**St. Joseph’s Special School,**

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**Chairperson of the Board of Management: Audrey Pidgeon**

**Principal: Sarah McGinley**

# Timetable for Review

As necessary

**PROTECTED DISCLOSURES POLICY:**

**What is a Protected Disclosure?**

“A protected disclosure means disclosure of relevant information, which in the reasonable belief of the worker, tends to show one or more **relevant wrongdoings** and which came to the attention of the worker in connection with his/her employment”.

In making a disclosure a worker must reasonably believe the information disclosed to be substantially true. No worker will be penalised simply by getting it wrong so long as the worker had a reasonable belief that the information disclosed shows, or tends to show, wrongdoing.

**The Protected Disclosures (Whistle-blowers) Act 2014**:

The above Act came into effect on the 16th of July 2014. Schools are required to put aProtected Disclosure policy in place which meets the requirements of the Act. The Board of Management of St Joseph’s Special School takes the issue of wrongdoing seriously and as a result has drafted this policy.

**Aims of the Policy**

• To encourage staff to feel confident and safe in raising concerns and disclosing information;

• To provide avenues for staff to raise concerns in confidence and receive feedback on any action taken;

• To ensure that staff receive a response where possible to their concerns and information disclosed;

• To reassure staff that they will be protected from penalisation or any threat of penalisation.

**What are “Relevant Wrongdoings”?**

Relevant Wrongdoings include but are not limited to the following:

* The commission of an offence.
* Non-compliance with a legal obligation
* Danger to Health & Safety of an individual.
* Improper use of public funds.

The relevant wrongdoings may already have taken place, be happening or be likely to happen.

**Who is a worker as far as a school is concerned?**

• All current and former employees (including permanent, temporary, fixed-term, casual and substitute);

• Contractors and consultants engaged to carry out work or services for the school;

• Agency workers;

• Individuals on work experience pursuant to a training course and trainees of/with the school.

**To whom do you make the Disclosure?**

The vast majority of disclosures should be made, orally or in writing, to the school Principal or to the Chairperson of the Board of Management (BOM). Where this is inappropriate or impossible there is provided a list of “*Prescribed Persons*”. In relation to schools the Prescribed Person is the Secretary General of the Department of Education and Skills (DES).

**What protections are available to disclosers/whistle blowers**

Among the protections are:

* Protection from dismissal.
* Up to 5 years’ remuneration for unfair dismissal.
* Protection of identity (subject to certain exceptions)
* Protection from penalisation by the school Board of Management.

**Safeguards and Penalisation**

A worker who makes a disclosure and has a reasonable belief of wrongdoing will not be penalised by the school, even if the concerns or disclosure turn out to be unfounded.

Penalisation includes suspension/dismissal, disciplinary action, demotion, discrimination, threats or other unfavourable treatment arising from raising a concern or making a disclosure on the basis of reasonable belief for doing so. If a staff member believes that he/she is being subjected to penalisation as a result of making a disclosure under this procedure, he/she should inform the Principal or Chairperson of the Board of Management immediately.

Staff members who penalise or retaliate against those who have raised concerns under this policy will be subject to disciplinary action.

Staff members are not expected to prove the truth of an allegation. However, they must have a reasonable belief that there are grounds for their concern. It should be noted that appropriate disciplinary action may be taken against any staff member who is found to have raised a concern or raised a disclosure with malicious intent.

**What is best practice?**

If you as a member of staff have a genuine or reasonable concern that there is wrongdoing in the school you should report it to the Principal. If this is not appropriate or possible you should then report it to the Chairperson of the BOM. Workplace grievances should be reported in the normal manner and are not covered by this policy. It should be noted that while internal reporting is encouraged you have the option to raise concerns outside of the school’s Board of Management and report to the Secretary General of the DES.

**Confidentiality:**

St Joseph’s School is committed to protecting the identity of the person making a protected disclosure and ensuring that protected disclosures are treated in confidence. However, there are circumstances, as outlined in the 2014 Act, where confidentiality cannot be maintained, for example, where the discloser/whistleblower makes it clear that he/ she has no objection to his or her identity being disclosed and/or the identity of the discloser/whistleblower is critical to an investigation of the matter raised. If it is decided that confidentiality cannot be maintained in the context of an investigation, the school will inform the person in advance that his /her identity will be disclosed. Communication, Monitoring and Review

**Communication, Monitoring and Review**

This policy will be communicated to staff and the school community as appropriate and will be subjected to regular review. In accordance with the systematic cycle of review of policies adopted in St Joseph’s Special School, it will be reviewed initially after one year and then every three years, unless there is a compelling reason to review it earlier.

# Timetable for Review

As necessary

# Review and Ratification

The Board of Management is aware that this plan was reviewed in September 2020. The amended document was presented for ratification.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_

(Chairperson of Board of Management)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_

(Principal)