

A02.01.03 Protected Disclosure (Whistleblower) Policy

Effective Date: December 3, 2013	New: X
Replaces:	Revision: May 2014

Policy Statement

Douglas College is committed to maintaining the highest ethical standards in all of its activities, ensuring the transparency, accountability and ethical conduct of its employees and governing Board, providing an avenue for Stakeholders to make Protected Disclosures of a Reportable Activity or a suspected Reportable Activity within the College, and to acting on Protected Disclosures.

Purpose

The purpose of this policy is:

- a. To protect Stakeholders who, in good faith and on the basis of Reasonable Belief, act to expose and report a Reportable Activity within the College by prohibiting subsequent reprisals against them;
- b. To provide a mechanism through which Stakeholders can confidentially disclose a Reportable Activity that they observe in the context of performing their College duties or activities;
- c. To prescribe procedures for making such disclosures;
- d. To provide a mechanism for appropriate investigation of and response to such disclosures; and
- e. To encourage and enable Stakeholders to raise serious concerns within the College.

This policy is not intended to replace policies and procedures already in effect to deal with academic dishonesty, employee or student conduct, harassment, violence or other related issues.

This policy is not designed to question decisions taken by the College, BC Government, Education Council, or the College Board.

Nothing in this policy shall limit or amend the provisions of collective agreements entered into by the College and its employee groups.

Scope of This Policy

This policy applies in respect to Reportable Activities in or relating to the College, its Stakeholders, or operations.

Definitions

1. **Protected Disclosure:**

The communication of a concern or a report of any Reportable Activity or suspected Reportable Activity by another individual.

2. **Reasonable Belief:**

A set of facts or circumstances which would cause a person of ordinary and prudent judgment to believe beyond a mere suspicion that a Reportable Activity is being or has been committed.

3. **Reportable Activity:**

A Reportable Activity is:

- a. Suspicious use or misuse of public funds or a public asset;
- b. Accounting, auditing, or other financial reporting fraud or misrepresentation;
- c. An act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of the duties or functions of the individual;
- d. Unethical conduct that could significantly harm the College's reputation or public image;
- e. Retaliation for reporting a Reportable Activity in good faith and on reasonable belief or for participating in an investigation into a Reportable Activity; or
- f. Knowingly directing or counselling an individual to commit a Reportable Activity set out in any of paragraphs (a) to (e).

4. **Responsible Administrator:**

An administrator responsible for the operations of a Department, Faculty, Centre or other service

6. Stakeholder:

Board member, employee, student, College contractor, individual attending College events, facility renter, or user of services such as the Cafeteria, Library or Student Services.

