



Living Sky School Division No. 202

Procedure Type: Human Resources

Procedure Number: 5.43

Procedure Title: Disclosure of Wrongdoing (Whistleblower)

Legal References:

Approval Date: March 10, 2021

Revision Date:

Background

Normally, in the interest of open communication, complaints and inquiries should be addressed with the people most directly involved. However, in some cases, when there are concerns about serious misconduct that may be occurring in Living Sky School Division, disclosure of wrongdoing can be made in accordance with this procedure.

This procedure is intended to encourage board members, staff (paid and volunteer) and others to report suspected or actual occurrences of illegal, unethical or inappropriate events (behaviours or practices) without retribution.

Reporting Concerns

A person may come forward if he or she has evidence of activities that constitute, but are not limited to:

- a) Unethical business conduct in violation of any school division administrative procedure,
- b) Danger to the health, safety or wellbeing of any person associated with the school division, or
- c) Fraudulent behaviour, defined as an intentional deception for the purpose of personal gain. This deception will usually result in injury or loss to the school division. Examples include theft (of funds, supplies or other assets) and bribery.

Procedures

1. Reporting
 - a) When there are reasonable grounds to believe that an employee, volunteer or board member has committed, or is about to commit, an ethical, financial or other wrongdoing, which may involve fraud or similar illegal act, it shall be reported immediately to the Director of Education.
 - b) If the Director of Education is potentially involved with the incident, the report shall be made directly to the Board Chair.
2. Confidential Nature of the Concern
 - a) All reported Whistleblower occurrences/events or concerns will be treated as confidential and sensitive.



- b) The Whistleblower shall be provided the opportunity to remain anonymous; however, in order to allow for a thorough investigation of a complaint, he/she may want to consider identifying him/herself by providing contact information when making a report. Even if such contact information is provided, reports will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
 - c) As much detail as possible on the subject matter of the complaint should be provided so that the information is sufficient to enable a full investigation. Such information should include where and when the incident(s) occurred, the name(s) and title(s) of the individual(s) involved and as much other relevant detail as the reporting individual can provide.
 - d) In circumstances where the nature of the disclosure and/or the resultant investigation make it necessary to disclose identity (for example, legal investigations or proceedings), all reasonable steps shall be taken to protect the Whistleblower from harm as a result of having made a disclosure.
3. Acting in Good Faith (not acting primarily with malice to damage another or the organization)
- a) The Whistleblower shall receive no retaliation or retribution for a report that was provided in good faith.
 - b) A Whistleblower who makes a report that is not made in good faith is subject to discipline, including termination, or other legal means, to protect the reputation of the organization and members of its board and staff.
 - c) Anyone who retaliates against the Whistleblower, who reported an event in good faith, shall be subject to discipline, including termination.
4. Crimes against person or property, such as assault, rape, burglary, etc., should immediately be reported to local law enforcement personnel.

Related

Procedure 5.32: *Personal, Discriminatory and Sexual Harassment*