

KAIKORAI VALLEY COLLEGE



PROTECTED DISCLOSURE PROCEDURE

(Linked to the Child Protection Policy)

Rationale

Under the Protected Disclosures Act 2000 all public sector organisations are required to have appropriate internal procedures for receiving and dealing with information about serious wrongdoing. These procedures and how they are used must be widely published in the organisation at regular intervals.

Guidelines – This procedure should be read in conjunction with the Child Protection Policy

Any employee of Kaikorai Valley College who wishes to make a protected disclosure must follow the following guidelines.

1. The employee should submit the disclosure in writing.
2. The disclosure should contain detailed information including the following:
 - the nature of the serious wrongdoing
 - the name or names of the people involved
 - surrounding facts including details relating to the time and/or place of the wrongdoing if known or relevant).
3. A disclosure must be sent in writing to the Principal who has been nominated by the Board of Kaikorai Valley College under the provision of Section 11 of the Protected Disclosures Act 2000 for this purpose.
4. If you believe that the Principal is involved in the wrongdoing, or has an association with the person committing the wrongdoing, that would make it inappropriate to disclose to them, then you should make the disclosure to the Chairperson of the Board of Trustees.
5. On receipt of a disclosure, the Principal in consultation with the Board of Trustees Chairperson, must within 20 working days examine seriously the allegations of wrongdoing made, and decide whether a full investigation is warranted. If warranted a full investigation will be undertaken by the Principal or arranged by him/her as quickly as practically possible, through an appropriate authority.
6. All disclosures will be treated with the utmost confidence. When undertaking an investigation, and when writing the report, the Principal will make every endeavour possible, not to reveal information that can identify the disclosing person, unless the person consents in writing, or if the person receiving the protected disclosure reasonably believes that disclosure of identifying information is essential. This is done to:
 - To ensure an effective investigation.
 - To prevent serious risk to public health or public safety or the environment.
 - To have regard to the principles of natural justice.
7. At the conclusion of the investigation the Principal will prepare a report of the investigation with recommendations for action if appropriate.
8. A disclosure may be made to an appropriate authority (including those listed below) if the employee making the disclosure has reasonable grounds to believe:
 - The Board Chairperson in the school responsible for handling the complaint is, or may be, involved in the wrongdoing; or
 - Immediate reference to another authority is justified by urgency or exceptional circumstances; or
 - There has been no action or recommended action within 20 working days of the initial date of disclosure.

Appropriate Authorities include (but are not limited to)

- Commissioner of Police
- Controller and Auditor General
- Director of the Serious Fraud Office
- Inspector General of Intelligence and Security
- Ombudsman
- Parliamentary Commissioner for the Environment

- Police Complaints Authority
 - Solicitor General
 - State Service Commissioner
 - Health and Disability Commissioner
 - The head of every public sector organisation.
9. A disclosure may be made to a Minister or an Ombudsman if the employee making the disclosure:
- Has made the same disclosure according to the internal procedures and clauses of this policy.
 - Reasonably believes that the person or authority to whom the disclosure was made:
 - Has decided not to investigate; or
 - Has decided to investigate but not made progress with the investigation within a reasonable time; or
 - Has investigated but has not taken or recommended any action; and
 - Continues to believe on reasonable grounds that the information disclosed is true or is likely to be true.

Date of Confirmation by the Board of Trustees	23 April 2013
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Reviewed	30 March 2016
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