

# SKILLINVEST

## WHISTLEBLOWER PROTECTION POLICY

### VERSION

2026-01

### LAST REVIEW

April 2026

### NEXT REVIEW

April 2028

### REVIEW FREQUENCY

Biennial

### APPROVAL

Any updates or amendments to this policy must be approved by the Skillinvest Board of Directors

# SKILLINVEST LIMITED

## WHISTLEBLOWER PROTECTION POLICY

This policy covers the Skillinvest Limited (Skillinvest) business and their departments, including Longerenong College.

Skillinvest is committed to improve workplace diversity and equity and to achieve equal representation of women and men across the workplace.

### INTRODUCTION

Skillinvest Limited (**Skillinvest**) is committed to operating in a legal and ethical manner and to identifying and responding to any illegal, improper or unethical conduct.

To support this commitment and ensure compliance with relevant legislation, Skillinvest encourages employees to raise concerns about any known or suspected improper conduct within Skillinvest's operations. The processes outlined in this Whistleblower Protection Policy (**Policy**) are intended to encourage staff to confidentially raise serious concerns without fear of reprisal, dismissal or discriminatory treatment. Prompt and appropriate action will be taken to investigate each report received to ensure improper conduct is detected and addressed appropriately.

All employees are required to read this Policy carefully and are expected to fully comply with this Policy as amended and implemented from time to time.

To the extent that this Policy refers to obligations on Skillinvest, they are guidelines for management or summaries of applicable legislative requirements only and are not contractual terms, conditions or representations on which a staff member may rely.

This Policy will be made available on Skillinvest's extranet and website and hard copies will be available on request from the Skillinvest People and Culture Manager.

### PURPOSE

The purpose of this Policy is to:

- Deter wrongdoing and misconduct;
- encourage and support the reporting of Improper Conduct;
- give whistleblowers assurance that it is safe to report Improper Conduct by outlining the protections and support that will be provided by Skillinvest;
- outline the processes to be followed in handling reports, including:
  - how disclosures of Improper Conduct can be reported and to whom;
  - how reports will be investigated;
  - how fair treatment of employees mentioned in disclosures (or to whom disclosures relate) will be ensured; and
- ensure that the Policy is made available and understood by all employees.

The Policy does not replace the standard channels for reporting concerns about workplace behaviour, and employees should continue to use existing processes, including raising issues to their managers or senior management in accordance with policies and procedures.

The procedures under this Policy should only be used where the matter is so serious that there is a genuine and reasonable belief the matter has not been or cannot be appropriately dealt with using normal reporting channels.

## **SCOPE**

This policy applies to ‘**eligible whistleblowers**’, i.e. individuals who have, or have had, a relationship with Skillinvest. This can include officers, directors, employees, former employees, contractors, suppliers, as well as associates and family members of these individuals.

## **1. DEFINITIONS**

In this Policy, words have the following meaning unless the context otherwise requires:

“**Improper Conduct**” means misconduct by Skillinvest or its officers/employees which is, or could be, a breach of general law, policy, or generally recognised principles of ethics and/or an improper state of affairs or circumstances including:

- Engaging in unethical behaviour or conduct or acting dishonestly;
- Engaging in improper conduct may cause financial or non-financial loss to Skillinvest;
- Committing a criminal offence and/or fraud;
- Failing to comply with a legal obligation or engaging in illegal behaviour that is punishable by imprisonment for a period of 12 months;
- Endangering the health and safety of an individual or the public;
- Environmental damage;
- Breaches the Corporations Act 2001 (Cth) (Corporations Act);
- Breaches other financial sector laws enforced by ASIC or APRA; and
- Concealing any information relating to the above.

“**Personal Work-Related Grievances**” are generally grievances relating to an employee’s current or former employment or engagement (or that of their relative or dependent who is an employee) that have implications for that person personally, and that do not have broader implications for Skillinvest. For example, an interpersonal conflict between employees, or a decision relating to employment or engagement, such as a transfer, promotion or disciplinary action of an employee.

“**Protected Disclosure**” means a disclosure of Improper Conduct by a Whistleblower where the disclosure is based on Reasonable Grounds. Disclosures of Personal Work-Related Grievances (excluding taxation matters) are not Protected Disclosures under this Policy, except where:

- the disclosure concerns alleged victimisation of the Whistleblower
- has significant implications extending beyond the Whistleblower; and/or
- the disclosure is made to a legal practitioner for the purposes of obtaining legal advice or representation.

“**Reasonable Grounds**” means that a reasonable person in the same position would also suspect the information indicates Improper Conduct or a breach of the law.

