



POLICY

Title: Safe Disclosure

Policy Statement:

It is the responsibility of all members of the College community to report concerns about violations of Northern Lakes College's 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.

Approved: Original copy signed by Chair of the Board
(Daniel Vandermeulen, Chair of the Board)

October 18, 2018
(Date)

Sponsorship: Governance

To Be Reviewed: October 16, 2023

Review and Revision Date:

(Deans' Council January 9, 2014); (Academic Council January 14, 2014); (Senior Management Team Policy Review Committee March 26, 2014, August 21, 2014); (Operations Policy Review Committee September 10, 2014); (Board of Governors September 18, 2014, October 16, 2014); (Policy Review Committee October 9, 2018)

First Approval Date: October 16, 2014.

Stakeholders Consulted:

Employee Management Advisory Committee January 28, 2014, October 23, 2018

Reference to other Documents:

Governance – Public Interest Disclosure (Whistleblower Protection) Procedure

Definitions:

Employee means a current employee of the College.

Executive Officers 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).

Officers means the Deans, Chairs, and equivalent positions.

Procedure means the College's Public Interest Disclosure Procedure.

Procedures means the handling and management of good faith disclosures made by Employees as outlined in the Public Interest Disclosure (Whistleblower Protection) Procedures.

Reprisal 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.

Safe disclosure means that persons are not subject to Reprisal for reporting allegations in good faith.

Wrongdoing 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:

- a) A contravention of a provincial or federal act or regulation;
- b) An act or omission that creates:
 - 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
 - ii. A substantial and specific danger to the environment.
- c) Gross mismanagement of public funds or a public asset; or
- d) Knowingly directing or counseling an individual to commit a wrongdoing mentioned in clauses (a) to (c).

1. Purpose:

The purpose of this policy is to:

- A. Describe the expectations concerning legal conduct for representatives of the College with regard to the safe disclosure of an alleged Wrongdoing;
- 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;

- C. Provide guidance for the safe disclosure of an alleged Wrongdoing concerning the College;
- D. Confirm the College's obligation to protect from Reprisal those Employees who make good faith disclosures in relation to the College;
- E. Confirm the College's commitment to protect the rights of the person(s) against whom allegations are made;
- 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.

2. Applicability:

- A. This policy applies to all Members of the College Community in all of its operations.
- B. Allegations of Wrongdoing, including an allegation of a contravention of law will be handled in accordance with this Policy.
- C. This policy applies only to conduct that is Wrongdoing.

3. 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 Vice President, Corporate Services & Chief Financial Officer is 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.