



Bupa ANZ Local Policy

Speak Up Policy

Speak Up is our confidential channel which you can use to report concerns about things relating to Bupa that aren't, or don't seem, right (including breach of Bupa policies) such as the risk of harm to Bupa people, customers, the public or the environment.

Bupa Australia and
New Zealand

June 2024

Love working here

Speak Up Policy

Introduction

Purpose

Consistently achieving high standards in the way we run our business helps us achieve the right outcomes for Bupa, our customers and our people, ultimately ensuring we deliver our Purpose: helping people live longer healthier, happier lives and making a better world, and also live our Values (Brave, Caring and Responsible).

At Bupa we are committed to conducting our business responsibly and with honesty and integrity. However, all businesses face the risk of something going wrong or people behaving in ways which are not appropriate or acceptable. That's why a culture of openness and accountability is so important. We also need to have a framework in place to enable our people to report issues and concerns if they are not able to raise those concerns directly with their immediate teams or if they believe that their concerns have not been dealt with appropriately. Also, some clinicians are bound by professional codes of practice that require them to highlight misconduct or malpractice to a relevant professional body.

Bupa's people policies, systems and processes support our business by treating all of our people in a fair and equitable manner. Decisions concerning speaking up within Bupa will not be influenced by race, sex, pregnancy or potential pregnancy, colour, sexual orientation, gender identity/expression/history, transgender or transsexual status, political belief or activity, religion, marital status, caring responsibilities, parental status, breastfeeding, irrelevant criminal or medical record, national or ethnic origin, disability, age, citizenship or membership of a representative body except where required or justified by any applicable laws.

Scope

This policy is applicable to all Bupa ANZ owned and controlled businesses. This includes all management structures and legal entities / subsidiaries for which Bupa ANZ wholly own or hold a controlling interest (i.e. over 50%).

Where Bupa holds an equal or minority interest (i.e. equal to or less than 50%), the policy's applicability should be on a case by case basis and agreed by the MU MD, ANZ CRO and Group CRO.

It should be applied in Joint Ventures on a 'best endeavours' basis.

This policy is available on the intranet and will also be made available on Bupa's website. All our people, contractors and temporary staff need to be aware of and comply with this policy.

Why is this Policy important?

- Provide a fair and consistent framework within which you are encouraged to speak up, in a responsible way, about any concerns you have as soon as possible, in the knowledge that those concerns will be taken seriously, investigated and responded to appropriately and any request for confidentiality respected.
- Provide you with guidance on how to speak up and information about the protections which will apply to you.
- Reassure you that you are able to raise genuine concerns without fear, even if you turn out to be mistaken.

What if we don't comply?

- Bupa may not be aware of an unsafe practice, risk or wrongdoing which has the potential to cause harm to our people, our customers, the public, the environment or Bupa. Failure to comply may also expose Bupa and individuals to legal or regulatory sanctions.



Principles

Our Principles and Requirements

This section sets out the principal requirements of the policy which apply across Bupa ANZ.

