporting of any instances of suspected unethical, illegal, fraudulent or undesirable conduct, or conduct in breach of applicable laws and regulations, involving Active Super's businesses. In order to do so, Active Super provides protections and measures so that people who make a report can do so confidentially and anonymously, without fear of intimidation, disadvantage or reprisal.
- b. The purpose of this Policy is to establish a system for the reporting of Disclosable Matters and to specify how such Disclosures will be dealt with by the Trustee.
- c. This Policy assists in:
 - i) identifying wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing;
 - ii) improving compliance with regulatory requirements and social expectations;
 - iii) increasing the efficiency and effectiveness of the Board, its Responsible Persons and other employees;
 - iv) creating and maintaining a healthy and safe work environment;
 - v) improving employee morale; and
 - vi) demonstrating that governance is taken seriously by the Trustee.
- d. This Policy applies to Connected Entities as if the reference to Active Super was a reference to the Connected Entity.

4. Legislative and Regulatory Obligations

- a. Active Super is required to comply with the whistleblowing procedures within:
 - i) Part 29A of the SIS Act;
 - ii) Part 9.4AAA of the Corporations Act;
 - iii) Part IVD of the TAA 1953;
 - iv) SPS 520; and
 - v) RG 270;
- by providing protection to a Whistleblower who discloses:
- i) a Qualifying Disclosure;
 - ii) Misconduct;
 - iii) an improper state of affairs;
 - iv) breaches of the law; or
 - v) conduct that represents a danger to the public or the financial system to a Disclosure Officer, Active Super's auditor or actuary, APRA, ASIC or the ATO.

- b. The Fit and Proper Policy, prepared in accordance with SPS 520, includes a summary of the 'whistleblowing' processes that apply to Responsible Persons. However, this Policy takes precedence should any inconsistencies occur.

5. Who and what does this Policy apply to?

5.1 Protected Whistleblowers

- a. A person is a Protected Whistleblower and is entitled to protection under this Policy, the Corporations Act and the TAA 1953 if:
 - i) they are an Eligible Whistleblower; and
 - ii) they have disclosed (or intend to disclose) a Disclosable Matter to an Eligible Recipient, ASIC, APRA or another entity prescribed under the Corporations Act.
- b. A person will also be entitled to protection as a Protected Whistleblower if they obtain advice from a legal practitioner on the operation of whistleblowing protection laws.
- c. Also, in limited circumstances, a Disclosure may be made to a Member of Parliament of the Commonwealth or of a State or Territory, or to a journalist. Such a Disclosure will qualify for protection if it is a Public Interest Disclosure or an Emergency Disclosure. For more information about what constitutes a Public Interest Disclosure or Emergency Disclosure, see section 1317AAD of the Corporations Act and the definitions in Section 2 of this Policy.
- d. Any Public Interest Disclosure or Emergency Disclosure must have previously been made to ASIC, APRA or a prescribed body and written notice provided to the body to which the disclosure was made. In the case of a Public Interest Disclosure, at least 90 days must have passed since the previous disclosure. We recommend that a discloser contact an independent legal adviser before making a Public Interest Disclosure or an Emergency Disclosure.

5.2 Eligible Whistleblowers

An Eligible Whistleblower is a person who is, or has been, any of the following:

- a. an officer or employee of Active Super (this includes current and former employees who are permanent, part-time, fixed-term or temporary, interns, secondees, managers and Directors);
- b. a person who supplies goods or services to Active Super or an employee of a person who supplies goods or services to Active Super (whether paid or unpaid) (e.g. current and former volunteers, contractors, consultants, service providers and business partners);
- c. an associate of Active Super;
- d. a Director, officer, Responsible Person or employee of:

- i) Active Super;
 - ii) any custodian of Active Super;
 - iii) any investment manager engaged by Active Super; or
- e. a relative, dependent or dependent of the spouse of any person referred to in this definition of Eligible Whistleblower.

