



# Miller Avenue School

*“Creating brighter futures together”*

## **MAS Protected Disclosures Policy**

1. The purpose of this policy is to provide information and guidance to employees of the school who wish to report serious wrongdoing within the school.
2. 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 and will not be liable for civil or criminal proceedings related to the disclosure.
3. Serious wrongdoing includes any serious wrong doing of any of the following type:
  - An unlawful, corrupt, or irregular use of funds or resources; 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 or 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 wrongdoing occurs before or after the commencement of the Protected Disclosures Act 2000.
4. Before making a disclosure, the employee should be sure the following conditions are met:
  - The information is about serious wrongdoing 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 wrongdoing to be investigated; and
  - The employee wishes the disclosure to be protected.
5. 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; and
  - Contractors supplying services to the school.
6. 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 the 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; and
  - Will, subject to Clause 5 of the Procedure, have their disclosure treated with the utmost confidentiality.

7. 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.

**Related Documents:**

- Protected Disclosures Procedure
- Concerns and Complaints Policy
- Privacy Policy
- Fraud Policy/Procedure
- Concerns and Complaints Procedure

Review: November 2023