<p>1. What is speaking up?</p>	<p>1.1 We want Bupa to be a place where our people speak up when they have a genuine concern about wrongdoing, misconduct*, a breach of the law or a risk of harm. This may include:</p> <ul style="list-style-type: none"> • Health and safety risks, including risks to Bupa employees, contractors, customers, patients, residents and their families; • Bribes or kickbacks; • Fraud and corruption; • Questionable financial accounting or tax arrangements; • Information security breaches; • Breaches of law / regulation / a professional code – including criminal conduct; • Serious breaches of Bupa policies / processes; • Actions or behaviour which could damage Bupa’s reputation; • Modern slavery concerns; • Environmental concerns; • Actual or potential conflicts of interest; • Anti-competitive behaviour; • Other dishonest or unethical conduct; • Concerns about wrongdoing, misconduct or risk of harm in Bupa’s supply chain, i.e. by those individuals / organisations providing goods and/or services to Bupa; or • Actions intended to hide or cover up any of the above. <p>*If a concern relating to misconduct is solely about a personal work-related grievance (as defined below), it should not be reported through Speak Up. Rather, it should be reported to your local People Team, or to your leader or senior management (see Part 1.2 below). If such concerns are reported through Speak Up, the reporter will be redirected to the appropriate channels.</p> <p>Options to report your concerns</p> <p>1.2 You can use any of the following channels to raise your complaint or concerns:</p> <ul style="list-style-type: none"> • Immediate action: <p>If you see an actual or suspected unsafe practice, risk or wrongdoing, decide whether it is appropriate for you to tackle it yourself, there and then. Where appropriate, a firm, polite challenge is sometimes all that is needed.</p> <ul style="list-style-type: none"> • Report to your Leader or senior Manager: <p>In many cases, it will be appropriate to raise your concerns with your manager or, where this is not possible, a more senior manager, without formally Speaking Up under this policy. You are encouraged to have an open dialogue with your managers, as they may be able to help resolve your concern quickly and effectively.</p> <ul style="list-style-type: none"> • Raise a Concern: <p>Complaints relating to your own personal circumstances (such as a <u>Personal Work-Related Grievance</u> regarding the way you have been treated at work) would not usually be raised under this policy, and can be more appropriately addressed by using our Raise a Concern process, by either:</p>
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- submitting your formal complaint using the Raise a Concern form [here](#) (your complaint will be submitted to your local People Partner for review and action under the Raise a Concern process), or
- submit your complaint or concerns directly to your local People Partner (find your People Partner support [here](#)).

- ***Speak Up (Whistleblower service):***

To report serious conduct that may be a Protected Disclosure (and is not a Personal Work-Related Grievance), see section 2 below.

Reporting fraud, money laundering or terrorist financing

1.3 If, during the course of your work, you have reasonable grounds to suspect money laundering, terrorist financing or fraud, a confidential suspicion report should be made to the:

- General Counsel, Maria Marinelli (email: maria.marinelli@bupa.com.au, phone: +61 418 926 976), or
- Legal Director – Bupa Villages & Aged Care ANZ, Employment & Litigation, Calum Cook (email: calum.cook@bupa.com.au, phone: +61 403 497 769).

Need advice, or not sure which channel to use?

1.4 If you need help deciding if the concern you have should be raised through Speak Up, you can speak to:

- Your local:
 - Speak Up Officer, Calum Cook, Legal Director – Bupa Villages & Aged Care ANZ Employment & Litigation (email: calum.cook@bupa.com.au, phone: +61 403 497 769), or
 - Deputy Speak Up Officer, Alana Elliot, Senior Legal Adviser, (email: alana.elliott@bupa.com.au; phone +61 466 457 168), or
- NAVEX Global, an independent company which is our partner in providing telephone and web reporting services for Speak Up matters. NAVEX Global is a trusted partner managing the whistle blowing, ethics and compliance hotlines for over 10,000 organisations worldwide. You can contact NAVEX Global:
 - Through the Speak Up website at www.bupa.com/speakup; or
 - on a local telephone number in your jurisdiction:

Australia: 1-800-47-9241

New Zealand: From an outside line dial the direct access number for your location: 000-911