6. Matters this Policy applies to

6.1 Disclosable Matter

- a. Disclosures that are not about a Disclosable Matter will not be protected under the Corporations Act, the TAA 1953, or this Policy.
- b. A disclosure will concern a Disclosable Matter if an Eligible Whistleblower has reasonable grounds to suspect that the information being disclosed is about:
 - i) misconduct (including fraud, negligence, default, breach of trust and breach of duty);
 - ii) money laundering or misappropriation of funds;
 - iii) an improper state of affairs or circumstances;
 - iv) behaviour that represents a danger to the public or the financial system;
 - v) conduct that constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;
 - vi) an offence or a breach of the Corporations Act, ASIC Act, Banking Act 1959, Financial Sector (Collection of Data) Act 2001, Insurance Act 1973, Life Insurance Act 1995, National Consumer Credit Protection Act 2009, or the SIS Act; or
 - vii) a breach of the TAA 1953 or improper conduct in relation to the tax affairs, and
 - viii) includes conduct that may not involve a contravention of a particular law in relation to Active Super or a related body corporate of Active Super.
- c. An Eligible Whistleblower can still qualify for protection even if their disclosure of a Disclosable Matter turns out to be incorrect.

6.2 Personal Work-Related Grievances

- a. Personal work-related grievances that do not involve a Detriment caused to a Protected Whistleblower (or a threat of Detriment) are not a Disclosable Matter and are not protected under the Corporations Act or TAA 1953.
- b. A personal work-related grievance is one that solely relates to a person's current or former employment that has implications for them personally but does not have significant implications for Active Super or another entity. Examples of personal work-related grievances that are not protected under the law or this Policy include a person's

belief that they may have missed out on a promotion, or a person's dislike of the managerial style of their supervisor.

- c. However, a personal work-related grievance may still qualify for protection if:
 - i) it is a mixed report that includes information about a Disclosable Matter as well as a personal work-related grievance;
 - ii) Active Super has broken an employment law, or other laws which are punishable by imprisonment for 12 months or more, or acted in a way that is a threat to public safety;
 - iii) the Disclosure relates to information that suggests that Misconduct that goes further than the Whistleblower's personal circumstances;
 - iv) the Whistleblower suffers from or is threatened with Detriment for making a disclosure; or
 - v) the Whistleblower seeks legal advice or legal representation about the operation of the whistleblower protections under the Corporations Act.
- d. For information about how to internally raise grievances that are not covered by this Policy, refer to the Active Super Grievance Policy.

7. How to Make a Disclosure

7.1 Making a Disclosure

- a. Disclosures can be made in person or by telephone, post or email at any time, including within and outside of business hours.
- b. Disclosures can be made anonymously (see Section 9 of this Policy).
- c. All persons considering making a Disclosure are encouraged to consider the issues raised in the Whistleblowers Guide, found as Annexure C to this Policy, in preparation of the Whistleblowing process.
- d. Active Super encourages individuals who are unsure about whether to make a protected Disclosure to obtain independent legal advice. Any discussions a person has with a lawyer will be protected under this Policy and under the law.

7.2 Eligible Recipients

- a. A discloser must make a Disclosure directly to an Eligible Recipient to be able to qualify for protection as a Whistleblower under the Corporations Act. Disclosures made under this Policy may be made to any of the Disclosure Officers listed in Annexure A of this Policy.
- b. In addition to the above, Disclosures may also be made to any of the following, who are all Eligible Recipients under the Corporations Act, namely:

