

St Bede's College



RG4 – PROTECTED DISCLOSURES
(Regulatory)



RG4 – PROTECTED DISCLOSURES (Regulatory)

Rationale

The College is required to provide for employees/volunteers who make a declaration where they believe there is a serious wrong doing in or by the College.

Principles

1. A protected disclosure is a declaration made by an employee where they believe serious wrongdoing has occurred. Employees making disclosures will be protected against retaliatory or disciplinary action.
2. Serious wrongdoing includes:
 - an unlawful, corrupt, or irregular use of funds or resources; or
 - an act, omission or course of conduct that constitutes a serious risk to public health or 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.
3. Before making a disclosure the employee should be satisfied the following conditions are met:
 - the information is about a serious wrong doing in or by the College;
 - the employee/volunteer believes on reasonable grounds the information to be true or likely to be true;
 - the employee wishes the wrong doing to be investigated; and
 - the employee wishes the disclosure to be protected.
4. Any employee/volunteer of the College can make a disclosure. For the purpose of this policy an employee includes:
 - current employees and Rector
 - former employees and Rectors; and
 - contractors supplying services to the College

This policy is supported by the procedures stipulated by the Act and observed by school management.



Regulations/Legislation

Protected Disclosures Act 2000

Education Act 1989

School Procedures that Relate to this Policy

1. Any employee/volunteer of the College who wishes to make a protected disclosure should do so by using the following procedure.
2. The disclosure should be submitted in writing (in the earliest instance) – it should contain the following detailed information:
 - Nature of serious wrong doing
 - Name or names of the people involved
 - Surrounding facts including details relating to the time and or/ place of wrongdoing
3. Send disclosures in writing to the Rector who has been nominated by the Board under the provision of Section 11 of the Protected Disclosures Act 2000 for this person. If you believe the Rector is compromised in any way, then make your disclosure to the Board Chairman.
4. On receipt of the disclosure the Rector or Board Chairman must within twenty working days examine the allegations of wrongdoing and decide whether a full investigation is warranted. If warranted, a full investigation will be undertaken by the Rector / Board Chairman or arranged by them as early as possible, at a Board of Trustees Sub Committee.
5. All disclosures are treated with the utmost confidence. When investigating or writing the report every endeavour will be made to not reveal details that could identify the disclosing person unless the person consents in writing or person and believes it is essential to ensure an effective investigation.
6. A report will be written by the Rector at the end of the investigation that has recommendations for action if possible. It will then be sent to the Board Chairman.
7. A disclosure may be made to an appropriate authority if the employee making the disclosures believes:
 - The Board Chairman may be involved in the wrongdoing
 - There is an urgency or exceptional circumstances
 - There has been no action or recommended action for twenty days of the disclosure
8. Appropriate authorities include but not limited to:
 - Commissioner of Police
 - Controller and Auditor General



- Director of the Serious Fraud Office
 - Ombudsman
 - Police Complaints Authority
 - State Services Commissioner
 - The Head of any public sector organisation
9. A fuller disclosure can be made to a minister or ombudsmen if the employee making the disclosure believes the person or authority who has received disclosure:
- Has decided not to investigate
 - Has decided to investigate but has not made progress within a reasonable time
 - Has investigated but not taken or recommended any action and the person disclosing continues to believe the information disclosed is true or likely to be true

DATE APPROVED:	17 November 2014	RESPONSIBILITY:	Planning & Review
REVIEW PERIOD:	3 Yearly	DATE LAST REVIEWED:	March 2019