Katikati College
Protected Disclosure Policy

RATIONALE:

It is the Board's responsibility as a good employer to have procedures for receiving and dealing with information about "serious wrongdoing" (also known as whistleblowing) in the College according to the principles of natural justice and to provide protection for people who disclose in accordance with the Act.

DEFINITION:

A "protected disclosure" according to the Protected Disclosures (Protection of Whistleblowers) Act 2022, is a declaration made by an employee where they believe serious wrongdoing has occurred. Staff members making disclosures, subject to guideline 4, will be protected against retaliatory or disciplinary actions and will not be liable for civil or criminal proceedings related to the disclosure.

By following this policy all employees will be protected by the following:

- personal grievance provisions of the Employment Relations Act 2000
- the victimisation provisions of the Human Rights Act 1993
- maintenance of confidentiality requirements of the Privacy Act 2020.

GUIDELINES:

1. Serious wrongdoing for the purposes of this policy includes any of the following:
   - unlawful, corrupt or irregular use of public funds and authority or resources
   - an act or omission or conduct which seriously risks public health or safety of any individual (eg: bullying and harassment) or the environment; or
   - that is oppressive, improperly discriminatory, grossly negligent; or
   - constitutes gross mismanagement; or
   - that does not have ethical and professional relationships with learners that respect professional boundaries; or
   - constitutes serious risk to the maintenance of law.

2. Employees making the disclosure should ensure that:
   - the information is about serious wrongdoing in or by the College
   - the employee believes on reasonable grounds the information to be true or is likely to be true and does not disclose it in bad faith
   - the employee wishes the wrongdoing to be investigated
   - the employee wishes the disclosure to be protected.

3. Those who may make a disclosure are:
   - any current employee including the principal
   - any former employee and principals
   - any contractor supplying services to the College.

4. Employees who make a disclosure and who have acted in accordance with College procedures related to disclosures:
   - may bring a personal grievance in respect of any retaliatory action from their employers or supervisors
   - may access anti-discrimination provisions of the Human Rights Act in respect of any retaliatory action
   - are not liable to criminal or civil proceedings or to a disciplinary hearing for having made a disclosure
   - will have their disclosure treated with the utmost confidentiality.

5. Any disclosure may be sent in writing to the Principal or may be taken to an appropriate authority (MOE, ERO, Worksafe, etc). In the event of the disclosure being about the Principal, the disclosure may be sent to the Board or to an appropriate authority.

6. The protections provided in guideline 4 of this policy will not be available to employees making allegations they know to be false or where they have acted in bad faith.

7. The procedure for handling disclosures by employees will include details of:
   - how to submit a disclosure
   - what information is to be contained in the disclosure
   - where disclosures are to be sent
   - by whom and by when examination of disclosures are to take place and if deemed necessary a full investigation is to take place
   - how the name of the staff member making a disclosure is to be protected
   - reporting of any investigation conducted
   - making disclosures to other authorities
   - making disclosures to Ministers and Ombudsman.

8. The procedures for handling disclosures will be available to all College employees and details relating to this will be contained within the College's staff handbook.

Reviewed & Approved August 2025