



MARIAN SCHOOL BOARD OF TRUSTEES

EMPLOYEE PROTECTED DISCLOSURES POLICY

PURPOSE

The purpose of this policy is to provide information and guidance for employees of Marian School who wish to report serious wrong-doing within the school and have the disclosure protected in accordance with the Protected Disclosures Act 2000.

POLICY

- 1) A protected disclosure is a declaration made by an employee alleging serious wrong-doing by or within Marian Catholic School.
- 2) Serious wrong-doing is defined as:
 - a) an unlawful, corrupt, or irregular use of funds or 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
- 3) Any employee, (including a past employee or independent contractor) of the school may make a disclosure.
- 4) The disclosure must be in writing and sent to the Principal unless the Principal is believed to be involved in the wrong-doing or has an association that may prevent this course of action, in which case the disclosure is to be made to the Chairperson of the Board of Trustees.
- 5) On receipt of a disclosure, the Principal and Chairperson, or if the wrong-doing involves the Principal, the Chairperson and Deputy Chairperson, must within 20 working days examine seriously the allegations of wrongdoing made and decide whether a full investigation is warranted. If warranted they will undertake a full investigation or arrange this through an appropriate authority as defined by statute.
- 6) Notification of a disclosure made in accordance with this policy is to be made to the Board of Trustees as soon as practicable after receipt of the disclosure without reference to the identity of the disclosing person.
- 7) All disclosures must be made in good faith where an employee believes on reasonable grounds that the information is true or likely to be true.
- 8) The disclosure must contain detailed information on the nature of the wrong-doing as well as the name/s of the people involved. Also facts including details relating to the time and/or place of the wrong-doing if relevant.

- 9) All disclosures will be treated with the utmost confidence. When undertaking an investigation or writing a report, all care must be taken to ensure that information is not given that can identify the disclosing person, unless they consent in writing, or if the person receiving the information is essential to ensure an effective investigation, to prevent a serious risk to public health, safety or the environment, or to have regard to the principles of natural justice.
- 10) At the conclusion of any investigation, the Principal and or the Chairperson will prepare a report of the investigation for the Board of Trustees with recommendations for action if appropriate.
- 11) The Board of Trustees will do what it can to protect the person disclosing the information about serious wrongdoing from internal and/or external reprisals.
- 12) If no action is taken within 20 days, or there is urgency, or the employee believes that the Chairperson of the Board may be involved in the serious wrongdoing, then the employee may inform the appropriate authority.
- 13) If the employee continues to believe that the information relating to the wrongdoing is true, and that no proper investigation or action has been taken, the employee may disclose the information to a Minister of the Crown, or an Ombudsman.

REVIEW

This policy will be reviewed annually

APPROVED 12 June 2007

Board of Trustees Chairperson: