

Protected Disclosures Policy



Policy Statement

The Protected Disclosures Act 2000 applies to every public sector organisation. It is the Board's responsibility to have in operation procedures for receiving and dealing with information about serious wrongdoing in or by their school.

Purpose

The purpose of this policy is to promote the highest professional standards of public service by ensuring staff feel confident to disclose concerns about serious wrongdoing (also known as "whistle-blowing"). This policy complies with the requirements of the Act to ensure that the school's procedures in this regard follow principles of natural justice, to identify those within the school organisation to whom a disclosure may be made and to outline where disclosures may be made to other persons or organisations.

By following the policy all employees will be protected by the following:

- Personal grievance provisions of the Employment Relations Act
- The victimisation provisions of the Human Rights Act
- Maintenance of confidentiality requirements.


Guidelines on Policy Implementation

1. A protected disclosure is a declaration made by an employee where they believe serious wrongdoing has occurred. Staff members making disclosures will be protected against retaliatory or disciplinary actions and will not be liable for civil or criminal proceedings related to the disclosure.
2. Serious wrongdoing for the purposes of this policy includes and of the following:
 - i. Unlawful, corrupt or irregular use of public funds or resources
 - ii. An act of omissions of conduct which seriously risks public health or safety or the environment; or
 - iii. That is oppressive, improperly discriminatory, grossly negligent or constitutes gross mismanagement; or
 - iv. Constitutes serious risk to the maintenance of law.
3. Those making the disclosure should ensure that:
 - i. The information is about serious wrongdoing in or by the school
 - ii. The staff member believes on reasonable grounds the information to be true or likely to be true
 - iii. The staff member wishes the wrongdoings to be investigated
 - iv. The staff member wishes the disclosure to be protected.
4. Those who may make a disclosure are:
 - i. Any current employee including the Principal

- ii. Any former employees and Principals
 - iii. Any contractor supplying services to the school
 - iv. Any volunteer for the school.
5. Staff members who make a disclosure and who have acted in accordance with school procedures related to disclosure:
- i. May bring a personal grievance in respect of any retaliatory action from their employers or supervisors
 - ii. May access anti-discrimination provisions of the Human Rights Act in respect if any retaliatory action
 - iii. Are not liable to criminal or civil proceedings or to a disciplinary hearing for having made a disclosure or referred to a disclosure
 - iv. Will have their disclosure treated with the utmost confidentiality.
6. The protections in Clause 5 of this policy will not be available to employees making allegations they know to be false or where they have acted in bad faith.
7. The procedures for handling disclosures by staff members will include details of:
- i. How to submit a disclosure
 - ii. What information is to be contained in the disclosure
 - iii. Where disclosure can be sent
 - iv. By whom and by when examination of disclosures are to take place and if deemed necessary a full investigation is to take place
 - v. How the name of the staff member making a disclosure is to be protected
 - vi. Reporting of any investigation conducted
 - vii. Making disclosures to other organisations
 - viii. Making disclosures to the Ministers and Ombudsman.
8. The procedures for handling disclosures will be publicised to all school employees and will be contained within the school's staff handbook.

The Board expects that the following documents outlining management policies and procedures or practices exist in the school and are regularly reviewed by management. These documents will be available to the Board on request.

Supporting Documents	<ul style="list-style-type: none"> o Guidelines for managing staff complaints o Procedures for dealing with complaints against staff o Child Protection Policy o Procedures for Volunteers
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Signed (Board Chair)	
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