

# Whistleblower Protection and Reporting Policy

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## Summary

Our Whistleblower Protection and Reporting Policy outlines your rights as a Whistleblower, our obligations to investigate and report on illegal, unethical or improper behaviour, and how you can speak up.

Everyone at ING has the right to speak up and we encourage you to do so. It's important that if you notice or see something that is illegal, unethical or improper, you tell us. Without your help, potential wrongdoing may go undiscovered.

If you speak up, we'll do the right thing by you. You can speak up anonymously or not – it's up to you. Either way, if you speak up, we can investigate. And if there's a problem, we can fix it. That's how we can become an even better bank.

When you speak up through ING Whistleblower Channels, you may have rights and protections under this policy and applicable laws. We'll comply with our obligations under the applicable laws to protect you. These obligations include the prevention of any detriment, retaliation or retribution against you for speaking up.

If you decide to speak up, there are trusted people who you can talk. Trained senior staff at ING will listen to and support you, and investigate and report on the matter. They'll keep you informed and tell you the outcome. They will also make sure your identity is protected. That's how seriously we take your rights as a Whistleblower.

A reported disclosure remains an allegation until the outcome of any Investigation.

## 1. About this policy

### 1.1 Background and overview

In line with the Orange Code, ING is committed to the highest standards of legal, ethical and moral behaviour.

People who have a working relationship with ING are often first to realise there may be something wrong. However, they may not wish to speak up for fear of appearing disloyal or may be concerned about being victimised or subject to reprisals for reporting wrongdoing.

No Person should be personally disadvantaged for reporting wrongdoing. Not only is it illegal, but it is not consistent with the Orange Code.

ING promotes an environment where legitimate concerns are able to be reported without fear of retaliatory action or retribution. So if a Person is aware of possible wrongdoing they are encouraged to, and have the confidence to, speak up.

This policy forms part of ING's risk management and corporate governance framework. It sets out ING's adopted framework to provide a safe and secure environment for disclosing wrongdoing, and a practical tool for helping ING to identify wrongdoing as early as possible.

### 1.2 Purpose

This policy is intended to:

- encourage you to express your concerns

- tell you how you can express your concerns
- let you know what will happen if you express your concerns, including information about the investigation process, and
- tell you about your rights and our obligations when you express your concerns, including information about when you will be given legal protection for expressing your concerns.

This policy is intended for external use only.

### 1.3 Who this policy applies to

This policy applies to:

- ING Bank (Australia) Ltd and ING Bank N.V. Sydney (**ING, we, us, our**), and
- Whistleblowers (**you**) (see Section 3 for further information).

### 1.4 What kind of disclosures can be made under this policy?

The kind of disclosures that can be made under this policy is broad.

It includes:

- any activity, conduct or state of affairs that is illegal, unethical or improper, or may cause harm
- conduct that is lawful but is a significant risk to public safety, the stability of the financial system, confidence in the financial system or indicates a systematic issue that the relevant regulator should know about to properly perform its functions, and
- allegations of criminality, harassment, unethical behaviour, failure to comply with a legal obligation, suspected or actual misconduct, or conduct prohibited by our standards or code of conduct.

In this policy, these things are referred to as Disclosable Matters.

They can include things relating to inappropriate accounting, internal accounting controls or auditing matters, money laundering or terrorist financing, market abuse, insider trading, breach of client confidentiality or privacy, theft, undesirable behaviours, fraud, and bribery or corruption.

Where you make a disclosure relating to a Disclosable Matter, you will be a Whistleblower under this policy.

Any investigation undertaken in respect of a disclosure will focus on the quality of the information concerning the Disclosable Matter.

### 1.5 What kind of disclosures are not covered by this policy?

This policy does not relate to Personal Work-Related Grievances, except where:

- the Disclosure includes information about a Disclosable Matter or information that indicates ING has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests Misconduct beyond your personal circumstances
- you suffer from or are threatened with detriment for making a Disclosure, or
- you seek legal advice or legal representation about the operation of the Whistleblower protections under the Corporations Act or Taxation Administration Act.

If you have a Personal Work-Related Grievance, you may wish to contact our human resources department, the Fair Work Commission or seek legal advice.

## 1.6 Whistleblower protections

This policy is designed to protect Whistleblowers who act on Reasonable Grounds when reporting a Disclosable Matter. To qualify for protections under the Corporations Act or Tax Administration Act, an Eligible Whistleblower must make an Eligible Disclosure to an Eligible Recipient.

