

## **HCESC WHISTLEBLOWER POLICY**

### **Policy Purpose**

This policy is to put measures in place to ensure no one is discouraged from speaking up or disadvantaged or victimised for doing so.

### **Policy Statement**

HCESC is committed to the highest standards of conduct and ethical behaviour in all of our business activities, and to promoting and supporting a culture of honest and ethical behaviour, corporate compliance and strong corporate governance.

Creating a supportive environment where people feel safe to speak up underpins HCESC culture. When people do not speak up, this undermines the culture and exposes HCESC to risks.

### **Scope**

This policy applies to the confidential reporting of suspected wrongdoing by all HCESC Staff, or other stakeholders of HCESC.

### **Definitions**

Unless otherwise defined in this document :

1. Whistleblower: means anyone who informs about potential Wrongdoing relating to the organization.
  
2. Wrongdoing: means conduct or behavior that includes, but is not limited to:
  - unbiblical conduct
  - breach of laws or regulations;
  - criminal activity including theft;
  - offering or accepting a bribe;
  - dishonest or unethical behavior;
  - conflicts of interest;
  - financial fraud or mismanagement including in relation to HCESCs' tax affairs;

- falsifying financial reporting;
- unauthorized use of HCESC's confidential information;
- improper use of Personal Information as described in the HCESC Protection of Privacy and Information;
- improper use of HCESC's physical or intellectual property;
- conduct endangering health and safety or causing damage to the environment; and,
- deliberate concealment of any of the above;
- sexual assault and/or sexual harassment;
- discrimination;
- victimization;
- any other improper, unethical or potentially criminal conduct.

## **Policy**

### **1. HCESC believes that:**

- 1.1. Wrongdoing presents risks and that action is required to both rectify and prevent recurrence.
- 1.2. Wrongdoing should be identified and reported in good faith by persons who work within or with the organisation.
- 1.3. Processes for reporting Wrongdoing need to be accessible, timely, and able to protect the Whistleblower.
- 1.4. The desire of any Whistleblower to report Wrongdoing anonymously is reasonable and should be respected.
- 1.5. Disclosures by Whistleblowers should be protected, even if they are found to be incorrect.
- 1.6. Whistleblowers should be kept informed of the progress of investigations and final outcomes.
- 1.7. Training may be required to ensure staff are aware of responsibilities and obligations relating to whistleblowing, and
- 1.8. Additional protections are required to protect those who act as Whistleblowers for Wrongdoing by Executive Director, senior management or Board member.

## **2. HCESC will:**

2.1 Provide confidential and supportive mechanisms for the reporting of alleged Wrongdoing:

- (a) so that Whistleblowers feel they can come forward to make a disclosure about Wrongdoing, with confidence that HCESC will take appropriate action, and
- (b) to ensure that there are no adverse consequences when making a Whistleblower complaint.

2.2 Keep confidential, where appropriate, the identity of a Whistleblower and other confidential information disclosed in the course of the Whistleblower's disclosure.

2.3 Conduct investigations of disclosures in a fair and objective manner.

2.4 Liaise with external parties during investigations as appropriate/as legally obliged.

2.5 Ensure appropriate remediation steps are undertaken in the event an allegation is substantiated.

2.6 Notify, as appropriate, relevant authorities of Wrongdoing .

2.7 Review the Whistleblower Policy and Procedure regularly to ensure ongoing effectiveness.

## **Procedure**

### **1. Who may make a report**

1.1. Anyone with information about potential wrongdoing relating to HCESC is encouraged to report their concerns under the Whistleblower Policy and Procedure.

This includes individuals who are or have been in relation to HCESC:

- (a) an employee, officer or contractor;
- (b) a current, former or prospective student, member or customer of HCESC;
- (c) a supplier of services or goods to HCESC (whether paid or unpaid) including their employees; and
- (d) a relative, dependant or spouse of any of the above individuals.

### **2. What to report**

2.1. Any concerns of Wrongdoing should be reported.

2.2. Wrongdoing includes, but is not limited to the following:

- unBiblical conduct
- breach of laws or regulations;
- criminal activity including theft;
- offering or accepting a bribe;
- dishonest or unethical behaviour;
- conflicts of interest;
- financial fraud or mismanagement including in relation to HCESCs' tax affairs;
- falsifying financial reporting;
- unauthorised use of HCESC's confidential information;
- improper use of Personal Information as described in the HCESC Protection of Privacy and Information;
- improper use of HCESC's physical or intellectual property;
- conduct endangering health and safety or causing damage to the environment; and,
- deliberate concealment of any of the above;
- sexual assault and/or sexual harassment;
- discrimination;
- victimisation;
- any other improper, unethical or potentially criminal conduct.

