Administrative Procedure 213

Personnel and Employee Relations

PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWER PROTECTION)

Background

The Board of Directors believes that the principles of integrity, respect and care shall guide the activities undertaken at the school. The Board expects all employees to demonstrate high ethical standards in their work. In return, employees should expect a positive, supportive environment, where they can seek advice and, if necessary, disclose wrongdoing without fear of reprisal, knowing that such disclosures will be taken seriously.

Procedures

1. Any staff member who believes another has acted in an illegal or unethical manner has a duty to report directly in writing the matter to the Superintendent, or in the case of the Superintendent, the Board Chair. Such reports must be made within one (1) year of the alleged occurrence.

    1.1. The following wrongdoings would constitute inappropriate behaviour:

        1.1.1. Contravention of any provincial or federal legislation or any regulation pursuant to such.

        1.1.2. A substantial and specific danger to the life, health or safety of individuals.

        1.1.3. A substantial and specific danger to the environment.

        1.1.4. Mismanagement of public funds.

        1.1.5. Knowingly directing or counselling an individual to commit a wrongdoing.

        1.1.6. A belief that the employee reasonably believes a wrongdoing has been committed or is about to be committed.

    1.2. The report must include the following information, if known:

1.2.1. A description of the wrongdoing.

1.2.2. The name of the individual or individuals.

1.2.3. The date of the wrongdoing.

1.2.4. Additional information deemed to be helpful in the investigation.

1.3. Reports of employee violations must be signed by the individual making a complaint of a wrongful act. Anonymous communications will not initiate action.

2. The Superintendent will thoroughly investigate any such reported conduct. Such investigation shall be initiated within fourteen (14) days and concluded within one hundred and twenty (120) days. In the case of the Superintendent, the Board Chair will determine the process for investigation.
3. Should the Superintendent, or the Board Chair as the case may be, believe that the matter constitutes an imminent risk of a substantial or specific danger to the life, health or safety of individuals, or to the environment, the matter shall be referred to the Public Interest Commissioner as soon as reasonably practicable.

4. The investigation shall be conducted in accordance with the principles of procedural fairness and natural justice.

5. Should the Superintendent or the Board Chair as the case may be, have reason to believe that further wrongdoings have been committed or may be committed, a further period of investigation or reasonable length may be necessary.

6. Should the Superintendent or the Board Chair as the case may be, have reason to believe that an offence has been committed the authorities are to be advised as soon as reasonably practicable.

7. The investigation may cease at any time if the disclosure is determined to be frivolous or vexatious, has not been made in good faith, or does not deal with a wrongdoing.

8. Confidentiality will be maintained throughout the process. Information relating to the matter will only be disclosed to the extent necessary to investigate the allegation. The identity of individuals will be protected in keeping with the

principles of procedural fairness and natural justice.

9. The Superintendent or the Board Chair as the case may be, must notify the individual who made the disclosure that a decision has been and provide the individual with any information the Superintendent or Board Chair considers appropriate in the circumstances.

10. Disciplinary action up to and including termination of employment may be taken in addition to any specific sanctions provided for by law.

11. Whistleblower Protection

    11.1. No staff member shall take retaliatory action with the intent of dissuading or punishing an individual for participating in this process. Sanctions may be imposed for retaliation. The complaint of a reprisal may be investigated as above.

12. Any staff member may report a wrongdoing or reprisal in writing to the Public Interest Commissioner.

13. It shall be the responsibility of Administration to convey the information contained in this Administrative Procedure to staff annually, and more frequently if deemed appropriate.

Approved: July 2023