

Whistleblower

Policy

The agency is committed to the highest ethical standards. We do this by conducting our business with maximum integrity and by achieving full compliance with all applicable laws, rules and regulations. In line with this commitment, the agency provides an avenue for employees, students, volunteers, agency contractors and other stakeholders to raise any concerns they may have about the subjects covered by this policy and to be assured that in making complaints they will be protected from reprisal for raising their concerns in good faith.

This policy covers instances where an employee, student, volunteer, agency contractor or other stakeholder (“individuals”) has evidence of illegal activity or wrongdoing by an individual that to his her knowledge constitutes:

- Accounting, auditing, or other financial reporting fraud or misrepresentation - examples include: falsification or destruction of business or financial records; suppression of financial information; non-adherence to internal financial reporting policy / controls;
- Suspected Fraudulent activity – examples include: theft, defalcation, and unlawful or improper payments;
- Violations of federal or provincial laws that could result in fines or civil damages payable by the agency, or that could otherwise significantly harm the agency’s reputation or public image;
- Unethical business conduct in violation of any corporate policies – examples include: corrupt practices including giving or receiving bribes or other improper benefits; conflict of interest concerns;
- Abuse of power or authority for any unauthorized or ulterior purposes.
- Reprisal against an individual who reports a concern – examples include: conduct or actions involving discharging, demoting, suspending, harassing or discriminating against an individual reporting a concern in good faith in accordance with this Policy and Procedure.

Scope

This Policy and Procedures applies to all employees, managers, supervisors, directors, executives, students, volunteers, agency contractors, clients and visitors.

Responsibility

Board Members and Senior Management

- Ensure that Whistleblower Policy and Procedures are established and reviewed annually or as required;
- Ensure that managers and employees are aware of, and comply, with this Policy and Procedures;
- Foster a workplace culture of highest ethical standard, through appropriate leadership;
- Manage the investigation and resolution of concerns raised through this Policy.

Managers / Supervisors

- Communicate the Policy and Procedures;
- Take all appropriate steps to prevent and stop illegal activities or wrongdoing in their areas of responsibility;
- Inform Executive Director of any complaints of illegal activity or wrongdoing;
- Investigate complaints received under the Whistleblower policy in consultation with the Executive Director.

Employees

- Understand the Policy and Procedures;
- Report any incidents of illegal activity or wrongdoings to their manager / supervisor / Executive Director or a member of the Board of Directors immediately;
- Keep information relating to any process under this Policy, strictly confidential;
- Refrain from discussing any details of the complaint or the fact of their involvement, except to the extent required for the purposes of any investigation and resolution.

Definitions

Whistle-Blower

A Whistle-blower is an individual who in good faith reports illegal activity or wrongdoings to the appropriate authority, in an attempt to have the activity brought to an end.

Reprisal

Reprisal is any harassment, intimidation, dismissal, suspension, demotion, discipline, or threat of dismissal, suspension, demotion or discipline of an individual as a direct result of the individual in good faith disclosing a perceived illegal activity or wrongdoing.

Complainant

Any individual that submits a complaint of illegal activity or wrongdoing.

Defalcation

Is an amount of funds misappropriated by a person trusted with its charge; also, the act of misappropriation, or an instance thereof.

Good Faith

Good faith is evident when the complaint is made without malice or consideration of personal benefit and the individual(s) has a reasonable basis to believe that the complaint is true; provided, however, a complaint does not have to be proven to be true to be made in good faith. Good faith is lacking when the disclosure is known to be malicious or false.

Wrongdoing

Involves any unlawful or illegal behavior and can include:

- An unlawful act whether civil or criminal;
- Breach of or failure to comply with any published agency policies;
- Knowingly breaching mandatory federal laws or regulations;
- Fraudulent activity;
- Unprofessional conduct;
- Questionable accounting or auditing practices;
- Abuse of power or authority for any unauthorized or ulterior purposes.

Reporting and Investigation Procedures

- As an employee of the agency, you should promptly report any serious wrongdoings to your immediate supervisor / manager without fear of reprisal. If for some reason you feel uncomfortable raising the issue with your supervisor / manager, submit a report by telephone, email, mail or in person to the following individuals listed below.
 - Executive Director
 - Or
 - A Board member (see board list on shared drive folder “CFSSC/Board”)
- All mail enclosing a complaint should be marked “Private and Confidential”;

Actions to be taken on receiving a complaint

| Person to whom reported | Action to be taken by person to whom reported |
|---|---|
| Supervisor / Manager | <ol style="list-style-type: none">1. Report to the complainant that the complaint is acknowledged and that appropriate action will be taken2. Investigate the complaint reported3. Document the finding and any action taken4. Submit a copy of the report related to the results from the investigation, to the Executive Director5. To the extent deemed appropriate, advise the complainant of the resolution of the investigation6. If the complaint is beyond the scope of the Manager or Supervisor's authority, the complaint will be escalated to the Executive Director for investigation |
| Executive Director or a member of the Board of Director | <ol style="list-style-type: none">1. Investigate the complaint reported or designate an investigator2. Document the findings and any action taken3. To the extent deemed appropriate, advise the complainant of the resolution of the investigation |

Confidentiality and Anonymity

The agency will respect the confidentiality of any whistle-blowing complaint received when the complainant requests confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his or her name. In addition, confidentiality cannot be maintained if such confidentiality is incompatible with a fair investigation or if there is an overriding reason for identifying or otherwise disclosing the identity of the person making the complaint, or if disclosure of the identity of the complainant is required by law.

