

SAFE DISCLOSURE POLICY			
Effective Date	February 2, 2017	Cross-Reference	1. Ethics and Accountability Policy 2. Fraud and Irregularities Policy 3. Conflict of Interest Policy 4. Office of the Public Interest Commissioner www.yourvoiceprotected.ca Phone # 1-855-641-8659
Responsibility	Director, Human Resources		
Approver	Executive Council		
Review Schedule	Every 5 Years		

1. Policy Statement

- 1.1 Grande Prairie Regional College (“GPRC” or “the Institution”) is committed to providing a supportive environment where employees can disclose, make enquiries about, or seek advice regarding potential wrongdoing and cooperate in an investigation of wrongdoing without fear of reprisal.

2. Background

- 2.1 GPRC values ethical conduct in all of its operations, including; academia, administration, with students, with industry partners, and its relationship with the Community at large.
- 2.2 GPRC seeks to be informed of misconduct, fraud, or other wrongdoing that may occur within its Community.

3. Policy Objectives

- 3.1 This policy was created to deter and detect wrongdoing in order to positively impact the reputation, effectiveness, and finances of the Institution, as well as enhance the working environment for employees. It encourages and enables employees to report wrongdoing. GPRC employees who witness or have knowledge of a wrongdoing have a responsibility to disclose that information.
- 3.2 This policy confirms the Institution’s obligation to protect person(s) making a good faith disclosure from reprisal. Anyone who discloses a suspected wrongdoing should do so without fear of reprisals.
- 3.3 This policy provides clear guidance on GPRC’s expectations for the safe disclosure of any suspected wrongdoing as well as how to manage, investigate and make recommendations respecting disclosures of wrongdoing and reprisals in compliance with the Public Interest Disclosure (Whistleblower Protection) Act (2013) (“the Act”).

4. Scope

- 4.1 Reporting of a wrongdoing is the responsibility of all GPRC employees.
- 4.2 This policy applies to all locations included within the Institution environment.
- 4.3 This policy applies to any report of wrongdoing (as defined by the Act) involving GPRC employees.

5. Definitions

- 5.1 “Chief Officer” means the President & CEO of GPRC. The Act defines a Chief Officer in section 2(2) through definitions in existing statutes in order to capture the broader public sector.
- 5.2 “Commissioner” means the Public Interest Commissioner appointed under the Act.
- 5.3 “Designated Officer” means the Director of Human Resources who has been designated by the Chief Officer to manage and investigate disclosures under this Policy and the Act. The Designated Officer will be held accountable by the Chief Officer for GPRC’s compliance with the Act.
- 5.4 “Wrongdoing” includes:
 - 5.4.1 Illegal acts.
 - 5.4.2 A contravention of an Act of Alberta or Canada or the regulations related to those acts.
 - 5.4.3 An act or omission that creates: substantial and specific danger to the life, health and safety of individuals other than a danger that is inherent in the performance of duties or functions of an employee, and/or substantial and specific danger to the environment.
 - 5.4.4 Gross mismanagement of public funds or a public asset.
 - 5.4.5 Knowingly directing or counselling an individual to commit one of the wrongdoings listed above.
- 5.5 “Good Faith” is defined as a sincere belief that the information given is done honestly and objectively with no deliberate intent to defraud, misinform or mislead. Good faith also assumes all relevant information is disclosed and does not allow for the withholding of information due to negligence or omission. For example, failure to disclose all details of an event which may demonstrate the innocence of a party would contravene the principle of good faith.
- 5.6 “Institution Environment” includes all GPRC premises and campuses, as well as any off-campus sites utilized by the Institution for instruction, practicums, co-op or work experience placements, and / or other locations in which an employee is working as part of his / her position.
- 5.7 “Reporter” refers to the person or persons who make reports of a wrongdoing under this Policy.
- 5.8 “Reprisal” is defined as any adverse employment action taken against an employee who seeks advice on making a disclosure, makes a disclosure, co-operates in an investigation of a wrongdoing. Examples of reprisal include, but are not limited to:
 - 5.8.1 a dismissal, layoff, suspension, demotion, transfer, discontinuation or elimination of a job, change of job location, reduction in wages, change in hours of work or reprimand,
 - 5.8.2 any other measure that adversely affects the employee’s employment or working conditions (e.g., bullying), and
 - 5.8.3 threats to do any of the above.
- 5.9 “Imminent Risk” means a situation of immediate danger, such as a real and present danger to health and safety of the Community, or to the environment, or a significant threat to infrastructure, information or financial systems, and assets of the Institution. For example, Imminent Risk may include such serious reports as a pending violent attack, a gas leak, a highly contagious illness, an information systems breach, and / or infiltration of Institution financial or banking systems.

