

## Protected Disclosures Policy

### Rationale:

It is expected that all members of the school community (staff, students, parents, other community members) will endeavour to maintain high standards of operation and/or interaction in their daily practice.

When there is a perceived breach of such practice the school aims to respond to complaints in a fair and consistent manner, in accordance with employment contracts, legislation and the school's codes of conduct.

### Purpose:

1. To deal with a complaint of serious wrongdoing on the part of a staff member according to set procedures.
2. To achieve resolution as a result of clear guidelines and practices.
3. To ensure that all those involved are treated respectfully.
4. To put in place corrective or disciplinary action, as necessary.
5. To ensure that the protected disclosures policy is adhered to.

### Guidelines:

1. An employee may report serious wrongdoing within the school, without retribution or criminal liability
2. Any employee (present, past and contractors supplying services to the school) may initiate this action
3. Serious wrongdoing includes
  - a. Gross negligence and/or mismanagement
  - b. Unlawful or corrupt actions
  - c. Misuse of public funds or resources
  - d. Significant breach of public health and safety
4. The board nominates the principal to receive complaints under the protected disclosures policy, or if in regard to the principal the complaint should be directed to the board chair
5. A disclosure of serious wrongdoing should be submitted in writing
6. There is a period of 20 days during which

- a. The allegations of wrongdoing are investigated
  - b. A decision regarding further action is made, according to the requirements of the act, as specified in the procedures attached to the policy.
7. The difference between the protected disclosures and complaints policies is a matter of degree
8. Confidentiality will be maintained unless
  - a. The complainant consents in writing
  - b. Identifying information is necessary to
    - i. Ensure the investigation is effective
    - ii. Prevent a serious risk to health & safety
    - iii. Have regard for the principles of natural justice
9. The school will act in accordance with
  - a. current legislation, relevant conditions and current employment contracts when dealing with complaints
  - b. good practice, including avoidance of any conflict of interest
10. Outside mediation/advocacy may be sought from external agencies such as STA, PPTA, NZEI.
11. Where an employee makes allegations they know to be false, or where they have acted in bad faith the board will take appropriate action.
12. Under specific conditions an employee can decide to disclose information to an authority outside of the school. This includes the right to appeal.

Ratified by Board: \_\_\_\_\_ signed for BOT

\_\_\_\_\_ date

Reviewed: \_\_\_\_\_ date

\_\_\_\_\_ signed for BOT

**Related policies:**

- Complaint policy
- OSH policy
- Finance policy
- Abuse policy