

Whistleblower Policy

1. Purpose

The purpose of this policy is to:

- *provide a secure and confidential process to disclose actual or potential wrongdoing that is illegal, unethical or fraudulent*
- *protect those who disclose wrongdoing from reprisal, provided they were acting in good faith on the basis of reasonable belief.*

2. Policy

2.1 Application

This policy applies to:

- *Council Members*
- *SALPN employees*
- *Stakeholders*
- *Vendors*

For the purposes of this Policy, everyone included in the scope of this policy will be referred to as “Persons”.

2.2 Policy Principles

The SALPN is committed to maintaining high ethical standards of integrity, openness and accountability.

The SALPN:

- *prohibits discrimination, harassment and/or retaliation against any person who reports, in good faith, conduct that they believe to be a wrongdoing*
- *will protect the confidentiality and anonymity of any person who raises a wrongdoing falling within the scope of any SALPN policy*
- *expects anyone involved in a complaint process investigation to keep reports confidential to the maximum extent possible*
- *will deal with complaints promptly and investigate those made in good faith, and based on reasonable belief, in a fair and equitable manner*
- *will not discharge, demote, suspend, threaten, harass, or otherwise discriminate or retaliate against any person in the terms of conditions of employment or Council membership because they reported a suspected wrongdoing in good faith.*

Duty to Disclose Wrongdoing

All persons are responsible for:

- ensuring the workplace is free from all forms of discrimination, harassment and retaliation
- reporting knowledge of or concern that a wrongdoing has occurred or will occur.

A person who makes an unsubstantiated report, which is knowingly false or made with malicious intent, will be subject to discipline, up to and including termination of employment, Council membership or other relationship with the SALPN.

Alleged or Potential Wrongdoing/Protected Disclosures

This policy is in effect during working hours and at work-related functions, on or off SALPN premises and cannot directly address every situation in which “Persons” may find themselves.

Potential Wrongdoing may include violations of matters relating to:

- federal and provincial laws
- legislation, bylaws and SALPN policies
- financial and audit management
- SALPN Code of Conduct, conflicts of interest or other human resources policies and legislation
- breach of contracts and negligence or failure to comply with legislation, including criminal offences
- discrimination or harassment
- other matters not described above.

Non-Retaliation Protection

Persons reporting a wrongdoing in good faith will not suffer harassment, retaliation, or adverse employment consequences after the investigation has been completed.

3. Process

3.1 Reporting a Wrongdoing

The SALPN recognizes the importance of providing channels through which to report issues of potential wrongdoing.

Any person who witnesses conduct that they believe may be prohibited must notify the following (on a confidential basis if the person so desires – anonymous reports are discouraged, but allowed):

- **Executive Director** unless the Executive Director is the focus of a wrongdoing, in which case the person must notify the Council Chair.
- **Council Chair** if the report of wrongdoing involves the Executive Director or a Council Member
- **Council Vice-Chair** if the report of wrongdoing involves the Council Chair

3.2 Investigating a Complaint/Wrongdoing

Those subject to complaint will be notified and given opportunity to respond in the investigation process.

Investigations will be undertaken in a timely manner and may be investigated by:

- The Executive Director
- The Council Chair
- The Vice-Chair
- The police, in the case of alleged criminal wrongdoing
- The appropriate regulatory authorities
- Outside legal or other professional advisors, as appropriate or necessary.

The investigation results shall be communicated to the complainant. The person who is the subject of the report is entitled to have an opportunity to respond.

Those conducting the investigation will:

- ensure the complaint is investigated and information is reported, disclosed, made available only on a confidential and need-to-know basis
- maintain confidentiality, subject to the need to conduct a full investigation, and remedy any violations.

All Council Members and employees have a duty to cooperate in an investigation.

3.3 Taking Remedial Action

If an investigation determines a complaint was frivolous or undertaken for improper motives, the appropriate disciplinary action may be taken.

If an investigation determines a person engaged in actions constituting discrimination, harassment and/or retaliation, the SALPN will take appropriate action up to and including termination of that person's employment, Council membership or other relationship with the SALPN. Appropriate action may include reporting to the police, regulatory authorities and other affected groups.

Subject to legal constraints, the Executive Director or Council Chair/Vice-Chair will provide the complainant with information about the outcome of any investigation within a reasonable period (except in cases where the report was sent anonymously).

3.4 Managing Potential Retaliation

Persons who experience harassment before or retaliation after submitting a report should inform the Executive Director, or in cases of retaliation from the Executive Director, the Council Chair. A person who retaliates against another person for reporting a complaint is subject to disciplinary action, which may include termination of employment, Council membership or other relationship with the SALPN.

3.5 Documenting the Investigation

All documents related to reports, investigations, and enforcement of this policy will be kept in accordance with applicable SALPN policies and laws.

Complaint and investigation files must be stored in a secure location, with access limited to those responsible for conducting the investigation. No record of a complaint will be kept in any complainant file unless improper conduct was determined.

4. Roles and Responsibilities

4.1 Complainants

- *Obligated to disclose any wrongdoing.*
- *Obligated to cooperate in an investigation.*

4.2 Council Chair or Council Vice-Chair

- *Upon receiving a complaint, review the complaint and establish if there are sufficient grounds for further action, or whether the matter is more appropriately referred to another body or external authority.*
- *Initiate an investigation when the complaint is related to a Council Member or the Executive Director, ensuring the rights of all parties are respected, including the complainant, witnesses, and those implicated or alleged to be responsible for wrongdoing.*
- *Report findings as appropriate.*
- *Upon completion of the investigation, make recommendations and/or initiate appropriate actions to address the wrongdoing.*
- *Retain documentation as required/appropriate.*

4.3 Executive Director

- *Ensure suitable guidance is available to anyone who receives a report of wrongdoing.*
- *Ensure complaints are investigated, resolved and reported under this policy.*
- *Determine Council involvement based on organizational risk, involvement of outside authorities and potential legal proceedings, along with other related considerations.*
- *Support the Council Chair in investigations related to Council Members.*
- *Provide the Council with a summary of Whistleblowing activities, as appropriate.*
- *Upon receiving a complaint, review the complaint and establish if there are sufficient grounds for further action, or whether the matter is more appropriately referred to another body or external authority.*
- *Notify the Council Chair if an investigation is required.*
- *Initiate an investigation when required, ensuring the rights of all parties are respected, including the complainant, witnesses, and those implicated or alleged to be responsible for wrongdoing.*
- *Report findings as appropriate.*
- *Upon completion of the investigation, make recommendations and/or initiate appropriate*

actions to address the wrongdoing.

- *Retain documentation as required/appropriate.*

5. Related Policies

This policy should be read in conjunction with:

This policy should be read in conjunction with the Director Code of Conduct Policy.