

Protected Disclosure Policy

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Human Resources	Chief Human Resource Officer	CAL – Employment Relations
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This policy applies to:		
All TWG Team Members		



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What is this Policy about?

As a company we are committed to providing a way for the disclosure and investigation of matters of serious wrongdoing within our company. Should you discover information relating to serious wrongdoing within the company, you are provided with immunity from civil, criminal and disciplinary proceedings if you disclose this information according to this policy, and according to the Protected Disclosures (Protection of Whistleblowers) Act 2022 (**“the Act”**).

This policy provides you information on how to go about reporting serious wrongdoing and what your rights are under the Act.

What are the key terms?

Serious wrongdoing

Includes any act, omission, or course of conduct in or by any company within The Warehouse Group that constitutes one or more of the following:

- an unlawful, corrupt, or irregular use of public funds or public resources; or
- a serious risk to public health or public safety; or the health and safety of any individual; or the environment; or
- a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
- an offence; or
- oppressive, unlawfully discriminatory, or grossly negligent conduct or gross mismanagement by a public sector employee or a person performing a function or duty or exercising a power on behalf of a public sector organisation or the Government.

What are the Rules?

You can make a “protected disclosure” if you believe on reasonable grounds that there is, or has been serious wrongdoing in or by any company within The Warehouse Group.

For your disclosure to be protected you must make a complaint to The Warehouse Group in accordance with this policy, or to another appropriate authority as defined under the Act.

Please note: Protections under the Act will not apply to information which is made in bad faith.

You may choose to report the matter anonymously and/ or confidentially to

- confidentialhelp@twgroup.co.nz
- TWG’s Faircall Whistleblower hotline managed by KPMG at 0800 100 526
- online at <https://www.kpmgfaircall.kpmg.com.au/warehousegroup>.

You may also make a complaint to the General Manager HR – Employment Relations at Support Office.

You may also make the disclosure to the Group Chief Executive Officer or an appropriate authority at any time, including an Ombusman.

Within 20 days of the disclosure being made, the General Manager HR – Employment Relations, or a senior manager within The Warehouse Group given responsibility to deal with the disclosure will:

- a. acknowledge receipt of the disclosure
- b. consider the disclosure and whether it warrants investigation
- c. check whether you have made the disclosure anywhere else (and if there was any outcome)
- d. deal with the matter, or when it is impractical to deal with the matter within this timeframe, inform you of how long it is expected to take to deal with the matter and then keep you informed as to progress.

The matter will be dealt with by doing one or more of the following:

- investigating the disclosure
- addressing any serious wrongdoing by acting or recommending action
- referring the disclosure to an appropriate authority if necessary
- deciding that no action is required.

Where an investigation is to occur, the General Manager HR – Employment Relations or the responsible senior manager will either:

- a. Arrange an investigation into the complaint;
- b. Delegate the investigation to a senior manager provided the Manager is not party to the wrongdoing;
- c. Delegate the investigation to an external investigator to undertake; or
- d. Refer the information to the appropriate authority (such as the Police) where it may be more suitably and conveniently investigated by that authority.

The person conducting the investigation must act independently and without bias.

The General Manager HR – Employment Relations, or the responsible senior manager, will also discuss the outcome of the disclosure with you.

If you do not agree to an investigation then the General Manager HR – Employment Relations, or the appropriate senior manager dealing with the disclosure, will meet with you on a confidential basis to discuss how the matter might be resolved.

Please note, nothing in the Act authorises a person to disclose information protected by legal professional privilege.

Exceptions

The exceptions to the above procedure are where you believe on reasonable grounds that the person dealing with the disclosure for The Warehouse Group has not responded to the matter in accordance with this Policy; or has not otherwise dealt with the matter to address the serious wrongdoing. In these circumstances you can take the matter to an appropriate authority or to a Minister of Parliament.

Examples of appropriate authorities include: WorkSafe New Zealand, Human Rights Commission, Commissioner of Police, the Controller and Auditor General, Director of Serious Fraud Office, Inspector-General of Intelligence and Security, an Ombudsman, Ministry for the

Environment, Independent Police Conduct Authority, Solicitor General, Public Services Commission and Health and Disability Commissioner.

Confidentiality

Any TWG person to whom a protected disclosure is made or referred must use his or her best endeavours not to disclose information that might identify the discloser unless—

- a) that person consents to the disclosure of that information; or
- b) the person who has acquired knowledge of the protected disclosure reasonably believes that disclosure of identifying information—
 - is essential to the effective investigation of the disclosure; or
 - is essential to prevent serious risk to the health and safety of an individual, to public health or public safety or the environment; or
 - is essential to comply with the principles of natural justice; or
 - is essential to an investigation by a law enforcement or regulatory agency for the purposes of law enforcement.

In most cases you will be consulted with if your identity is being disclosed.

If information is released that might identify the discloser and is not in accordance with the above, a discloser may make a complaint under the Privacy Act 2020.

Related Documents

- The Warehouse Code of Ethics

Related Legislation

- Protected Disclosures (Protection of Whistleblowers) Act 2022
- Employment Relations Act 2000

