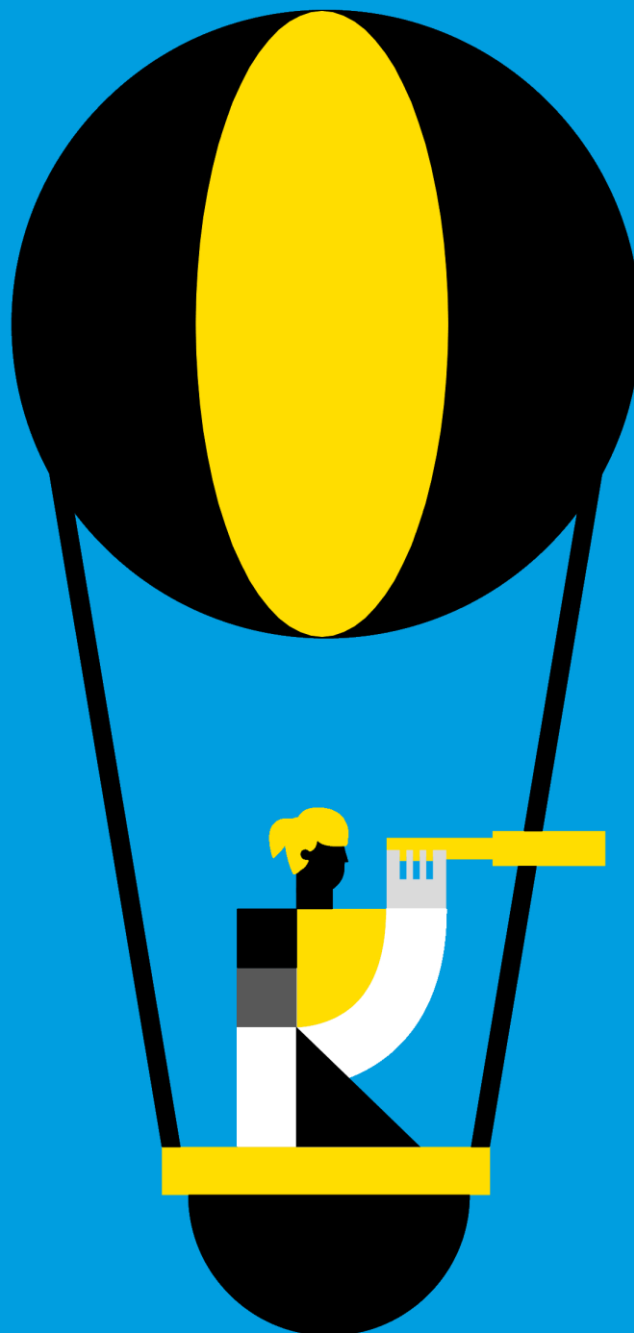


Internal Policy

Protected Disclosure (Protection of Whistle-blowers) Policy



Our Values

Our values underpin our internal policies.



He tangata, he tangata, he tangata
We put people at the heart of what we do



Whakapai ake
We're always improving



Mahi ngātahi
We collaborate



Mana tiaki
We care for our places

Purpose

The purpose of the Protected Disclosure (Protection of Whistle-blowers) Policy is to encourage people to report serious wrongdoing, and to protect those who want to 'blow the whistle'.

As guardians of our city's assets, we all share the responsibility to be good stewards of these assets on behalf of our ratepayers and communities, taking care to avoid loss, damage, waste and improper use.

This policy enables the Council to meet its obligations and responsibilities under the Protected Disclosure Act 2022.

Scope

Disclosures of serious wrongdoing can be made by current or former employees, including people seconded to the Council, volunteers, homeworkers, contractors, Council Controlled Organisations, and elected members. This policy does not cover external customers of Council.