- i) an officer of the Trustee, including a Director or the company secretary;
 - ii) a senior manager of the Trustee;
 - iii) the actuary of the Trustee; or
 - iv) the Fraud Awareness Manager, whom the Trustee has authorised to receive disclosures that may qualify for protection under the Corporations Act.
- c. If a Whistleblower wishes to report a matter which specifically involves:
- i) **the Fraud Awareness Manager.** The matter should be formally reported to the CEO; or
 - ii) **the CEO:** The matter should be formally jointly reported to the Chair and Deputy Chair(s) of the Board; or
 - iii) **an employee other than the CEO:** The matter should be formally reported to the CEO; or
 - iv) **a Director, including the Chair or a Deputy Chair.** The matter should be formally reported to the CEO, who will seek independent legal advice. Should that advice recommend further consideration of the matter, the CEO will refer it to APRA or the Directors of the Trustee, excluding any Director(s) who are the subject of the Disclosure.
- d. Active Super encourages Disclosures to be made to one of the internal Eligible Recipients in the first instance to ensure that wrongdoings can be identified and addressed as early as possible.
- e. Where a person contemplating making a Disclosure is concerned about publicly approaching a Disclosure Officer or other Eligible Recipient, they can request a meeting in a discreet location away from the workplace.
- f. A Disclosure Officer must maintain impartiality and discretion and provide feedback to the Whistleblower.

7.3 Other Designated Bodies that can receive Disclosures

Disclosures of a Disclosable Matter may also be protected when made to:

- a. ASIC;
- b. APRA;
- c. in relation to the tax affairs of Active Super or its Connected Entities:
- d. a tax agent of Active Super or its Connected Entity, as appropriate; or
- e. the Commissioner of Taxation; or
- f. another Commonwealth authority prescribed by law.

8. False reports

- a. A Protected Whistleblower will still qualify for protection for a Disclosure even if their Disclosure turns out to be incorrect.
- b. However, anyone who knowingly makes a false report of a Disclosable Matter, or who otherwise fails to act honestly and with reasonable belief in respect of the report may be subject to disciplinary action, including dismissal.

9. Anonymity when Reporting

- a. Disclosures can be made anonymously and still be protected under the Corporations Act. A person may choose to remain anonymous when disclosing a Disclosable Matter, over the course of the investigation and after the investigation is finalised. If a discloser wishes to remain anonymous, ongoing two-way communication with Active Super should be maintained to ensure that follow up questions and feedback can be provided. The discloser can refuse to answer questions that they feel could reveal their identity at any time, including during follow-up conversations.
- b. While persons are encouraged to share their identity when making a Disclosure, as it may make it easier for Active Super to address the Disclosure of a Disclosable Matter and for Active Super to communicate with the person, they are not required to share their identity in order to qualify for protection.
- c. If the person chooses to make an Anonymous Disclosure, Active Super will assess their disclosure in the same way as if they had revealed their identity. However, there may be some practical limitations in conducting the investigation if the person does not share their identity.
- d. Active Super has the following measures in place to protect the anonymity of Whistleblowers:
 - i) Communication with Whistleblowers can be through anonymised email addresses;
 - ii) Whistleblowers may adopt a pseudonym for the purpose of their Disclosure.

10. Protections for Protected Whistleblowers

10.1 Confidentiality

- a. Disclosures from Protected Whistleblowers will be treated confidentially and sensitively. Once a report is received, the Eligible Recipient will make sure immediate steps are taken to protect the identity of the Protected Whistleblower. This will include redacting the name and position of the Protected Whistleblower from any written record of the report, and making sure appropriate document security is implemented.

- b. It is illegal for a person to identify Protected Whistleblowers or disclose information that is likely to lead to their identification. A Protected Whistleblower's identity and position (or any other information which would be likely to identify them) will only be shared if the:
- i) Whistleblower consents to the information being shared which consent may be provided through the consent form found as Annexure B;
 - ii) disclosure is to a recipient permitted by law such as ASIC, APRA or Australian Federal Police; or
 - iii) Disclosure is otherwise allowed or required by law (for example, disclosure to a lawyer of Active Super to receive legal advice relating to the law on whistleblowing).
- c. In addition, information likely to identify a Protected Whistleblower may be shared if it is reasonably necessary for the purposes of an investigation. In this circumstance, all reasonable steps will be taken to reduce the risk of identification.
- d. A Discloser is entitled to lodge a complaint with respect to any breach of confidentiality in accordance with the Active Super Complaints Policy as follows:

How to lodge a complaint

In writing: Write to us at PO Box H290, Australia Square NSW 1215 or email us at complaints@activesuper.com.au

Verbally: Call us on 1300 547 873 on weekdays between 8.30am and 6.00pm or ask to speak to our Complaints Resolution Manager.

