

WHISTLEBLOWER POLICY

1. Document Ownership and Review

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2. Introduction

The Finance Brokers Association of Australia Limited also known as FBAA (the 'Company') is a leading National Association representing Finance and Mortgage Broking professionals throughout Australia. The Company is committed to the highest standards of conduct, promoting and supporting a culture of honest and ethical behavior, corporate compliance and good corporate governance.

The Company offers HR policies and procedures available to all employees. These HR Policies are the first consideration by any person who has a workplace grievance or issue. The Whistleblower Policy is introduced as a further layer to be accessed where serious and systemic acts or issues identified by the Whistleblower Policy arise and, in the view of the Whistleblower, are unable to be resolved by standard workplace policies.

The Company encourages the reporting of any instances of suspected unethical, illegal, fraudulent or undesirable conduct involving the Company and provides protections and measures to persons who disclose wrongdoings confidentially and without fear of intimidation, disadvantage or reprisal.

A Whistleblower is protected against; adverse employment actions (dismissal, demotion, suspension, harassment, or other forms of discrimination) and for raising allegations of malpractice, misconduct or conflicts of interest. Subject to this policy, a Whistleblower is protected even if the allegations prove to be incorrect or unsubstantiated. Employees who participate or assist in an investigation will also be protected.

This Policy is available on the website of Finance Brokers Association of Australia Limited.

3. Objective and Purpose

Whistleblowers are those who sound the alert on danger, malpractice, bribery or corruption or other illegal conduct.

The Finance Brokers Association of Australia Limited Whistleblower Policy (the 'Policy') will outline how the Company will deal with whistleblowing reports, and protection for individuals who make serious wrongdoing disclosures.

The Company supports the reporting of improper conduct. This Policy is designed to promote open communication throughout the Company, develop practices that reduce the risk of Reportable Conduct within the Company, safeguarding the reputation, values and Code of Conduct of the Company.

The objectives of this Whistleblower Policy are to:

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- Provide any person making an allegation (“Whistleblower”) of a Disclosable Matter with a clear framework within which to make the allegation as a Protected Disclosure;
- Ensure reports of Disclosable Matter is dealt with appropriately;
- Give Whistleblowers a clear understanding of how allegations will be dealt with;
- Protect the Whistleblower from victimisation and retaliation;
- Support the Whistleblower throughout the reporting process;
- Afford natural justice and procedural fairness to anyone who is subject of an allegation of a Disclosable Matter;

4. Scope

This policy applies to all current & former directors, employees, managers, consultants, staff, contractors & volunteers. It also extends to suppliers, sponsors, advisers, auditor, accountant, relatives or dependants of these individuals or their spouses (Eligible Persons).

This Policy supplements any other policies applicable to Finance Brokers Association of Australia Limited.

5. Policy

Employees and stakeholders are encouraged to make a report under this Policy if they have reasonable grounds to suspect that a Finance Brokers Association of Australia Limited director, officer, employee, contractor, supplier, tenderer or other person who has business dealings with Finance Brokers Association of Australia Limited has engaged in a Disclosable Matter.

EXAMPLES OF REPORTABLE CONDUCT INCLUDE:

- Dishonest behavior such as altering company records or data, adopting questionable accounting practices.
- Theft or unlawful, irregular use of the Company’s funds
- Corrupt or fraudulent activity;
- Falsification of accounts or financial irregularities
- Failure to comply with, or breach of, legal regulatory requirements.
- Offering or accepting a bribe;
- Illegal activities (e.g. criminal damage to property of the Company, drug dealing, etc.);
- Anything that would breach the Company’s Code of Conduct;
- Involves harassment, discrimination, victimisation or bullying, other than personal work-related grievances as defined in the Corporations Act 2001 (Cth);
- Any behavior that poses a serious risk to the health and safety of any persons at the Company;
- Involves any other kind of serious impropriety.
- Failure of a director or other officer of The Finance Brokers Association of Australia Limited to act with the care and diligence that reasonable person would exercise, or to act in good faith in the best interest of the Association (eg favoring unmeritorious applications for jobs, or contracts by friends and relatives or selling/sharing confidential information of the Association).