“**Regulator**” means but is not limited to the Australian Securities and Investments Commission (ASIC), Australian Tax Office (ATO), Victorian Registration and Qualifications Authority (VRQA), Australian Skills Quality Authority (ASQA) and the Australian Charities and Not-for-profits Commission (ACNC).

**“Reprisal”** means any form of reprisal, adverse action or detriment that a person takes or threatens to take against a Whistleblower because that person made or intends to make a disclosure in accordance with this Policy, or if they believe that the person has made a disclosure. For the purposes of this Policy, reprisals include (but are not limited to):

- Dismissal or demotion;
- Any form of victimisation, intimidation or harassment;
- Discrimination;
- Current or future bias;
- Action causing injury, financial loss or hardship, or damage to property; and
- Threats (express or implied, conditional or unconditional) to cause detriment, as well as actually causing detriment.

**“Whistleblower”** means any person who reports Improper Conduct in accordance with this Policy.

### **PROTECTION AND SUPPORT FOR WHISTLEBLOWERS:**

Skillinvest adopts the following principles in relation to its whistleblowing program:

- Skillinvest will support and protect Whistleblowers who act honestly and have Reasonable Grounds to make a Protected Disclosure from Reprisals;
- Skillinvest, or an independent third party appointed by Skillinvest, will conduct investigations in an objective and confidential manner. Appropriate corrective action will be taken as warranted by the investigation in Skillinvest’s sole discretion;
- Skillinvest will take all reasonable steps to protect staff who have been requested to assist in investigating Protected Disclosures from any Reprisals;
- Skillinvest will not take any disciplinary action, or tolerate Reprisals, against a Whistleblower where a Protected Disclosure is unable to be substantiated or is found to be untrue, when the Protected Disclosure was made with a genuine or reasonable belief regarding the Improper Conduct;
- Skillinvest will not prevent (whether through confidentiality agreement or otherwise) a Whistleblower from making a disclosure to a Regulator; and
- Skillinvest prohibits its staff from undertaking Reprisals in respect of a Whistleblower, or a third party outside of Skillinvest, who makes a Protected Disclosure. Any person who undertakes Reprisals in respect of a Whistleblower or a third party will be subject to disciplinary action, including possible termination of employment.

### **PROTECTION FROM REPRISALS**

Skillinvest prohibits its employees from undertaking Reprisals in respect of a Whistleblower who has made a Protected Disclosure. In certain circumstances, victimisation of Whistleblowers who have made a Protected Disclosure can result in a civil penalty and/or constitute a criminal offence and perpetrators may be liable to prosecution.

Any employee of Skillinvest who undertakes Reprisals in respect of a Whistleblower who has made a Protected Disclosure will be subject to disciplinary action, up to and including termination of employment.

Such liability can arise even where:

- The Whistleblower has not yet made a Protected Disclosure;
- The victimiser does not have actual knowledge that a Protected Disclosure has been made;
- The victimiser does not intend that the victimisation exposes the Whistleblower to a detriment.

Additionally, the Whistleblower may have recourse to claim compensation under the Corporations Act in relation to any such victimisation.

While the Corporations Act does not grant immunity to a Whistleblower for any misconduct that they were involved in that is revealed in the disclosure, the Corporations Act protects a Whistleblower against certain legal actions related to making the Protected Disclosure, including:

- criminal prosecution (and the Protected Disclosure cannot be used against the Whistleblower in a prosecution, unless the disclosure is false);
- civil litigation (such as for breach of an employment contract, duty of confidentiality, or other contractual obligation); or
- administrative action (including disciplinary action).

If a Whistleblower is the subject of legal action for breaching the Corporations Act arising out of a Protected Disclosure made by them, they may rely on this protection in their defence.

A Whistleblower's employment or their employment contract cannot be terminated on the basis that a Protected Disclosure constitutes a breach of that contract.

## 2. DUTIES AND REPORTING REQUIREMENTS RELATING TO IMPROPER CONDUCT

### a. Duty to report Improper Conduct

It is expected that all Skillinvest employees will report known, suspected, or potential cases of Improper Conduct, whether such cases involve Skillinvest, or other parties with which Skillinvest has (or did have) dealings. This includes reporting Improper Conduct disclosed to Skillinvest by a third party to whom this Policy does not apply.

Failure to report Improper Conduct may result in disciplinary action, up to and including termination of employment.

### b. How to report Improper Conduct

Eligible Whistleblowers are encouraged to report concerns of Improper Conduct which would constitute a breach of Skillinvest's policies through the standard channels set out in the particular policy.