Reprisal Protection

Any individual who has reasonable grounds to believe that a reprisal has been taken against him or her may file a complaint with the Executive Director.

Documentation

Documents shall be held in confidence by all parties and participants under this policy. All relevant documentation including reports, discussions and supporting information shall remain in the control and custody of the Executive Director unless otherwise authorized pursuant to a report of decision issued in accordance with this policy.

Consequences and Remedial Action

Complaints that are not made in good faith will be viewed as a serious offence and may be subject to disciplinary action up to and including termination or discharge of services.

The agency will not permit any individual harass, retaliate or discrimination against a fellow individual who, in good faith, reports an illegal activity or other wrongdoings. Reprisal in any form will not be tolerated and should be reported. Disciplinary action will be taken against the individual.

Any violation of this policy may subject the violator to disciplinary action, which may include, in appropriate circumstances, termination of employment, discharge of services or legal action.

Whistleblower Complaint Form

This form is to be used to file a complaint regarding any illegal activity or wrongdoing as identified in the agency's Whistleblower Policy.

Evidence of illegal activity or wrongdoing constitutes the following:

- Accounting, auditing, or other financial reporting fraud or misrepresentation - examples include: falsification or destruction of business or financial records; suppression of financial information; non-adherence to internal financial reporting policy / controls;
- Suspected Fraudulent activity – examples include: theft, defalcation, and unlawful or improper payments;
- Violations of federal or provincial laws that could result in fines or civil damages payable by the agency, or that could otherwise significantly harm the agency's reputation or public image;
- Unethical business conduct in violation of any corporate policies – examples include: corrupt practices including giving or receiving bribes or other improper benefits; conflict of interest concerns;
- Abuse of power or authority for any unauthorized or ulterior purposes.
- Reprisal against an individual who reports a concern – examples include: conduct or actions involving discharging, demoting, suspending, harassing or discriminating against an individual reporting a concern in good faith in accordance with this Policy and Procedure.

A complainant may remain anonymous. However, in order for a better investigation of a complaint, the complainant should consider identifying themselves by giving their name, their telephone number and other contact information. Even if such contact information is not provided, the substance of the complaint will be treated with utmost confidence and not discussed with others except to the minimum extent necessary to conduct a complete and fair investigation. In all cases, the person who is alleged to have committed the infraction will be made aware of the complaint at an appropriate point during the investigation.

Complaints that are not made in good faith will be viewed as a serious offence and may be subject to disciplinary action up to and including termination or discharge of services.

The agency will treat all reports made under this Policy as confidential to the fullest extent that is consistent with conducting a full and fair investigation. Even if you make a complaint under this policy and disclose your identity, we will exercise care to keep confidential your identity until a formal investigation is launched. At that point, your identity will be disclosed to other individuals only to the extent necessary to conduct a complete and fair investigation.

Whistleblower Complaint Form

| Complainant Information | |
|---|----------------------------|
| Name (optional – you may submit your complaint anonymously): | Department (optional): |
| Supervisor (optional): | Position Title (optional): |
| Email (optional): | Telephone (optional): |
| Subject (s) Information | |
| Name (s), Department, Position Title, Supervisor, Telephone, Email: | |
| Witness (es) Please provide witnesses who can confirm your allegations | |
| Name (s), Department, Position Title, Supervisor, Telephone, Email: | |
| Briefly describe the information the witness (es) will be able to confirm. Use additional paper if necessary. | |
| Complaint | |

| | |
|--|--|
| Type of Violation | |
| <input type="checkbox"/> Accounting / Auditing / Financial Reporting | <input type="checkbox"/> Fraudulent Activity |
| <input type="checkbox"/> Violation of Federal or Provincial Laws Policies | <input type="checkbox"/> Violation of Corporate Policies |
| <input type="checkbox"/> Abuse of Power or Authority | <input type="checkbox"/> Reprisal |
| Date you became aware of illegal activity or wrongdoing: | |
| Describe steps, if any, you took prior to completing this complaint form (e.g. informed supervisor) | |
| Briefly describe the illegal activity or wrongdoing and how you know about them. Specify who, what, when, where and how. Number the allegations. Use additional paper if necessary. | |
| Evidence | |
| Please list all documents or other items of evidence that prove the allegations to be true and explain how each item provides proof. Use additional paper if necessary. If you have any of the listed documents in your possession, please provide copies. | |
| Signature | |
| Date | |