New Zealand Ju-Jitsu Federation (NZJJF)

Protected Disclosure (Whistleblowing) Policy

BACKGROUND

Openness, integrity and accountability are important to the **New Zealand Ju-Jitsu Federation (NZJJF)** and equally to all the sport and recreation sector.
All members of the New Zealand Ju-Jitsu Federation shall conduct themselves in accordance with the Rules and Regulations of the NZJJF and be bound by its Code of Ethics and Anti-Doping Policy.
This policy has been developed to ensure that people who have concerns related to the New Zealand Ju-Jitsu Federation as an organisation or our activities, or those of our members, and are able to raise those without fear of repercussion and with the confidence that the concerns will be addressed in accordance with the NZJJF Rules and Regulations

PURPOSE

This policy sets out our processes for reporting concerns and explains the protections available.
It applies to all members of the NZJJF; board members, other officers, clubs, instructors/coaches, students, volunteers, officials, 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 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 other applicable policy i.e. NZJJF Anti-Match-Fixing and Sports Betting Policy.

Principles of this policy

- We will provide individuals with a process for reporting their concerns
- Individuals who raise concerns in good faith will not be disadvantaged
- All disclosures will be addressed as appropriate

What sorts of concerns should be reported?

This policy applies to <u>any</u> 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 mat side behaviour during a competition
- match fixing or doping *(noting that we have a specific Anti-Match-Fixing and Sports Betting Policy)*
- security or health and safety
- 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

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- negligence or mismanagement by someone in the organisation or a related organisation

POLICY

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 Secretary or Chairman or another committee member of the NZJJF.

Who the appropriate person to report to will be depend on the nature, seriousness, and circumstances of the issue in the eyes of the reporting individual. 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

If there is no one within the organisation that would be appropriate to report the concern to, it may be appropriate to report it to an appropriate external authority. In considering whether it is appropriate to report to an external authority, individuals should 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

Protections for individuals reporting concerns

Individuals who report concerns in good faith and in accordance with this policy can expect:

- their disclosure to be treated in confidence by the organisation if they so request, to the extent that maintaining confidentiality is possible and appropriate
- their identity to be kept confidential if they so request, to the extent that is possible and appropriate
- 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

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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 in good faith – honestly and for genuine reasons
- 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.

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 but will be dealt with in accordance with the NZJJF Rules and Regulations

Our expectations of individuals who have concerns reported to them are that the matter is dealt with according to the NZJJF Rules and Regulations ensuring 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

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
- if the individual who has made the disclosure wishes the disclosure or his or her identity to be kept confidential, those wishes are respected to the extent possible and appropriate

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- if the disclosure or identity of the individual who made it cannot be kept confidential, the individual is advised of that and of the reasons his or her disclosure or identity cannot be kept confidential

No retaliatory or adverse treatment as a result of disclosure

Our expectation is that individuals who report concerns in good faith under this policy 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

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 Act 2000

The Protected Disclosures Act 2000 (the Act) provides protections for employees who make disclosures under the Act about serious wrongdoing (see below) in or by their employer.

If an employee makes a protected disclosure, the Act protects the employee from retaliatory action in employment, and gives the employee immunity from civil or criminal proceedings and from any disciplinary process, by reason of having made the disclosure, *provided that*:

- the information is about 'serious wrongdoing' (see below) in or by the employer;
- the employee believes on reasonable grounds the information disclosed is likely to be true
- the employee wishes to disclose the information so the serious wrongdoing can be investigated
- the employee wishes the disclosure to be protected under the Act

The definition of serious wrongdoing in the Act includes:

- an unlawful, corrupt, or irregular use of funds or resources of a public sector organisation; or
- an act, omission, or course of conduct that constitutes a serious risk to public health or public safety or the environment
- an act, omission, or course of conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial
- an act, omission, or course of conduct that constitutes an offence
- an act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement

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Under the Act an 'appropriate authority' includes:

- the Commissioner of Police
- the Controller and Auditor-General
- the Director of the Serious Fraud Office
- the Inspector-General of Intelligence and Security
- an Ombudsman
- the Parliamentary Commissioner for the Environment
- the Independent Police Conduct Authority
- the Solicitor-General
- the State Services Commissioner
- the Health and Disability Commissioner
- the head of a public sector organisation
- a private sector body which comprises members of a profession or calling and which has the power to discipline its members

Questions and feedback

If you have any questions or feedback about this policy or a particular disclosure made under it, please contact the NZJJF Secretary via e-mail.