

# Whistleblower Policy (Protected Disclosure)



## SCOPE

This policy applies to all our people (“employees”), temporary workers, and contractors involved with Fliway Group (Fliway Transport Ltd, Fliway International Ltd, Fliway Logistics Ltd), “Fliway”, along with our Board of Directors (“Board”).

## PURPOSE

Fliway is committed to aiding disclosure of, an investigating into, Serious Wrongdoing within Fliway. The aim of this policy is to provide guidance and procedures around protecting our people and those that make such disclosures.

The policy may be amended at any time by Fliway, without advance warning. You will be notified of any changes by communication via email, noticeboards or updates on the company website.

This policy should be read in conjunction with the Respectful Workplace Policy, The Simple Rules and Code of Conduct, Code of Ethics and the Protected Disclosures Act 200 and its amendments.

## SIMPLE RULES

**If you have an issue or a problem, talk to someone to try and sort it out sensibly.**

### 1.0 DEFINITIONS

**1.1 “Employee or Contractor”** means any Fliway Group employee, former employee, contractor, former contractor, temporary worker or former temporary worker or board member of Fliway.

**1.2 “Serious Wrongdoing”** means any unlawful situation or practice of a serious nature that is contrary to those outlined by Fliway policies and business rules, including:

- Unlawful, corrupt or irregular use of funds or resources;
- Conduct that constitutes a serious risk to public health, public safety or the environment;
- 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;
- Conduct that constitutes an offence; or
- Conduct that is oppressive, grossly negligent or constitutes gross mismanagement.

### 3.0 POLICY PRINCIPLES

Fliway expects all employees and contractors who have information about any Serious Wrongdoing by an individual or business subsidiary to disclose that information.

In turn, Fliway is committed to providing protections outlined within this policy to those who use the disclosure process.

### 4.0 PROCEDURE FOR REPORTING SERIOUS WRONGDOING

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**4.1** Any Employee or Contractor who wishes to make a disclosure should in the first instance consider making the disclosure to their manager.

**This disclosure should be in writing and provide as much specific and relevant information, as possible, ie. Names; dates; actions/omission; and any supporting information or evidence.**

However, if the employee or contractor believes that:

- Their manager is involved in the Serious Wrongdoing; or
- Their manager has a personal relationship or association with someone who is believed to be involved in the Serious Wrongdoing; or
- For any other reason their manager is not an appropriate person for them to talk to and make the disclosure as outlined below (4.2).

**4.2** They should communicate their concerns as outlined above by:

Emailing, calling or mailing information to:

GM People  
Fliway Group, PO Box 73011, Auckland Airport 2150

Marked 'HIGHLY CONFIDENTIAL'

**Email:** [Tellme@fliway.com](mailto:Tellme@fliway.com)

**Phone:** 027 807 1925

**4.3** Other reporting channels:

- Any member of Senior Leadership Team
- Managing Director
- Any member of the Fliway Board

**4.4 How the allegation is handled:**

All allegations received will be forwarded to the Managing Director, GM People and Chief Financial Officer (unless the allegation involves one of those roles, in which case they will be excluded from the forward), who will then assess and make a decision on whether to escalate the allegation(s) to the Chairperson of the Audit & Risk Committee and/or Chairperson of the Board.

The three individuals will then discuss and decide on appropriate action to take in order to investigate and validate the allegation(s).

They may request special treatment of any allegation, including but not limited to, the retention of outside counsel, independent investigators, accountants or other advisors.

Appropriate disciplinary action will be taken should allegations be substantiated in line with the Code of Conduct. (However, in addition, any person who knowingly makes a false report maybe subjected to disciplinary action.)

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Other actions made be taken as required following the completion of the investigation into the allegation(s).

## 5.0 PROTECTION FOR MAKING A DISCLOSURE

This Policy protects those covered by the scope of this policy who make disclosures regarding Serious Wrongdoing provided:

- the information is about Serious Wrongdoing within the Fliway Group; and
- they believe on reasonable grounds that the information is true, or likely to be true; and
- they wish to disclose the information so that the Serious Wrongdoing can be investigated; and
- they wish the disclosure to be protected.

If all of these factors apply, it is defined as a **Protected Disclosure**.

The protections provided are:

### 5.1 *Confidentiality*

Fliway will stand behind any employee or contractor who, acting in good faith, reports serious wrongdoing.

Fliway representatives to whom a protected disclosure is made or referred will use their best endeavours not to disclose information that might identify the person whom made the protected disclosure unless:

- They consent in writing to the disclosure of their identity; or
- 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 allegations in the protected disclosure; or
  - is essential to prevent serious risk to public health or public safety or the environment; or
  - is essential having regard to the principles of natural justice.

### 5.2 *Victimisation or Retaliation*

Any Employee or Contractor who believes that they have been victimised, or has received retaliatory actions because of their disclosure should raise these immediately to the GM People.

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