Where an employee, irrespective of the reason, feels unable to raise their concern(s) regarding Improper Conduct via standard channels or where the matter relates to Improper Conduct in relation to other parties or to Improper Conduct disclosed by a third party, they should report the matter as a Protected Disclosure to any of the following:

- Their General Manager;
- The Manager, People and Culture, who is **the designated Whistleblower Protection Officer**;
- The Chief Executive Officer; or
- The Chairperson of the Board

Protected Disclosures should include as much information as possible, including but not limited to:

- the names of any person(s) involved in the Improper Conduct;
- the dates, times, location on which the Improper Conduct occurred;
- the whereabouts of any evidence of the Improper Conduct, if known; and

- a description of what the conduct involved.

Whistleblowers are not discouraged from making a report if they do not have evidence, as this is not a bar to the activation of Skillinvest's investigative procedures.

A Whistleblower must have Reasonable Grounds to suspect that the information they are disclosing about Skillinvest concerns Improper Conduct. Disciplinary or other action may be taken against a person making a report which is false, misleading or malicious, including possible termination of employment.

If the Whistleblower does not wish to make a report of Improper Conduct in accordance with this Policy, they can consider making reports to the legal authorities/Regulator responsible for the enforcement of the law in the relevant area (eg, Australian Federal Police (AFP), Australian Prudential Regulation Authority (APRA) or the Australian Securities and Investments Commission ASIC), or their lawyer.

In limited extreme circumstances, public interest and emergency disclosures to a journalist or parliamentarian may also be protected, although Skillinvest recommends Whistleblowers seek legal advice before making such a disclosure.

- c. What should not be reported under this policy  
Subject to a handful of exceptions (see below), Improper Conduct does not include a Personal Work-Related Grievance.

Examples of a Personal Work-Related Grievance include complaints an employee, or former employee, may hold concerning:

- The terms and conditions of their employment.
- An interpersonal conflict with another employee.
- Any disciplinary or performance management process.
- The termination of their employment.

A Personal Work-Related Grievance will be a Protected Disclosure if it:

- Has significant implications for Skillinvest and wider ramifications than for the whistleblower personally.
- Relates to detrimental conduct suffered by the whistleblower because of making a previous disclosure or seeking legal advice about whistleblower protections.

Further information about Skillinvest's workplace policies can be obtained from ELMO. If unsure whether a grievance is a Protected Disclosure under this whistleblower policy, or a personal work-related grievance that is more appropriately managed through a relevant workplace policy of Skillinvest, seek guidance from the Manager, People and Culture, (as designated Whistleblower Protection Officer) or an independent legal adviser.

### **CONFIDENTIALITY AND ANONYMITY**

Whistleblowers do not have to reveal their identity when reporting Improper Conduct. It is an offence to disclose the Whistleblower's identity without their consent or without Court order.

Skillinvest recognises that maintaining confidentiality is crucial in ensuring Whistleblowers disclose Improper Conduct in a timely manner and without fear of Reprisals.

While Protected Disclosures can be made anonymously, it is important to note that if a Whistleblower chooses to make a Protected Disclosure anonymously, this may hinder Skillinvest's ability to fully investigate the matter.

In the event a Whistleblower reveals their identity, subject to any legal requirements, all employees, including the Whistleblower, must protect and maintain the confidentiality surrounding Protected Disclosures, including the identity of people they know or suspect may have made a Protected Disclosure, or those who are the subject of a Protected Disclosure.

It must be recognised that the identity of a Whistleblower and the details of a report of Improper Conduct may be disclosed in some circumstances. These include:

- Disclosure to law enforcement bodies where potentially criminal behaviour is involved;
- Disclosure required by law; and
- Disclosure in the course of investigation which may involve interviewing people and providing them an opportunity to respond to allegations.

Skillinvest will also take all reasonable steps to reduce the risk of the Whistleblower's identity becoming apparent in the course of investigating the Improper Conduct. Whether or not the Whistleblower reveals their identity when reporting Improper Conduct, the Whistleblower will be entitled to the same protections under this Policy.

## **INVESTIGATION**

### **a. Investigation Process**

All reports of Improper Conduct will, so far as is reasonably practicable, be investigated in a timely, thorough and impartial manner with due regard to the rights of all people involved in the allegation.

If the disclosure was made anonymously, the determination of whether to investigate the disclosure, or the conduct of any investigation, will be based on the information provided by the Whistleblower.

Skillinvest will determine the appropriate method for the investigation. Skillinvest may elect to appoint an internal investigator or an independent body or person(s) as an investigator. Where appropriate, Skillinvest may ask for the assistance of any internal or external accounting expertise or legal counsel or any other professional services that Skillinvest deems necessary.

Allegations in relation to fraud will be investigated according to the procedures in the Skillinvest Fraud Control Plan.

