

VDC POL20: Whistleblower policy

1. Introduction

- 1.1 The VET Development Centre Ltd (VDC) is committed to the highest standards of conduct, ethical behaviour and sound corporate governance. These values and principles mean that the VDC is committed to a culture of 'doing the right thing' which includes providing staff with the opportunity to report any actual or suspected wrongdoing.
- 1.2 VDC as a public entity, rather than a public service body, complies with the whistleblower provisions set out in the Corporations Act 2001 (Cth) and not Public Interest Disclosures Act 2012 (Vic). The Corporations Act requires that a public company must have a whistleblower policy and make that policy available to officers and employees of the company.

2. Scope

- 2.1 This policy applies to current and former employees, directors, contractors, consultants and third parties and their employees, as well as the relatives, spouses and dependents of those individuals.
- 2.2 A person who speaks up to report a wrongdoing or misconduct under this policy is known as an eligible whistleblower and has legal rights under the Corporations Act and other legislation (tax laws). This policy does not override those rights.

3. Purpose

- 3.1 The purpose of the Whistleblower Policy is to encourage and support the reporting of actual and suspected wrongdoing and misconduct.
- 3.2 At the VDC, our people are our greatest asset and, as such, we are committed to providing a safe and supportive culture where our people can be their best. We are committed to maintaining the highest standards of ethical behaviour and conduct at all times.

4. Whistleblower Policy Contents

- 4.1 This policy covers:
 - Encouraging you to speak-up and the protections available to whistleblowers
 - What is Reportable Conduct
 - Who to make a disclosure to and how they can be made
 - How the VDC will support and protect whistleblowers
 - Confidentiality and Anonymity
 - How the VDC will investigate disclosures that qualify for protection
 - How the VDC will ensure fair treatment of employees mentioned in the disclosure
 - How the Whistleblower Policy is available to employees and external people

5. Encouraging you to speak-up and the protections available to whistleblowers

- 5.1 The VDC encourages you to speak up and report any actual or suspected issues of wrongdoing or misconduct. We are committed to fostering a safe culture where you can speak up and we will protect you when you do.
- 5.2 You can choose to provide your details or remain anonymous and in all circumstances the VDC will treat your identity, and the information you provide, in the strictest of

confidence. The VDC will only share your name and the information you provide with your consent or if the law requires it.

6. What is Reportable Conduct

- 6.1 Making a report under this policy may be considered a reportable conduct. Reportable Conduct includes:
- Fraud, theft or dishonest conduct
 - Falsifying records
 - Bribery, corruption, money laundering or secret payments
 - Illegal, unethical or improper conduct (drug use, violence, criminal damage)
 - Breach of employment, labor or workplace health and safety or any other laws
 - Conduct that damages the VDC reputation or brand or relationships with third parties
 - Breach of an internal policy including the Code of Conduct or Conflict of Interests
 - Breaches of confidentiality and disclosure of confidential information
 - Representing a danger to the public or the financial system
 - Any other inappropriate behaviour, misconduct or improper state of affairs
 - Any offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more and prescribed by regulations under the Corporations Act, 2001.
- 6.2 Reportable conduct does not include personal work-related grievances including conflicts between employees, work performance issues or a decision relating to the engagement or promotion of an employee. See the Grievance Resolution Procedure in the HR Manual for guidance on these issues.

7. Who to make a Disclosure to and how they may be made

- 7.1 You can disclose any suspected or actual wrongdoing or illegal activity via people at the VDC or via VDC's independent and externally managed provider.
- 7.2 At the VDC you can make a report to:
- Your manager
 - The CEO of the VDC, Martin Powell (mpowell@vdc.edu.au or 0409 918 700)
 - VDC's HR/Contact Officer, Carol Gellard (cgellard@vdc.edu.au or 0418 579 449)
 - Chair of the Board, Christine Robertson (christine@crconsulting.com.au or 0419 356 537)
- 7.3 VDC's independent and externally managed provider is RSM Australia.
- 7.4 RSM gives you an opportunity to provide your name, if you wish, or an anonymous avenue to advise of the suspected or actual misconduct to an organisation that is separate to people directly linked to the VDC. You can contact RSM via their:
- Dedicated website <https://www.rsm.global/australia/WBreporting> OR
 - Dedicated email address RSMHelpline@rsm.com.au OR
 - Dedicated mail address where you can forward correspondence to:
The National Head of Fraud & Forensic Services
RSM Australia
Level 21, 55 Collins Street
Melbourne Victoria 3000



7.5 Any report provided to RSM will be forwarded to the Chair of the VDC Board and/or to the VDC's HR/Contact Officer, depending on the report not referring to one of these contacts.