- At the English prompt dial: 855-831-3143



<p>2. If you want to Speak Up</p>	<p>2.1 If you would like to Speak Up under this policy, and have the benefit of the formal protections outlined in this policy, you can contact:</p> <ul style="list-style-type: none"> • NAVEX Global through the website at www.bupa.com/speakup or by telephone (see local numbers above). Both the website and the local telephone hotlines are available 24 hours a day, seven days a week and can take questions and concerns in many languages; • The General Counsel (see details in Part 1.3 above); or • A Speak Up Officer (see details in Part 1.4 above). <p>2.2 When you make a report, we ask that you give us as much information as possible about your concern to help us investigate it fully. For example, dates, times and locations of any incidents you refer to, a description of specifically what occurred, and the names of any people involved. You may make an anonymous report (see part 3 below), however we encourage you to provide as much information as possible to make it easier to investigate and address your report.</p> <p>2.3 We will write to you within 5 working days to let you know we have received your concern(s) and, where appropriate, a meeting will be arranged with you to discuss your concern(s).</p> <p>2.4 Where the circumstances may give rise to a conflict of interest (e.g. where the speak up report involves the Speak Up Officer themselves), the Speak Up Officer must take appropriate steps to eliminate that conflict of interest (e.g. ensuring that the person the subject of the report is not involved in any way in its resolution).</p>
<p>3. Confidentiality and anonymity</p>	<p>3.1 When you Speak Up under this policy, we will not disclose your identity to anyone without your prior consent or share information that could be used to work out your identity. Bupa will only disclose such information:</p> <ul style="list-style-type: none"> • in exceptional circumstances, such as where allowed or required by law, or • where your complaint has been identified as a <u>Personal Work-Related Grievance</u> not covered by this policy, for the purposes of referring the matter to the People Team (and if necessary, relevant members of management) under the Raise a Concern process. <p>3.2 If you consent to us disclosing your identity, these details will only be shared with those who need to be involved in investigating and addressing your concern (i.e. the investigator and, if necessary, relevant members of management). These people will also be required to keep your identity confidential.</p> <p>3.3 Where necessary, Bupa will securely share and store information concerning the disclosure and investigation to protect the confidentiality of the discloser.</p> <p>3.4 If you want to keep your identity secret, you may prefer to make an anonymous report and choose not to answer any questions that could reveal your identity. If you do want to report a concern without giving your name please do so by contacting NAVEX Global through the website at www.bupa.com/speakup or by telephone (see local numbers above). You will be given a personalised report key and password that you can use to access the Speak Up system to receive updates on the concern you have raised from NAVEX Global.</p>



	<p>Things to note about remaining anonymous</p> <p>3.5 If you report a concern anonymously, Bupa may be limited in the way it can respond, if all required information is not provided and we have no way of contacting you for more information.</p> <p>3.6 If you do not provide your consent to us to disclose your identity, Bupa may be limited in the way it can respond (for example, without using your name, we may not be able to put allegations to a Respondent in an investigation, which may limit the availability of further actions).</p> <p>3.7 If you are concerned about being treated badly if someone finds out that you have raised a concern, supported someone who has raised a concern or taken part in the investigation or resolution of a concern, please be assured that you are protected against such poor treatment (called ‘victimisation’) when you report genuine concerns, whether through Speak Up or Raise a Concern – see section 6 for further details.</p>
<p>4. Advice</p>	<p>4.1 If you feel you would like to take advice before speaking up or if you believe that you may be treated badly or that the concern you report may be covered up, you can take advice from your Speak Up Officer or raise a question through the Speak Up website at www.bupa.com/speakup.</p>
<p>5. Review, investigation and outcome</p>	<p>Speak Up Review</p> <p>5.1 Once you have reported something through Speak Up, we will, as soon as possible, decide whether this policy, or the Raise a Concern process, applies to your concern; and, if this policy applies, how any investigation should be carried out.</p> <p>Investigation and Outcome</p> <p>5.2 In some cases we may ask either one person or a team of people to investigate your concern including colleagues with relevant experience or specialist knowledge of the subject matter. Any investigation will be carried out in a fair and timely way. We expect all of our people to co-operate fully, openly and honestly in relation to any investigation. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing/danger. We are committed to implementing such findings and recommendations.</p> <p>5.3 We will aim to keep you informed of the progress of the investigation and its likely timescale. The length of time needed to investigate will depend on the concern(s) raised.</p> <p>5.4 When appropriate, a person being investigated will be provided with details of the report that involves them (to the extent permitted by law) and be given an opportunity to respond.</p> <p>5.5 Please also be aware that sometimes the need for confidentiality may stop us from giving you specific details of the investigation or any disciplinary action taken as a result. At the end of the investigation process, we will inform you that the report has been closed and, where appropriate, inform you of any outcome. You should treat any information about the investigation as confidential.</p> <p>5.6 We will aim to ensure all investigations are concluded within 30 days. However, prevailing circumstances (such as the complexity of the issues involved, capacity of investigators and availability of witnesses) may mean that investigations will conclude beyond this timeframe.</p>



