

1.4 - REPORTING CONCERNS (WHISTLEBLOWING) POLICY

BADMINTON NEW ZEALAND

Purpose and scope	Openness, integrity and accountability are important to Badminton New Zealand and to the sport and recreation sector. This policy has been developed to ensure that people who have concerns related to the organisation or our activities are able to raise those without fear of repercussion and with the confidence that they will be addressed. This policy sets out our processes for reporting concerns and explains the protections available. It applies to board members, other officers, employees, contractors, volunteers, officials, participants and anyone else who wishes to draw concerns to our attention. This policy provides guidance rather than rules. There may be other means available to address particular concerns, either informally or formally via another policy or process. If you are uncertain about how best to address a particular concern, please report it regardless and we will ensure that it is addressed under this policy or otherwise as appropriate.
Principles of this policy	• We will provide individuals with a process for reporting their concerns • Individuals who raise concerns will not be disadvantaged, unless the concern is raised in bad faith • All disclosures will be addressed as appropriate
What sorts of concerns should be reported?	This policy applies to any concern that relates to us and that an individual or another organisation thinks ought to be drawn to our attention so that it can be addressed. It might for instance include concerns about: • overt or consistently poor side-line behaviour • match fixing or doping (noting that NSOs are required to have specific policies in both areas) • security or health and safety • conduct that poses a serious risk to the health or safety of any individual, including participants • work-related issues, which might apply to employees, contractors or volunteers • corrupt or improper use of the organisation's, or a related organisation's, money or resources • negligence or mismanagement by someone in the organisation or a related organisation

Process for reporting serious wrongdoing	An individual who is concerned about a particular issue related to the organisation is encouraged to disclose that to the Chief Executive, the Board Chair or another appropriate person within the organisation such as the Chair of the Risk & Compliance Board Subcommittee. Who the appropriate person will be depends on the nature, seriousness, and circumstances of the issue. The person the disclosure is made to should be: • independent of the issue • in a position to do something about the disclosure - whether that is to refer it to the appropriate authority for further investigation or to investigate the matter on the organisation's behalf • in a position to put in place any immediate steps that might be necessary to protect the organisation, the public or individuals likely to be affected An individual may report a concern to an appropriate external authority at any time, whether or not they have first raised it with us. In deciding whether to do so, individuals may find it helpful to consider whether: • the issue is sufficiently serious to involve an external authority • it is necessary to report the issue to an external authority because individuals high up in the organisation are or may be involved • immediate referral to an external authority is necessary because of urgency or other exceptional circumstances • the issue has already been disclosed within the organisation but has not been addressed within a reasonable timeframe Nothing in this policy requires an individual to raise a concern internally before going to an external authority. Section 11(3) of the Protected Disclosures (Protection of Whistleblowers) Act 2022 entitles a person to make a protected disclosure to an appropriate authority at any time, whether or not they have also disclosed it to us.
Protections for individuals reporting concerns	Individuals who report concerns, other than in bad faith, can expect (whether or not they have followed this policy exactly): • the organisation to use its best endeavours to keep confidential any information that might identify them, whether or not they ask us to do so • to be consulted before any information that might identify them is released, and to be informed afterwards • to be advised if their disclosure or identity is unable to be kept confidential and to understand the reasons why (information may have to be disclosed for instance in order to properly investigate and address the disclosure) • to be protected by the organisation from repercussions or victimisation as a result of having made the disclosure • to be protected from retaliation in their employment, and from victimisation of themselves or of their relatives and associates

