



Yendarra Primary School

POLICY

PROTECTED DISCLOSURES

RATIONALE

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.

PURPOSE

This policy is issued in compliance with/of the Protected Disclosures Act.

The policy consists of:

1. A definition of a protected disclosure
2. A definition of serious wrongdoing that can be the basis for a protected disclosure by an employee
3. Conditions for disclosure
4. Information on who can make a disclosure
5. Protections for employees making disclosures
6. A procedure by which an employee can make a disclosure

GUIDELINES

Definition of a Protected Disclosure

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 proceedings related to the disclosure.

Definition of Serious Wrongdoing

Serious wrongdoing for the purposes of this policy includes any of the following:

1. Unlawful, corrupt or irregular use of public funds or resources
2. An act of omission or course of conduct:
 - Which seriously risks public health or safety of the environment; or
 - That constitutes an offense; or
 - That is oppressive, improperly discriminatory, grossly negligent or constitutes gross mismanagement; or
 - Constitutes serious risk to the maintenance of law

Conditions for Disclosure

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; and
- The employee believes on reasonable grounds the information to be true or is likely to be true; and
- The employee wishes the wrongdoing to be investigated; and
- The employee wishes the disclosure to be protected

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

Who can make a Disclosure?

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 in respect of retaliatory actions 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.