	<p>5.7 In circumstances where wrongdoing is identified by an investigation, Bupa is committed to rectifying the wrongdoing as far as practicable, and will consider whether measures can be put in place to prevent such wrongdoing in the future.</p> <p>What can you do if you are not satisfied with the outcome?</p> <p>5.8 We will always try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.</p> <p>5.9 If you are not happy with the way your concern has been handled under this policy, you can raise it with either your Speak Up Officer or the Group Chief Legal Officer, Penny Dudley (email: penny.dudley@bupa.com).</p>
<p>6. Protection and support</p>	<p>6.1 We understand that people who speak up are sometimes worried that they will be treated badly because they have done so. We encourage openness and will support people who raise genuine concerns under this policy, even if they turn out to be mistaken.</p> <p>6.2 We also appreciate that being the subject of an investigation into a concern can be worrying. Any investigation undertaken will be fair and objective – this may involve using an independent (external) investigator, where appropriate. You will be provided appropriate support in these circumstances. Such support will include access to counselling services through Bupa’s Employee Assistance Program.</p> <p>6.3 We will not accept <u>detrimental treatment</u> (or victimisation) of any person who raises, is mentioned in, or takes part in the investigation of, a genuine concern.</p> <p>Detrimental treatment includes dismissal, disciplinary action, bullying, threats and any other poor treatment connected with speaking up.</p> <p>If you feel that you have suffered any such treatment as a result of speaking up, you should inform your Speak Up Officer or the Group Chief Legal Officer.</p> <p>Any concerns raised will be thoroughly investigated, and any person found to have victimised someone who has spoken up will be subject to disciplinary action.</p> <p>6.4 If you are concerned that you may potentially be treated unfairly or you are feeling concerned about speaking up, you should speak to your Speak Up Officer to discuss other measures that could be put in place to assist you. Such measures may include assisting you to contact Bupa’s employee assistance program for counselling, or making a temporary change to your employment arrangements (if practicable), such as your hours of work, location or reporting line.</p> <p>6.5 There are also important protections available to “eligible whistleblowers” under legislation. These protections are outlined at Attachments A and B to this policy.</p> <p>Respondents to a Speak Up report</p> <p>6.6 You must not threaten or react negatively in any way against those who Speak Up or take part in a Speak Up investigation. Detrimental treatment is a very serious breach of this policy and the ANZ Code of Conduct – and it is against the law. If you are involved in such conduct, you will be subject to disciplinary action.</p>



<p>7. Record keeping and privacy</p>	<p>7.1 Adequate and relevant records will be securely kept in accordance with our records retention policies and procedures. These may include but will not be limited to investigatory notes, witness statements, minutes of meetings, mails, notes of telephone calls and copies of correspondence. These records will be kept in an organised and confidential manner.</p> <p>7.2 Your privacy is important to us. The personal information you provide in Speaking Up will be treated in the strictest of confidence and will be used for the purposes of investigating and addressing the issues you have raised. Subject to the confidentiality requirements set out at part 3 above, your responses will only be viewed by or disclosed to members of Bupa’s People and management teams, and any persons engaged by us, or acting on our behalf in the investigation process, on a “need to know” basis. From time to time in undertaking the speak up process, we may disclose personal information to recipients located outside of Australia, including recipients located in the United Kingdom. When you are involved in this process, personal information collected by Bupa in respect of the speak up process will be collected, stored, used and disclosed in accordance with the Privacy Act 1988 (Cth) and Bupa’s policies regarding privacy (see: http://www.bupa.com.au/privacy-and-security). Anonymised or aggregated data (which does not in any way identify you) may be used by Bupa, or disclosed to others, for research or statistical purposes. For information about how you may access your personal information or make a complaint, please refer to our Privacy Policy located at http://www.bupa.com.au/privacy-and-security or contact your Speak Up Officer. If you have any queries regarding the way Bupa handles your personal information, please contact your Speak Up Officer (details in Section 1.4 above).</p>
<p>8. Review</p>	<p>8.1 This policy will be reviewed annually by the Speak Up Officer or more often if required. In addition, the Speak Up Oversight Group (a group of Bupa employees – including Speak Up Officers – across the Bupa group) meets four times a year (and more frequently as required) to review the operation and effectiveness of this programme on an ongoing basis.</p>