A complaint may also be lodged with ASIC, APRA, or the ATO for investigation.

10.2 Protection against Detrimental Treatment

- a. It is illegal for a person to engage in conduct that causes (or threatens) Detrimental Treatment to a Protected Whistleblower in the belief or suspicion that a person has made, may make, proposes to make or could make a report of a Disclosable Matter and where that belief or suspicion is the reason, or part of the reason, for the conduct.
- b. Detrimental Treatment could include dismissal, demotion, harassment, damage to reputation, discrimination, disciplinary action, bias, threats or other unfavourable treatment connected with making a disclosure as a Protected Whistleblower.
- c. Detrimental Treatment does not include management of a Protected Whistleblower's unsatisfactory work performance, if the action is in line with Active Super's performance management framework, or administrative action that is reasonable for the purpose of protecting the Protected Whistleblower from detriment, for example, moving a discloser who has made a disclosure about their immediate work area to another office to prevent them from detriment.

- d. Active Super will seek to ensure that Protected Whistleblowers are not subjected to Detrimental Treatment as a result of making (or intending to make) a disclosure under this policy. To protect Protected Whistleblowers from Detrimental Treatment, Active Super will:
- i) make an assessment of the risk of Detriment against a Protected Whistleblower as soon as possible after receiving a disclosure of a Disclosable Matter;
 - ii) provide support services (including counselling or other professional or legal services);
 - iii) ensure Disclosures are handled and investigated by qualified staff;
 - iv) protect identity and confidentiality through practical measures such as secure log-ins for printing and photocopying that provide an audit trail;
 - v) make sure Active Super management are aware of their responsibilities to maintain the confidentiality of a Protected Whistleblower, address the risks of Detriment and ensure fairness when managing the performance of, or taking other management action relating to, a Protected Whistleblower; and
 - vi) take practical action, as necessary, to protect a Protected Whistleblower from the risk of Detriment and intervene if Detriment has already occurred.
- e. If a Protected Whistleblower believes that they have been subject to Detrimental Treatment, they should inform an Eligible Recipient immediately. The Protected Whistleblower may also seek independent legal advice or contact a regulatory body (such as ASIC, APRA or the ATO) if they believe they have suffered detriment.

10.3 Other protections for Protected Whistleblowers

- a. Protected Whistleblowers are protected from civil, criminal or administrative liability (including disciplinary action) for making reports of Disclosable Matters. No contractual right, including under an employment contract, can be exercised against a Protected Whistleblower to stop them disclosing a Disclosable Matter.
- b. If you are a Protected Whistleblower and the Disclosure is to an Eligible Recipient or other designated body as set out in the Policy, or is a Public Interest Disclosure or Emergency Disclosure, the information you disclose also cannot be used against you in criminal proceedings or in proceedings for the imposition of a penalty (except if the proceedings are in respect of the falsity of the information).
- c. Eligible Whistleblowers may also be entitled to seek compensation and other remedies through the courts if Active Super fails to take reasonable precautions to protect the Eligible Whistleblower from Detriment, and the Eligible Whistleblower suffers loss, damage or injury because of the Disclosure.

