



Ombudsman
Tuia kia ōrite • Fairness for all

Large Print version



The Ombudsman works to protect people's rights, their dignity, and mana. The Ombudsman is committed to Te Ao Māori and ensuring obligations under Te Tiriti o Waitangi are met.

How the Ombudsman can help

The Ombudsman can help if you want to report serious wrongdoing at work. This is sometimes called 'whistleblowing'.

Under the Protected Disclosures Act you can report serious wrongdoing in your workplace, and be protected from punishment by your employer for making the report.

You can make a protected disclosure if you are a current or former employee, on secondment, a contractor, volunteer or board member of any public or private sector organisation.

The Ombudsman provides guidance to employees about how to make a protected disclosure, and how you are protected if you do. The Ombudsman also provides advice to employers on the process for dealing with protected disclosures.

What is serious wrongdoing?

Examples of serious wrongdoing include:

- committing a crime
- causing a serious risk to the health or safety of any individual, the public, or the environment
- causing a serious risk to the maintenance of the law
- corrupt or inappropriate use of public funds or resources
- gross mismanagement or negligence or unlawful discrimination or oppression by public officials.

Talk to us

If this sounds like your situation, you may want to talk to the Ombudsman. Any information you share with us will be treated in confidence.

Protection

If you make a protected disclosure you are entitled to:

- confidentiality (subject to the limited exceptions below)
- protection from punishment or retaliation by your employer
- immunity from civil, criminal and disciplinary proceedings
- protection from victimisation under the Human Rights Act 1993.

Your disclosure will be protected if:

- the information you are disclosing is about serious wrongdoing in or by an organisation
- you reasonably believe that the information is true or likely to be true
- your disclosure is made in good faith.

Confidentiality

If you make a protected disclosure, information that identifies you will be kept confidential unless you agree to being identified, or if identifying you is essential to:

- the effective investigation of the allegations
- prevent serious risk to public health or safety or the environment
- comply with the principles of natural justice
- an investigation by a law enforcement or regulatory agency.

How to report serious wrongdoing

You can report serious wrongdoing in a number of ways, including:

- through your organisation's internal procedure for dealing with serious wrongdoing if they have one – all government agencies must have one

- to the head or deputy head of your organisation
- to an appropriate authority, including the Ombudsman.

Protected Disclosures Act

The Protected Disclosures (Protection of Whistleblowers) Act came into force on 1 July 2022. It helps the disclosure and investigation of serious wrongdoing in the workplace, and provides protection for employees who report concerns.

The Act enables people to report a serious wrongdoing to an appropriate authority at any time, rather than having to go to their employer first.

The Ombudsman's role

The Ombudsman is independent and impartial, with a focus on fairness for all.

The Ombudsman can provide you with information about:

- what kind of disclosures are protected

- who you can make report wrongdoing to
- how to report wrongdoing
- the roles of the appropriate authorities
- protection available if your employer tries to punish you for blowing the whistle.

If you believe there is serious wrongdoing in your workplace and you are wondering whether to blow the whistle, you can speak confidentially to one of the Ombudsman's specialist staff who can provide you with information and guidance.

The Ombudsman's services are free and available to everyone.

Appropriate authorities

Appropriate authorities that can receive protected disclosures include:

- Ombudsman
- Commissioner of Police
- Commerce Commission
- Controller and Auditor-General

- Director of the Serious Fraud Office
- Financial Markets Authority
- Health and Disability Commissioner
- Human Rights Commissioner
- Inspector-General of Intelligence and Security
- Independent Police Conduct Authority
- Parliamentary Commissioner for the Environment
- Privacy Commissioner
- Public Service Commissioner
- Reserve Bank of New Zealand
- Solicitor-General
- Head of any public sector agency
- Heads of some private sector professional organisations who have the power to discipline their members.

The Protected Disclosures Act includes a list of examples of which appropriate authority to go to for different types of wrongdoing.

For more information or help, please contact the Ombudsman.

Contact the Ombudsman Whakapā Kaitiaki

Mana Tangata

Office of the Ombudsman

Tari o te Kaitiaki Mana Tangata

Monday to Friday, 8.30am to 5.00pm

Freephone 0800 802 602

Email info@ombudsman.parliament.nz

Website www.ombudsman.parliament.nz

PO Box 10152, Wellington 6143

Facebook: @ombudsmannz



www.ombudsman.parliament.nz/resources/reporting-serious-wrongdoing-work-whistleblowing

Use this QR code for more information and pamphlets in accessible formats and other languages. Additional languages and formats are available on request.

Use NZ Relay www.nzrelay.co.nz to contact the Ombudsman if you are Deaf or hard of hearing or have a speech impairment.

Reporting serious wrongdoing at work (whistleblowing)

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