## 2. Policy statement

The following sets out the key principles underlying this policy and when a Whistleblower makes a Disclosure about a Disclosable Matter:

- You are able to report a Disclosure easily and anonymously (if you wish to) through an ING Whistleblower Channel.
- There are no repercussions for making a Disclosure where there are Reasonable Grounds for suspecting that there is a Disclosable Matter (even if it turns out to be unfounded) unless it is a deliberately false report. For example, if it is determined that an Eligible Disclosure is raised maliciously, recklessly or knowing that it was false, the Eligible Whistleblower will not be able to access the Whistleblower protections under the Corporations Act or the Taxation Administration Act (as the case may be). This is not intended to prevent a Person from reporting Disclosures where there are Reasonable Grounds to do so but to address the potential consequences of deliberate false reporting to the entity's reputation and the reputation of individuals who are mentioned in false reports.
- Whether there are Reasonable Grounds for suspecting that there is a Disclosable Matter is based on the objective reasonableness of the reasons for the Person's suspicion. This ensures that a Person's motive for making a Disclosure or their own opinion of the person(s) involved does not prevent them from qualifying for protection. A Person reporting a Disclosure does not need to prove their allegations.
- Their identity must remain confidential at all times in accordance with the applicable laws.
- They will be protected from reprisal, discrimination, harassment or victimisation for making the Disclosure in accordance with the applicable laws.
- The Disclosure will be investigated promptly, recorded and retained in accordance with applicable laws, regulations, policies and procedures.
- Their data and the data of any subjects involved in the investigations will be securely stored and destroyed in conformity with applicable laws, regulations, policies and procedures, including data protection and privacy restrictions.
- It will be taken seriously and investigated in a timely manner with the objective of obtaining evidence to investigate the matter, and take appropriate action following the outcome of the investigation.
- They will be informed about the outcome of the investigation.
- We will use our utmost efforts to protect Whistleblowers from reprisal, as well as any person who provides information or otherwise assist in respect of an investigation.

## 3. Roles and responsibilities

### 3.1 Whistleblowers

#### Who is a Whistleblower?

A Whistleblower is a Person (whether an individual or third party) who reports a Disclosable Matter.

The Person may act for or on behalf of ING or be any other person who has a connection with ING. This Person may be:

- (whether current or former) a director, officer, employee, contractor, consultant, supplier of services or goods to ING (whether paid or unpaid and including their employees), secondee, broker, auditor or an individual who is an associate of ING, or
- a relative, dependent or spouse of any of those people.

### **When does a Whistleblower qualify for protection under the Corporations Act or Taxation Administration Act?**

Protection is available to a Whistleblower who is an Eligible Whistleblower and who makes an Eligible Disclosure to an Eligible Recipient. The Eligible Disclosure can be made to any Eligible Recipient and not just its internal reporting points to qualify for protection.



### **Making a Disclosure**

Whistleblowers should:

- consider using normal reporting channels before reporting a Disclosure (e.g. immediate manager, next level reporting manager, ING human resource department or ING compliance department), or
- report the Disclosure using an ING Whistleblower Channel (refer to Appendix 2).

Whistleblowers must:

- where they have Reasonable Grounds to suspect a Disclosable Matter has occurred, make a Disclosure in accordance with this policy as soon as possible
- provide all relevant information in relation to the Disclosure
- be available to provide information to the ING Whistleblower Channel on an ongoing basis as is required to assist for an investigation into the Disclosure, and
- respect the confidentiality of the process.

Whistleblowers have the right to contact a regulator responsible for maintaining oversight over ING's activities directly.

## **3.2 Whistleblower Champion**

The Whistleblower Champion is the CEO. The Whistleblower Champion is responsible for:

- appointing the WRO and WPO
- the active and regular promotion of this policy and associated procedures within ING
- ensuring the importance of the principles in this policy is reinforced with Senior Managers and they receive appropriate training in how to effectively deal with Disclosures

- ensuring a top-down approach by Senior Managers to ensure the importance of this policy is regularly communicated through all lines of management, and
- ensuring (with the support of human resources and compliance) that this policy and associated procedures are a part of mandatory training.

### 3.3 Whistleblower Reporting Officer (WRO)

The WRO is responsible for ensuring Eligible Disclosures are appropriately investigated. The WRO must (after reasonable preliminary inquiry):

- brief the WPO on the matter and provide support to the Whistleblower
- appoint (with the support of the WPO) Investigators to conduct the Investigation process. The Investigators must be completely independent from the Disclosure and must only be appointed when the WRO and WPO are collectively satisfied that there will be no disadvantage to the Whistleblower
- notify Investigators of the Disclosure allegations while maintaining confidentiality and anonymity of the Whistleblower
- arrange for an inquiry/Investigation into the Disclosure made by the Whistleblower
- be satisfied that each Disclosure they receive has been appropriately inquired into and investigated
- be satisfied that action taken in response to the inquiry/Investigation is appropriate to the circumstances
- maintain oversight over any inquiry/Investigation into retaliatory action taken against the Whistleblower
- notify the appropriate government agencies and ING Group about Whistleblower events where required
- maintain a register for trend analysis and to identify systemic issues requiring attention, and
- prepare regular reports on the effectiveness of the policy to both the next-higher WRO and the Non-Financial Risk Committee on a de-identified basis.

### 3.4 External Whistleblower Channel

ING maintains an externally managed anonymous hotline for receiving concerns under this policy and for reporting concerns where:

- the Disclosure contains allegations against any ING executive committee member, the WRO, WPO and/or the Whistleblower Champion
- where the Whistleblower has a reasonable belief that the usual WRO is not sufficiently independent
- where a Whistleblower thinks they have not been treated fairly or has concerns about adverse action related to their employment as part of the Whistleblower process

### 3.5 Whistleblower Protection Officer (WPO)

The WPO must be an executive committee member appointed by the executive leadership team to support and provide protection to the Whistleblower.