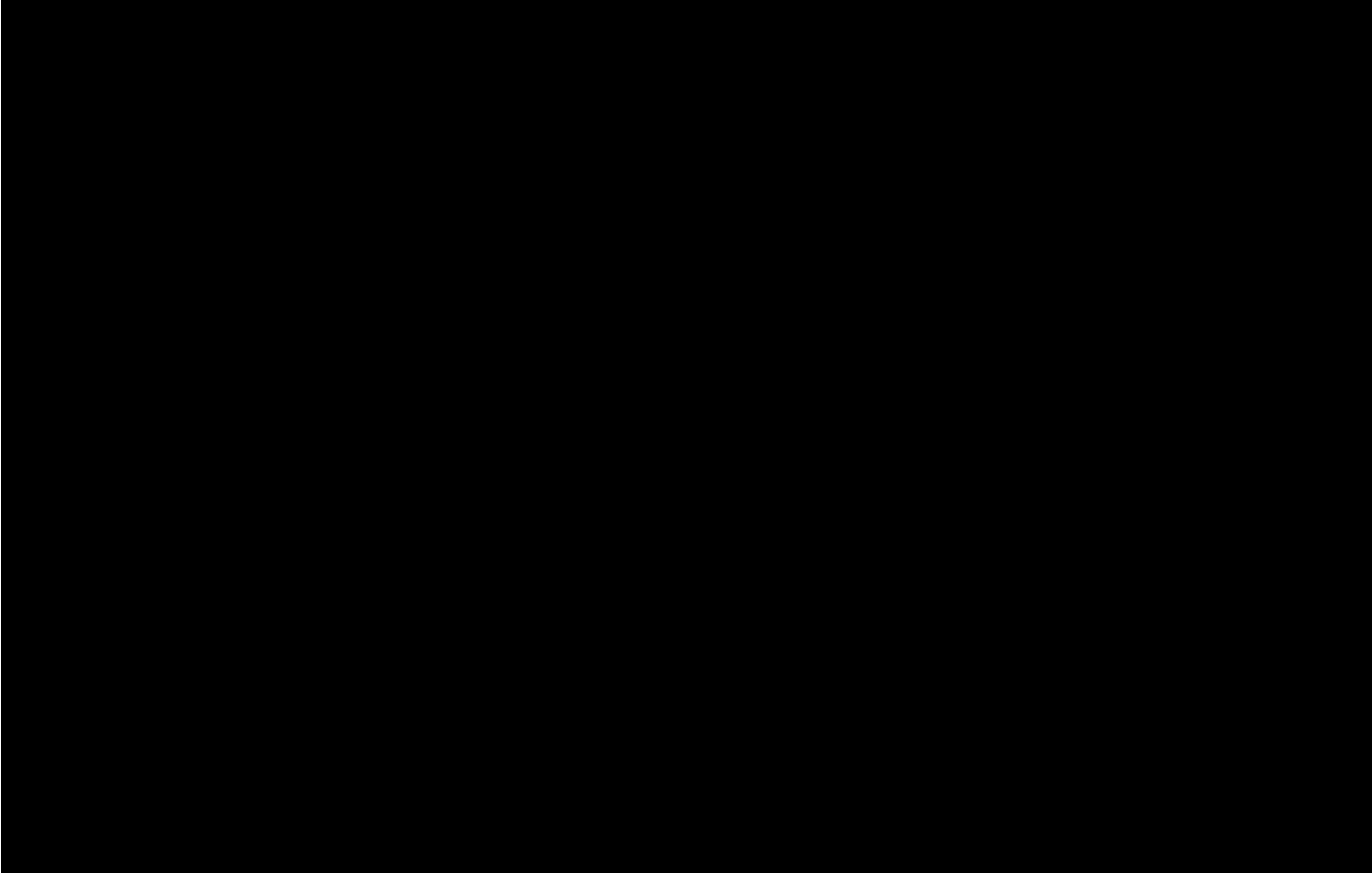
Reporting Responsibility

Stakeholders are often in the best position to observe ethical misconduct or abuse of public trust because of their proximity to day-to-day College operations.

It is the responsibility of all Stakeholders to comply with the law and the College's policies, to report in a timely way any violation or suspected Reportable Activity related to Douglas College, and to participate in any investigation into a suspected Reportable Activity.

Acting In Good Faith

Anyone filing a complaint and submitting a Protected Disclosure must be acting in good faith and have Reasonable Belief for believing the information disclosed. Any allegations that prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.



Appendix “A”

Procedures

Any person who observes or encounters evidence of or suspects a Reportable Activity, including being asked to commit a Reportable Activity, should report it immediately to either their Responsible Administrator or the Responsible Administrator of the affected area. In circumstances in which individuals do not feel comfortable reporting to that administrator, a Protected Disclosure may be made directly to any member of the Senior Management Team (“SMT”) or to the Board Chair, via the College Secretary.

The disclosure report is to be factual rather than speculative and is to include sufficient specific information to allow an effective investigation, such as:

- a. The type of potential conflict;
- b. The nature of the activity;
- c. A description of all parties involved;
- d. The potential financial interests and rewards;
- e. Possible violations of provincial and federal law and/or College Policy and Procedures;
and
- f. Any other information necessary to evaluate the disclosure.

This policy encourages individuals to include their names with any Protected Disclosures they make. Protected Disclosures must be put in writing and should be signed or otherwise identified. The submission may be done by e-mail to ProtectedDisclosure@douglascollege.ca, which will be received by the Associate Vice President, Human Resources and directed to the appropriate member of SMT. A submission may also be made by phone, e-mail or regular mail addressed to any member of the SMT or to the Chair of the College Board, via the College Secretary.

Concerns expressed anonymously are much less powerful; however, anonymous reports may be considered at the discretion of the recipient of the Protected Disclosure. In exercising this discretion, the recipient will take the following factors into account:

- a. The seriousness of the issue(s) raised;
- b. The credibility of the concern; and
- c. The likelihood of confirming the allegation from alternate credible sources.

Within five (5) working days of receiving notice in writing of a Reportable Activity, the recipient will confirm receipt of the report to the person making the Protected Disclosure. The action taken will depend on the nature of the Reportable Activity, but may include referring the matter to:

- a.