8. How the VDC will support and protect whistleblowers

8.1 The VDC is committed to protecting anyone that speaks up by:

- *Protecting your identity:* the VDC will not share your identity or information that will lead to your identity being known, unless you give your consent or it is allowed by law. The VDC will always ask for your consent if we need to disclose your identity or information to a third party.
- *Ensuring Fairness:* the VDC is committed to ensuring you are treated fairly and that you are not disadvantaged or discriminated against as a result of speaking up. The VDC will assess your report and take all reasonable and appropriate actions to consider, investigate and resolve the issues raised. Each report will be treated on its own merits in terms of the appropriate action or response but are committed to ensuring fairness to all parties involved.
- *Providing Support:* the VDC understands and acknowledges that speaking up can be difficult and we are committed to supporting you and any other impacted party throughout the process. We encourage you to take up the Employee Assistance Program provided by the VDC whilst going through this process.

9. Confidentiality and Anonymity

9.1 You can choose to remain anonymous or reveal your identity when speaking up and making a protected disclosure. If you wish to remain anonymous, the VDC encourages you to submit your report via the secure online reporting platform at RSM Australia:

Email: RSMHelpline@rsm.com.au

Website: <https://www.rsm.global/australia/WBreporting>

9.2 This service is available 24 hours a day, 7 days a week, 52 weeks a year. RSM will collect reports on behalf of the VDC and speak with the VDC HR Manager and VDC Chair of the Board, ensuring there is no conflict of interest.

9.3 Please note that all communication received from a whistleblower will be received confidentially (within the limits of the law, and in compliance with relevant legislation), allow anonymity if the person reporting requests, and will be received and assessed by one of RSM's Fraud & Forensic Services staff who have been trained to receive these reports.

10. How the VDC will investigate disclosures that qualify for protection

10.1 If you make a report to an appropriate person at the VDC, they will confer with either the CEO, the HR/Contact Officer or the Chair of the Board, depending on if there is a conflict. It may also be escalated to the police if the matter is criminal.

10.2 If you have not made an anonymous report, you may be brought into the investigation to provide more information.

10.3 If you make a report to RSM Australia, your report will be forwarded to RSM's Fraud & Forensic Services team who will provide the nominated contacts (VDC's HR/Contact Officer and VDC Chair of Board – as long as there is no conflict) with a brief written record of the details provided by the whistleblower and a brief assessment and recommendation for next steps. If the report cannot be resolved within VDC, the Fraud & Forensic Services team at RSM may provide an investigative response.

11. How the VDC will ensure fair treatment of employees mentioned in disclosures

11.1 The VDC will ensure fair treatment of employees of the VDC who are mentioned in disclosures that qualify for protection, or to whom such disclosures relate, by:

- *Ensuring Fairness:* the VDC is committed to ensuring you are treated fairly and that you are not disadvantaged or discriminated against as a result of being mentioned in a disclosure. The VDC will assess the report and take all reasonable and appropriate actions to consider, investigate and resolve the issues raised.
- *Providing Support:* the VDC understands and acknowledges that being mentioned in a disclosure can be difficult and we are committed to supporting you and any other impacted party throughout the process. We encourage you to take up the Employee Assistance Program provided by the VDC whilst going through this process.
- *Serious Resolution:* if the results from the investigation of the report reveal that a serious wrongdoing has actually occurred, then the CEO will decide whether the action calls for instant dismissal or whether the police need to be notified for further investigation.

12. How the policy is to be made available to employees and external people

12.1 The VDC Whistleblower policy is available to current employees of the VDC through the Staff Policies folder available to all staff in SharePoint, through the VDC Staff Intranet, and through the annual review of policies made available for all staff to re-read and sign. Whistleblower awareness forms part of the induction process for new VDC staff.

12.2 The VDC Whistleblower policy is available to external people including previous employees, current and previous presenters and facilitators, vendors and family members, etc.) and anyone who is not an employee of the VDC. Access can be gained through the VDC's public website at <https://vdc.edu.au/about-us/>.

Approved:

A handwritten signature in black ink, appearing to be 'MP', written over a dotted line.

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Martin Powell
CEO, VET Development Centre Ltd