

## Whistle Blower Protection

### Philosophy

The Board of Education (“Board”) is strongly committed to upholding high ethical standards in the School District, respecting the public trust upon which the school system is founded, and maintaining an environment where employees can work safely and productively without fear of retaliation.

All employees, and others performing work on behalf of the School District, are expected to conduct themselves in a professional manner, adhere to applicable laws, Policies and Procedures that apply to their work activities, in addition to demonstrating ethical behaviour in all their decisions and interactions.

### Complaint of Wrongdoing

If any employee or other person performing work on behalf of the School District reasonably believes that some policy, practice, or activity of the School District or action by an individual employee constitutes a wrongdoing, a written complaint must be filed by that employee or person with the Superintendent, Secretary Treasurer or Board Chair. “Wrongdoing” under this Policy includes but is not limited to, serious actions that:

- a. may not be in compliance with applicable federal or provincial laws or regulations, including the *Criminal Code of Canada*;
- b. may amount to fraud or other unethical conduct and/or corrupt activity;
- c. may represent the unauthorized use, misuse, or waste of public funds or a public asset;
- d. may constitute serious breaches of School District policies, internal financial controls or auditing procedures;
- e. may create a substantial and specific danger to life, health or safety of persons or to the environment;  
or
- f. may expose the School District to liability or financial loss.

The Board believes the support of all employees and others performing work on behalf of the School District is necessary to achieving compliance with laws, policies and ethical standards. Therefore, an employee and person performing work on behalf of the School District is protected from retaliation if, in good faith, that employee or person brings to the attention of the Board what the individual reasonably believes is a wrongdoing.

### Authority and Administration of Policy

The responsibility for the day to day administration and enforcement of this Policy rests with the Superintendent of Schools, in accordance with the Procedures established pursuant to this Policy and any directions from the Board. In the event that the complaint of wrongdoing is made against the Superintendent, the employee or other person performing work on behalf of the School District may file the complaint directly with the Board Chair. Complaints of wrongdoing will be reviewed promptly. Through this review, a determination will be made as whether the matter should be investigated by the School District. A matter may not be investigated under this Policy where the Board considers that:

- a. the complaint would be more appropriately addressed by another authority or through another established process;
- b. where the complaint is determined to be frivolous or vexatious or an abuse of process (i.e. where the allegation is such that no reasonable person could treat it as *bona fide*);
- c. the complaint fails to provide particulars of the perceived wrongdoing;
- d. the complaint is not brought in good faith or on the basis of reasonable belief; or
- e. the complaint may be more effectively resolved through an alternative, informal process, with agreement of the parties involved.

The Superintendent shall report to the Board on the status of all complaints made under this policy to the Board (i.e. the number of complaints, the general nature of any complaints and the action taken) on a monthly basis or as the Board otherwise directs.

The Superintendent or Board Chair shall inform the individual making a complaint as to its disposition, to the extent permissible under privacy legislation.

### **Policy Violation**

It is a violation of the Policy for anyone to:

- Threaten, harass or in any other manner attempt to prevent an individual from filing a report or complaint covered by this Policy.
- Knowingly make a false complaint of wrongdoing or to provide false information about a complaint.

Individuals who engage in such conduct are subject to disciplinary and/or corrective action, up to and including termination of employment.

### **Date of Board Approval: November 2012**

*Cross Reference: Concerns and Complaints Policy #14  
Employee Conflict of Interest Administrative Procedure #400  
Disposal of Assets Administrative Procedure #502  
Education Business Community Partnerships Administrative Procedure #503  
Purchasing Administrative Procedure #507*