Civil, criminal, or disciplinary proceedings cannot be taken against a Discloser for making a Protected Disclosure, or against a Receiver who refers one to an Appropriate Authority. In addition, the Act provides that an employee who is subject to Retaliation by their employer for making a Protected Disclosure can take personal grievance proceedings under the *Employment Relations Act 2000*.

It is unlawful to treat Disclosers, potential Disclosers, those who have encouraged Disclosers, or those who provide Information in connection with a Protected Disclosure, less favourably than others in the same or similar circumstances. If any such person is victimised in this way, the legal remedies under the anti-victimisation protections in the *Human Rights Act 1993* may be available to them.

3. Policy

All employees, secondees, contractors, volunteers, students and members of a governing body of the University must disclose matters of Serious Wrongdoing in, by or related to the University and assist the investigation of Serious Wrongdoing, if requested.

A Discloser must disclose information under the procedures if the following criteria are met:

1. the information is about Serious Wrongdoing in, by or related to the University and the Discloser believes on reasonable grounds that it is true or likely to be true;
2. the information is disclosed in accordance with the Act and this Policy (which summarises the Act); and
3. the disclosure is not made in bad faith.

Any other person who discloses any information in support of, or relating to, a Protected Disclosure having already been made, is also entitled to protection under the provisions of this Policy and the Act if that Discloser:

1. discloses in accordance with this Policy; and
2. does not disclose the Information in bad faith.

A Discloser is entitled to the protections provided in this Policy and the Act, even if:

1. they are mistaken and there is no Serious Wrongdoing; or
2. they do not refer to this Policy or the name of the Act when making the disclosure.

All evidence gathered in relation to a Protected Disclosure must be fully preserved and protected.

The University will not Retaliate against any employee for intending to make, or for having made a Protected Disclosure.

The University will not treat or threaten to treat a person less favourably than others in similar circumstances for intending to make or having made a Protected Disclosure, encouraging another person to make a Protected Disclosure, or for giving information in support of a Protected Disclosure.

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practical assistance, as well as for assistance in assessing any risks to a Discloser in making a Protected Disclosure.

The mailing address for the Office of the Controller and Auditor-General is:

Office of the Auditor-General
PO Box 3928
Wellington 6140
Phone: (04) 917 1500
Email: enquiry@oag.parliament.nz

The mailing address for the Office of the Ombudsman is:

The Office of the Ombudsman
PO Box 10152
Wellington 6143
Phone: 0800 802 602
Email: info@ombudsman.parliament.nz

5. Receiving a Discl

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University acts contrary to the interests of the University and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity.

Council refers to the Council of the University constituted under Part 4 of the Education and Training Act 2020.

Discloser in relation to the University, refers to an individual who is (or was formerly):

1. an employee;
2. a secondee;
3. a contractor;
4. a member of the Council or any other governing body appointed by the University; and
5. any volunteer.

Note that ódiscloserôis defined in section 8 of the Act.

Fraudulent Activity is an intentional and dishonest act involving deception or misrepresentation, to obtain or potentially obtain an advantage for themselves or any other person. It includes the deliberate falsifi

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¶ Senior Leadership Team

External

¶ Public Service Commission: Protected Disclosures Act Guidance

¶ Ombudsman ñMaking a Protected Disclosureò

Document History and Version Control Table			
Version	**Action**	**Approval Authority**	**Action Date**

For document history and versioning prior to 2013 contact ucpolicy@canterbury.ac.nz

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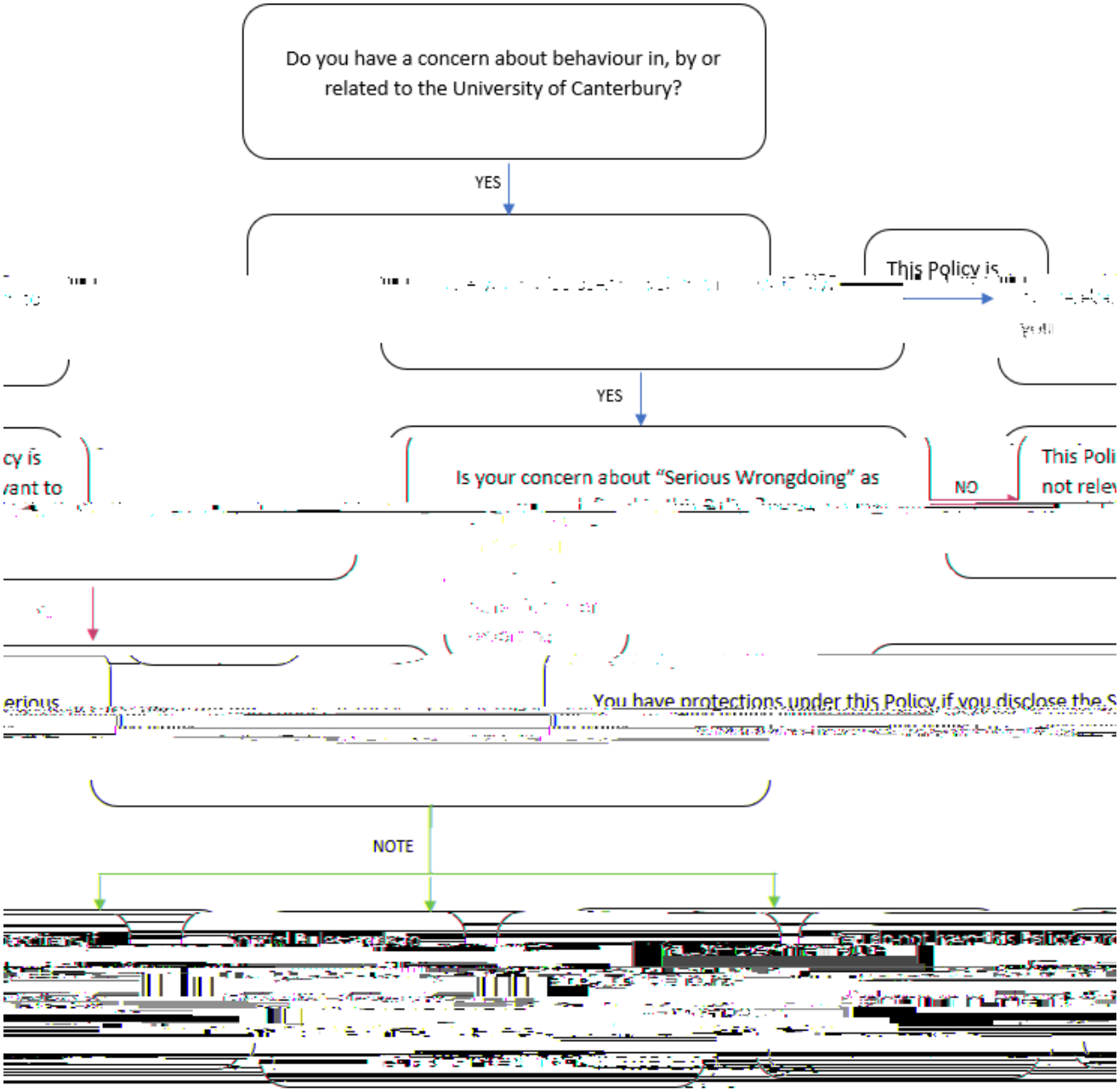
The following flowchart gives an overview of how this Policy applies to a Discloser



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