11. Investigation of Disclosures

- a. The key steps Active Super will take after it receives a Disclosure are as follows:
 1. Each Disclosure will be assessed to determine whether it qualifies for protection, and whether a formal, in-depth investigation is required.
 2. If Active Super determines that the information disclosed does not amount to a Disclosable Matter, the discloser will, if practicable, be informed of that decision. In some instances, reports may not be able to be responded to – for example, because they are anonymous reports.
 3. If Active Super determines that the information disclosed does amount to a Disclosable Matter from an Eligible Whistleblower, who has provided reasonable grounds for their belief that the Disclosable Matter has occurred, an investigation of those allegations will begin as soon as practicable.
 4. In order to commence the investigation, Active Super will determine:
 - a. the nature and scope of the investigation;
 - b. the person(s) within and/or outside the entity that should lead the investigation;
 - c. the nature of any technical, financial or legal advice that may be required to support the investigation; and
 - d. the timeframe for the investigation.
 5. Appropriate records and documentation for each step in the process will be maintained confidentially by appropriate staff.
 6. Findings from the investigation will be reported to the relevant Committee or Board, using measures to ensure confidentiality (see Section 10 of this Policy).
- b. If an investigation is conducted, it will:
 - i) follow a fair process;
 - ii) be conducted in as timely a manner as the circumstances allow, depending on the nature of the disclosure; and
 - iii) be independent of the person(s) about whom any allegation has been made.
- c. Provided there are no restrictions or other reasonable bases for doing so, people against whom an allegation has been made will be informed of, and be given an opportunity to respond to, any allegation made against them. That is, Active Super will take steps to ensure fair treatment of any person who is the subject of the Disclosable Matter report as well as the Protected Whistleblower.

12. Communications with the Protected Whistleblower

- a. Active Super will ensure that the Protected Whistleblower is regularly updated and informed of the outcomes of the investigation of their allegations. This is subject to the Protected Whistleblower being contactable, and considerations of privacy of those

against whom allegations are made and considerations of confidentiality affecting Active Super. The frequency and timeframe of these updates will vary depending on the nature of the Disclosure.

- b. If the Protected Whistleblower is not an employee of Active Super, the Protected Whistleblower will be kept informed of the investigative outcomes (subject to privacy considerations as above), once the Protected Whistleblower has agreed in writing to maintain confidentiality in relation to any information provided to them regarding a report made by them.

13. Ensuring fair treatment of individuals mentioned in a Disclosure

- a. Active Super takes active measures to ensure the fair treatment of its employees who are mentioned in a Disclosure, including those who may be the subject of the Disclosure. These measures are based on the principles of procedural fairness and natural justice.
- b. Measures adopted by Active Super include the following:
 - i) Disclosures are to be handled confidentially, to the extent that it is practical and appropriate in the circumstances. All personal information is received, handled and recorded in a secure manner in accordance with Active Super's Privacy Policy and subject to information technology security protection measures.
 - ii) Each Disclosure is to be assessed and investigated fairly and thoroughly, having regard to the seriousness of the suspected conduct, with a focus on determining whether there is enough evidence to support or reject the matters reported.
 - iii) The investigative process is to be conducted in an objective, fair and independent manner.
 - iv) The findings of the investigation are to be included in a written report.
 - v) The Board will maintain oversight and monitoring of the investigation of Disclosures.
 - vi) An employee mentioned in a Disclosure will be advised about the subject of the Disclosure to any employee at a time considered appropriate, depending on the nature of the allegations, but prior to any adverse finding being made against the employee.
 - vii) Any employee who is the subject of a Disclosure will continue to have access to the Active Super Employee Assistance Program (EAP), provided by an independent provider (currently Liquid HR (telephone 1300 887 458 or email enquiries@liquidhr.com.au)).

- viii) Disclosure volumes and reporting channels will be monitored by senior and executive staff in order to identify the type of issues raised and areas for improvement in the management of Disclosures.

14. Accessibility

- a. This Policy is to be reviewed by the Trustee at least every two years to ensure that its provisions continue to be adequate and relevant to Active Super's operations. The Policy is available on the intranet to all Active Super directors, Responsible Persons, Active Super employees and is also available for external parties on the Active Super website.
- b. This Policy is incorporated into the employee induction information packs and training for new starters, and all employees are required to undergo ongoing bi-annual training via the Active Super learning and development system. Specialised training is provided to directors and employees who are responsible for investigating disclosures on a bi-annual basis.