Attachment A - Summary of protections available under Australian law

1. Additional legislative protections	<p>You are encouraged to speak up by following the process set out under this policy. However, the law offers protections in other cases (for example, “eligible whistleblowers” can report potential misconduct to people other than the persons outlined in this policy). If you are an “eligible whistleblower” and make a “protected disclosure” under the law that does not comply with the Speak Up Policy, you will still be entitled to the legal protections. You will be entitled to these protections even if you elect to remain anonymous.</p> <p>Please contact your Speak Up Officer or the General Counsel if you would like more information about legal protections.</p>	
2. Eligible whistleblowers	<p>Under the law, an “eligible whistleblower” is an individual who is, or has been:</p> <ul style="list-style-type: none">• an officer or employee of Bupa (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 Bupa, whether paid or unpaid (e.g. current and former contractors, consultants, service providers and business partners);• an associate of Bupa; and• a relative, dependent or spouse of an individual above.	
3. Protected disclosures	<p>Certain information that is disclosed to certain people or organisations is protected by law. Examples of this information and recipients are outlined in the following table.</p>	
	Information reported or disclosed	Recipient of disclosed information
	<p>General disclosable matters</p> <ul style="list-style-type: none">• Information about actual or suspected misconduct (which includes fraud, negligence, default, breach of trust and breach of duty), or an improper state of affairs or circumstances in relation to Bupa ANZ or its related bodies corporate.• Information that Bupa ANZ or its related bodies corporate, or any officer or employee of Bupa ANZ or its related bodies corporate, has engaged in conduct that:<ul style="list-style-type: none">○ contravenes or constitutes an offence against certain legislation (e.g. the <i>Corporations Act 2001</i> (Cth));○ represents a danger to the public or the financial system; or○ constitutes an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more.	<p>Recipients for any general disclosable matters</p> <p>To qualify for protection under law, you must make the disclosure directly to:</p> <ul style="list-style-type: none">• a person authorised by Bupa ANZ to receive protected disclosures – as set out in section 1.4 of the policy;• an officer or senior manager of Bupa ANZ or its related bodies corporate;• an auditor, or a member of an audit team conducting an audit, of Bupa ANZ or its related bodies corporate;• an actuary of Bupa ANZ or its related bodies corporate;• ASIC or APRA;• a Commonwealth Authority prescribed to receive disclosures; or• a legal practitioner for the purpose of obtaining legal advice or legal representation.



	<p>The person making the disclosure must have reasonable grounds to suspect that the information concerns misconduct or an improper state of affairs.</p> <p>Note that “<u>Personal Work-Related Grievances</u>” are not protected disclosures under the law.</p>	
	<p>Tax-related disclosable matters</p> <p>Information about misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of Bupa ANZ or an associate, which the employee considers may assist the recipient to perform functions or duties in relation to the tax affairs of Bupa ANZ or an associate.</p>	<p>Recipients for any tax-related disclosable matters</p> <ul style="list-style-type: none"> • A person authorised by Bupa ANZ to receive reports of tax-related disclosable matters. • An auditor, or a member of an audit team conducting an audit, of Bupa ANZ entities. • A registered tax agent or BAS agent who provides tax services or BAS services to Bupa ANZ entities. • A director, secretary or senior manager of a Bupa ANZ entity. • An employee or officer of Bupa ANZ who has functions or duties that relate to the tax affairs of Bupa ANZ entities. <p>A legal practitioner for the purpose of obtaining legal advice or legal representation.</p>
	<p>Further tax-related information</p> <p>Information that may assist the Commissioner of Taxation to perform his or her functions or duties under a taxation law in relation to Bupa ANZ or its associates.</p>	<p>Recipients for any further tax-related information</p> <ul style="list-style-type: none"> • Commissioner of Taxation. <p>A legal practitioner for the purpose of obtaining legal advice or legal representation.</p>
	<p>The law also protects certain disclosures made in “emergency” and “public interest” situations, in which case disclosures can be made to additional recipients by following a special process set out under law (such as journalists and members of Parliament). If you wish to make a disclosure in such circumstances, it is important that you understand the legal criteria for making a protected public interest or emergency disclosure. Please contact your Speak Up Officer or the General Counsel if you would like more information, or seek external legal advice.</p>	



Personal work-related grievances

Legal protection for disclosures about personal employment related matters is only available under the law in limited circumstances.