	• immunity from civil, criminal and disciplinary proceedings for having made the disclosure, where the Act applies • to seek free, independent information and guidance from an Ombudsman at any time
Responsibilities of individuals reporting concerns	Where allegations of wrongdoing are involved, particular care should be taken. They can be very damaging for an organisation or individuals if not handled responsibly. This is especially important where the individuals concerned have not had an opportunity to respond or the individual reporting the wrongdoing does not know the full facts. Our expectations of individuals who report concerns are that they will: • do so honestly and for genuine reasons, and not in bad faith • use their judgment and discretion • advise any concerns they have about making the disclosure or their identity being disclosed • cooperate with any investigation into the disclosure, and provide further information where that is available and requested by the organisation • alert the organisation promptly if they think they have been subjected to retaliatory treatment or victimisation as a result of the disclosure. If an individual makes a malicious or deliberately false disclosure, we will address the matter with the individual concerned, by way of a disciplinary or other process as appropriate. This applies only to disclosures that are knowingly false or made in bad faith. An individual who raises a concern honestly is not treated as having done anything wrong simply because the concern turns out to be mistaken, and a person who has made a protected disclosure has immunity from disciplinary proceedings under the Act.
Responsibilities on receiving a report	An individual within the organisation who has concerns reported to them must ensure that appropriate steps are taken following the disclosure to address the issue. The precise steps taken will depend on the nature, seriousness and circumstances of the issue disclosed. Our expectations of individuals who have concerns reported to them are that: • immediate steps are taken as necessary to protect the organisation, the public and any individuals likely to be affected • the disclosure is escalated as appropriate to ensure that it is addressed promptly and appropriately • receipt will be acknowledged and any information as to next steps will be provided, in writing (e.g. by email), within two working days of receipt • where the disclosure was made orally, the acknowledgement will summarise our understanding of what was disclosed • we will check with the individual whether the disclosure has also been made elsewhere, and what the outcome of that was

	• we will consider the disclosure and whether it warrants investigation Following any such steps, our expectations are that: • the disclosure will, if appropriate, be investigated promptly and fairly, in accordance with any relevant or applicable policies and procedures of the organisation • if the concern is well founded, the issue is addressed promptly and appropriately and external agencies are notified or involved where appropriate • we will use our best endeavours to keep confidential any information that might identify the individual who made the disclosure, whether or not they have asked us to • identifying information will be released only where the individual consents, or where there are reasonable grounds to believe release is essential for an effective investigation, to prevent a serious risk to public health or safety, the health or safety of any individual or the environment, to comply with the principles of natural justice, or for a law enforcement or regulatory investigation; we will consult the individual before release where the Act requires it, and will inform them afterwards • within 20 working days of receiving the disclosure we will deal with the matter — by investigating it, addressing any serious wrongdoing, referring it to an appropriate authority, or deciding that no action is required — and inform the individual, with reasons, what we have done or are doing • if that is not practicable within 20 working days, we will tell the individual how long we expect to take and keep them appropriately updated on progress • if we decide that no action is required, we will tell the individual and give our reasons • before referring a disclosure to an appropriate authority, we will consult both the individual who made it and the intended recipient
No retaliatory or adverse treatment as a result of disclosure	Our expectation is that individuals who report concerns under this policy, other than in bad faith, will be protected from retaliatory or adverse treatment as a result of the disclosure, including: • discrimination or bias • victimisation or harassment • any employment disadvantage such as suspension, demotion, disciplinary action or dismissal • less favourable treatment of the individual's relatives or associates These expectations apply even if it turns out that there has not in fact been any wrongdoing by a particular individual or the organisation.
Protected Disclosures (Protection of Whistleblowers) Act 2022	The Protected Disclosures (Protection of Whistleblowers) Act 2022 (the Act) came into force on 1 July 2022 and repealed and replaced the Protected Disclosures Act 2000. It protects people who disclose information about serious wrongdoing in or by an organisation they work