Serious wrongdoing includes but is not limited to:

- unlawful, fraudulent, corrupt or irregular use of public money or resources
- conduct that poses a serious risk to public health, safety, the environment or the maintenance of the law
- behaviour that is a serious risk to the health and safety of any individual
- criminal offence
- improper discrimination, gross negligence, oppressive conduct or mismanagement

Policy Statements

1. Everyone has a responsibility to speak up

- a. Doing the right thing matters. The Council's aim is for you to feel supported to make smart choices, manage risks and to do the right thing, the right way.
- b. If you are aware of instances where there is, or could be, any serious wrongdoing at the Council, you have a responsibility to speak up.
- c. Everyone has a duty to facilitate the disclosure of serious wrongdoing. If an investigation progresses, this will be conducted by the Council or any nominated expert deemed necessary by the Council.

2. The Council has the responsibility to receive and respond to all disclosure of serious wrongdoing

- a. We are committed to listening to concerns, maintaining your confidentiality and taking all disclosures of wrongdoing seriously.
- b. Likewise, we are committed to support persons accused of wrongdoing by ensuring decisions are unbiased, and providing reasonable opportunity for parties affected to comment before any conclusions are drawn.
- c. We have internal procedures which are fair and transparent for our people to make a protected disclosure of serious wrongdoing.
- d. We have a responsibility to take or recommend action when we receive a protected disclosure and to investigate serious wrongdoing.

3. The Council will provide protection to our people if they report a serious wrongdoing

- a. The Council will support anyone who, in good faith, discloses actual or suspected serious wrongdoing.
- b. No employee may take any retaliatory action against anyone for making a protected disclosure.
- c. If you make a protected disclosure, information that identifies you will be kept confidential, unless you give your consent in writing to be identified or if disclosure is essential to:
 - i. investigate the allegations effectively
 - ii. prevent serious risk to public health or safety, or the environment
 - iii. comply with the principles of natural justice
- d. Your disclosure will not be protected if:
 - i. you know the allegations are false
 - ii. you act in bad faith
 - iii. the information you are disclosing is protected by legal professional privilege

- e. If you believe you have been victimised or retaliated against for disclosing a serious wrongdoing, you may take a personal grievance under the Employment Relations Act 2000 or make a complaint under the Human Rights Act 1993.
- f. The Council will treat all allegations of victimisation or retaliation seriously. Allegations of this nature that are substantiated may result in disciplinary action.
- g. If a protected disclosure is found to be knowingly false and / or vexatious, it may result in a disciplinary process.
- h. If you are concerned about the way the Council is handling your disclosure, you can contact the Ombudsman for advice.

Roles and Responsibilities

Role	Responsibility
All staff	<ul style="list-style-type: none"> • speak up if they are aware of instances where there is, or could be, any intentional and dishonest act • help facilitate the disclosure and investigation of matters of serious wrongdoing by cooperating fully in any investigation, keeping knowledge of any investigation confidential, protecting witnesses, and securing relevant information
People managers	<ul style="list-style-type: none"> • support a culture of integrity by encouraging and providing opportunities to discuss fraud risk • implement appropriate internal controls within their business areas • report any known instances of internal fraud or corruption
Manager Risk & Assurance	<ul style="list-style-type: none"> • establish the internal procedures for our people to make a protected disclosure of serious wrongdoing • log all reports of serious wrongdoing • establish internal procedures for the triage and assessment of serious wrongdoing received through protected disclosures • take or recommend action within 20 working days of receiving a protected disclosure • have oversight of any investigations under the Protected Disclosures Act 2022
Manager Safety, Security and Wellbeing	<ul style="list-style-type: none"> • provide advice to support the security and wellbeing of all our people involved in the protected disclosure process including the persons making a disclosure, persons accused of wrongdoing, persons investigating the allegation of wrongdoing and persons supporting the disclosure and investigation process

	<ul style="list-style-type: none"> • have oversight of any investigations under the Protected Disclosures Act 2022 that relate to Safety, Security and Wellbeing
<p>Manager HR Services</p>	<ul style="list-style-type: none"> • provide advice for the resolution of HR and employment relations matters • support any disciplinary process that may result from a protected disclosure • have oversight of any investigations under the Protected Disclosures Act 2022 that relate to HR

Document control

Policy owner	Assurance and Business Integrity
Date approved	23 June 2022
Approved by (ELT sponsor)	Stephen McArthur, Chief Strategy and Governance
Review period	Biannually or as change in regulatory environment occurs

Next policy review date	June 2024
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