



Scoil Mhuire agus Íde

**Bóthar Buí,
Newcastlewest,
Co. Limerick.**

069-62443

info@smincw.ie

Protected Disclosures Policy

1. INTRODUCTION & SCOPE

1.1 Commitment

Scoil Mhuire agus Íde is committed to maintaining the highest standards of openness, honesty and accountability. This policy provides a safe mechanism for workers to disclose information about wrongdoing without fear of retaliation.

1.2 Purpose

This policy implements the Protected Disclosures Act 2014, as amended by the Protected Disclosures (Amendment) Act 2022. It enables workers to make disclosures regarding relevant wrongdoings that come to their attention through work, ensuring protection from penalisation or less favourable treatment.

1.3 Who This Policy Applies To

A "worker" includes:

- All current and former employees (permanent, temporary, fixed-term, casual, substitute)
- Contractors and consultants engaged by the school
- Agency workers
- Trainees and individuals on work experience
- Volunteers
- Board of Management members carrying out governance functions

1.4 What Can Be Disclosed

"Relevant wrongdoings" (past, present, or likely future) include:

- Commission of a criminal offence
- Failure to comply with legal obligations
- Miscarriage of justice
- Endangerment to health or safety
- Damage to the environment

- Misuse of public funds
- Gross mismanagement by the school
- Concealment of information relating to any of the above

1.5 What Cannot Be Disclosed Under This Policy

This policy does not cover:

- Personal employment grievances (use grievance procedure)
- Contract disputes (e.g., pay issues)
- Workplace relationship concerns (use relevant policies)
- Complaints, bullying, or harassment (use relevant policies)
- Child protection concerns

2. PROTECTIONS FOR WORKERS

2.1 No Retaliation

Workers who make protected disclosures will not be penalised. Penalisation includes:

- Suspension, dismissal, demotion, or transfer
- Reduction in pay or hours
- Disciplinary action or reprimand
- Unfair treatment, coercion, intimidation, or harassment
- Any threat of the above

2.2 What Makes a Disclosure "Protected"

A disclosure is protected when:

- You reasonably believe the information shows wrongdoing
- The information came to you through your work
- You disclose only information necessary to report the wrongdoing
- You follow the procedures in this policy

You do not need proof – a reasonable belief based on information available to you is sufficient.

2.3 Protection Even If Mistaken

You remain protected even if an investigation does not uphold your disclosure, provided you had a reasonable belief.

Important: Disclosures made without reasonable belief, or knowingly false disclosures, may result in disciplinary action.

2.4 Reporting Retaliation

If you experience retaliation for making a protected disclosure:

- Report immediately to the Principal (or Board Chair if Principal is involved)
- You may also complain to the Workplace Relations Commission within six months

3. CONFIDENTIALITY & ANONYMITY

3.1 Confidentiality

Your identity will be protected wherever possible. We will focus on the wrongdoing, not the person reporting it. All reasonable steps will be taken to maintain confidentiality throughout any process.

3.2 When Confidentiality Cannot Be Maintained

There are limited circumstances where identity must be disclosed:

- You consent to disclosure
- Disclosure is essential for investigation or legal proceedings
- Required by law

We will inform you before disclosing your identity wherever practicable.

3.3 Anonymous Disclosures

You may make anonymous disclosures. However, this makes investigation and feedback difficult, and you cannot access certain protections or remedies without identifying yourself. We encourage you to identify yourself with our assurance of confidentiality.

4. HOW TO MAKE A DISCLOSURE

Step 1: Make Your Disclosure

To whom:

- **Principal** – for most disclosures
- **Board Chair** – if disclosure involves the Principal

How:

- In person, in writing, or by secure email to smi@smincw.ie
- Mark written disclosures: "Confidential – Protected Disclosure"

What to include:

- Statement that you are making a protected disclosure
- Details of the wrongdoing (what, when, where, who)
- Any supporting information or evidence
- Whether you have reported this before and to whom

Step 2: Assessment Meeting (within 10 working days)

The recipient will arrange a confidential meeting to:

- Confirm the disclosure falls under this policy
- Determine the appropriate response

You may bring a trade union representative or work colleague.

Step 3: Written Acknowledgement (within 10 working days of meeting)

You will receive written confirmation of:

- Receipt of your disclosure
- Whether it qualifies under this policy
- Next steps and indicative timeline

Step 4: Investigation (if required)

We will:

- Conduct a fair, objective investigation
- Apply principles of natural justice
- Keep you informed of progress where possible
- **Provide feedback within three months** or explain any delay

Step 5: Outcome

You will be informed of the outcome, subject to confidentiality and legal constraints.

5. EXTERNAL DISCLOSURES

You may make protected disclosures externally to:

Prescribed Persons (must reasonably believe information is substantially true):

- Teaching Council
- State Examinations Commission
- [See full list at www.gov.ie]

Minister for Education (if employed by Board of Management)

Legal Adviser (barrister, solicitor, trade union official)

Other External Parties (higher threshold applies – seek advice first)

We encourage internal reporting first to enable swift resolution, but recognise your right to report externally.

6. RECORD KEEPING

All records will be:

- Stored securely with restricted access
- Retained for a minimum of five years
- Processed in compliance with GDPR

7. RESPONSIBILITIES

Role	Responsibility
Board of Management	Policy oversight, serious case investigation, annual review
Principal	Receive disclosures, conduct investigations, maintain confidentiality
All Workers	Report wrongdoing, cooperate with investigations

8. REVIEW

This policy will be reviewed bi-annually and following legislative changes. The Board of Management will receive an anonymised annual report on disclosures received.

9. FURTHER INFORMATION

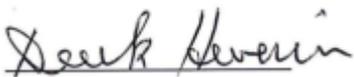
Support & Advice:

- Trade union representative
- Citizens Information: 0818 07 4000
- Transparency International Ireland Speak Up Helpline: 1800 844 866

Legal Disclaimer: This policy provides a framework for protected disclosures but does not constitute legal advice. Workers should seek independent advice for specific situations.

Policy Approved By: Board of Management

Policy Effective Date: 23/2/26

Signed: 

Date: 23/2/26

(Chairperson of Board of Management)

Signed: 

Date: 23/2/26

(Principal)