The WPO has a direct reporting line to the CEO and is from an area of the organisation that is independent of line management in the area that is subject of the report of wrongdoing. In the event the current WPO is not independent of such report, the CEO will appoint an alternative WPO.

The WPO is responsible and accountable for ensuring the implementation and effectiveness of the

program. The WPO will:

- ensure all reasonable steps are taken to protect the Whistleblower from reprisal or adverse action related to the Disclosure including matters relating to their employment
- ensure confidentiality and anonymity is appropriately (sometimes disclosures are allowable) maintained during the entire process
- keep the Whistleblower informed of the progress and outcomes of the inquiry/Investigation subject to privacy (this can be delegated but the WPO remains responsible for the actions of the delegate, communicating the final findings and providing relevant assurances to the Whistleblower)
- immediately notify ING's board or the audit or risk committee (as appropriate) if a Disclosure relates to Serious Misconduct.

### 3.6 Investigators

Investigators are appointed by both the WRO and WPO. Investigators are responsible for receiving reports of Disclosures from the WRO for independent inquiry/Investigation. Investigators:

- must have received training specific to Whistleblower protection and confidentiality
- must have internal independence of the line management in the area affected by the reported concern
- must ensure confidentiality and anonymity is maintained during the entire process
- must investigate the substance of the complaint to determine whether there is evidence in support of the matters raised or to refute the report made
- must conduct sufficient inquiry to be able to determine conclusions about the Disclosures made including whether or not Investigation is warranted
- may, with approval of the WPO, second the expertise of other persons within ING to assist in the Investigation and may seek the advice of internal or external experts as required
- are responsible for ensuring the proper conduct of the Investigation and for keeping the WRO and WPO informed of progress
- must escalate to the WPO where the Investigator has reason to believe that a Whistleblower thinks they have not been treated fairly or has concerns about adverse action related to their employment.

## 4. How to make a Disclosure

Disclosures can be made by a Person orally or in writing and can be made anonymously.

To qualify for protection under the Corporations Act or Taxation Administration Act (as the case may be), the Eligible Disclosure must be made by an Eligible Whistleblower directly to an Eligible Recipient such as an ING Whistleblower Channel (see Appendix 2).

The role of an Eligible Recipient is to receive disclosures that qualify for protection. A Whistleblower will qualify for protection from the time they make their Disclosure, whether or not they knew the Disclosure would qualify for protection.

In making a Disclosure, Whistleblowers are requested to provide all information at hand and any known details about the events underlying the Disclosure, such as:

- the date of the events
- the nature of the events



- the name of the Persons involved in the events
- possible witnesses to the events
- evidence of the events (e.g. documents, emails, etc.).

Whistleblowers must meet any reasonable request to clarify any facts and circumstances, to provide additional information and to cooperate with an Investigation. A lack of information can be a reason for deciding not to conduct an Investigation or to conclude that the Disclosure has no factual basis.

If you make an anonymous Disclosure, you will still be protected under the Corporations Act or Taxation Administration Act (as the case may be). You can choose to remain anonymous over the course of the investigation and after it is finalised.

ING encourages you to maintain ongoing two-way communication with ING so it can ask follow-up questions or provide feedback. ING may not be able to undertake an Investigation if it is not able to contact the Whistleblower.

A Whistleblower is encouraged to report and provide new or additional details of the concern through the external hotline. They are responsible for forwarding new or additional details for Investigation on a strict 'need to know' and confidential basis.

The Whistleblower will be informed of the disclosure of this information to authorised parties unless prohibited by the authorities this information is provided to.

A Whistleblower can also make a Public Interest Disclosure or an Emergency Disclosure in the limited circumstances set out in this policy.

## 5. Managing the welfare of a Whistleblower

### 5.1 Protection of Whistleblowers

ING is committed to the protection of Whistleblowers, including protecting their confidentiality. Persons are prohibited from subjecting a Whistleblower to a reprisal and from:

- aiding, abetting, counselling or procuring a reprisal against a Whistleblower
- inducing reprisal against a Whistleblower by threats, promises or otherwise
- in any way, whether by act or omission, directly or indirectly, be knowingly concerned in or a party to reprisal against a Whistleblower, or
- conspire with others to effect reprisal against a Whistleblower.

ING takes seriously any reprisal against a Whistleblower or being involved in any of the conduct listed above and will take appropriate action against Persons who engage in such conduct, including disciplinary action. A Person engaged in reprisal action may also be subject to penalties under the applicable legislation.

The WPO is to protect the interests of the Whistleblower in accordance with the applicable laws.

A Whistleblower will also be protected from civil, criminal or administrative liability for making a Disclosure on Reasonable Grounds in line with this policy. However, this does not prevent the Whistleblower from being subject to any civil, criminal or administrative liability for their conduct that is revealed by the Disclosure.

