



Title	Safe Disclosure Policy
Policy Area	Operations/Finance
Policy Number <i>(to be assigned by Information Services)</i>	E.1.13
See also <i>(related policies)</i>	Board of Governors - Bylaws Code of Ethical Practices For Employees Student Non-Academic Misconduct Policy Discrimination, Bullying and Harassment Policy Violent and Threatening Behaviour Policy Collective Agreements Employment Policies Social Media Policy

Effective Date of Policy:	September 1, 2011
Approval Date:	June 29, 2011
Applies to:	Board of Governors, Employees
Approving Body:	Board of Governors
Supersedes/New:	New
Authority	<i>College and Institute Act</i>

The following are responsible for the administration of this policy,

Primary Office	Contact
Office of the Vice President, Employee and Corporate Services	Vice President, Employee and Corporate Services

Policy Statement

- 1.0 The purpose of this Policy is to provide a process by which employees may raise concerns about potential or suspected wrongdoing that would not otherwise come to light.
- 1.1 Okanagan College expects all employees to report potential or suspected wrongdoing using the reporting procedures set out in this Policy.

- 1.2 Reports under this Policy must be made in good faith and be based on reasonable grounds.
- 1.3 This Policy prohibits any retaliation or adverse employment consequences against any employee who makes a good faith report. Any employee who experiences such retaliation or adverse employment consequences should promptly inform one of the Vice Presidents or the Director, Legal Affairs and Policy Development.

Policy Details

2.0 Scope of Policy

- 2.1 This Policy applies to all employees and Board of Governors members.
- 2.2 This Policy contains defined terms and must be read in conjunction with those definitions.

Policy Definitions

3.0 Definitions

For the purpose of this Policy:

- 3.1 "Wrongdoing" means
 - a) unlawful or fraudulent activities, including accounting irregularities, suspicious financial activity, corruption, fraud, theft of College funds, property or assets; misuse of public funds or resources; or
 - b) conduct or practices that present a danger to the well-being, health or safety of employees, students or third parties, or a danger to the environment.
- 3.2 "Employee" means all employees and Board of Governors members of Okanagan College.

Procedures

4.0 Reporting

- 4.1 The report of a concern can be raised anonymously, or formally, verbally or in writing.
 - 4.1.1 Anonymous Reporting
 - (a) An employee may choose to make an anonymous report of wrongdoing by contacting an independent, third-party reporting agency - Grant Thornton C.A.R.E. (*Confidential Anonymous Reporting for Employees*) at **1-855-484-2273 (CARE)** or

www.GrantThorntonCARE.ca. Grant Thornton will refer the matter to two Vice Presidents at the College for review and investigation.

- (b) The anonymity of the person reporting the concern will be maintained through procedures implemented by Grant Thornton.
- (c) It may not be possible for the College to conduct a complete investigation of an anonymous report. Anonymous allegations will be acted upon only if the evidence collected indicates that the report can be properly investigated.

4.1.2 Formal Reporting (*Verbally or in Writing*)

4.1.2.1 Employees are encouraged to raise their concerns to one of the following:

- (a) The employee's designated Supervisor or the appropriate member of Leadership Team, or if there is a conflict of interest, the next highest level of authority. That person must immediately convey the report to the Vice President in his or her area;
- (b) Vice President, Employee and Corporate Services;
- (c) Vice President, Education; or
- (d) Director, Legal Affairs and Policy Development.

Contact Information:

Vice President, Employee and Corporate Services

Telephone number: 250-762-5445, Ext. 4365

Email: RDaykin@okanagan.bc.ca

Vice President, Education

Telephone number: 250-762-5445, Ext. 4317

Email: ahay@okanagan.bc.ca

Director, Legal Affairs and Policy Development

Telephone number: 250-862-5489

Email: dolson@okanagan.bc.ca

- 4.2 Reports made under this Policy should be made in a timely manner. In most cases, the earlier a matter is raised, the more likely the investigation can be conducted effectively.
- 4.3 Employees are encouraged to provide factual information to substantiate the report and to share any evidence supporting their allegations.
- 4.4 The Vice President, Employee and Corporate Services will inform the Finance Committee of the Board of Governors semi-annually the number and types of reports received under this Policy, as well as any instances of retaliation.

5.0 **Investigation**

5.1 In determining whether to pursue the investigation of an anonymous report, the two Vice Presidents will consider the following factors:

- (a) the seriousness of the allegation;
- (b) the credibility of the allegation; and
- (c) the likelihood of confirming the allegation from an independent or reliable source.

5.2 In determining whether to pursue the investigation of a formal report, the two Vice Presidents will consider the following factors:

- (a) The complainant has failed to exhaust other reasonably available procedures;
- (b) The alleged wrongdoing is one that would be more appropriately dealt with under another policy;
- (c) The alleged wrongdoing is frivolous, vexatious, or made in bad faith;
- (d) The allegations do not have sufficient information to undertake an investigation; and
- (e) Another valid reason exists for not proceeding with an investigation.

5.3 The two Vice Presidents will determine if the matter will be referred to the RCMP, external investigator or investigated by management.

5.4 Reports made under this Policy will be handled promptly.

5.5 All employees of the College have a duty to cooperate with an investigation initiated under this Policy.

5.6 Consistent with applicable employment policies or collective agreements, an employee may be placed on general leave with pay, when it is determined by the College that such leave would serve the best interests of the employee, the College or both. Such a leave is not to be interpreted as an accusation or a conclusion of guilt or innocence of any individual including the person on leave.

6.0 **Confidentiality**

6.1 Formal reports will be kept confidential to the extent possible consistent with the need to conduct an adequate investigation. Whether or not an employee's identity can be fully protected will depend on the nature of the allegations.

6.2 Subject to paragraph 6.1, the College will make all reasonable efforts to maintain the confidentiality of the individual making a formal report.

6.3 All employees interviewed as part of an investigation under this Policy are expected to treat the matter confidentially and refrain from discussing it in the workplace or elsewhere.

- 6.4 Content of an investigation will be kept confidential to the extent authorized or required by law. Information sharing will be limited to those who have a clear need to know.

7.0 **Disciplinary Offences**

- 7.1 An employee who retaliates against someone for making a good faith report under this Policy may be subject to discipline up to and including termination of employment in accordance with the College's policies and collective agreements.
- 7.2 An employee who makes a report in good faith will not be subject to disciplinary action, regardless of whether the allegations are ultimately substantiated or not.
- 7.3 A report under this Policy is a serious matter. Intentional misuse of this Policy and/or making allegations that are frivolous, vexatious or in bad faith may be cause for disciplinary action up to and including termination of employment in accordance with the College's policies and collective agreements.
- 7.4 An employee found to have participated in wrongdoing will be subject to disciplinary action, which may include termination of employment in accordance with College policies and collective agreements.

8.0 **Compliance**

- 8.1 The Office of the Vice President, Employee and Corporate Services is responsible for monitoring compliance with this Policy and ensuring that there are no conflicts of interest on the part of any party involved in an investigation.

9.0 **Coordination with Other Policies**

- 9.1 If a matter reported under this Policy is covered under another policy or collective agreement, the procedures under that other policy or collective agreement will be followed. The reporting process and protection against retaliation under this Policy will continue to apply if the matter is covered under another policy.