

## **PROTECTED DISCLOSURE OF INFORMATION POLICY**

School Vision: Developing the Character of God - Academic Excellence

*You have been my refuge a place of safety in my distress. Psalm 59:16*

### **Policy Statement**

The Board of Trustees will follow the procedures of the Protected Disclosures Act 2000

### **Purpose**

The purpose of this policy is to provide information and guidance to employees of Rotorua Seventh-day Adventist School who wish to report serious wrong doing within the school.

This policy is issued in compliance with of the Protected Disclosures Act 2000 and will apply from 2 May 2018.

The policy consists of:

- a. A definition of a Protected Disclosure.
- b. A definition of serious wrong doing that can be the basis for a protected disclosure by an employee.
- c. Conditions for disclosure.
- d. Information on who can make a disclosure.
- e. Protections for employees making disclosures.
- f. A procedure by which an employee can make a disclosure.

### **Guidelines**

#### 1. What is a Protected Disclosure?

A protected disclosure is a declaration made by an employee where they believe serious wrong doing has occurred. Employees making disclosures will be protected against retaliatory or disciplinary action and will not be liable for civil or criminal proceedings related to the disclosure.

#### 2. Definition of Serious Wrong Doing

- Serious wrongdoing for the purposes of this policy includes any of the following:
- An unlawful, corrupt, or irregular use of public funds or resources of a public health or public safety or the environment; or
- an act or omission or course of conduct that constitutes a serious risk to public health or public safety or the environment; or
- 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 fair trial; or
- an act, omission or course of conduct that constitutes an offence; or

- an act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory or
- grossly negligent, or that constitutes gross mismanagement, whether the wrong doing occurs before or after the commencement of this act

### 3. Conditions for Disclosure

Before making a disclosure the employee should be sure the following conditions are met:

- the information is about serious wrong doing in or by the school;
- the employee believes on reasonable grounds the information to be true or is likely to be true;
- the employee wishes the wrong doing to be investigated;
- the employee wishes the disclosure to be protected.

### 4. Who can make a disclosure?

Any employee of the school can make a disclosure. For the purposes of this policy an employee includes:

- current employees and principal
- former employees and principals
- contractors supplying services to the school.

### 5. Protection of Employees Making Disclosures

An employee who makes a disclosure and who has acted in accordance with the procedure outlined in this policy:

- may bring a personal grievance in respect of retaliatory action from their employers;
- may access the anti-discrimination provisions of Human Rights Act in respect of retaliatory action from their employers;
- are not liable for any civil or criminal proceedings, or to a disciplinary hearing by reason of having made or referred to a disclosure;
- will, subject to Clause 5 of the Procedure, have their disclosure treated with the utmost confidentiality.

The protections provided in this section will not be available to employees making allegations they know to be false or where they have acted in bad faith.

FORMULATED BY: Rotorua Seventh-Day Adventist School Board of Trustees

APPROVED: Board Chair, Maraea Van Gent \_\_\_\_\_

BOT RATIFIED: 2 May 2018

BOT REVIEWED: 10 August 2014  
November 2012