	for or are involved with. Under section 24, the Act applies despite any agreement, contract or internal procedure, and any part of this policy that is inconsistent with the Act has no effect. Who is protected. Under section 8, a discloser is an individual who is, or formerly was, any of the following in relation to Badminton New Zealand: • an employee • a homeworker within the meaning of the Employment Relations Act 2000 • a secondee to the organisation • engaged or contracted under a contract for services to do work for the organisation • concerned in the management of the organisation, including a member of the Board or another governing body • a volunteer working for the organisation without reward or expectation of reward When a disclosure is protected. Under section 9, a disclosure is a protected disclosure if the person: • believes on reasonable grounds that there is, or has been, serious wrongdoing in or by the organisation; and • discloses information about it in accordance with the Act; and • does not disclose it in bad faith. Under section 11(4) a person is still protected if they turn out to be mistaken and there is no serious wrongdoing, if they do not refer to the Act when making the disclosure, or if they substantially rather than exactly follow the process. Under section 12, a person who gives information in support of, or relating to, someone else's protected disclosure is also protected. What counts as serious wrongdoing. Under section 10, serious wrongdoing includes any act, omission or course of conduct in or by an organisation that is: • an offence • a serious risk to public health, public safety, the health or safety of any individual, or the environment • a serious risk to the maintenance of law, including the prevention, investigation and detection of offences, or the right to a fair trial • an unlawful, corrupt or irregular use of public funds or public resources, which includes public funding received by Badminton New Zealand • conduct that is oppressive, unlawfully discriminatory or grossly negligent, or that is gross mismanagement, by an employee of a public sector organisation or by a person performing a function or duty, or exercising a power, on behalf of a public sector organisation or the Government
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	How to make a protected disclosure. A person is protected for a disclosure made to Badminton New Zealand in accordance with this policy, or to the Chief Executive or the Board Chair as the head or deputy head of the organisation. A disclosure may also be made to the Chair of the Risk & Compliance Board Subcommittee under this policy. A person may also make a protected disclosure to an appropriate authority at any time, whether or not they have raised the matter with us first (section 11(3)). They do not need our permission, and they do not need to show that the matter is urgent, that senior people are implicated, or that we have failed to act. Under section 25, an appropriate authority includes the head of any public sector organisation, any officer of Parliament, and the membership body of a profession, trade or calling with power to discipline its members. It does not include a Minister or a member of Parliament. Schedule 2 of the Act gives examples matched to the nature of the concern, including: • an Ombudsman - whistleblowing and protected disclosures generally, public sector matters, and general guidance about the Act • the Commissioner of Police, or the Director of the Serious Fraud Office - crime • WorkSafe New Zealand - work-related health and safety, and work-related bullying or harassment • the Human Rights Commission - discrimination, racism, and bullying or harassment, including sexual harassment • Oranga Tamariki - Ministry for Children - child welfare and child protection • the Office of the Privacy Commissioner - privacy of individuals or the security of personal information • the Department of Internal Affairs, or the Solicitor-General - charities • the Controller and Auditor-General - use of public funds • the Integrity Sport and Recreation Commission, as the head of a public sector organisation - integrity issues in sport and recreation If a person believes we have not dealt with their disclosure as we should, or have not addressed the serious wrongdoing, they may make the disclosure to a Minister (section 14). An Ombudsman may also refer the disclosure to a Minister, or investigate it, in the circumstances set out in section 32. Guidance. Anyone who has made, or is considering making, a protected disclosure may seek free information and guidance from an Ombudsman about how the Act works and what protections are available (section 30). This includes guidance on anonymous disclosures and on the duty of confidentiality.
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	Protections under the Act. A person who makes a protected disclosure is entitled to: • confidentiality - every receiver must use their best endeavours to keep confidential any information that might identify the discloser, subject to the limited exceptions in section 17 • no retaliation - an employer must not retaliate, or threaten to retaliate, by dismissal, detriment or disadvantage, withholding of terms or opportunities, or forced resignation or retirement. An employee who is retaliated against has a personal grievance under the Employment Relations Act 2000, and the employer bears the burden of proving the disclosure was not a substantial reason for its actions (sections 21 and 110B) • no victimisation - no person may treat the discloser, or their relatives or associates, less favourably because of the disclosure. This is unlawful under section 66(3) of the Human Rights Act 1993 and may be taken to the Human Rights Commission (section 22) • immunity - the discloser is not liable to any civil, criminal or disciplinary proceeding because of having made the disclosure (section 23) • no contracting out - no agreement, contract or internal procedure can require a person to stay silent about serious wrongdoing, or to withdraw or abandon a protected disclosure (section 24) The protections against retaliation and victimisation do not apply where a person knowingly made a false allegation or otherwise acted in bad faith (section 22(2)). Badminton New Zealand is not a public sector organisation, so section 29 of the Act (which requires public sector organisations to have internal procedures) does not apply to us. We maintain this policy voluntarily, and operate it consistently with the Act.
Questions and feedback	If you have any questions or feedback about this policy or a particular disclosure made under it, please contact the Chief Executive Officer or Board Chair of Badminton New Zealand; or alternatively the Chair of the Risk & Compliance Committee
Review Protocol	• Policy Reviewed By: Risk & Compliance Committee • Date Reviewed: 08/2026 • Next Review Date: 08/2028 • Revokes Policy Reviewed: N/A • Approved by: Board • Date Approved: 12/10/2026