



POLICY 3.6 Protected Disclosures

Ratified at Board Meeting	1st Dec. 2016
Next Review Due	2019

RATIONALE:

The Aquinas College Board of Trustees ensures procedures are in place to meet the requirements of the *Protected Disclosures Act 2000*.

GUIDELINES:

- Board of Trustees and Aquinas College will follow the Protected Disclosures Act 2000, see *Appendix 1*.

PROCEDURES:

Procedures for making a protected disclosure under the *Protected Disclosures Act 2000*.

1. If on reasonable grounds a present or former staff member or regular contractor at the College believes they have information that a serious wrongdoing is occurring [or may occur] within the College and they wish to disclose that information so it can be investigated, they can make a protected disclosure to the Principal.
2. This can be done verbally or in writing. The person should identify that the disclosure is being made under the *Protected Disclosures Act* and is following the Board procedure, provide detail of the complaint [disclosure], and who the complaint is against.
3. 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 the disclosure can be made to the Chairperson of the Board of Trustees.
4. It is then up to the person to whom you disclose to seek appropriate advice and decide if the disclosure constitutes a serious wrongdoing, and that the allegations need 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 on to an **appropriate authority**. If it goes to an appropriate authority they will advise you that they are now investigating the complaint.
5. If you believe 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 you can approach an external “appropriate authority” directly.

Appendix 1

Who is an “appropriate authority”?

As noted above, in some circumstances the disclosure could be made to an appropriate authority by yourself or the person to whom you have made the disclosure. An appropriate authority is defined in the Act as including:

“(a) includes---

- (i) the Commissioner of Police:
- (ii) the Controller and Auditor-General:
- (iii) the Director of the Serious Fraud Office:
- (iv) the Inspector-General of Intelligence and Security:
- (v) an Ombudsman:
- (vi) the Parliamentary Commissioner for the Environment:
- (vii) the Police Complaints Authority:
- (viii) the Solicitor-General:
- (ix) the State Services Commissioner:
- (x) the Health and Disability Commissioner; and

(b) includes the head of every public sector organisation, whether or not mentioned in paragraph (a).”

Clause (b) can mean that in certain circumstances the appropriate authority could be the Secretary for Education of the Ministry of Education or the Chief Review Officer of the Education Review Office (ERO).

Appropriate action will be taken depending on the outcome of the investigation. Issues of natural justice must be evident.

The Act can be found at - [Legislation Online](#)