



# Ruawai Primary

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## NAG 6 POLICY Protected Disclosure

### Introduction

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.

This policy is issued in compliance with the Protected Disclosures Act 2000 and will apply from January 2001

Ruawai Primary School Board of Trustees ensures procedures are in place to meet the requirements of the Protected Disclosures Act 2000.

### Procedures

1. If on reasonable grounds you believe you have information that a serious wrong doing is occurring , or may occur within the school and you wish to disclose the information so it can be investigated you can make a protected disclosure to the principal.
2. This can be done verbally or in writing. You should identify that the disclosures is being made under the Protected Disclosures Act and is following the board procedure, provide details of the complaint, and who the complaint is against.
3. If you believe that the principal is involved in the wrongdoing, or has an association with the person committing the wrongdoing, that would make it inappropriate to disclose to them, then you can make the disclosure to the chairperson of the Board of Trustees.
4. It is then up to the person you disclose to, to decide if the disclosure constitutes a serious wrongdoing and the allegations need investigating. They can decide:
  - a. to investigate the disclosure themselves
  - b. to forward the disclosure to the board to investigate

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- c. whether it needs to be passed on to an appropriate authority. If it goes to an appropriate authority they will advise you that they are now investigating the complaint
5. If you believe that both the principal and the chairperson of the board of trustees may be a party to the wrongdoing or in close relationship with the person/s involved in the wrongdoing you can approach an external appropriate authority directly.
  6. An appropriate authority is defined in the Act as including:
    - i the Commissioner of Police
    - ii the Controller and Auditor General
    - iii the Director of the Serious Fraud Office
    - iv the Inspector General of Intelligence and Security
    - v an Ombudsman
    - vi the Parliamentary Commissioner for the Environment
    - vii the Police Complaints Authority
    - viii the Solicitor General
    - ix the State Services Commissioner
    - x the Health and Disability Commissioner, and
    - xi the head of every public sector organisation, whether or not mentioned previously. In certain circumstances the appropriate authority could be the Secretary for Education or the Chief Review Officer of the Education Review Office.
  7. There are three circumstances when you can go directly to the appropriate authority:
    - a. When you believe that the head of the organisation is also a party to the wrongdoing or has an association with the person which would make it inappropriate for them to investigate.
    - b. If the matter needs urgent attention or there are other exceptional circumstances.
    - c. If after 20 working days there has been no action or recommended action on the matter to which the disclosure related.

Otherwise you need to go through the internal processes.

8. If the appropriate authority does nothing you can then make the disclosure to the ombudsman (unless they were the authority you have already disclosed to or a minister of the crown.
9. The Act does not protect you if you disclose information to the media or a member of parliament other than a minister of the crown.

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10. A copy of the act can be found on the internet at Legislation on Line <http://rangi.knowledge-basket.co.nz/gpacts/actlists.html>. Click on” P  
“ then scroll down to Protected Disclosures Act 2000

*Note – Read also:* Protected Disclosures Act 2000, Information for Staff

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