6. Guiding Principles

- 6.1 All employees who are aware of possible wrongdoing have a responsibility to disclose that information to the Chief Officer or the Designated Officer in accordance with section 8 of this Policy.
- 6.2 GPRC has zero tolerance for reprisals made against Reporters of information related to wrongdoing.
- 6.3 The Institution will take action in an objective manner on all reports of wrongdoing it receives that were made in good faith.
- 6.4 Any investigative activity required in relation to a suspected wrongdoing will be conducted without regard to the suspected wrongdoer's length of service, position, title, or relationship to the Institution.
- 6.5 The Designated Officer must ensure that internal processes are in place to collect all reports made, regardless of form, and regardless of to whom they are made.
- 6.6 Anyone who suspects a wrongdoing must make a report immediately and will not attempt to personally conduct investigations or interviews related to any suspected wrongdoing.
- 6.7 Persons who provide a report to the Institution have a right to be updated on the status of their reports, including outcomes. The Designated Officer is responsible for liaising with the Reporter if he/she has been identified.
- 6.8 All employees suspected of a wrongdoing are to be treated fairly and consistently, and in compliance with the collective agreements, GPRC policies, the Act, and other prevailing laws in Alberta.
- 6.9 GPRC will ensure that its staff and faculty are aware of the safe disclosure procedures, the protection of Reporters of wrongdoing under the Act, and have received periodic training on the Ethics and Accountability Policy, as well as this Safe Disclosure Policy.
- 6.10 The Safe Disclosure Policy will not in any way contravene the Act or other laws in the Province of Alberta, and/or collective bargaining agreements. In the event of any inconsistency of this Policy with Federal and Provincial statutes or the collective bargaining agreements, the Federal and Provincial statutes, as well as the collective bargaining agreements will take precedence.

7. No Reprisals

- 7.1 An employee, who in good faith:
 - 7.1.1 Seeks advice about making a disclosure,
 - 7.1.2 Makes or made a disclosure,
 - 7.1.3 Cooperated in an investigation, or
 - 7.1.4 Declined to participate in a wrongdoing will not be subject to reprisal.
- 7.2 An employee may make a written complaint to the Public Interest Commission if the employee alleges that a reprisal has been taken or directed against the employee. Such a written complaint must, according to the Act, be made on a Complaint of Reprisal Form: <https://yourvoiceprotected.ca/for-employees/reprisal-form/>
- 7.3 Reasonable human resource management decisions made in good faith do not constitute a reprisal

