

POLICY TYPE: Executive Limitations
POLICY TITLE: Whistleblowing
EFFECTIVE DATE: June 2022
REVISION DATE:
RENEWAL DATE: May 2025

In this policy, unless otherwise defined herein or the context requires otherwise, words have the same meaning as they do in the Definitions Schedule to By-law No. 1 of the College.

1. DEFINITIONS

For the purposes of this Policy:

1.1. **“Misconduct”** means:

- 2.1.1. conduct that constitutes a criminal offence;
- 2.1.2. negligent, improper or gross mismanagement of any College or public funds;
- 2.1.3. fraudulent financial reporting;
- 2.1.4. forgery or alteration of documents;
- 2.1.5. a serious, willful and flagrant breach of the By-Laws, College policies or any other applicable law; or
- 2.1.6. conduct that is causing or caused a substantial and specific danger to the environment or public health and safety.

1.2. **“Whistleblowing”** means the release or disclosure of information that is evidence of Misconduct and “to blow the whistle” means to disclose or release such information.

2. WHISTLEBLOWING

Any College Community Member (the **“Whistleblower”**) may blow the whistle if he or she has an honest belief that:

- 2.1. another College Community Member (the **“Offending Person”**) has engaged in Misconduct;
- 2.2. the information disclosed or released through Whistleblowing is true and materially accurate;

- 2.3. the Whistleblowing is in the public interest; and
- 2.4. there is no confidential internal policy or mechanism available to otherwise raise or address the issue sought to be raised through Whistleblowing.

3. ADMINISTRATIVE GUIDELINES

- 3.1. In order to blow the whistle, the Whistleblower may file, in confidence, a written complaint, report or disclosure with the Office of the President or in the event of a conflict of interest, to the Chair of the Board, or in the event of conflict of interest of the Chair, to Associate Vice President, Human Resources.
- 3.2. To the maximum extent possible, the identity of the Whistleblower shall remain confidential (but not anonymous) to those persons directly involved in applying this policy, unless the issue requires investigation by law enforcement. The College will accept reports under this policy on an anonymous basis. The College will not tolerate any attempt by a Community Member to identify an individual who reports in good faith on a confidential and anonymous basis in accordance with this policy.
- 3.3. The Office of the President and/or Board Chair shall receive, determine, investigate using the relevant investigative procedure, and resolve, where appropriate, all Whistleblowing made under this policy, provided that anonymous Whistleblowing will only be acted upon if the evidence collected during the preliminary investigation indicates that the Whistleblowing is made in accordance with this policy. The President and Chair may delegate the investigative process to a member of staff or external appointee to complete on their behalf.
- 3.4. In the event an internal solution is not desirable and, depending on the nature of the Whistleblowing, the matter may be referred to the Ministry or other external agency commission, tribunal and/or legal process for resolution.
- 3.5. No College Community Member shall harass or reprise in any way or discriminate against any Whistleblower who blows the whistle in accordance with this policy, or any College Community Member who seeks advice about whistleblowing in good faith, who cooperates in any subsequent investigation under this policy, or who otherwise acts in compliance with this policy. A College Community Member who has reasonable grounds for believing they have suffered a reprisal in contravention of this policy is entitled to make a complaint to the College.
- 3.6. No College Community Member shall obstruct anyone involved in an investigation of wrongdoing or reprisal. Any person who destroys, alters, falsifies, or conceals a document or other thing they know or ought to know

is likely relevant to the investigation of wrongdoing or reprisal is subject to disciplinary measures, including suspension or dismissal.

- 3.7. No Whistleblower shall blow the whistle in bad faith, including with respect to individual concerns, appeals, complaints, grievances, or issues associated with matters such as but not limited to: academic appeals, student or employee conduct, harassment, discrimination, accessibility, copyright, intellectual property, individual health or safety, management or employee performance, or provisions contained in collective agreements or legal statute, prior to exhausting the prescribed procedures under the applicable College policies.
- 3.8. Any Whistleblower who blows the whistle in bad faith or knowingly provides false or materially inaccurate information, may be subject to disciplinary actions, including reprimand, suspension, demotion, exclusion, expulsion or termination.
- 3.9. The President shall ensure the Board receives an annual report on all Whistleblowing complaints.

4. WHISTLEBLOWER PROCESS

- 4.1. All concerns should be forwarded to the Office of the President or to the Chair of the Board in a sealed envelope, or by electronic mail addressed directly to the president or the Chair of the of the Board and marked confidential.
- 4.2. If the individual wishes to verbally discuss any matter, this request should be indicated in the submission. In order to facilitate such a discussion, the individual shall include a telephone number at which they can be contacted.
- 4.3. Once the complaint is filed, the investigator shall make a detailed written record of the submission.
- 4.4. Upon receipt of a complaint the President or person designated by the President, or the Board Chair (dependent on the nature of the complaint), will undertake a review of the complaint to complete an assessment of the nature and extent of the complaint; establish substance to the complaint; and determine appropriate investigative process.
- 4.5. A complaint may be rejected or combined with another complaint if at the time of filing of such, a substantially similar complaint is currently under investigation.
- 4.6. The President, or designate, or the Board Chair, shall contact the Whistleblower following the preliminary review to advise if the investigation will proceed.

- 4.7. Periodic reports will be provided to the appropriate parties as the investigation progresses, ensuring compliance with the monitoring components of the Whistleblowing Policy.
- 4.8. Upon completion of the investigation a formal report will be completed that will propose, where necessary, solutions to resolve the disclosed improper activities. These recommendations may include civil or criminal proceedings, if sufficient evidence is present.
- 4.9. The complaint/investigation will be formally closed. The Office of the President and/or Office of the Board will retain the Whistleblowing records per the approved corporate records schedule.

5. RELATED LEGISLATION, MINISTER'S BINDING POLICY DIRECTIVES AND OTHER DOCUMENTS

- 5.1. Freedom of Information and Protection of Privacy Act