

PROTECTED DISCLOSURES POLICY

1. PURPOSE

To facilitate disclosure and investigation of serious wrongdoing in accordance with the Protected Disclosures Act 2000.

2. POLICY

The University wishes to facilitate disclosure and investigation of serious wrongdoing recognising the need to protect Employees who make a Protected Disclosure in accordance with the Act.

Employees who wish to make a disclosure about serious wrongdoing must follow the procedures set out and referred to in this policy.

An Employee who makes a Protected Disclosure or who refers a Protected Disclosure to an appropriate authority for investigation under the Act will not be liable to any civil, criminal or disciplinary proceeding for making a Protected Disclosure.

The person who receives a Protected Disclosure from an Employee will keep the identity of the Employee confidential unless, the Employee consents to his or her identity being made public, or the identity of the Employee is essential:

- for the effective investigation of the allegations;
- to prevent serious risk to public health, public safety or the environment; or
- having regard to the principles of natural justice.

Where that Employee has knowingly made a false allegation or made an allegation in bad faith, or where that Employee has made a disclosure to the media civil, criminal or disciplinary action may be taken by the University.

3. DEFINITIONS

Act: means the Protected Disclosures Act 2000.

Protected Disclosure: is a disclosure of information if:

- the information disclosed is about serious wrongdoing;
- the Employee reasonably believes the information is true or is likely to be true;
- the Employee wishes to disclose the information so that the serious wrongdoing can be investigated; and
- the Employee wishes the disclosure be protected.

Serious wrongdoing: includes:

- unlawful, corrupt or irregular use of public funds or resources;

- an act, omission or conduct that constitutes a serious risk to public health or safety or the environment;
- an act, omission, or conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation and detection of offences and the right to a fair trial;
- an act, omission, or conduct that constitutes an offence; or
- an act, omission or conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent or that constitutes gross mismanagement.

Employee: includes any current Employee of the University and for the purposes of this policy extends to:

- a former employee;
- a home worker;
- a person seconded to the University;
- an individual who is contracted under a contract for services to do work for the University;
- a person concerned in the management of the University;
- a person who works for the University as a volunteer.

4. SCOPE

All Employees.

5. RELEVANT LEGISLATION

- Protected Disclosures Act 2000

<http://www.legislation.govt.nz/public/2000/0007/latest/whole.html#DLM53471>

6. LEGAL COMPLIANCE

The University as a public sector organisation is under an obligation pursuant to the Act to ensure it has internal procedures for receiving and dealing with Protected Disclosures and ensuring that these procedures comply with the Act.

7. RELATED PROCEDURES / DOCUMENTS

Protected Disclosures Procedures

Fraud Policy

Procedures Relating to the Investigation of Fraud

8. RESPONSIBILITY

The Designated Officer as listed in paragraph 3 of the Protected Disclosures Procedures, Vice-Chancellor, Deputy Vice-Chancellor or Chancellor will be responsible for receiving, investigating and responding to a Protected Disclosure in accordance with the Act and procedures.

9. DOCUMENT MANAGEMENT AND CONTROL

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