

WHISTLEBLOWER POLICY

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PURPOSE

This policy establishes a process for College community members to make reports in good faith about serious wrongdoing by other College community members without concern about retaliation. The reporting procedure established by this policy is to be used where no other College policy or procedure is available for that purpose.

APPLICATION & SCOPE

This policy applies to all College community members, including:

- the Board of Governors;
- employees of the College;
- students, volunteers, visiting scholars and any other persons while they are acting on behalf of or at the request of the College; and
- any agent, vendor, subcontractor, contractor, or company providing a product or service to the College, or who is involved in a request for proposal/tender process issued by the College.

DEFINITIONS

This section includes an explanation of terms and abbreviations used within the policy and procedure.

Word/Term	Definition
Gross mismanagement	“Gross mismanagement” means the exercise of responsibilities in a manner that significantly deviates from the standard of care or competence that a reasonable person would apply in the same circumstances.
Serious wrongdoing	"Serious wrongdoing" means wrongful acts and omissions of a non technical or non-trivial nature, and includes: <ul style="list-style-type: none">• criminal offenses, or other willful violations of federal, provincial or municipal law;• gross mismanagement of College or public resources; and• acts or omissions that cause substantial and specific danger to the environment or public health, safety, or the environment.

Whistle blowing

"Whistle blowing" is the reporting of evidence of serious wrongdoing under this policy. Whistle blowing is not raising individual concerns, appeals, complaints, grievances, or issues associated with matters such as, but not limited to: academic appeals, student or employee conduct or harassment, discrimination, accessibility, copyright, intellectual property, individual health or safety, management or employee performance, or provisions contained in collective agreements or legal statute, where other resolution processes exist.

REPORTING PROCEDURE

1. Any member of the College community who has evidence of serious wrongdoing by another College community member may make a whistle blowing report to the Office of the President or, in the event of a conflict, the Chair of the Board of Governors. If the reporter wishes to verbally discuss any matter, this request should be made in the written report, which should include a telephone number or other contact information.
2. Reports may be made anonymously. Reporters who identify themselves but wish to remain anonymous must clearly say so in their written report. The investigation will attempt to protect the reporter's identity to the extent possible. However, the interests of fairness may ultimately require that the reporter's identity, if known, be provided to one or more persons.
3. Reports will only be acted upon if the evidence collected in a preliminary investigation establishes that the report has merit, can be properly investigated, and should be pursued as a matter of the College's best interest.
4. Otherwise, the Office of the President or Board Chair will receive, investigate and resolve all reports. The Office of the President and Board Chair may delegate the investigation to other College community members, or third parties, as appropriate. An investigator will not have any personal or direct interest in the matter being investigated.
5. Upon completion of the investigation, a formal report will be generated that will recommend, as necessary, resolutions of the matters raised. Recommendations will be provided to members of the administration and Board of Governors, as appropriate. These recommendations may involve the commencement of civil proceedings or the filing of a criminal complaint if sufficient evidence is present. Reporters do not receive a copy of the report.
6. In the event an internal solution to a report is not available, and depending on the nature of the issues raised by the report, the matter may be referred to the external auditors of the College, the Minister of Colleges and Universities, or other legal avenues, including law enforcement, for resolution.

PROTECTION OF WHISTLEBLOWERS

The College will not retaliate against any College community member who, in good faith, makes a report in accordance with this policy. If a person makes a report under this policy in bad faith, or knowingly provides false or inaccurate information, that person will be subject to disciplinary sanctions, which may include termination of employment.

RECORD KEEPING AND MONITORING

The Office of the President will keep a written record of all reports for a period of no less than seven years.

The Office of the President will provide an annual report to the Board of Governors on any ongoing or completed investigations. Reports will include steps taken to resolve the matters raised in each report. All reports to the Board will be presented in-camera.

RELATED POLICIES

Code of Conduct for Employees (Link Pending)
Conflict of Interest
Sexual Assault and Sexual Violence
Human Rights Discrimination and Harassment
Prevention of Workplace Violence and Harassment Policy
Travel, Meals and Hospitality
Finance Policy and Procedures