



## Safe Disclosure Policy

This document is the parent policy for any College procedures or regulations. Questions regarding this policy are to be directed to the identified Policy Administrator.

### Policy Statement:

It is the responsibility of all members of the College community to report concerns about violations of Northern Lakes College governing policies, procedures, and regulations or suspected violations of laws that govern the College’s operations. The College will foster an environment where all members of the College community can report wrongdoings or suspected wrongdoings without reprisal.

<b>Sponsor:</b>	Governance
<b>Policy Owner:</b>	Board of Governors
<b>Policy Administrator:</b>	Executive Director, Human Resources and Health & Safety
<b>Approved By:</b>	Board of Governors
<b>Approval Date:</b>	October 19, 2022
<b>Effective Date:</b>	October 19, 2022

<b>Objective:</b>	<p>The objective of this policy is to:</p> <ul style="list-style-type: none"> <li>A. Describe the expectations concerning legal conduct for representatives of the College with regard to the safe disclosure of an alleged wrongdoing;</li> <li>B. Facilitate the disclosure and investigation of significant or serious matters in relation to the College that a member of the College Community believes in good faith to be unlawful, dangerous to the public or injurious to the public interest;</li> <li>C. Provide guidance for the safe disclosure of an alleged wrongdoing concerning the College;</li> <li>D. Confirm the College’s obligation to protect from reprisal those employees who make good faith disclosures in relation to the College;</li> <li>E. Confirm the College’s commitment to protect the rights of the person(s) against whom allegations are made;</li> <li>F. Deter and detect wrongdoing within the College in order to positively impact the reputation, effectiveness and financial integrity of the College and promote public confidence in the administration of the College.</li> </ul>
<b>Guidelines:</b>	<p><b>1. Applicability:</b></p> <ul style="list-style-type: none"> <li>A. This policy applies to all members of the College Community in all of its operations.</li> <li>B. Allegations of wrongdoing, including an allegation of a contravention of law will be handled in accordance with this policy.</li> </ul>

C. This policy applies only to conduct that is wrongdoing.

**2. Policy Elements**

A. Persons representing the College are expected to exhibit the highest standards of ethical and legal behavior, in which their actions and behaviours are in compliance with College policies, government legislations and relevant professional standards.

B. Member of the College community are encouraged to report wrongdoing.

C. Good faith disclosures of allegations of wrongdoing made by employees shall be reported, reviewed and investigated in accordance with the procedures.

D. Good faith disclosures of allegations of wrongdoing made by members of the College Community, with the exception of employees, will be submitted to the accountable College department or program for review and investigation as appropriate.

E. Individuals against whom allegations are made will maintain the rights, privileges and protections afforded to them through the Freedom of Information and Protection of Privacy Act (FOIPP) and other applicable legislation, College policies, and collective agreements in effect at the time of the alleged wrongdoing.

F. In the event of a conflict or inconsistency between this policy statement and a provision in the relevant laws or collective agreements, the provision of the laws and collective agreements shall apply.

G. The President and Executive Director, Human Resources and Health & Safety are responsible for executive oversight of this policy and associated procedures.

H. Responsibility for compliance with College policies and procedures extends to all members of the College Community. Failure to comply with this policy may create risk for the College and may result in disciplinary action, up to and including termination of employment and prosecution, if appropriate.

**Definitions:**

**Employee** means a current employee of the College.

**Executive** means the President, Vice Presidents and equivalent positions.

**Good faith disclosure** means an allegation of wrongdoing made to the appropriate Officer that is based on an objective and reasonable belief and is not malicious, frivolous or vexatious.

**Gross Mismanagement** includes an act or omission that is deliberate and that shows a reckless or willful disregard for proper management.

**Members of the College Community** means those persons involved in conducting College affairs or using College property (all students, employees, contractors, and all visitors while they are on College property).

	<p><b>Officers</b> means the Deans, Chairs, and equivalent positions.</p> <p><b>Procedures</b> means the handling and management of good faith disclosures made by Employees as outlined in the Public Interest Disclosure (Whistleblower Protection) Procedures.</p> <p><b>Reprisal</b> means any of the following measures taken or directed to be taken against an Employee for making a good faith disclosure, seeking advice about making a disclosure, cooperating with an investigation under this policy, declining to participate in a Wrongdoing or doing anything in accordance with this policy.</p> <p><b>Safe disclosure</b> means that persons are not subject to Reprisal for reporting allegations in good faith.</p> <p><b>Wrongdoing</b> means, in relation to the College, the following conduct of Employees while acting in the scope of their employment or any other person representing the College:</p> <ul style="list-style-type: none"> <li>a) A contravention of a provincial or federal act or regulation;</li> <li>b) An act or omission that creates: <ul style="list-style-type: none"> <li>i. A substantial and specific danger to the life, health and safety of individuals other than a danger that is inherent in the performance of the duties or functions of an employee, or</li> <li>ii. A substantial and specific danger to the environment.</li> </ul> </li> <li>c) Gross mismanagement of public funds or a public asset; or</li> <li>d) Knowingly directing or counseling an individual to commit a wrongdoing mentioned in clauses (a) to (c).</li> </ul>
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<b>Related Northern Lakes College Documents:</b>	Governance – Public Interest Disclosure (Whistleblower Protection) Procedure
<b>Related External Information:</b>	N/A
<b>Stakeholders Consulted:</b>	Academic Council: Jan 14, 2014 Deans Council: Jan 9, 2014 Employee Management Advisory Committee: Jan 28, 2014; Oct 23, 2018, Jun 13, 2022 Operations Policy Review Committee: Sep 10, 2014 (defunct) Policy Review Committee: Oct 9, 2018 (defunct) President’s Advisory Team: Sep 7, 2022 Senior Management Team Policy Review Committee: Mar 26, 2014; Aug 21, 2014 (defunct)
<b>Next Review Date:</b>	October 18, 2024
<b>Revision History:</b>	October 16, 2014: New October 18, 2018 April 23, 2020: Update on oversight reporting October 19, 2022: Correction to grammar & reaffirmation