Personal work-related issues (CORPORATIONS ACT 2001 (Cth) - SECT 1317AADA) are not within the scope of this Policy and should be raised directly with the General Manager or Managing Director (refer page 4 of this Policy for contact details).

EXAMPLES OF WORK-RELATED GRIEVANCE:

- Work environment
- Conflict between you and another employee
- Relationships in the workplace

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- Organisation changes
- A Decision relating to the Terms and conditions of employment
- A Decision to suspend or terminate your engagement or to otherwise discipline you
- Work performance
- A Decisions that does not involve a breach of workplace laws

However, a disclosure about, or including, a personal work-related grievance may in some instances still qualify for protection where this is sufficient overlap with the Whistleblower regime.

6. Making a Disclosure

The company would like to identify and address serious and/or systemic wrongdoing as early as possible and encourages disclosure of information to be directed to, in the first instance, the Managing Director or General Manager of the Company. Alternatively, a Whistleblower may make disclosure to any of the nominated Protection Disclosure Officers detailed on Page 4 of this Policy at their discretion.

A Whistleblower may wish to seek additional information before formally making their disclosure.

Direct disclosure to a Regulator/s

If the Whistleblower feels they are unable to make a disclosure to any one of the nominated Protection Disclosure Officers due to Conflict, the Whistleblower can make a disclosure directly to a regulatory body (e.g ASIC, APRA, a member of the AFP, the Commissioner of Taxation if tax-related), legal practitioner or other external body about a disclosure matter and qualify for protection under the Corporations Act without making prior disclosure to the Protected Disclosure Officer.

Disclosure to a Journalist

The Whistleblower will be protected if they disclose to a journalist (CORPORATIONS ACT 2001 (Cth) - SECT 1317AAD (3)) or a member of parliament either as a public interest disclosure or an emergency disclosure, provided certain requirements are met.

The Whistleblower must specifically notify the Regulator (not any specific recipient) and then wait 90 days (in the case of a public interest disclosure) before being able to raise the concern with a journalist or member of parliament and only after they have notified the Regulator that they intend to make a public interest disclosure.

If the Whistleblower believes there have not been reasonable grounds that action is being, or has been, taken to address the matter/s to which the previous discloser related;
Or have reasonable grounds to believe that making a further disclosure of the information would be in the public interest.

Emergency Disclosure/s

This policy is not intended to prevent an eligible person making a protected disclosure to the relevant regulators or making an emergency disclosure in accordance with the Acts.

Emergency disclosures (CORPORATIONS ACT 2001(Cth) - SECT 1317AAD(2)) can be made in specific circumstances; however, a Whistleblower must inform the Company in writing if they intend making an emergency disclosure otherwise, they may not be protected under this policy or the Acts.

Anonymous Disclosure/s

A disclosure can be made anonymously, however, this may affect the ability for the Company to investigate the matter properly. If authorities take further legal action on the reported matter, it may become necessary for a Whistleblower to identify themselves.

If the Whistleblower wishes to benefit from the relevant statutory protections, they may also have to disclose their name. In these circumstances the Company will continue to ensure the Whistleblower is protected from retaliation.

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Any person who discloses the identity of a Whistleblower who wishes to remain anonymous (or information that could disclose the identity of the Whistleblower), may face a civil or criminal penalty.

The whistleblower may choose to use an unidentified email address or have an anonymous phone conversation when disclosing information.

7. Protected Disclosure Officers.

Where you have concerns about a Reportable Conduct you can make a confidential report to the below Protected Disclosure Officers, listed in escalation order, in or out of business hours.

Managing Director – Mr Peter White	Phone: 0414 998 687 Email pwhite@fbaa.com.au
Chairperson Board of Directors – Mr Tony Carter	Phone 0418 911 220 Email tcarter@fbaa.com.au
Chairperson of Finance & Risk – Mr Steve Rasmussen	Phone 0412 295 875 Email srasmussen@fbaa.com.au
Company Secretary – Mrs. Kim Szigeti	Phone 0418 728 750 Email kszigeti@fbaa.com.au
P.O. Box 177 Coorparoo Qld 4151	Reports may also be sent via post and attention to one of the above contacts PROTECTED DISCLOSURE OFFICER and their name with the envelope marked CONFIDENTIAL and URGENT ATTENTION .

