
Heritage College Administrative Procedure # 40
Concerning SAFE DISCLOSURE (“WHISTLEBLOWING”)

Subject: Procedures required by law facilitating the ability of an employee or student to raise an improper act without reprisal.

Administrator: Director General

Issuing Service: Director General’s Office

Coming into Force: August 2017

Revised: N/A

Purpose

To establish a process whereby all employees and students of Cégep Heritage College (hereby known as the “College”) can safely raise an improper act without fearing reprisal.

Application

This process applies in ethical, financial or legal situations where it is not possible to use the usual method of reporting to an employee’s immediate superior or through other policies or procedures. In the case of students, the situation would normally be raised with the Director of Student Services.

Procedures

Any employee or student who becomes aware of an improper act may report the matter to the Director General *and/or* the Director of Human Resources in writing or in person, by providing as much information as possible, including, without limitation, a description of the conduct, dates, places, persons involved, witnesses, relevant documentation, etc., so that a reasonable investigation may be conducted. If the improper act involves the Director of Human Resources, the matter should be reported to the Director General; if the improper act involves the Director General, the matter should be reported to the Chair of the Board of Governors.

Following the reception of the written report, an investigation shall be undertaken by the, Director General, the Director of Human Resources or the Chair of the Board of Governors, as

applicable. An outside resource may be employed to conduct the actual investigation.

The enquiry shall be conducted with due regard to the sensitivity of the complaint and the investigator(s) shall use reasonable efforts to protect the privacy of the complainant and the confidentiality of the investigation, to the extent consistent with a fair investigation. Information about the findings shall be shared strictly with those who have a legitimate need for the information. The investigator(s) shall advise all persons interviewed to treat all information, evidence and proceedings as confidential, and they will be required to sign a declaration to that effect.

The investigation shall be completed within a reasonable amount of time, taking into account the circumstances and the content of the complaint. Within thirty (30) days following receipt of the complaint, a report of whether the complaint was founded and if a follow-up is to occur, will be shared with the complainant and the person(s) being investigated. Should the investigation be more complex and require additional time, the report shall consist of a brief progress report. During the investigation, measures may be taken to protect all parties concerned.

No employee or student who raises an improper action in good faith in accordance with the terms herein shall be subject to reprisal, regardless of the results of the investigation.

On an annual basis at one of its meetings, the Director General shall present the Executive Committee with a report which lists the number of improper acts investigated in accordance with the terms herein together with the status of any investigations, while ensuring that the privacy of the complainant and the person being investigated be respected.

Nothing in this procedure shall replace or supersede any complaint, grievance or appeal procedure set out in any other policy of the College or any collective or employment agreement, as applicable.

Glossary

Term: Improper Act means any violation of laws, regulations and/or policies, including, without limitation, theft, embezzlement, misappropriation, fraud, harassment, assault, etc.

Term: Reprisal means any punitive measure or action taken, or threatened to be taken, against an employee or student for having made a good faith disclosure under this policy, including, without limitation, disciplinary action, termination, demotion, etc.

Related Documents

La loi 87, An Act to facilitate the disclosure of wrongdoings relating to public bodies (LSQ 2016, c 34);

The following College policies are most related, but not exclusive, to procedure 40:

Policy 6 concerning a respectful workplace free of discrimination and harassment;

Policy 24 concerning standards of student conduct;

Policy 30 concerning the acquisition of goods and services;

Cégep Heritage College Code of Ethical Conduct.