



Protected Disclosures

Rationale:

In accordance with the Protected Disclosures Act 2000 the school must provide an internal procedure to protect persons who suspect a serious wrongdoing has is or may occur within the school and wish to disclose it.

Purpose:

This policy supports the school's obligation to comply with the Protected Disclosures Act 2000.

Definitions:

Protected Disclosure is a right prescribed in the Act whereby a complainant may report serious wrongdoing and require the disclosure to be protected.

Complainant means a current or former employee contractor or volunteer of the school.

Serious wrongdoing is defined in the Act as being any of the following:

- a. An unlawful, corrupt, or irregular use of public funds or public resources; or
- b. an act, omission, or course of conduct that constitutes a serious risk to public health or public safety or the environment; or
- c. 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; or
- d. an act, omission, or course of conduct that constitutes an offence; or
- e. an act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement.

Protection in this context can include any of the following:

- a. Confidentiality
- b. Immunity from civil criminal or disciplinary proceedings for making or referring the disclosure
- c. The right to not suffer retaliatory action by their employer

Scope:

This policy applies to all current or former staff and contractors to the school.

Guidelines:

1. If, on reasonable grounds, a complainant has information that a serious wrongdoing has, is or may occur within the school and wishes to disclose that information so it can be investigated, they can make a protected disclosure to the Principal.
2. Disclosures may be verbal or in writing. The complainant should identify that the disclosure is being made under the Protected Disclosures Act and is following the school's procedure. The disclosure should provide details alleged serious wrongdoing and who the complaint is against.
3. If the complainant believes the Principal is involved in, or associated with the person accused of the wrongdoing, then the disclosure may be made to the Board of Trustees' Chairperson.
4. It is then up to the person the disclosure is made to, to decide if the disclosure constitutes a serious wrongdoing and needs investigating. They can decide:
 - a. To investigate the disclosure themselves;
 - b. To forward the disclosure to the Board or a Committee of the Board to investigate;
 - c. Whether it needs to be passed onto an appropriate authority. If it goes to an appropriate authority, they will advise you that they are now investigating the complaint;



5. If the complainant believes that both the Principal and the Chairperson of the Board of Trustees may be a party to the wrongdoing or in close relationship with the person/s involved in the wrongdoing, they can approach an external 'appropriate authority' direct.

References or Sources:

1. Protected Disclosures Act 2000
2. http://www.psa.org.nz/Libraries/PSA_Document_2/Protected.sflb.ashx

Review details:

Review Date	Reviewed by
Nov 2019	SMK
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Management Contact:

Principal