A personal work-related grievance may still qualify for protection if it:

- concerns detriment to you because you have or may be considering making a protected disclosure;
- is made to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the law about whistleblowers;
- has significant implications for Bupa that do not relate to the discloser;
- concerns conduct, or alleged conduct, in contravention of specified corporate or financial services laws, or that constitutes an offence punishable by 12 months or more imprisonment under any other Commonwealth laws; or
- concerns conduct that represents a danger to the public or financial system.



4. Specific protections and remedies

Additional legislative protections

Confidentiality

If you make a protected disclosure, you do not have to provide your name or contact details, and you can choose to remain anonymous. However, this can sometimes make it difficult for Bupa to effectively investigate your report. If you choose to disclose your identity to an eligible recipient, they are legally required to maintain your confidentiality unless the law permits them to disclose it. For the purpose of investigating your disclosure, your identity or identifying information may legally be shared in the following circumstances.

- If you provide consent.
- If the recipient needs to disclose to a lawyer (including Bupa legal counsel) to obtain advice on whistleblower laws.
- If your identifying information (which does not include your identity) is reasonably necessary to investigate the report and the recipient/Bupa has taken all reasonable steps to reduce the risk of you being identified.

Detrimental treatment

Protections may be available under law if you experience **detrimental treatment**, which include:

- compensation for loss, damage or injury suffered as a result of detrimental conduct;
- an injunction to prevent, stop or remedy the effects of the detrimental conduct; and
- an order requiring an apology for engaging in the detrimental conduct;
- if the detrimental conduct wholly or partly resulted in the termination of an employee's employment, reinstatement of their position; and
- any other order the court thinks appropriate.

If you believe that you may have experienced detrimental treatment as a result of making a protected disclosure, please speak to the Speak Up Officer. Alternatively, you may seek independent advice from a legal practitioner or notify the Australian Securities & Investments Commission.

Detrimental treatment includes dismissal, demotion, harassment, discrimination, disciplinary action, bias, threats or other unfavourable treatment connected with making a report. It does not include, for example, management of unsatisfactory work performance in accordance with Bupa's performance framework, or administrative action taken for the purpose of protecting you from detriment where you have made a protected disclosure.

The law also states that if you make a protected disclosure:

- in some circumstances (e.g. if the disclosure has been made to a regulator) the information you provide is not admissible in evidence against you in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information;
- you are not subject to any civil, criminal or administrative liability for making the disclosure (you may still be liable for conduct that you have engaged in, revealed by the disclosure); and
- no contractual or other remedy may be enforced or exercised against on you the basis of the disclosure.



Attachment B - Summary of protections available under New Zealand law

1. Additional legislative protections	<p>You are encouraged to speak up by following the process set out under this policy. However, the law offers protections to issues that qualify as 'protected disclosures' (for example, "disclosers" can report serious wrongdoing to people other than the persons outlined in this policy). If you are an "discloser" and make a "protected disclosure" under the <i>Protected Disclosures (Protection of Whistleblowers) Act 2022</i>, you will be entitled to those legal protections even if you are mistaken that there is serious wrongdoing or you do not refer to the Act when you make the disclosure.</p> <p>Please contact your Speak Up Officer or the General Counsel if you would like more information about legal protections under the <i>Protected Disclosures (Protection of Whistleblowers) Act 2022</i> (NZ).</p>
2. Who can make a protected disclosure?	<p>Under the law, a "discloser" is an individual who is, or has been:</p> <ul style="list-style-type: none"> • an employee of Bupa (e.g. current and former employees who are permanent, part-time, fixed-term or temporary, interns, secondees, managers, and directors or homeworkers); • a contractor; • concerned in the management of Bupa (including, for example, a person who is or was a member of the board or governing body of Bupa); • a volunteer working for Bupa.
3. Protected disclosures	<p>A disclosure is a protected disclosure if the discloser:</p> <ul style="list-style-type: none"> • believes on reasonable grounds that there is, or has been, serious wrongdoing in, or by, Bupa; • discloses the information through Bupa's internal processes, to the head or deputy head of Bupa or to an Appropriate Authority; and • does not make the disclosure in bad faith.
4. Serious Wrongdoing	<p>Serious wrongdoing includes any act, omission or course of conduct in, or by, Bupa that is one or more of the following:</p> <ul style="list-style-type: none"> • a serious risk to public health or public safety; • a serious risk to the health and safety of any individual; • a serious risk to the environment; • a serious risk to the maintenance of law; • an unlawful or corrupt or irregular use of public funds or public resources.
5. Who to make a protected disclosure to	<p>A 'discloser' can make a protected disclosure at any time:</p> <ul style="list-style-type: none"> • in accordance with the processes in this policy (see 2.3); • to the head or deputy head of Bupa; • to an Appropriate Authority (the head of any public sector organisation, an officer of Parliament or a membership body of a particular profession, trade or calling with the power to discipline its members for example Worksafe, the Human Rights Commission, an Ombudsman, the Commerce Commission, the Ministry of Health or the Health and Disability Commissioner)
5. Legislative Protections	<p>The following legal protections are available to protected disclosures:</p>



