



Adopted: 2017-12-12	Reviewed:	Amended:
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POLICY

SUBJECT: **“Whistleblower” Protection**

The Board of Education expects that an employee, trustee or contractor who is aware of, or has witnessed, any improper activity or wrongdoing will, in good faith, bring the matter to the attention of the Superintendent or designate to provide a reasonable opportunity for investigation and corrective action appropriate to the circumstances.

Good Faith is evident when a report is made without malice or consideration of personal benefit and there is a reasonable basis for the individual reporting to believe that their report is true.

Reportable activities include any unlawful, illegal or inappropriate behaviour and may include:

- an unlawful act, whether civil or criminal
- questionable accounting practices
- falsifying district records
- theft
- inappropriate use of district assets or funds
- decision making for personal gain
- a dangerous practice likely to cause physical harm or damage to property
- abuse of power or authority
- retaliation for legitimate reporting under this policy, including discipline or discharge.

This list is not all-inclusive but is intended to provide an indication of the type of conduct that may be considered a “reportable activity”. This list does not include personnel actions taken in the course of conducting the District’s business where such matters are most appropriately addressed by reference to the applicable contract or collective agreement.



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REGULATIONS

SUBJECT: **“Whistleblower” Protection**

1. Reporting a Complaint
 - a. Complaints may be submitted about any reportable activity to the Superintendent of Schools, Board Chair or Secretary-Treasurer by confidential email or otherwise in writing in a sealed envelope, with identification of the reporter.
 - b. All reports will be maintained in confidence and information that will allow the identification of the reporter will only be shared to the extent necessary to conduct a complete and fair investigation
2. Protection of Employee and Employer
 - a. An employee who files a report under this policy will be protected if the employee:
 - provides information in good faith
 - believes the report to be substantially true
 - does not act maliciously or make false allegations, and
 - does not seek any personal gain.
 - b. If an investigation reveals that the report was frivolous, fraudulent or made with malicious intent, or otherwise made in bad faith, disciplinary action may be taken.
3. Employer
 - a. Nothing in this policy shall be deemed to diminish or impair the rights of the district to manage its employees under any policy, contract or collective agreement or to prohibit any personnel action which otherwise would be taken regardless of the reporting information.
4. Investigation Procedure
 - a. Upon receiving a complaint, the Superintendent or designate will determine whether the matter is, in fact, a reportable activity under this policy.
 - b. If it is determined that the complaint relates to a reportable activity, an investigation will be conducted as soon as possible.

- c. The investigation generally will include, but will not be limited to, discussions with the reporting employee, the party against whom the allegations have been made and witnesses, as appropriate. Employees shall not obstruct or impede any investigation. Reasonable actions will be taken to prevent retaliation against anyone making a good faith report or participating in an investigation.
- d. The Superintendent or designate may enlist Senior Management and/or outside legal, accounting or other advisors, as appropriate, to assist in conducting any investigation. All investigators shall be independent and unbiased both in fact and appearance. Investigators have a duty of fairness, objectivity, thoroughness and observance of legal and professional standards.
- e. It is the obligation of all employees to cooperate in any investigation. Those responsible for the investigation will maintain confidentiality of the allegations and the identity of the person involved, subject to the need to conduct a full and impartial investigation and remedy any violations of law or the Board's policies.
- f. If the investigation establishes that improper activity has occurred, the Board will take appropriately corrective action in a timely manner.
- g. Records of all formal or informal reports and investigations will be kept by the Superintendent or designate for the period of time required by [Policy 1050 Retention and Disposal of School District Documents](#).