WHISTLEBLOWER PROCEDURE

Governing Policy

[Whistleblower Policy]

Purpose

The purpose of this procedure is to:

- explain who can make a disclosure
- outline what can be disclosed
- how persons can disclose concerns about Wrongdoing;
- outline AIB processes for dealing with disclosures of Wrongdoing.

Definitions

Unless otherwise defined in this document, all capitalised terms are defined in the glossary.

Procedure

1. Who may make a disclosure

1.1. Anyone with information about potential Wrongdoing relating to AIB is encouraged to disclose their concerns under the Whistleblower Policy and Procedure.

1.2. "Eligible Whistleblowers" are Whistleblowers with specific legislated protection (see 5.2 below) and are individuals who are or have been in relation to AIB as per these categories:

(a) an Officer, employee, or contractor of AIB;

(b) a current, former or prospective student or candidate of AIB;

(c) current or former suppliers of services or goods to AIB (whether paid or unpaid) including their employees;

(d) associates of AIB which means an individual with whom AIB acts in concert or has some form of business or governance relationship; or

(e) a relative, dependant or spouse of any of the above individuals.

2. What can be disclosed

2.1. Any concerns of Wrongdoing should be disclosed.

2.2. Wrongdoing includes, but is not limited to the following:

- breach of laws or regulations;
- criminal activity including theft, illicit drug use or sale, violence, or property damage;
- offering or accepting a bribe;

- dishonest, corrupt or unethical behaviour;
- conflicts of interest;
- anti-competitive behaviour;
- financial irregularities or fraud, money laundering or mismanagement including in relation to AIB's tax affairs – including attempts to defraud AIB or its staff, students or candidates, or its contractors or suppliers
- falsifying financial or corporate reporting;
- insider trading;
- unauthorised use of AIB's confidential information;
- improper use of personal information as defined in the AIB Privacy Policy and Procedure;
- improper use of AIB's physical or intellectual property;
- conduct endangering health and safety or causing damage to the environment;
- sexual misconduct including gender-based violence;
- discrimination;
- victimisation;
- deliberate concealment of any Wrongdoing as per the above categories,
- and any other any serious improper, unethical or potentially criminal conduct not covered by the above categories.

2.3. There is an expectation that anyone disclosing a Wrongdoing has reasonable grounds to suspect the information they are providing is true but, except in the event the complaint is vexatious or knowingly false, there will be no penalty if the information turns out to be incorrect. It is not required that the Whistleblower has all details or evidence, or to have conducted their own investigation, but comprehensive information will enable a better assessment by AIB (see Section 7 Investigations).

2.4. Making a disclosure where Wrongdoing is honestly suspected, even if later found to be incorrect, will not be subjected to disciplinary action. However, a false disclosure or one made vexatiously or without reasonable basis, will be viewed as a serious matter and will not be protected by this Policy or by the law, and may lead to disciplinary action (including termination of employment or other legal consequences).

2.5. Personal employment-related grievances that do not constitute or intersect with Wrongdoing are not covered by this Policy or protected under the *Corporations Act,* and will be addressed through the applicable grievance resolution process. Personal employment-related grievances relate to an employee's current or former employment and tend to have implications for them personally. Examples include:

- an interpersonal conflict between the employee and another employee;
- a concern about the behaviour of an employee;
- a decision relating to an employee's engagement, transfer or promotion;
- an employee's terms and conditions of employment;
- matters relating to an employee's performance or discipline-related decisions; or
- a decision relating to the termination of employment.

2.6. A personal employment-related grievance may still qualify for whistleblower protection if it includes or intersects with Wrongdoing, for example:

- The grievance includes information about misconduct or illegal activity.

- AIB has breached employment or other laws punishable by 12 or more months of imprisonment, or has engaged in conduct that poses a danger to the public, or the disclosure relates to misconduct beyond the Whistleblower's own circumstances.
- The Whistleblower is threatened or suffers detriment for raising the grievance i.e. is a victim of retaliation for 'speaking up'.
- The Whistleblower seeks legal advice or legal representation about the operation of whistleblower laws – consulting a lawyer can qualify for protection even if the underlying issue is a personal grievance.