### 5.2 Protection of Whistleblowers under the law

A Person will also qualify for protection as a Whistleblower under the Corporations Act 2001 (Cth) where the Person is an Eligible Whistleblower and they have:

- made an Eligible Disclosure directly to an Eligible Recipient
- made a Disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the Corporations Act, or
- made an Emergency Disclosure or Public Interest Disclosure.

A Person will also qualify for protection as an Eligible Whistleblower under the Taxation Administration Act 1953 (Cth) where the Person is an Eligible Whistleblower and they have either:

- made an Eligible Disclosure to the Australian Taxation Office (ATO) and the Person considers that the information may assist the ATO perform its functions or duties under a taxation law in relation to ING Australia or an associate of ING Australia
- made an Eligible Disclosure to an Eligible Recipient and the Person considers that the information may assist the Eligible Recipient to perform its functions or duties in relation to the tax affairs of ING Australia or an associate of ING Australia, or
- made a Disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the Whistleblower provisions in the Taxation Administration Act.

A Person will not qualify for protection under the Corporations Act or the Taxation Administration Act where the Disclosure relates to Personal Work-Related Grievances, unless the Disclosure includes any of the following:

- information about an Eligible Disclosure
- information that indicates ING has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public or the Disclosure relates to information that suggests Misconduct beyond the Person's personal circumstances
- the Person suffers from or is threatened with detriment for making a Disclosure, or
- the Person seeks legal advice or legal representation about the operation of the Whistleblower protections under the Corporations Act or the Taxation Administration Act (as the case may be).

Even though a Disclosure made by a Person may not afford the Person protection under the Corporations Act or Taxation Administration Act, such disclosure may be protected under the Fair Work Act 2009 (Cth).

Further information about whistleblowing and whistleblower protections is provided by regulatory bodies, such as the Australian Securities and Investments Commission (see ASIC Information Sheet 239, 'How ASIC Handles Whistleblower Reports') and the Australian Prudential Regulation Authority.

### 5.3 Preventing and responding to Reprisal

ING will take steps, in accordance with its legal obligations, to prevent reprisals against the Whistleblower. The Whistleblower should report all Reprisals to the WPO, who will:

- examine the immediate welfare and protection needs of the Whistleblower
- record details of the incident
- provide guidance to the Whistleblower of their rights, and
- advise the Investigator of the Reprisal.

## 6. Management of the Person who is mentioned in a Disclosure or against whom a Disclosure has been made

ING recognises that a Person who is mentioned in a Disclosure or against whom a Disclosure is made

must also be supported during the Investigation process.

ING is committed to protecting and will take all reasonable steps to protect the confidentiality of the Person who is the subject of or mentioned in a Disclosure during the assessment and Investigation process.

Where the Investigation does not substantiate the Disclosure, the fact that an Investigation has been carried out, the results of the Investigation and the identity of the Person who is the subject of the Disclosure will remain confidential.

The Investigator will provide procedural fairness to a Person who is the subject of a Disclosure being investigated, including by:

- informing them of the substance of the Disclosure where permitted by law and providing an opportunity to respond during the course of the Investigation, and
- setting out the Person's response to the substance of the Disclosure in the Investigation report.

The Investigator will inform the Person the subject of the Disclosure of the outcome of the Investigation.

## 7. Investigations

Investigations of Disclosures will be conducted by the Investigator who will act fairly, impartially and follow best practice in conducting their Investigation.

Except as otherwise provided in this policy, the Investigator will be independent of the business unit concerned, the Whistleblower and any Person who is the subject of the Disclosure.

Generally, other than being asked to answer questions or provide evidence, the Whistleblower and any Person who is the subject of the Disclosure will not be able to participate in the Investigation, management or determination of the matters arising from the Disclosure.

ING will not disclose information that is contained in a Disclosure as part of its Investigation process unless:

- the information does not include the Whistleblower's identity
- ING Australia removes information relating to the Whistleblower's identity or other information that is likely to lead to the identification of the Whistleblower, and
- It is reasonably necessary for investigating the issues raised in the Disclosure.

To the extent permitted, once the Investigation is completed the Whistleblower and Person who is the subject of the Disclosure will be regularly informed about the progress of the Investigation and its outcome.

## 8. Records

ING must maintain records of all activities, reports and information received.

Records may include initial contact reports, transcripts from meetings and verbal conversations about the alleged concern, and facts from an Investigation in accordance with the ING Group investigation policy.

As a minimum, all Whistleblower records must be classified and handled as 'confidential' in accordance with applicable ING information security policies and standards.

They must also be retained and deleted in accordance with applicable laws and regulations, including local privacy, document retention and destruction requirements, and ING policies.

The results of Investigations and any settlements will be reported quarterly, as appropriate, as part of the incident or complaints reporting process at the group level. When significant, results must also be reported as part of the ING Group NFRD and to the relevant committee of the ING Group supervisory board.

