

Appropriate Authorities

The following are named in the Protected Disclosures Act as 'appropriate authorities' to whom disclosures of serious wrongdoing may be made:

- ▶ Commissioner of Police
- ▶ Controller and Auditor-General
- ▶ Director of the Serious Fraud Office
- ▶ Inspector-General of Intelligence and Security
- ▶ Ombudsmen
- ▶ Parliamentary Commissioner for the Environment
- ▶ Police Complaints Authority
- ▶ Solicitor-General
- ▶ State Services Commissioner
- ▶ Health and Disability Commissioner
- ▶ head of every public sector agency
- ▶ heads of certain private sector professional bodies having disciplinary powers over members.

For further information or guidance on the role or functions of the various appropriate authorities, contact our staff.

Contacting the Ombudsmen

Complaints free phone: 0800 802 602

Email: complaint@ombudsmen.govt.nz

Website: www.ombudsmen.govt.nz

Office enquiries: 8.30am to 5.00 pm Monday to Friday

AUCKLAND

Level 10, 55-65 Shortland Street

PO Box 1960

AUCKLAND

Phone: (09) 379 6102

Fax: (09) 377 6537

WELLINGTON

Level 14, 70 The Terrace

PO Box 10152

WELLINGTON

Phone: (04) 473 9533

Fax: (04) 471 2254

CHRISTCHURCH

Level 6, 764 Colombo Street

PO Box 13482

CHRISTCHURCH

Phone: (03) 366 8556

Fax: (03) 365 7935

This pamphlet is available in Maori, Samoan and Mandarin Chinese.

Other Ombudsmen pamphlets cover making complaints about central and local government agencies, prisons and tertiary education institutions and the Official Information Act.

A guide to the

Protected Disclosures Act

OFFICE OF THE OMBUDSMEN

Nga Kaitiaki Mana Tangata

If you wish to report serious wrongdoing in your workplace, an Ombudsman may be able to assist you.

FREE

IMPARTIAL

INDEPENDENT

CONFIDENTIAL

What is the Protected Disclosures Act?

The Protected Disclosures Act:

- ▶ is about disclosure, in the public interest, of serious wrongdoing (sometimes called 'whistle-blowing')
- ▶ sets out procedures to be followed when making a disclosure
- ▶ provides protection to employees who make disclosures in accordance with the Act.

What is serious wrongdoing?

Serious wrongdoing includes:

- ▶ unlawful, corrupt or irregular use of public funds or resources
- ▶ conduct that poses serious risk to public health, safety, the environment or maintenance of the law

- ▶ any criminal offence
- ▶ gross negligence or mismanagement by public officials.

When is a disclosure protected?

To make a disclosure under the Act, you must be an employee (or former employee) of the organisation concerned.

Your disclosure will be protected if:

- ▶ the information you are disclosing is about serious wrongdoing in or by your organisation
- ▶ you reasonably believe that the information is true or likely to be true
- ▶ you wish to have the serious wrongdoing investigated.

Our staff can provide you with detailed written material on the Protected Disclosures Act. Telephone our staff for a free copy.

Making a Protected Disclosure

If you are considering making a disclosure, you may wish to speak to one of our staff who can provide information and guidance about the Act.

If your organisation has procedures for dealing with information about serious wrongdoing, you should make your disclosure in accordance with those procedures.

However, in some cases, you may be able to make your disclosure to one of the authorities listed in the Act. See the list of 'appropriate authorities' elsewhere in this pamphlet.

An Ombudsman's functions

Under the Act, an Ombudsman can provide an employee who has made, or is considering making, a disclosure of serious wrongdoing, information about:

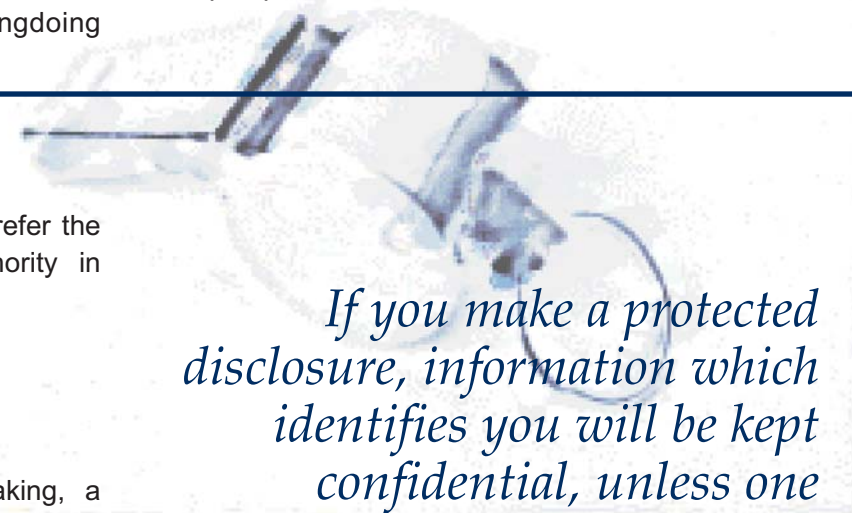
- ▶ the kinds of disclosures that are protected
- ▶ the manner in which, and the persons to whom, serious wrongdoing may be disclosed
- ▶ the roles of the various appropriate authorities listed in the Act
- ▶ the protections available under the Act if disclosure leads to victimisation

- ▶ the ability of an appropriate authority to refer the disclosure to another appropriate authority in certain circumstances.

Telephone Assistance

If you have made, or are considering making, a disclosure, you may wish to speak to one of our staff first (see the contact details on the back of this pamphlet). Some of our staff specialise in this area and can provide you with guidance and information about the Act.

Your enquiries will be treated in confidence.



If you make a protected disclosure, information which identifies you will be kept confidential, unless one of the exceptions in the Act applies.