

# Whistleblower Policy

**nib holdings limited ABN 000 125 633 856 and all related entities  
within the nib Group (“the nib Group”) or (“nib”)**

**Dated 22 December 2009**

# Whistleblower Policy

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# Whistleblower Policy

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## 1 Introduction

nib's Code of Conduct and other policies generally have been developed to ensure that nib observes the highest standards of fair dealing, honesty and integrity in its business activities. This Whistleblower Policy (the "**Policy**") has been adopted to ensure concerns regarding any illegal conduct or malpractice can be raised without the person raising the concern being subject to victimisation, harassment or discriminatory treatment

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## 2 Who does this Policy apply to?

This Policy applies to all directors, officers, the Senior Executive and all other employees of all entities within the nib Group ("**Employees**")

This Policy aims to:

- encourage Employees to report an issue if they genuinely believe there has been an incidence, or someone has undertaken improper conduct (see paragraph 3);
  - outline how nib will properly deal with all reported improper conduct.
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## 3 Matters that should be reported

All nib Employees are encouraged to report any genuine matters or behaviours that they honestly believe contravene nib's policies or the law. For the purposes of making a report under this Policy, reportable matters of improper conduct may include:

- dishonest behaviour;
- fraudulent activity;
- corrupt practices;
- illegal activities;
- unethical behaviour (this may represent a breach of the Code of Conduct or be considered generally unethical behaviour);
- other serious improper conduct;
- an unsafe work-practice; or

- any other conduct which may cause financial or non-financial loss to nib or be otherwise detrimental to the interests of nib.

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## 4 What happens to you as a Whistleblower

Any Employee making a report in accordance with this Policy (a “**Whistleblower**”) will not be discriminated against or disadvantaged in their employment with nib. All reasonable steps will be taken by nib to ensure that the Whistleblower will not be subject to any form of victimisation, discrimination, harassment, demotion, dismissal or any current and future bias. This Policy will not protect the Whistleblower employee from the consequences of being a party to the improper conduct or illegal activities that are being reported.

A Whistleblower may elect to make a report anonymously. nib will respect the Whistleblower’s right to not identify themselves to the extent that this is permitted by law. There may be instances where further legal action is taken by authorities and it will become necessary for a Whistleblower to identify themselves. In these instances nib will continue to ensure that the Whistleblower is protected from reprisal.

Whistleblowing is not about settling a grievance. It is about reporting incidences of real or perceived improper conduct. A report may damage the career prospects and reputation of people who are the subject of the allegations. Therefore it is very important that any nib Employee who makes a report under this Policy does so in good faith and that they have sufficient evidence to support their report prior to doing so. nib takes very seriously all claims made by Whistleblowers and it looks particularly unfavourably on any false or vexatious reports that are made. nib may elect to take disciplinary action against a Whistleblower making a false report.

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## 5 Resources

The Board through the Risk & Reputation Committee is the governing body to which all Whistleblower reports and investigations are provided, and where ultimate decision making power in respect of the reports and investigations resides.

### 5.1 Whistleblower Protection Officer (“WPO”)

nib has appointed a Whistleblower Protection Officer who will safeguard the interests of Whistleblowers and ensure the integrity of the whistle blowing mechanism at nib.

The WPO is the person to whom reports can be directed. The WPO will review all reports made and direct these to the Whistleblower Investigations Officer for further investigation. In respect of this policy the WPO has a direct reporting line to the Managing Director/Chief Executive Officer (“**MD/CEO**”) and Risk & Reputation Committee. The WPO also has access to independent advisers as and when required. The current WPO is the company secretary.

### 5.2 Whistleblower Investigations Officer (“WIO”)

nib has also appointed a Whistleblower Investigations Officer who will undertake investigations in respect of all reports made to determine if there is evidence to support or alternatively refute the claims. The current WIO is the Risk & Compliance Manager.

In respect of this Policy the WIO has a direct reporting line to the MD/CEO and the Risk & Reputation Committee

The WPO and WIO act independently of each other and the responsibilities of these roles do not reside with one person.

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## **6 Making a report**

A Whistleblower seeking to make a report can do so through one of the following means

- Phone call to 'Whistleblower Hotline' – 1800 179 379
- An email to – whistleblower@nib.com.au.

nib treats all information provided by a Whistleblower as confidential. The information is maintained securely and only provided to those parties mentioned in this Policy unless required by law or where the consent of the Whistleblower to provide the information to other parties has been obtained.

Employee and industrial relations related issues and human resources related issues are excluded from the operation of this Policy because there are other established mechanisms to raise such issues. For example, employment contract issues can be addressed through nominated dispute resolution procedures, health, safety and environment and EEO issues have processes that are provided through company policies and relevant legislation.

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## **7 Reports concerning the MD/CEO or Whistleblower Protection Officer**

The investigation process in the situation of a complaint made against either the MD/CEO or WPO will be undertaken by the Internal Auditor following the principles, processes and requirements listed above. Any concerns about the MD/CEO or the WPO should be directed to the chair of the Risk & Reputation Committee. The current chair of the Risk & Reputation Committee is Dr Annette Carruthers and she can be contacted on 0407 006 708 or by email at dr.aec@bigpond.net.au.

The Internal Auditor will provide a written report to the Risk & Reputation Committee setting out the findings of the investigation and any remedial steps taken.

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## 8 Investigating a report

In most instances investigations will be conducted by the WIO, however, there may be occasions where external advisers are used to conduct investigations. All investigations are thorough and conducted in a fair and independent manner in accordance with best practice.

The investigator will review all claims made, in conjunction with any evidence provided by the Whistleblower. It may be necessary to conduct interviews with employees, this will undertaken confidentially without the employees being made aware of the substance of the claims.

At the conclusion of the investigation a report will be completed. The report will broadly outline the following;

- The claims made the Whistleblower;
- All the information and evidence collected during the investigation that either supports or refutes the claims;
- The conclusions reached and the reasoning behind each conclusion; and
- Recommendations as to any action to be taken

The investigation report will be provided to the WPO, the MD/CEO and the Risk & Reputation Committee. Where the report is about the MD/CEO or the WPO, the report will be provided directly to the Risk & Reputation Committee.

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## 9 Whistleblower Feedback

The Whistleblower will be kept informed of the progress and outcomes of the investigation being undertaken, subject to the privacy of the person against whom the report is being made.

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## 10 Review of the policy

This policy will be reviewed on an annual basis. This is to ensue that the policy remains consistent with AS 8004-2003 and all relevant legislative requirements and well as the changing nature of the organisation.

**Owned By:** Company Secretary

**Authorised By:** Managing Director/Chief Executive Officer

**Last Updated:** 22 December 2009