

**LOYALIST COLLEGE**  
**Board of Governors Policy**

<b>C4</b>	<b>C. Board/Governance Processes</b> <b>C4. WHISTLEBLOWER POLICY</b>
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**Date Last Approved:** March 2019

**Next Review Date:** 2023

**Background**

In this policy, unless otherwise defined herein or the context requires otherwise, words have the same meaning as they do in By-Law 1 of the College

This policy establishes a process for College community members to make reports in good faith about serious wrongdoing by other College community members without concern about retaliation. .

This policy is intended to ensure that College operations are conducted ethically and with integrity.

**Policy / Procedure**

**DEFINITIONS**

For the purposes of this policy:

1. **“College Community Member”** means any member of the College community, who studies, teaches, conducts research or works at or under the auspices of the College and may be any of the following:
  - (i) a member of the Board;
  - (ii) an employee of the College;
  - (iii) a volunteer at the College; or
  - (iv) a student, visiting executive or any other person who is acting on behalf of or at the request of the College.
  
2. **“Misconduct”** means:
  - (i) conduct that constitutes a criminal offence;

- (ii) negligent, improper or gross mismanagement of any College or public funds;
- (iii) fraudulent financial reporting;
- (iv) forgery or alteration of documents;
- (v) a serious, wilful and flagrant breach of the By-Laws, College policies or any other applicable law; or
- (vi) conduct that is causing or caused a substantial and specific danger to the environment or public health and safety.

3. **“Whistleblowing”** means the release or disclosure of information that is evidence of Misconduct and **“to blow the whistle”** means to disclose or release such information.

### **REPORTING AND INVESTIGATION GUIDELINES**

In order to blow the whistle, the Whistleblower may file, in confidence, a written complaint, report or disclosure with the Executive Director Responsible for Human Resources Services and Organizational Development or the office of the President or, in the event of a conflict of interest, to the Chair.

The Executive Director Responsible for Human Resources Services and Organizational Development, the office of the President, or the Chair shall receive, determine, investigate using the relevant investigative procedure, and resolve, where appropriate, all Whistleblowing made under this policy, provided that anonymous Whistleblowing will only be acted upon if the evidence collected during the preliminary investigation indicates that the Whistleblowing is made in accordance with this policy. In the event an internal solution is not desirable and, depending on the nature of the Whistleblowing, the matter may be referred to the Ministry or other external agency commission, tribunal and/or legal process for resolution.

No College Community Member shall harass or retaliate in any way or discriminate against any Whistleblower who blows the whistle in accordance with this policy.

No Whistleblower shall blow the whistle with respect to individual concerns, appeals, complaints, grievances, or issues associated with matters such as but not limited to: academic appeals, student or employee conduct, harassment, discrimination, accessibility, copyright, intellectual property, individual health or safety, management or employee performance, or provisions contained in collective agreements or legal statute.

Any Whistleblower who blows the whistle in bad faith or knowingly provides false or materially inaccurate information, may be subject to disciplinary actions, including reprimand, suspension, demotion, expulsion or termination, at the discretion of the Board.

## **OUTCOMES**

Upon completion of the investigation, a report will be developed that includes the resolution of the issue raised and recommendations. The report will be provided to the College Executive Team.

### **Monitoring**

The Board will receive an annual report of Governors on any ongoing or completed investigations. Reports will include steps taken to resolve the matters raised in each report. All reports to the board will be presented in camera

### **Related Materials**

Loyalist College ADMIN 117 Policy - Whistleblower Policy – 2012