8. Investigation

Following a disclosure:

All cases of Disclosable Matter will be investigated as soon as possible, (normally within 90 days) after the matter has been reported and if appropriate, provide feedback to the Whistleblower regarding the investigate progress and/or outcome (subject to considerations of the privacy of the person against whom allegations are made). An anonymous Whistleblower should not expect to be notified of the outcome.

Investigation will be conducted in a timely, thorough, confidential, objective and fair manner as is reasonable and appropriate relating to the Disclosable Matter.

The person making the report is required to keep it confidential to avoid jeopardising the investigation.

If there is a conflict of interest the matter should be investigated by the Company's legal firm or such other professional firm.

If you make a Disclosable Matter report, believing the information you are disclosing is true, you will not be penalised if the information turns out to be incorrect. If it is found you have knowingly made a false, malicious, vexatious allegation, this may be a breach of the Company's Code of Conduct and will be considered a serious matter that may result in disciplinary action.

There may also be legal consequences if you make a knowing false report.

Reporting:

At the conclusion of the investigation, the investigator will prepare a report of the finding for the Managing Director or if there is a Conflict the report will go to the Board of Directors.

Where the final report indicates that the malpractice or misconduct occurred, the final report will include recommendations for steps to be taken to prevent the malpractice or misconduct from occurring in the future along with any action that should be taken to remedy any harm or loss arising from the malpractice or misconduct. If required refer that matter to the Finance & Risk Committee or appropriate authorities for further action.

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All Whistleblower information including electronic and hardcopy documents are kept in a safe and secure environment which is determined by the Governance Committee.

9. Protection & Support

A discloser will not be subject to any civil, criminal or disciplinary action for making a report covered by this policy, or for participating in any subsequent investigation by the Company.

No personnel, contractors or officers of the Company may engage in detrimental conduct against the Discloser who has made or proposes to make a report in accordance with this Policy, because of such report or proposed report.

If a Whistleblower experiences any detriment that would amount to action taken in reprisal for making a Disclosable Matter this should be reported to one of the listed entities or if more appropriate, the Board Chairperson, who will take appropriate action to address the situation.

Steps will be taken to make sure that a Whistleblower will not be subject to any form of victimisation, harassment, demotion, dismissal or prejudice because they have made a report. However, this Policy will not protect the Discloser if they are also involved or connected to the disclosed matter of illegal activities that are in the investigative report.

The Company is able to offer support by connecting the Discloser with third party support providers such as Lifeline (13 11 14) and Beyond Blue (1300 22 4636). Use of these support services by a Discloser may require the Discloser to consent to disclosure.

It is a breach of this Policy if The Company or a person engages in conduct or makes a threat that causes detriment to the Whistleblower which may include, but are not limited to:

- Harassment or intimidation of a person;
- Damage to a person's property;
- Damage to a person's reputation;
- Alteration of an employee's position or duties that may disadvantage; or
- Harm or injury to person, including psychological damage.
- Discrimination against a person or his or her family and associates in applications for jobs or contractors' services.
- Dismissal of an employee

10. Confidentiality & Identity Protection of Whistleblower

The Company or person cannot disclose the identity of the whistleblower or information that is likely to lead to the identification of the whistleblower.

Exceptions may include:

- Identity and information are disclosed to ASIC, APRA, or Australian Federal Police;
- Identity and information are disclosed to legal practitioner to obtain legal advice; and
- With the consent of the whistleblower.

The Company will reduce the risk that a whistleblower will be identified by having the following practices in place:

- All personal information in disclosure documents will be redacted;
- The whistleblower will be referred to in a gender-neutral manner in documentation;

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- All documentation relating to disclosure will be stored and retained in an appropriate and secure manner and available only to those directly involved with the investigation; and
- Each individual involved in the investigation will be reminded about the confidentiality requirements and disclosure of the identity of the whistleblower, which may be a criminal offence.

11. Reporting and Governance

The relevant Board Committee responsible for overseeing the Company Whistleblower process is the Governance Committee.

The Committee will be notified of individual Whistleblower Reports and the outcome of any determination or investigation in relation to a report, and the Committee will in turn provide summary reports to the Board.

In addition, a serious Disclosable Matter may be considered for immediate referral to the Chairperson of the Committee and/or the Board Chairperson.

