

WHISTLEBLOWER		DOCUMENT TYPE: POLICY
DOCUMENT # 104	CATEGORY: GOVERNANCE & OPERATIONS	DATE ISSUED: JULY 31, 2019
APPROVED BY: THE BOARD	STEWARD:	LAST REVIEW DATE: JULY 31, 2019
ENDORSED BY: COALITION CHIEF OFFICERS COMMITTEE		NEXT REVIEW DATE:

PURPOSE

The purpose of this policy is to provide a mechanism through which all Board of Governors (Board), employees, students, contractors, and volunteers, can confidentially disclose suspected or actual wrongful conduct.

This policy is intended to encourage and enable employees and others to raise concerns within the College, prior to seeking resolution outside the College.

This policy confirms the College’s obligation to protect those persons acting in good faith, who make disclosures, and to protect the rights of persons against whom allegations have been made.

PRINCIPLES

This policy is intended to protect any individual who engages in good faith disclosure of alleged wrongful conduct to a designated College official or public body. More specifically it:

1. Confirms the College’s commitment to maintaining the highest standards of honesty, integrity, and ethical conduct.
2. Encourages individuals to disclose wrongful conduct engaged in by others to the appropriate College official so that prompt, corrective action can be taken by the College.
3. Informs individuals how allegations of wrongful conduct can be disclosed.
4. Protects individuals from reprisal by adverse employment action or other retaliation as a result of having disclosed wrongful conduct (individuals who self report their own misconduct are not afforded protection by this policy), and
5. Provides individuals, who believe they have been subject to reprisal or false allegations, a fair process to address these allegations or act.

POLICY

The College is committed to protecting individuals from interference with making a protected disclosure, from retaliation for having made a protected disclosure, or for having refused an illegal order as defined in this policy as Wrongful Conduct.

The Board, employees, students, contractors, or volunteers may not retaliate against an individual who has made a protected disclosure or has refused to obey an illegal order. The Board, employees, students, contractors, or volunteers may not directly or indirectly use or attempt to use the official authority or influence of their positions or offices for the purpose of interfering with the right of an individual to make a protected disclosure to the individual’s immediate supervisor or other appropriate College official about matters within the scope of this policy.

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It is the intention of the College to take whatever action may be needed to prevent and correct activities that violate this policy. Nothing in this policy is intended to interfere with legitimate employment decisions. Any document, record, or computer file that may be required for an investigation or disclosure must be preserved.

Protected Disclosure: Anyone making a protected disclosure or filing a complaint concerning a violation or suspected violation of this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the policy.

No individual who makes a protected disclosure will suffer harassment, retaliation, or adverse employment consequences. Any person who retaliates against any individual who makes a protected disclosure is subject to discipline up to and including termination.

Vexatious Complaints: Any communication that proves to have been both unsubstantiated and made with malice or with knowledge of its falsity is not protected by this policy. This policy is also intended to protect individuals against false allegations of wrongful misconduct.

Any Board of Governor, employee, student, contractor, or volunteer who knowingly or with reckless disregard for the truth gives false information or knowingly makes a false report of wrongful conduct or a subsequent false report of retaliation will be subject to disciplinary action, up to and including termination. Allegations that are not substantiated yet are made in good faith are not subject to corrective action.

DEFINITIONS

Board - shall mean the appointed Board of Governors of each College.

Wrongful conduct – A serious violation of College policy; a violation of applicable provincial and federal laws; or the use of College property, resources, or authority for personal gain or other non College-related purpose except as provided under College policy.

Protected disclosure – Communication about actual or suspected wrongful conduct engaged in by a College board member, faculty, staff, student, contractor, or volunteer (who is not also the disclosing individual) based on a good faith and responsible belief that the conduct has both occurred and is wrongful under applicable law and/or College policy. Individuals who are aware of or have reason to suspect wrongful conduct should report the conduct to:

- The disclosing individual’s supervisor, either verbally or in writing, or
- ☐ The appropriate governmental unit or law enforcement office, after first providing a written communication about the wrongful conduct to the appropriate College official.

College Employees are protected by the Saskatchewan Whistleblower Protection Act – Bill 609

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Retaliation – Adverse action against an individual because she or he has made a protected disclosure or has participated in an investigation, proceeding or hearing involving a protected disclosure.

LEGISLATIVE & COLLECTIVE AGREEMENT REFERENCES

- The Whistleblower Protection Act-Bill No. 609 <http://www.publications.gov.sk.ca/details.cfm?p=29191>

LINKS TO OTHER RELATED POLICIES, DOCUMENTS & WEBSITES

Whistleblower Report Form
Whistleblower Procedure