



Experian Australia Whistleblowing Policy

January 2020



This review is based on the amendments to the Corporations Act per the **Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019**.



The Policy sets forth the principles and standards by which Experian encourages Whistleblowers to come forward with their concerns about suspected misconduct or harm or breaches of the law or dangers at work and the community (Disclosure); facilitates the reporting of such concerns while protecting Whistleblowers' legal rights.

Background

We are committed to achieving the highest possible standards of compliance, quality, honesty, openness and accountability in everything we do. We expect all Experian employees, former employees, officers, volunteers and suppliers (and their employees) to maintain high standards in accordance with our Global Code of Conduct.

However, we recognise that all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of compliance, openness and accountability is essential in order to prevent such situations occurring and to address them in accordance with the law if they do occur.

We encourage all of employees if they have concerns about the way in which we run our business, to raise these at an early stage so that we can deal with such situations effectively. A Whistleblower who provides Disclosure and a recipient of the Disclosure are afforded protection by Australian law.

The Whistleblower is not subject to any civil, criminal or administrative liability (including disciplinary action) for making the Disclosure; no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against the Whistleblower on the basis of the Disclosure.

Here are a few examples of activities that would cause us concern: possible criminal or financial misconduct, a breach of a legal obligation or regulatory or internal requirement (e.g. consumer credit, data protection, code of conduct), or a danger to health, safety or the environment or any disclosure that may be in the public interest. However, you might want to raise concern about something else altogether.

The purpose of this policy is:

- To facilitate the reporting of suspected misconduct by a Whistleblower, in the knowledge that we will manage such concerns and investigate them in accordance with the law, and protect your identity;
- To provide you with guidance as to how to raise those concerns; and
- To emphasise that you can raise genuine concerns without fear of reprisals, even if you turn out to be mistaken.

Experian has prepared this Policy, together with associated controls, procedures and oversight, to ensure the Policy objectives are achieved.

Eligible Whistleblowers

Under the law, an “eligible Whistleblower” is an individual who is, or has been:

- An officer or employee of Experian Australia (e.g. current and former employees who are permanent, part-time, fixed-term or temporary, interns, secondees, managers, and directors);
- A supplier of services or goods to Experian Australia (whether paid or unpaid), including employees (e.g. current and former contractors, consultants, service providers and business partners);
- An associate of Experian Australia; and
- A relative, dependent or spouse of an individual above.

What is Whistleblowing?

Whistleblowing is the disclosure of information where the Whistleblower has reasonable grounds to suspect that the information concerns misconduct, or an improper state of affairs or circumstances or it is related to Experian Australia.

This may include:

- Criminal activity;
- Failure to comply with any legal or regulatory requirements;
- Failure to properly investigate, assess or otherwise handle a complaint or data query;
- Conduct that may cause a substantial and imminent danger to the health or safety of an individual or to the environment;
- Bribery or corrupt behaviour in breach of Experian’s Global Anti-Corruption Policy;
- Conflicts of interest that have not been appropriately reported and managed under Experian’s Conflicts of Interest Policy;
- Financial fraud or mismanagement;
- Conduct likely to damage our reputation;
- Unauthorised disclosure of confidential information;
- Breach of our internal policies and procedures;
- Perverting the course of justice;
- Maladministration;
- An abuse of public trust;
- Falsifying research;
- Tax affairs of Experian Australia;
- The deliberate concealment of any of the above matters;
- Public interest and emergency disclosures that are made to a member of Parliament or a journalist.

Personal work-related grievances

Personal work-related grievances are not within the scope of this Policy and should be raised directly with your Line Manager, or any other Experian leader that you feel comfortable raising the matter with. Personal work-related grievances are issues in relation to your employment with Experian that have implications for you personally (i.e. matters solely related to your personal employment).

Examples of personal work-related grievances include:

- A conflict between you and another employee;
- A decision relating to your promotion or transfer; or
- A decision relating to the termination of your employment.

In some limited instances, a personal work-related grievance may be covered by this Policy, such as where the grievance arises from knowledge of unethical, illegal or fraudulent conduct.

Protection and support for Whistleblowers

You can make a Disclosure to a Recipient or an external organisation without being worried about possible repercussions from whistleblowing.

You must not suffer any detrimental treatment or be threatened with detrimental treatment because of making a Disclosure. Detrimental treatment includes:

- a. Dismissal;
- b. Injury of the Whistleblower in his/her employment;
- c. Alteration of the Whistleblower's position or duties to his/her disadvantage;
- d. Discrimination;
- e. Harassment or intimidation;
- f. Harm or injury;
- g. Damage to the Whistleblower's reputation;
- h. Damage to the Whistleblower's business or financial position'
- i. Any other damage to the Whistleblower,

It is against the law to disclose your identity or information that is likely to lead to your identification, except in circumstances where it is reasonably necessary for the purposes of investigating misconduct, or an improper state of affairs or circumstances.

Additional legislative protections

The law offers protections where "eligible Whistleblowers" make a disclosure outside the Whistleblower Policy. Certain information that is disclosed to certain people or organisations is protected by law.

If an eligible Whistleblower makes a "protected disclosure" under the law that does not comply with the Whistleblower Policy, they will still be entitled to legal protections.

The law also protects certain disclosures made in "emergency" and "public interest" situations, in which case disclosures can be made to additional recipients.

How to raise a concern

You can report a matter to the Experian Confidential Helpline by calling or emailing. The Experian Confidential Helpline is an independent and confidential reporting line that is run by an independent company Expolink. Team members, suppliers, contractors, suppliers, employees of contractors and anyone covered by this Policy may use the Experian Confidential Helpline to report Potential Misconduct.

You may make a confidential report or choose to disclose your identity, it is your choice. If you elect to remain anonymous, Expolink will follow the protocols regarding confidentiality.

The Experian Confidential Helpline can be contacted 24 hours a day 7 days a week. The contact details are available on the Experian Intranet or by requesting these from your line manager, HR or procurement manager.

You can also lodge a Disclosure concern with the following external authorities:

- [ASIC](#)
- [APRA](#)
- [The Commonwealth Ombudsman](#)

Anonymous reports

A report may be submitted anonymously if you do not wish to disclose your identity. You also have the option of providing your details to the Experian Confidential Helpline, without these being passed to Experian. In these instances, the Experian Confidential Hotline will not disclose your identity to Experian, and your report will remain anonymous. Depending on the circumstances, Experian may be able to respond to your report through the Experian Confidential Helpline.

How we will handle your concern

Once you have raised a concern or filed a written report documenting your concern, we will record the details, make preliminary enquiries and carry out an initial assessment to determine if a law has been breached by us. We will inform you of the outcome of our assessment within 28 days of receiving your concern/report. If you have filed a complaint to one of the regulatory bodies, they will follow up with the investigation.

We might need you to provide information to properly investigate

In some cases, we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any action taken as a result. You should treat any information about the investigation as confidential.

The investigator will provide a summary of the investigation to us. The investigator will not include any personal information about you.

If we conclude that an individual has made false allegations maliciously, or with a view to personal gain, we may seek legal advice on our rights against the individual.

Whilst we cannot guarantee that the outcome of your whistleblowing will match any expectation that you have, we guarantee we will handle the matter fairly and properly.