8. Disclosure

- 8.1 Any employee considering making a disclosure may request information or advice from the employee's Designated Officer, Chief Officer, or the Commissioner. The Designated Officer, the Chief Officer or the Commissioner may require a request for information or advice to be in writing.
- 8.2 Disclosures of wrongdoing must be made to the Designated Officer in writing. A disclosure of wrongdoing must include:
 - 8.2.1 A description of the wrongdoing.
 - 8.2.2 The name of the individual or individuals alleged to have committed the wrongdoing, or to be about to commit wrongdoing.
 - 8.2.3 The date of the wrongdoing.
 - 8.2.4 Identify if whether a disclosure in respect of a wrongdoing has already been made and whether a response has been received. If a response was received, a copy of the response must be attached.
 - 8.2.5 Any additional information reasonably required in order to investigate the matters set out in the disclosure.
- 8.3 The Chief Officer will ensure the safe disclosure program provides several options for individuals to make a wrongdoing report ("report"), including, but not limited to:
 - 8.3.1 Reporting directly to the Designated Officer or Chief Officer in confidence
 - 8.3.2 Reporting to a secondary designated individual(s)
 - 8.3.3 An option for individuals to make anonymous and confidential reports
- 8.4 Any employee may also contact the office of the Public Interest Commissioner to advise they have made a disclosure to their Designated Officer for the purposes of commencing an investigation.
- 8.5 Disclosures should be factual rather than speculative and contain as much specific information as possible.
- 8.6 In the event that disclosure to the Designated Officer is not appropriate due to conflict of interest with respect to the nature of the disclosure of the person involved, disclosure may be made to the Chief Officer. The Chief Officer may then refer the disclosure to an alternate employee that the Chief Officer deems appropriate to manage and investigate the disclosure under this Policy and the Act.
- 8.7 Employees can disclose directly to the Public Interest Commissioner, circumventing their Chief Officer and their Designated Officer, in the following circumstances:
 - 8.7.1 If the employee has made a disclosure in accordance with the procedures in Section 8 of this policy and an investigation concerning the disclosure has not been completed in accordance with Section 10 of this policy.
 - 8.7.2 If the employee has made a disclosure in accordance with the procedures in Section 8 of this policy and the matter has not been resolved within the time periods established in Section 11 of this policy.
 - 8.7.3 If the employee has made a disclosure in accordance with the procedures in Section 8 of this policy, the investigation has been completed, a final decision has been issued relative to the disclosure and the employee is dissatisfied with the decision.
 - 8.7.4 If the subject matter of the disclosure involves the employee's Chief Officer or Designated Officer.
 - 8.7.5 If the employee reasonably believes a matter constitutes an imminent risk and there is insufficient time to make a disclosure to their Designated Officer. However, in these

circumstances the employee must as soon as is reasonably practicable make a disclosure of this matter to their Designated Officer.

8.7.6 If the employee has made a disclosure to their Designated Officer and is unable to complete the procedures because of reprisal directed towards them, or reasonably believes a reprisal is likely to be taken or directed towards them.

8.8 If the Designated Officer reasonably believes the disclosure constitutes an imminent risk of a substantial or specific danger, then the Designated Officer must refer the disclosure to the Commissioner, and appropriate authorities, as soon as reasonably practicable.

8.9 If required, the Designated Officer will request advice from the Commissioner with respect to the management and investigation of a disclosure.

9. Confidentiality

9.1 GPRC will maintain its reports in the highest confidence, kept secure and apart from its other business records. Maintaining confidentiality is paramount to the success of the process. Accordingly, the risk of confidentiality will be strictly managed from the outset of a disclosure being received through to the end of the investigation and report release. In order to enhance confidentiality, as few people as are required will handle disclosures. Employees must not share information or evidence regarding disclosures or wrongdoing with fellow employees who do not have a need to know such information and who are not authorized to address disclosures.

9.2 All participants in an investigation shall keep confidential:

9.2.1 The identity of individuals involved in the disclosure process.

9.2.2 The identity of individuals alleged to have committed the wrongdoings.

9.2.3 The identity of witnesses.

9.2.4 The information collected in relation to a disclosure.

9.2.5 The details and results of the investigation provided however such confidentiality may not be maintained for matters which pose an imminent risk of a substantial and specific danger to life, health or safety of individuals, or to the environment.

9.3 Confidentiality is also subject to the provisions of the Freedom of Information and Protection of Privacy Act (Alberta), and other legislation.

10. Investigations

10.1 Upon receiving a disclosure, the Designated Officer shall determine whether or not an investigation is warranted.

10.2 An investigation may involve both internal and external sources to assist in determining whether an improper activity has occurred and what corrective action may be appropriate.