The Protected Reportable Contact/Committee will provide the Whistleblower with regular progress updates and will advise you of the outcome of the investigation to the extent reasonable and appropriate for the association in the circumstances.

The Protected Reportable Contact/Committee will report back verbally or in writing. However, you will not be entitled to receive a copy of the investigation report. Progress updates will depend on the nature of the disclosure.

It is a condition of any employment or engagement by Finance Brokers Association of Australia Limited (FBAA) that all employees, officers and contractors must comply at all times with this Policy.

However, this Policy does not form part of any person's employment or engagement contract with the Company.

12. Compensation and other remedies

A Whistleblower can seek compensation and other remedies through the courts if:

- (a) they suffer loss, damage or injury because of a disclosure; and
- (b) the Company failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

The Whistleblower is to seek independent legal advice for this matter.

13. Breach of Policy

Breach of this Policy may be viewed as misconduct, which could lead to disciplinary action.

Any employee who requires further information about this policy should contact the Company Secretary.

14. Review and Amendments of this Policy

This Policy is reviewed and amended when applicable and appropriate, including when there are changes in business practice, legislation and compliance obligations or at least every 2 years whichever occurs first.

15. Definitions

APRA - Australian Prudential Regulation Authority.

ASIC- Australian Securities & Investments Commission.

AFP- Australian Federal Police.

Whistleblowing - a deliberate, voluntary disclosure of individual or organisational Disclosable Matter by a person who has access to data, events or information about an actual, suspected or anticipated wrongdoing within the organisation.

Protected Disclosure Officers – A representative of the organisation charged with the responsibility to receive and handle protected disclosures from whistleblowers.

Whistleblower – is a Protected Discloser who reports conduct or dishonest or illegal activity that has occurred within the Company.

Disclosable Matter – any conduct deemed reportable as prescribed in page 2 of this policy.

16. Related Legislation

This Policy has been prepared having regard to:
Part 9.4AAA of the Corporations Act 2001 (Cth) (the 'Corporations Act');
Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019
CORPORATIONS ACT 2001 (Cth) - SECT 1317A1

APPENDIX:

Whistleblower Disclosable Matter FORM

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APPENDIX TO WHISTLEBLOWER POLICY

WHISTLEBLOWER REPORT FORM

Please complete this form as best as possible and email to any of the preferred contacts on page 4 of the Whistleblower Policy. Attention it **URGENT** and **CONFIDENTIAL**.

Date:		
<input type="checkbox"/> I consent to the use of the information in this report in accordance with Finance Brokers Association of Australia Limited (FBAA) policies and relevant laws and regulations. <i>You don't need to answer all of the below questions if you do not wish to or do not have the right Supporting information.</i>		
<input type="checkbox"/> I wish to remain anonymous.		
<input type="checkbox"/> I would like a summary of my concerns and proposed actions to be provided to me.		
Subject Matter of Reportable Conduct <i>(please write subject on a separate piece of paper if not enough room below):</i>		
No	Subject	Description/Details
1.	Location	
2.	Person(s) involved in Reportable Conduct (Please provide Name & details).	
3.	What is the nature of the Reportable Conduct?	
4.	Why do you think the information suggests that Reportable Conduct may have occurred?	
5.	Date when you suspect activity was detected:	
6.	Over what time/period has the suspect activity occurred?	
7.	How was the matter detected or how did you learn about this?	

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8.	Do you have evidence or information of the Reportable Conduct?	
9.	Is the evidence in danger of being lost or destroyed?	
10.	Any know Financial Loss?	
11.	Details of others who may be witnesses/know about or have information to assist in this Reportable Conduct.	
12.	Did you receive this information second hand?	
13.	Are you concerned that a reprisal maybe taken against you?	
14.	Please provide as much information as you can to assist the investigation.	

Details of Whistleblower (person lodging the Reportable Conduct) OPTIONAL

Name:
Address:
Preferred telephone no:
Preferred email address:

- I have made a disclosure to.....
- I believe the information I have disclosed is true.
- I have received a copy of Finance Brokers Association of Australia Limited (FBAA) Whistleblower Policy. I understand that information about my complaint is unlikely to reveal my identity or disclosed to anyone else at Finance Brokers Association of Australia Limited (FBAA) without my consent.

Signature

Date