2.7. Any other reported grievance that does not meet the criteria of Wrongdoing as defined above, will be confidentially referred to the appropriate grievance handling process.

3. Who can disclosures be made to

3.1. A Whistleblower may wish to make a disclosure to the CEO or a member of the Senior Management Group of AIB via phone, email or in person – either on premise or in an offsite location.

3.2. For the purposes of all legislation, Eligible Whistleblowers should report Wrongdoing conduct to the Whistleblower Officer who at AIB is the Chief Executive Officer (CEO), except for circumstances where clause 3.3 applies in which case the Chair of the Board of Directors becomes the Whistleblower Officer.

3.3. If the disclosure relates to alleged Wrongdoing of the CEO, or a Whistleblower wishes to keep the matter confidential from the CEO or the Senior Management Group, the matter may be directly raised with the Chair of the Board of Directors.

3.4. Disclosures may be emailed as follows:

Dr Peter Cartwright CEO	peter.cartwright@aib.edu.au
Richard Hockney, Chair of Board of Directors	richard@rhandassociates.com.au

Alternatively, disclosures can be posted to: AIB, PO Box 10007, ADELAIDE SA 5000 [and marked "For the attention of (name of the appropriate Whistleblower Officer as identified above)"].

3.5 External parties eligible by law to whom disclosures could be made and potentially qualify for protection are:

- ASIC – Australian Securities and Investments Commission oversees corporate whistleblower protections: https://www.asic.gov.au/about-asic/contact-us/
- ATO - Australian Taxation Office (for tax-related disclosures): https://www.ato.gov.au/about-ato/tax-avoidance/the-fight-against-tax-crime/what-you-can-do
- A legal practitioner for the purposes of obtaining legal advice or legal representation.

4. How to make a disclosure

4.1. It is important that a Whistleblower clearly identifies as soon as possible that their disclosure is being made under the Whistleblower Policy.

4.2. Disclosures to AIB can be made in person, or at any time in writing as outlined in Section 3 above. Where disclosures are made outside of business hours, a response acknowledging receipt of the disclosure will be provided the next business day.

4.3. Whistleblowers not wanting to reveal their identity can make an anonymous disclosure (see Section 5 below). However, providing a name and/or pseudonym email account when advising Wrongdoing will make it easier for AIB to respond to the Whistleblower and communicate during an investigation.

4.4. Where no name is provided, AIB will assess the disclosure in the same way as if identity had been revealed, and any investigation will be conducted as best as possible in the circumstances. However, an investigation might not be possible unless sufficient information is provided.

4.5. Whistleblowers including employees and stakeholders disclosing Wrongdoing will be protected and the investigation will be conducted in accordance with the principles of fairness and natural justice.

5. Protecting a Whistleblower's Identity

5.1. Disclosures made anonymously will be investigated to the extent possible but may be hindered by lack of AIB's ability to clarify details; the use of a pseudonym email account could therefore be used for communication purposes.

5.2. Eligible Whistleblowers can disclose anonymously and still qualify for legal protection.

5.3. When disclosing Wrongdoing, the Whistleblower's identity and any information that AIB has as a result of the disclosure that is likely to lead to identification, will only be identified if:

(a) the Whistleblower gives consent for AIB to disclose that information;

(b) AIB is obliged by law to report to regulatory or law enforcement bodies such as

(i) the Australian Securities & Investments Commission (ASIC), the Australian Federal Police (AFP) or (for tax-related reports) the Commissioner of Taxation;

(ii) a Commonwealth authority or a State or Territory authority for the purpose of assisting the authority perform its functions or duties;

(c) AIB seeks legal advice from a lawyer or legal representation in relation to Whistleblower laws, or

(d) in the case of information likely to identify the Whistleblower, it is reasonably necessary to disclose the information for the purposes of an investigation, and all reasonable steps are taken to prevent someone from discovering the Whistleblower's identity.