ING will safeguard and protect the Whistleblower's identity. These reports will include, when it is not likely to lead to the identification of the Whistleblower:

- the subject matter of each Disclosure
- the type of Person who made the Disclosure (e.g. employee, supplier of goods or services, etc.)
- the action taken for each Disclosure
- the timeframe for finalising each Disclosure, and
- the outcome of each Disclosure.

## **9. Complaints about Reprisals and review of Investigations**

If a Whistleblower believes they have suffered a Reprisal as a result of making a Disclosure, the Whistleblower should raise this concern with the WPO.

If a Whistleblower is not satisfied with the outcome of an Investigation, they can make a complaint through the external hotline, WRO or WPO.

Whistleblowers can also make a complaint with a regulator, such as Australian Securities and Investments Commission, Australian Prudential Regulation Authority or a prescribed Commonwealth authority.

ING is not obliged to re-open an Investigation and can conclude a review of a Disclosable Matter by finding that an Investigation was conducted properly or if new information is not available or would not change the findings of the Investigation.

The complaint will be investigated by the WRO/WPO.

The Investigation findings will be provided to the board and/or audit and/or risk committee.

## Appendix 1: Glossary

Acronym / Abbreviation	Definition
<b>Disclosable Matter</b>	<p>A Disclosable Matter is information where a Whistleblower has Reasonable Grounds to suspect concerns, Misconduct, or an improper state of affairs or circumstances in relation to ING Australia or a related body corporate of ING Australia. Without limiting what a Disclosable Matter is, it includes wrongdoing or conduct that:</p> <ul style="list-style-type: none"> <li>• breaches legislation, regulations or local government by-laws or is otherwise illegal (including corporations law, theft, drug sale/use, violence or threatened violence or criminal damage against property)</li> <li>• is corrupt or is an abuse of public trust or position as a public official</li> <li>• is dishonest or fraudulent</li> <li>• perverts the course of justice</li> <li>• unreasonably endangers health and safety or the environment</li> <li>• is maladministration (e.g. unjust, based on improper motives, is unreasonable, oppressive or negligent)</li> <li>• is serious or substantial waste (including public money or public property)</li> <li>• is gross mismanagement or repeated breaches of administrative procedures</li> <li>• has financial or non-financial loss detrimental to the interests of ING</li> <li>• is an unethical breach of the Code of Conduct</li> <li>• any action taken against, or harm suffered by a Person as a result of making a reporting under this sub-policy</li> <li>• is serious improper conduct that could give reasonable grounds for disciplinary action.</li> </ul>
<b>Disclosure</b>	A report of a Disclosable Matter made by a Person.
<b>Eligible Disclosure</b>	<p>A Disclosure that:</p> <ul style="list-style-type: none"> <li>• in respect of the Corporations Act: <ul style="list-style-type: none"> <li>- concerns misconduct, or an improper state of affairs or circumstances in relation to ING or any of its related bodies corporate, or</li> <li>- indicates that there has been a contravention of any of the following by ING or any of its related bodies corporate, or any of their officers or employees: <ul style="list-style-type: none"> <li>- Corporations Act</li> <li>- ASIC Act</li> <li>- Banking Act</li> </ul> </li> </ul> </li> </ul>

Acronym / Abbreviation	Definition
	<ul style="list-style-type: none"> <li>- Financial Sector (Collection of Data Act)</li> <li>- Insurance Act</li> <li>- Life Insurance Act</li> <li>- National Consumer Credit Protection Act</li> <li>- Superannuation Industry (Supervision) Act, or</li> <li>- an instrument made under any of the above legislation</li> <li>- an offence against any law of the Commonwealth which is punishable by imprisonment for a period of 12 months or more, or</li> <li>- that represents a danger to the public or the financial system.</li> </ul> <ul style="list-style-type: none"> <li>• in respect of the Taxation Administration Act, indicates misconduct or an improper state of affairs or circumstances in relation to the tax affairs of ING or any of its associates, and</li> <li>• does not include a Personal Work-Related Grievance.</li> </ul>
<b>Eligible Recipient</b>	<p>A Person who can receive information via a designated Whistleblower Channel, including:</p> <ul style="list-style-type: none"> <li>• a director, an officer, a Senior Manager, a member of the executive committee, company secretary, an auditor/member of an audit team, an actuary of ING Australia or of a related body corporate of ING Australia</li> <li>• the WRO, alternative WRO, online hotline and external hotline</li> <li>• a Person authorised by the body corporate to receive disclosures that may qualify for protection</li> <li>• in the case of protection afforded under the Corporations Act, it also includes ASIC, APRA or a prescribed Commonwealth authority and in specific circumstances an emergency or public interest disclosure can be made to a Member of a Federal or State Parliament, a member of the legislature of a Territory or a Journalist, and</li> <li>• in the case of protection afforded under the Taxation Administration Act, it also includes the Australian Taxation Office, a registered tax agent or BAS agent (within the meaning of the <i>Tax Agent Services Act 2009</i>) who provides tax agent services (within the meaning of that Act) or BAS services (within the meaning of that Act) to ING Australia and any other employee or officer of ING Australia who has functions or duties that relate to the tax affairs of ING Australia.</li> </ul> <p>Contact details for some of these Whistleblower Channels are provided in <b>Appendix 2</b>.</p>
<b>Eligible Whistleblower</b>	<p>A Person who:</p> <ul style="list-style-type: none"> <li>• in the case of protection afforded under the Corporations Act, is a current or former director or officer (within the meaning of the Corporations Act), employee (whether permanent, part time, fixed term or temporary, interns, secondees, managers and directors), supplier of goods or services (whether paid or unpaid) including</li> </ul>