Where an investigation is initiated, it will be a fair and independent process, without bias. Investigations will be independent of the business unit in respect of which allegations have been made, the person who has made the disclosure, or any person who is the subject of the improper conduct.

The Chairs of the Board and the Audit and Risk Committee are to be notified of the investigation and provided with updates, as appropriate.

The Whistleblower will be informed of the final outcome of the investigation, as appropriate.

Where appropriate, the matter may be referred to external authorities.

All records relating to Protected Disclosures are to be retained in secure storage for a minimum period of seven years, unless requirements in applicable legislation specify a greater retention period.

Whistleblowers should be aware that people may be able to guess their identity where they:

- Have mentioned to other people they are considering making a disclosure.
- Have complained or raised concerns with other people about the subject matter of the disclosure.
- Are one of a very small number of people with access to the information the subject of the disclosure.
- Are disclosing information that has been told to them privately and in confidence.

b. Person against whom the Protected Disclosure is made

Skillinvest aims to ensure that a fair process is afforded to the individual/s who is/are the subject of a Protected Disclosure and, unless special circumstances apply, the individual/s generally has/have the right to:

- Be informed as to the substance of the allegations against them; and
- Be given the opportunity to answer the allegations before a final decision is made.

c. Keeping the Whistleblower informed and protected

The Whistleblower (if not anonymous) will be kept appropriately informed of the progress of action taken in respect of the Protected Disclosures made by them. The extent to which the Whistleblower will be informed of actions taken in response to the Protected Disclosure will vary on a case by case basis at Skillinvest's discretion.

The Whistleblower (if not anonymous) will be contacted, as soon as practicable, to discuss their welfare if appropriate and to establish a process of communicating with them during the investigation, if needed. The Whistleblower will also be informed of the expected timeframes for completion of the investigation.

At the conclusion of the investigation, the Whistleblower may be informed of the outcome. The extent of the details provided to the Whistleblower as to the outcome of the investigation will vary on a case by case basis at Skillinvest's discretion.

d. Findings

At the conclusion of the investigation, where there is a finding that the Improper Conduct has occurred, corrective actions may be recommended to prevent the Improper Conduct from occurring in the future, as well as any action that should be taken to remedy any harm or loss arising from the Improper Conduct having regard to the gravity and sensitivity of the matter.

This may include disciplinary action against the individual/s responsible for the Improper Conduct and the referral of the matter to appropriate authorities as is deemed necessary. In finalising the matter, actions that may be taken by Skillinvest may include:

- Disciplinary action against the individuals found to be involved in the Improper Conduct such as warnings or termination of employment;

- Deciding on the corrective actions to be taken to prevent the Improper Conduct from occurring in the future as well as any action that should be taken to remedy any harm or loss arising from the Improper Conduct (including implementing the investigator’s recommendations);
- Referring the matter to the police (where the Whistleblower discloses that a criminal offence may have occurred), the Independent Commissioner Against Corruption, or the appropriate Minister or to a federal or state department, agency or body (for instance where Improper Conduct involves other parties such as a statutory corporation);
- In the case of a Protected Disclosure involving other parties, a decision whether it is appropriate to notify the other party;
- No further action; or
- Any other action deemed appropriate.

Subject to the terms outlined above, should the Whistleblower themselves be implicated in the Improper Conduct, the fact that the Whistleblower made the Protected Disclosure will not protect them from any civil or criminal liability associated with the Improper Conduct. However, to the extent the Whistleblower cooperates with Skillinvest in making a Protected Disclosure, Skillinvest may take into account their cooperation in determining any disciplinary action that may be taken against them, as is appropriate in the circumstances.

**BREACHES OF THIS WHISTLEBLOWER POLICY**

An employee who breaches this whistleblower policy, including breaching an obligation to keep a Whistleblower’s identity confidential, refusing to participate or cooperate with an investigation into a disclosure, or engaging in detrimental conduct against a Whistleblower or another person because a disclosure has been made under this whistleblower policy, will face a disciplinary action, which could result in the termination of their employment.

Skillinvest may terminate its relationship with other individuals and entities providing goods or services to Skillinvest if they breach this whistleblower policy.

**SKILLINVEST DIVERSITY AND INCLUSIVENESS CLAUSE:**

Skillinvest values and promotes diversity, fairness and inclusiveness in the workplace and is committed to ensuring workplace diversity and inclusiveness through establishing proactive strategies, policies and procedures. Skillinvest aims to ensure that all employees, clients, business partners and stakeholders are treated with respect, dignity and fairness to ensure Skillinvest promotes inclusiveness and positive working relationships.

Skillinvest is committed to recognising the value of diversity and inclusiveness in the workplace and ensures that work practices promote equal opportunity and are non-discriminatory.