

Yachting New Zealand Reporting Concerns Policy 'Whistleblowing'

V5 May 2024

Review protocol	Policy reviewed by:	Yachting New Zealand Board
	Document implemented:	18 December 2018
	Document reviewed:	May 2024
	Next review date:	May 2025

1. PURPOSE

Openness, integrity and accountability are important to Yachting New Zealand. This policy has been developed for the purpose of:

- a) facilitating the disclosure and investigation of cases of serious wrongdoing in or by Yachting New Zealand and
- b) protecting those individuals who make disclosures of information about serious wrongdoing in or by Yachting New Zealand.

This policy sets out Yachting New Zealand's procedures in respect of the disclosure and investigation of cases of serious wrongdoing in or by Yachting New Zealand, as well as the protections that apply to the person who made the disclosure. This policy is designed to meet the requirements of the [Protected Disclosures Act 2022](#) (later referred to as the ACT) as well as complement and sit alongside Yachting New Zealand's existing policies.

If you are uncertain about how best to address a particular concern, please report it regardless and we will ensure it is addressed under the appropriate policy.

2. SCOPE (APPLICATION)

This policy applies to Yachting New Zealand employees (including secondees, contractors and consultants), volunteers, directors and officers of Yachting New Zealand.

[Serious wrongdoing](#) (as defined by the ACT) includes any breach of law, regulation or rule, or generally unethical behaviour, but examples include corrupt or improper use of money or resources, negligent mismanagement, or conduct that constitutes a serious risk to public health, public safety or the environment carried out by someone within Yachting New Zealand.

3. PROCEDURE

An individual may report the serious wrongdoing through a formal complaint via either of these two mechanisms:

1. [Contact any of the people listed in Appendix 1.](#)

The person to whom the serious wrongdoing is disclosed will oversee the investigation of the allegations.

The investigation will include the following steps:

- a) acknowledging receipt of the disclosure as soon as practically possible
- b) informing the CEO of the disclosure or, where it is believed the CEO may be involved in the serious wrongdoing, the Board
- c) assessing the information provided to determine whether further investigation is required (if further investigation is not required, the person who made the disclosure will be informed of the decision) and/or whether the matter should be referred to a third-party agency (for example, the police) for investigation
- d) planning the investigation
- e) informing the person who made the disclosure of the indicative timeframe for completing the investigation
- f) informing the person who made the disclosure if their disclosure or identity is unable to be kept confidential and the reasons for this
- g) conducting and documenting the investigation (Yachting New Zealand may engage independent experts to assist with the investigation)
- h) reporting the findings of the investigation, together with any recommendations, to the CEO or, where it is believed the CEO may be involved in the serious wrongdoing, the Board and
- i) reporting the conclusion of the investigation to the person who made the disclosure.

If there has been no action in relation to the disclosure within 20 working days, or the individual believes on reasonable grounds that there is an exceptional circumstance or justified urgency, the individual may report the serious wrongdoing to an [appropriate authority](#) as defined by the ACT.

2. The New Zealand Sport and Recreation Complaints and Mediation Service.

An independent sport complaints and mediation service is available for any athletes or staff experiencing issues within their sport. The Sport and Recreation Complaints and Mediation Service is a safe way for anyone engaged in sport and active recreation to lodge a complaint, issue or dispute and have it resolved in a timely manner.

The service is free and is operated by **Immediation New Zealand Limited**, an online dispute resolution company which has been contracted by Sport New Zealand. It is wholly independent of Sport New Zealand, High Performance Sport New Zealand and all other sporting bodies, clubs and organisations.

The Sport and Recreation Complaints and Mediation Service website is available [here](#).

4. PROTECTION

Any person who discloses information about serious wrongdoing in good faith and in accordance with this policy will not be subject to dismissal, demotion, harassment or any other form of retaliatory action. However, this protection does not apply where the person making the disclosure:

- a) committed or played any part in the serious wrongdoing
- b) knows the allegations are false or otherwise acts in bad faith, or
- c) discloses information publicly or through the media.

The person to whom the serious wrongdoing is disclosed must not disclose information that might identify the person who made the disclosure of serious wrongdoing, unless:

- a) the person consents in writing to the disclosure of that information, or
- b) the person to whom the serious wrongdoing is disclosed reasonably believes that disclosure of identifying information is essential for the effective investigation of the allegations or having regard to the principles of natural justice. For example, the person who the disclosure relates to may need to know the identity of the person who made the disclosure to be able to adequately respond to the allegations.

5. REFERENCE

Further information regarding protected disclosures can be found:

YNZ Protected Disclosures Policy

[Protected Disclosures Act 2022](#)

[Ombudsman: Guide to Protected Disclosures / Whistleblowing](#)

Appendix 1: Contact details

Contact details for the reporting of serious wrongdoing or if you are unsure of where to go to for help:

Name	Organisation	Position	Email	Mobile
David Abercrombie	Yachting New Zealand	CEO	dabercrombie@yachtingnz.org.nz	021 489 121
Greg Knowles	Yachting New Zealand	Board chair	Knowlesgreg63@gmail.com	021 307 332
Bridget Winstone-Kight	Yachting New Zealand	Board member	bridget.m.winstone-kight@pwc.com	027 776 0606
Paul Heron	Sport New Zealand	Manager Partnerships	paul.heron@sportnz.org.nz	021 281 2305

Version History

V1 December 18, 2018

V2 April 30, 2021

V3 April 28, 2022

V4 April 27, 2023