10.3 Where a disclosure received by the Designated Officer would, in the view of the Designated Officer, be more appropriately dealt with by the Commissioner or by another department, public entity or office of the Legislature, the Designated Officer shall refer such disclosure to the Commissioner or the Chief Officer or Designated Officer of such department, entity or office within 15 business days of receipt. The employee or other person making the disclosure will be advised by the Designated Officer about the referral.

10.4 Investigations shall be conducted in accordance with the principles of administrative fairness and natural justice.

- 10.5 A single investigation may be conducted in circumstances where multiple disclosures are made on the same matter.
- 10.6 If during an investigation the Designated Officer has reason to believe that another wrongdoing has been committed or may have been committed the Designated Officer may investigate that wrongdoing.
- 10.7 Offences discovered under a provincial or federal Act or regulation must be reported as per the requirements of that Act or regulation.

11. Timelines

- 11.1 The employee who submitted a disclosure of wrongdoing or complaint of reprisal shall be acknowledged not more than 5 business days from the date on which the disclosure of wrongdoing or complaint of reprisal is received.
- 11.2 The Designated Officer has not more than 10 business days from the date on which the disclosure of wrongdoing or complaint of reprisal is received to determine whether an investigation is warranted and to communicate that decision to the employee making the disclosure.
- 11.3 An investigation must be concluded not more than 110 business days from the date on which the disclosure of wrongdoing or complaint of reprisal is received. The employee who submitted a disclosure of wrongdoing or complaint of reprisal shall be advised of the result of the investigation in writing.
- 11.4 These timelines may be extended by up to 30 days by the Chief Officer, or for a longer period of time if approved by the Public Interest Commissioner.

12. Reporting

- 12.1 The Designated Officer will maintain a detailed log and original documentation of all reports received within a five-year period, and provide semi-annual reporting on reports received to the Chief Officer. The Chief Officer will provide annual reporting of its activities, reports received and actioned or not actioned, and outcomes to the Board of Governors.
- 12.2 Annual reports by the Chief Officer will include the following:
 - 12.1 The number of total disclosures received by the Designated Officer.
 - 12.2 The number of disclosures acted upon.
 - 12.3 The number of disclosures not acted on by the Designated Officer.
 - 12.4 The number of investigations commenced by the Designated Officer as a result of disclosures.
 - 12.5 In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations made or corrective measures taken in relation to the wrongdoing or the reasons why no corrective measure was taken.
- 12.3 The Chief Officer's report in 12.2 above must be included in GPRC's Annual Report.

13. Redress

- 13.1 Anyone who contravenes this policy may be subject to a range of corrective measures, up to and including dismissal from the Institution. This includes any employee who is found to have taken retribution against an individual who has disclosed wrongdoing or an employee who knowingly made malicious, misleading, or false disclosures. In all cases where GPRC has suffered a financial loss, it may seek to recover its losses in full along with all costs incurred to investigate and litigate said loss.
- 13.2 Decisions to prosecute or refer investigative results to the appropriate law enforcement and/or regulatory agencies will be made in conjunction with the Designated Officer, Chief Officer, and external legal counsel, as will final decisions on disposition of the case.
- 13.3 Outcomes will be fair and reasonable for all persons involved.

14. Roles and Responsibilities

STAKEHOLDER	RESPONSIBILITIES
Executive Council	<ul style="list-style-type: none"> • Approve and formally support this Policy
President and CEO	<ul style="list-style-type: none"> • Appoint a Designated Officer to directly manage the safe disclosure program • Ensure systems are in place to mitigate the risk of reprisals
Director of Human Resources	<ul style="list-style-type: none"> • Manage the Safe Disclosure program • Ensure that knowledge of reports received is strictly limited to those persons who must know in order to carry out procedures.
Employees	<ul style="list-style-type: none"> • Be knowledgeable of and compliant with this Policy • Comply with all policies and procedures in conducting their work • Report any wrongdoing without delay.

15. Inquiries

15.1 Inquiries regarding this policy can be directed to the Designated Officer or the Chief Officer.

16. Amendments (Revision History)

16.1 Amendments to this policy will be published from time to time and circulated to the Institution Community.