2.3. There is an expectation that anyone reporting a Wrongdoing has reasonable grounds to suspect the information they are disclosing is true but, except in the event the complaint is vexatious or knowingly false, there will be no penalty if the information turns out to be incorrect. Those reporting are expected to provide the information upon which their suspicion is based, but are not required to have all the details or to have conducted their own investigation.

2.4. Employment related grievances that do not constitute Wrongdoing will be addressed through the applicable grievance resolution process. Employment related grievances relate to an employee's current or former employment and tend to have implications for them personally.

Examples include:

- an interpersonal conflict between the employee and another employee;
- a concern about the behaviour of an employee;
- a decision relating to an employee's engagement, transfer or promotion;

- an employee's terms and conditions of employment;
- matters relating to an employee's performance or discipline-related decisions; or
- a decision relating to the termination of employment.

2.5. Any other reported grievance that does not rise to the level of Wrongdoing as defined above, will be confidentially referred to the appropriate grievance handling process.

### **3. Who can disclosures be made to**

3.1. The Whistleblower may raise the matter with an "officer" or "senior manager" of HCESC. These are defined as: a director, or a senior manager in the organization who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the organization, or who has the capacity to significantly affect the organization's financial standing. In the case of HCESC this is a member of the Board of Directors, the Executive Director or a direct report of the Executive Director.

3.2. If the disclosure relates to alleged Wrongdoing of the Executive Director, or the Whistleblower wishes to keep the matter confidential from the Management or Executive Director, they may raise the matter with a Board Member. Contact details may be obtained from the HCESC website ([whistle@hcacalgary.com](mailto:whistle@hcacalgary.com)).

### **4. How to make a disclosure**

4.1. Disclosures can be made in person, or at any time in writing to one of the persons identified in Section 3 above.

4.2. If the Whistleblower wishes to make a disclosure to the Executive Director or Management of HCESC they can do so via phone, email or in person – either on premise or in an offsite location.

4.3. Those not wanting to reveal their identity can make an anonymous report. However, providing the Whistleblower's name when reporting Wrongdoing will make it easier for HCESC to investigate the concern raised.

4.4. Where no name is provided, HCESC will assess the disclosure in the same way as if identity had been revealed, and any investigation will be conducted as best as possible in the

circumstances. However, an investigation might not be possible unless sufficient information is provided.

4.5. Employees and stakeholders disclosing Wrongdoing will be protected and the investigation will be conducted in accordance with the principles of fairness and natural justice.

## **5. Detrimental Conduct Prohibited**

5.1. HCESC strictly prohibits all forms of Detrimental Conduct against Whistleblowers.

Detrimental Conduct means any actual or threatened conduct that could cause a detriment to the Whistleblower as a result of the Whistleblower making a disclosure, including:

- termination of employment;
- harassment, bullying or intimidation;
- personal or financial disadvantage;
- unlawful discrimination;
- harm or injury, including psychological harm;
- damage to reputation; or
- any other conduct that constitutes retaliation.

5.2. HCESC will take all reasonable steps to protect the Whistleblower from Detrimental Conduct and will take action it considers appropriate where such conduct is identified.

5.3. HCESC also strictly prohibits all forms of Detrimental Conduct against people who are involved in an investigation of a disclosure in response to their involvement in that investigation.

## **6. Investigations**

6.1. Whistleblower disclosures made under the HCESC Whistleblower Policy and Procedure will be documented and investigated promptly.

6.2. All reports will be assessed and, based on the nature and circumstances of the disclosure, a decision made as to whether an investigation is required. For example, reports of potential Wrongdoing of a minor nature that can be resolved informally will typically not require the same level of response as disclosures involving a large-scale and complex investigation.

6.3. Any investigation will be conducted in a timely, fair and objective manner, and independent from any persons to whom the report relates. Investigations will generally be overseen by a member of the Board of Directors, the Executive Director.

6.4. Other people, including employees or external advisers, may also be asked to assist or run the investigation. In those circumstances, they will be bound by the confidentiality obligations of this procedure. Where possible, the person reporting the Wrongdoing will be informed how HCESC is responding to their report, including whether an investigation will be conducted.

6.5. Unless there are confidentiality or other reasons not to do so, employees who are the subject of a report of Wrongdoing will be informed of the matters raised in the report at an appropriate time, and will be given a chance to respond to any allegations made against them. They will also be advised of the outcome of any investigation.

**7. Confidentiality**

7.1. If a report is made, the identity of the Whistleblower will be kept confidential unless one of the following exceptions applies:

- (a) the Whistleblower consents to the disclosure of their identity;
- (b) disclosure of details that might reveal their identity is reasonably necessary for the effective investigation of the allegation;
- (c) the concern is reported to the CRA; or
- (d) the concern is raised with a lawyer for the purpose of obtaining legal advice or representation.

7.2. Any records related to the investigation will be stored in a secure location accessible only by the Board of Directors, or the Executive Director and/or members of the investigations team.

Approved by	HCESC Board
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