Acronym / Abbreviation	Definition
	<p>their employees, an individual who is an associate of ING Australia and a relative, dependant or spouse of any of those Persons, and</p> <ul style="list-style-type: none"> <li>• In the case of protection afforded under the Taxation Administration Act, is a current or former director or officer (within the meaning of the Corporations Act), employee (whether permanent, part time, fixed term or temporary, interns, secondees, managers and directors), supplier of goods or services (whether paid or unpaid) including their employees, an individual who is an associate (within the meaning of section 318 of the Income Tax Assessment Act 1936) of ING Australia and a relative, dependent or spouse of any of those Persons.</li> </ul>
<b>Emergency Disclosure</b>	<p>Making an Eligible Disclosure to a member of either State or Federal Parliament, the legislature of a Territory or a Journalist, in circumstances where:</p> <ul style="list-style-type: none"> <li>• the Eligible Whistleblower has previously made an Eligible Disclosure to ASIC and/or APRA or a prescribed Commonwealth Authority</li> <li>• at least 90 days have passed since the Eligible Disclosure was made</li> <li>• the Eligible Whistleblower has Reasonable Grounds to believe the information concerns a substantial and imminent danger to the health and safety of one or more persons or the natural environment</li> <li>• the Eligible Whistleblower has given written notice to the body to whom they previously made the Eligible Disclosure that allows the previous disclosure to be identified and states that the Eligible Whistleblower intends to make an Emergency Disclosure, and</li> <li>• the information disclosed in the Emergency Disclosure is no greater than is necessary to inform the recipient of the Emergency Disclosure of the substantial and imminent danger.</li> </ul>
<b>Employee</b>	<p>Any current or former employee, including employees who are permanent, part time, fixed term or temporary, interns, secondees, managers and directors.</p>
<b>IBAL, ING</b>	<p>ING Bank (Australia) Limited and/or ING Bank N.V Sydney Branch.</p>
<b>Investigation</b>	<p>A search of evidence connecting or tending to connect a Person (either a natural person or a body corporate) with conduct that infringes the criminal law or the policies and standards set by ING.</p>
<b>Investigator</b>	<p>A representative tasked with the responsibility of conducting preliminary investigations into reports received by the Whistleblower Reporting Officer from a Whistleblower.</p>
<b>Journalist</b>	<p>A person who is working in a professional capacity as a Journalist for any of the following:</p> <ul style="list-style-type: none"> <li>• newspaper or magazine</li> </ul>

Acronym / Abbreviation	Definition
	<ul style="list-style-type: none"> <li>• radio or television broadcasting service</li> <li>• electronic service (including a service provided through the internet) that: <ul style="list-style-type: none"> <li>- is operated on a commercial basis or by a body that provides a national broadcasting service (within the meaning of the Broadcasting Services Act 1992), and</li> <li>- is similar to a newspaper, magazine or radio or television broadcast.</li> </ul> </li> </ul>
<b>Misconduct</b>	Misconduct has the meaning given in section 9 of the Corporations Act and includes fraud, negligence, default, breach of trust and breach of duty.
<b>Person</b>	Any Person who makes a complaint through ING's Whistleblower Channels.
<b>Personal Work-Related Grievance</b>	<p>Information disclosed by a Person concerning a grievance about any matter in relation to a Person's employment, former employment, or having or tending to have implications for the Person personally, which does not have significant implications for ING Australia or a related body corporate, and does not concern an actual or alleged Disclosable Matter, unless it involves a detriment to the Person as a result of making a Disclosure.</p> <p>Examples include an interpersonal conflict between the Person and another employee or decisions that do not involve a breach of workplace laws (including about the engagement, transfer or promotion of the Person, about the terms and conditions of engagement of the Person, or to suspend or terminate the engagement of the Person, or otherwise to discipline the Person).</p>
<b>Public Interest Disclosure</b>	<p>Making an Eligible Disclosure to a member of either State or Federal Parliament, the legislature of a Territory or a Journalist, in circumstances where:</p> <ul style="list-style-type: none"> <li>• the Eligible Whistleblower has previously made an Eligible Disclosure to ASIC and/or APRA</li> <li>• at least 90 days have passed since the Eligible Disclosure was made</li> <li>• the Eligible Whistleblower does not have Reasonable Grounds to believe that action is being or has been taken to address the matters in the disclosure</li> <li>• the Eligible Whistleblower has Reasonable Grounds to believe that making the Eligible Disclosure to a member of either State or Federal Parliament, the legislature of a Territory or a Journalist would be in the public interest</li> <li>• the Eligible Whistleblower has given written notice to the body to whom they previously made the Eligible Disclosure that allows the previous disclosure to be identified and states that the Eligible Whistleblower intends to make a Public Interest Disclosure, and</li> </ul>