15. Policy information

Internal references	Fit and Proper Policy Grievance Policy
External references	<i>Superannuation Industry (Supervision) Act 1993 (Cth)</i> <i>Corporations Act 2001 (Cth)</i> <i>Taxation Administration Act 1953 (Cth)</i> APRA Prudential Standard SPS 520 <i>Fit and Proper</i> ASIC Regulatory Guide RG 270 <i>Whistleblower Policies</i>
Effective date	December 2023
Review	Every 2 years
Review	This Policy is authorised as follows:
	Authorised by Board of Directors
	Date authorised December 2023
	Version no. 9
	Review date December 2025

Annexure A – Key Contact Details

(i) Active Super Disclosure Officer Details

DISCLOSURE OFFICER	EMAIL	PHONE
Chief Executive Officer (A/g) & Company Secretary	dheffernan@activesuper.com.au	(02) 9333 3000
Chair of the Board	kloades@activesuper.com.au	(02) 9333 3000
Deputy Chair of the Board	cpeate@activesuper.com.au or kMcKeown@activesuper.com.au	(02) 9333 3000
Chief Governance Officer (A/g)	nkalouche@activesuper.com.au	(02) 9333 3000
Chief Risk Officer (A/g) & Fraud Awareness Manager	bkula@activesuper.com.au	(02) 9333 3000
External Auditor	rita.da.silva@au.ey.com	
Independent Officer/Internal Auditor	deanna.chesler@pwc.com	(02) 8266 3560

(ii) ASIC

MEDIUM	CONTACT	AVAILABILITY
Online	https://www.asic.gov.au/about-asic/contact-us/how-to-complain/report-misconduct-to-asic/	Anytime 24/7
Telephone	1300 300 630	Business hours
Address	Level 5, 100 Market Street, Sydney New South Wales 2000	Business hours
See also	- Information Sheet 238 Whistleblower rights and protections (INFO 238)	

- Information Sheet 239 How ASIC handles Whistleblower reports ([INFO 239](#))

(iii) APRA

MEDIUM	CONTACT	NOTES
Email	whistleblower@apra.gov.au	
Address (Public Interest Disclosure)	Chief Risk Officer APRA GPO Box 9836 Sydney NSW 2001	Disclosure letter should be marked 'Confidential'
Email (Public Interest Disclosure)	PID@apra.gov.au	
Telephone	1300 558 849	Business hours

(iv) ATO

MEDIUM	CONTACT	AVAILABILITY
Tip-off Form	https://www.ato.gov.au/tipoffform/#LandingPage	
Telephone	1800 060 062	Business hours
Address	Australian Taxation Office Tax Integrity Centre Locked Bag 6050 Dandenong Vic 3175	Disclosure letter should be marked 'Confidential'

Annexure B – Consent Form to Release Confidential Information

This consent form allows the release of confidential information that was exchanged on:

_____ of _____
(day) (month) (year)

By: _____
(full name of Whistleblower)

(address)

Signature of Whistleblower Date

Signature of Witness Date

SCHEDULE

NAME	POSITION	REASON FOR DISCLOSURE

Annexure C – Whistleblower’s Guide

The following guide has been provided for your information. Should you have any questions, please refer to the appropriate Active Super Disclosure Officer.

1. Do you have reasonable grounds for believing that the alleged conduct has occurred?
2. Have you thought about the outcomes you want to achieve by making a disclosure and having the matter investigated? Are these outcomes realistic and achievable?
3. Possible outcomes of the Whistleblowing process include:
 - a. making person(s) responsible for their wrongdoing;
 - b. preventing the wrongdoing from continuing; and
 - c. creating an opportunity to put better work practices into place to prevent future wrongdoing.
4. Have you identified sources of support from within and outside the workplace that you can rely on during the process?
5. Once you have decided to make a disclosure, you should consider the following:
 - a. Have you read the Active Super Whistleblowing Policy?
 - b. Have you identified the Disclosure Officer and/or external authority to receive your disclosure?
 - c. Do you have enough evidence which shows or tends to show that improper conduct or detrimental action has occurred?