5.4. Eligible Whistleblowers as identified in Item 1.2 above are likely to qualify for legal protections under the *Corporations Act*. AIB will still seek to protect other Whistleblowers (where practical) where they are outside the listed categories, but such cases may not have the benefit of statutory whistleblower protections.

5.5. It is illegal under the *Corporations Act* for AIB or any person to reveal the identity of or information that is likely to identify a Whistleblower. Any person involved in receiving or investigating a disclosure is bound by a strict duty of confidentiality.

6. Detrimental Conduct Prohibited

6.1. AIB strictly prohibits all forms of detrimental conduct against Whistleblowers. detrimental conduct means any actual or threatened conduct that could cause a detriment to the Whistleblower as a result of them making a disclosure, including:

- termination of employment, demotion, suspension or alteration of an employee's duties to their disadvantage;
- harassment, bullying or intimidation;
- personal or financial disadvantage;
- unlawful discrimination;
- harm or injury, including psychological harm;
- damage to reputation, business or financial position; or
- any other conduct that constitutes retaliation or victimisation.

6.2. AIB will take all reasonable steps to protect the Whistleblower from detrimental conduct and will take action it considers appropriate where such conduct is evident.

6.3. AIB also strictly prohibits all forms of detrimental conduct against people who are involved in an investigation of a disclosure in response to their involvement in that investigation.

6.4. Detrimental conduct does not include administrative or management action that is reasonable, managed in line with AIB's standard HR processes and taken to protect a Whistleblower or to manage their work, such as temporary reassignment to another role (with no reduction in pay or seniority).

6.5. AIB has zero tolerance for retaliatory or detrimental conduct. Any AIB employee, contractor or associate who engages in detrimental conduct against a Whistleblower may face disciplinary action, which could include termination of employment or contract, and may be reported to appropriate authorities. Further, Whistleblowers have legal provision under the *Corporations Act* to sue an offender, and possibly AIB, for compensation.

6.6. Reports of detrimental conduct can be made to the Whistleblower Officer or to external agencies as per information in Section 3 above.

7. Investigations

7.1. Whistleblower disclosures made under the AIB Whistleblower Policy and Procedure will be documented and investigated promptly and confidentially. AIB will acknowledge receipt of a disclosure and confirm understanding of its substance within 5 business days.

7.2. All disclosures will be assessed within 15 business days of receipt and, based on the nature and circumstances presented, a decision made as to whether an investigation is required and if the disclosure qualifiers for protection. For example, disclosures of potential Wrongdoing of a minor nature that can be resolved informally will typically not require the same level of response as allegations involving a large-scale and complex investigation. Where possible, the Whistleblower reporting the Wrongdoing will be informed how AIB will manage the disclosure, including whether an investigation will be conducted, in what timeframe, by whom, and with an explanation for AIB's decisions unless any explanation risks further harm or identification.

7.3. If a disclosure does not fall within this Policy and Procedure, the Whistleblower Officer will determine and explain to the Whistleblower if and how AIB will manage the matter and which AIB policy and procedure will apply.

7.4. Any investigation will be conducted in a timely, fair and objective manner, and independent from any persons to whom the disclosure relates.

7.5. Investigations will generally be conducted by the Whistleblower Officer. However, other persons, including employees or external advisers, may also be asked to assist or run the investigation with respect to independence and efficiency of process. In those circumstances, they will be bound by the confidentiality obligations of this procedure. The Whistleblower will be advised where additional or alternate investigators are engaged in the investigation.

7.6. Unless there are confidentiality or other reasons not to do so, employees who are the subject of an allegation of Wrongdoing will be informed of the matters raised at an appropriate time, and will be given a chance to respond with respect to procedural fairness. They will also be advised of the outcome of any investigation (see Section 8 below).