Acronym / Abbreviation	Definition
	<ul style="list-style-type: none"> <li>the information disclosed in the Public Interest Disclosure is no greater than is necessary to inform the recipient of the Public Interest Disclosure of the matters relating to the Eligible Disclosure.</li> </ul>
<b>Reasonable Grounds</b>	Any grounds which mean or indicate that the concern is sufficiently grounded.
<b>Reprisal</b>	<p>Where a Whistleblower is or is threatened to be subjected to a detriment because of a belief or suspicion that the Whistleblower has made, may have made or may make a Disclosure. It includes any Prohibited Victimization of Whistleblower as defined in appendix 3.</p> <p>Reprisal does not include any administrative action that is reasonable to protect the Whistleblower from detriment or that is instigated to manage unsatisfactory work performance.</p>
<b>Senior Manager</b>	<p>Senior Manager has the meaning given in section 9 of the Corporations Act and means a Person other than a director or secretary of ING who:</p> <ul style="list-style-type: none"> <li>makes or participates in the making of decisions that affect the whole or substantial part of the business of ING, or</li> <li>has the capacity to significantly affect the corporation's financial standing.</li> </ul>
<b>Whistleblower</b>	<p>A Person who is an Eligible Whistleblower and reports a suspected or actual Disclosable Matter.</p> <p>To qualify for protection, a Whistleblower's Disclosure must be made directly through ING's Whistleblower Channels, WRO or any other Eligible Recipient to qualify for protection.</p> <p>Where a Whistleblower is not comfortable reporting through Whistleblower Channels or believes that the WRO, WPO or Whistleblower Champion are involved, a Disclosure can be made through the external hotline.</p>
<b>Whistleblower Champion</b>	A designated ING representative tasked with the responsibility of implementation, operational effectiveness, training and awareness of this Policy.
<b>Whistleblower Channels</b>	These channels include internal and external channels, and include an Eligible Recipient of ING Australia or a related body corporate.
<b>Whistleblower Reporting Officer (WRO)</b>	A designated ING representative tasked with the responsibility of being the first point of contact for receiving Disclosures and facilitating the investigations process within the meaning of this Policy.
<b>Whistleblower Protection Officer (WPO)</b>	A designated ING representative tasked with the responsibility of protecting and safeguarding the interests of Whistleblowers within the meaning of this Policy.



## Appendix 2: Whistleblower channels

Channel	Contact Information
<b>External Hotline</b>	+61 1300 790 228, 9am – 12am midnight AEST/AEDT, Monday – Friday When prompted, use organisation code: <b>INGD2000</b> .
<b>Whistleblower Reporting Officer and Whistleblower Protection Officer</b>	GPO BOX 4094, SYDNEY NSW 2001

## Appendix 3: Whistleblower protections

Definitions aligned to the Corporations Act 2001 and Taxation Administration Act 1953		
Essential Element	Under the Corporations Act	Under the Taxation Administration Act
<b>Reportable conduct</b>	<p>A report is made about information that:</p> <ul style="list-style-type: none"> <li>• concerns misconduct, or an improper state of affairs or circumstances, in relation to ING or any of its related bodies corporate, or</li> <li>• indicates there has been a contravention of any of the following by ING or any of its related bodies corporate, or any of their officers or employees: <ul style="list-style-type: none"> <li>- Corporations Act</li> <li>- ASIC Act</li> <li>- Banking Act</li> <li>- Financial Sector (Collection of Data Act)</li> <li>- Insurance Act</li> <li>- Life Insurance Act</li> <li>- National Consumer Credit Protection Act</li> <li>- Superannuation Industry (Supervision) Act, or</li> <li>- an instrument made under any of the above legislation</li> <li>- an offence against any law of the Commonwealth which is punishable by imprisonment for a period of 12 months or more, or</li> <li>- that represents a danger to the public or the financial system.</li> </ul> </li> </ul>	<p>A report is made about information that indicates misconduct or an improper state of affairs or circumstances in relation to the tax affairs of an entity or an associate.</p>
<b>Reasonable grounds for suspecting</b>	<p>The Person making the report has Reasonable Grounds for suspecting the reportable conduct.</p>	<p>The Person making the report has Reasonable Grounds</p>