- **Confidentiality** - Bupa will use its best endeavours to keep information that might identify the discloser confidential (unless the discloser consents to the release of the identifying information or there are reasonable grounds to believe that the release is essential for the effective investigation of the disclosure, to prevent a serious risk to public health, public safety, the health and safety of any individual or the environment or to comply with the principles of natural justice or to an investigation by a law enforcement officer or regulatory agency). A breach of this obligation is a breach of the Privacy Act 2020.
- **No retaliation against employees** – Bupa will not retaliate or threaten to retaliate against an employee because the employee intends to make, or has made, a protected disclosure. Retaliation includes dismissal, not offering the employee the same benefits or the same terms and conditions of employment, subjecting the employee to a detriment or disadvantage, retiring the employee, or requiring or causing the employee to retire or resign. Such retaliation will give rise to a personal grievance claim under the Employment Relations Act 2000.
- **No victimisation** – Bupa will not treat or threaten to treat another person less favourable in the same or substantially similar circumstances because that person (or their relative or associate) intends to make, or has made, a protected disclosure, has encouraged another person to make a protected disclosure or has given information in support of, or relating to, a protected disclosure. A breach of this obligation is unlawful under the Human Rights Act 1993.
- **Immunity from civil, criminal, and disciplinary proceedings** – A disclosure or a receiver who refers a protected disclosure will not be liable to any civil, criminal or disciplinary proceedings because of making or referring the disclosure.



Supporting Information and Document Control

Standards

Related Standards:

- n/a

Guidance & Further Information

Related Guidance:

- Bupa Code

Related policies:

- Bupa ANZ Code of Conduct

All documents must be made accessible to relevant employees with the Functional Unit/ Business Unit Workplace page or supporting system such as BACA BMS.

Definitions

Speaking Up

Means to report a genuine concern about suspected or actual wrongdoing or dangers at work covered under this Policy by following the process outlined in Part 2 of this Policy.

Personal Work-Related Grievance means any grievance relating to a person's employment (or former employment) which has implications for the person personally.

Document Control

This Policy forms part of Bupa ANZ Policy Suite. The principle requirements in this Policy align to those set out in the Bupa Enterprise Speak Up Policy, applicable across the Bupa Group. Bupa ANZ have adopted the principles requirements and have included additional requirements for implementation across Bupa ANZ.

This Policy does not form part of the terms and conditions of employment unless specifically agreed otherwise by the Chief People Officer, Chief Risk Officer, and General Counsel.

Key Contacts

- **ANZ Local Policy Sponsor:** Maria Marinelli
- **ANZ Local Policy Owner:** Calum Cook

Approval Authority

- Maria Marinelli (ANZ Local Policy Sponsor)
- Calum Cook (ANZ Local Policy Owner)

Confidentiality

Company Internal: Should only be shared with third parties after agreement by the ANZ Local Policy Sponsor.

Version History Notes: Speak Up Policy has in the past been a standalone policy from the Enterprise version (as required by Bupa Group for each MU to establish its own Speak Up Policy) and approved by the General Counsel.

Current Version: V4 – ANZ localisation of Centre Enterprise Policy

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