7.7. An investigation will include the following steps:

- Information gathering: A review of the details within the disclosure and any evidence; gathering of any required additional evidence or legal advice as appropriate.
- Interviews (where appropriate): with the Whistleblower (where identity known and permission granted) and other related parties, including persons who may have key and related knowledge. Any questions that risk identification of the Whistleblower do not have to be answered.
- Opportunity to respond (where appropriate): where allegations are made against a person of Wrongdoing, that person will, at the appropriate time, be granted an opportunity to respond to the allegations as per the principle of procedural fairness.
- Analysis: an assessment of the evidence to determine whether allegations are substantiated, partly substantiated or not substantiated. For complex matters, interim findings might be reviewed by the Whistleblower Officer or legal counsel to ensure appropriate analysis of the evidence.
- Outcome and Report: the investigator will typically produce a report of findings (see section 9 below) within 45 days of the original disclosure, or 90 days for more complex cases. Where longer time is required, the Whistleblower will be advised (where details are provided) at the earliest opportunity with an explanation for the delay and an indication of the additional timeframe required.

7.8. Where a Whistleblower withdraws their disclosure at any point, or if they do not want an investigation to proceed, the Whistleblower Officer will still assess if an investigation is required, especially if there is a potential crime or serious risk identified.

7.9. All records related to the investigation will be stored in a secure location accessible only by the relevant Whistleblower Officer and/or members of the investigations team.

8. Outcomes of a Whistleblower Investigation

8.1. At the conclusion of an investigation, the Whistleblower Officer will produce a factual and confidential report within 10 business days. The report is to provide a summary of the allegations, details of the investigation process undertaken, a list of evidence gathered, findings, and any recommendations for action (as appropriate) including remedial and prevention of any future reoccurrence.

8.2. The report will not identify or provide any information that is likely to identify the Whistleblower unless one of the following exceptions applies:
(a) the discloser consents to the disclosure of their identity;
(b) disclosure of details that might reveal their identity is reasonably necessary for the effective investigation of the allegation;
(c) the concern is reported to ASIC, the Commissioner of Taxation or the AFP; or
(d) the concern is raised with a lawyer for the purpose obtaining legal advice or representation.

8.3. The Whistleblower Officer will
(a) report disclosures of a serious nature to the Board of Directors at the earliest opportunity.
(b) present an annual report to the Board of Directors advising the number and type of disclosures received under this policy and procedure, and what, if any, remedial action was taken, including any external reporting to regulatory or legal authorities.

8.4. Where possible, the Whistleblower will be advised by the Whistleblower Officer within 5 business days of the outcome of the report or any Board of Directors' determination. Some information, including the investigation report, may be restricted due to confidentiality, privacy or other legal reasons.

8.5. Unless there are legal or confidential constraints, employees who are the subject of an allegation will be informed by the Whistleblower Officer in a sensitive and appropriate manner of any action to be taken as a result of the investigation or of any Board of Directors' determination.

8.6. Any dissatisfaction with an outcome:
(a) Can be raised with the Whistleblower Officer or Chair of the Board of Directors
(b) May be escalated to an appropriate external authority (pending the nature of the disclosure) as identified in section 3 above.

9. Support for Whistleblowers

9.1. AIB will take steps to support Whistleblowers throughout this process.

9.2. AIB employees, students and candidates have access to free, confidential counselling through the Employee Assistance Program, being Converge International: https://convergeinternational.com.au/- phone on 1300 687 327 (within Australia) or on +613 8620 5300 (outside Australia), or make an appointment online via this link using the AIB organisation code "AUSTWEYW".

9.3. Whistleblowers are entitled to seek legal advice throughout this process; Eligible Whistleblowers as identified in Section 1 may be entitled to additional legal protections.

Related Forms:
nil

Related Legislation or **Legislative references:**
Corporations Act 2001 (*Corporations Act*)
Fair Work Act 2009
Privacy Act 1988
Taxation Administration Act 1953 (Taxation Administration Act)
Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019

Responsibility:
Chief Executive Officer

Current Status:	**Version 2**
Approved By:	Board of Directors
Effective From:	**26 November 2025**
Date of Approval:	26 November 2025
Previous Versions:	5 March 2020
	8 March 2017 *Whistleblower Policy* V1
Date of Next Review:	26 November 2028