Definitions aligned to the Corporations Act 2001 and Taxation Administration Act 1953		
Essential Element	Under the Corporations Act	Under the Taxation Administration Act
<b>Person making the disclosure (Eligible Whistleblower)</b>	The Person is a current or former director or officer (within the meaning of the Corporations Act), employee (whether permanent, part time, fixed term or temporary, interns, secondees, managers and directors), supplier of goods or services (whether paid or unpaid) including their employees, an individual who is an associate of ING Australia and a relative, dependant or spouse of any of those Persons.	The Person is a current or former director or officer (within the meaning of the Corporations Act), employee (whether permanent, part time, fixed term or temporary, interns, secondees, managers and directors), supplier of goods or services (whether paid or unpaid) including their employees, an individual who is an associate (within the meaning of section 318 of the Income Tax Assessment Act 1936) of ING Australia and a relative, dependent or spouse of any of those Persons.
<b>Person receiving the disclosure (Eligible Recipient)</b>	<p>The person receiving the report is one of either:</p> <ul style="list-style-type: none"> <li>• a director, officer, Senior Manager, members of the executive committee, company secretary, an auditor/member of an audit team, an actuary of ING Australia or a related body corporate of ING Australia</li> <li>• the WRO, alternative WRO, online hotline and External Hotline</li> <li>• a person authorised by the body corporate to receive disclosures that may qualify for protection</li> <li>• ASIC, APRA or a prescribed Commonwealth authority</li> <li>• In specific circumstances an emergency or public interest disclosure can be made to a Member of a Federal or State Parliament, a member of the legislature of a Territory or a Journalist.</li> </ul>	<p>The person receiving the report is one of either:</p> <ul style="list-style-type: none"> <li>• A director, officer, Senior Manager, members of the executive committee, company secretary, an auditor/member of an audit team, an actuary of ING Australia or a related body corporate of ING Australia</li> <li>• the WRO, alternative WRO, online hotline and External Hotline</li> <li>• a person authorised by the body corporate to receive disclosures that may qualify for protection</li> <li>• the Australian Taxation Office</li> <li>• a registered tax agent or BAS agent (within the meaning of the Tax Agent Services Act 2009) who provides tax agent services (within the meaning of that Act) or BAS services (within the meaning of that Act) to ING Australia, and</li> </ul>

Definitions aligned to the Corporations Act 2001 and Taxation Administration Act 1953		
Essential Element	Under the Corporations Act	Under the Taxation Administration Act
		<ul style="list-style-type: none"> <li>any other employee or officer of ING Australia who has functions or duties that relate to the tax affairs of ING Australia.</li> </ul>
<b>Name requirement</b>	The Person may decide to provide their name or make the Disclosure anonymously.	The Person may decide to provide their name or make the Disclosure anonymously.
<b>Confidentiality of Whistleblower's identity</b>	<p>It is illegal to disclose:</p> <ul style="list-style-type: none"> <li>the identity of the discloser, or</li> <li>information that is likely to lead to the identification of the discloser must be kept confidential, unless: <ul style="list-style-type: none"> <li>it is reasonably necessary for investigating the issues raised in the Disclosure and all reasonable steps are taken to reduce the risk that the Whistleblower will be identified, or</li> <li>authorised by law.</li> </ul> </li> </ul>	<p>It is illegal to disclose:</p> <ul style="list-style-type: none"> <li>the identity of the discloser, or</li> <li>information that is likely to lead to the identification of the discloser must be kept confidential, unless: <ul style="list-style-type: none"> <li>it is reasonably necessary for investigating the issues raised in the Disclosure and all reasonable steps are taken to reduce the risk that the Whistleblower will be identified, or</li> <li>authorised by law.</li> </ul> </li> </ul>
<b>Whistleblower's right to protection once disclosure is made</b>	<ul style="list-style-type: none"> <li>Person(s) is not subject to any civil, criminal or administrative liability.</li> <li>No contractual or other remedy can be enforced or exercised.</li> <li>Information is not admissible in evidence against the Person in criminal proceedings other than in respect of falsity of the information.</li> <li>It is also important to note that the Whistleblower protections do not grant the Whistleblower immunity from any Misconduct the Whistleblower has engaged in that is revealed in their disclosure.</li> </ul>	<ul style="list-style-type: none"> <li>Person(s) is not subject to any civil, criminal or administrative liability.</li> <li>No contractual or other remedy can be enforced or exercised.</li> <li>Information is not admissible in evidence against the Person in criminal proceedings other than in respect of falsity of the information.</li> <li>It is also important to note that the Whistleblower protections do not grant the Whistleblower immunity from any Misconduct the Whistleblower has engaged in that is revealed in their disclosure.</li> </ul>

Definitions aligned to the Corporations Act 2001 and Taxation Administration Act 1953		
Essential Element	Under the Corporations Act	Under the Taxation Administration Act
<b>Prohibited victimisation of Whistleblower</b>	<p>This includes doing any of the following on the sole basis of the Person making a Disclosure:</p> <ul style="list-style-type: none"> <li>• dismissal, harassment or intimidation of the Person</li> <li>• injury in his/her employment</li> <li>• alteration of position or duties to his/her disadvantage</li> <li>• harm or injury to the Person, including psychological harm</li> <li>• damage to a Person, their property, reputation, business and financial position.</li> </ul>	<p>This includes doing any of the following on the sole basis of the Person making a Disclosure:</p> <ul style="list-style-type: none"> <li>• dismissal, harassment or intimidation of the Person</li> <li>• injury in his/her employment</li> <li>• alteration of position or duties to his/her disadvantage</li> <li>• harm or injury to the Person, including psychological harm</li> <li>• damage to a Person, their property, reputation, business and financial position.</li> </ul>