

Whistle Blower

- POLICY -

The SD58 Board of Education is committed to the highest standards of ethical conduct, integrity and accountability.

The Board has a responsibility for the stewardship of the District.

The Board encourages and supports employees, to report, while acting in good faith, what they reasonably believe to be substantive improper activity.

Reportable Activity

- An unlawful act, whether civil or criminal;
- Abuse of an imbalance of power;
- Actions detrimental to students or staff;
- Questionable accounting practices;
- Falsifying District records;
- Theft of cash, goods, services, time or fraud;
- Inappropriate use of District assets or funds;
- Decision making for personal gain;
- A dangerous practice likely to cause physical harm or damage to property; and
- Retaliation, repercussion or reprisal for reporting under the policy

This list is not all-inclusive but is intended to give an indication of the kind of conduct which may be considered as 'reportable activity'.

Authority

The responsibility for the day-to-day administration and enforcement of this policy rests with the Superintendent and the Secretary Treasurer as authorized by the Board of Education.

The provisions of this policy are independent of and supplemental to, the provisions of collective agreements between the Board and its Unions relative to grievance procedures, and to any other terms and conditions of employment.

Duty to Disclose

The Board in accordance with the PIDA (stated below) expects that an employee who is aware of or witnessed any improper activity or wrongdoing will bring the matter to the attention of the Superintendent, Secretary Treasurer or Board Chair and give the District a reasonable opportunity to investigate and take corrective actions appropriate to the circumstances.

The Public Interest Disclosure Act (PIDA) came into force on December 1, 2019 and allows for disclosures of serious wrongdoing (i.e., “whistleblowing”) by public servants. PIDA currently applies to government ministries, including political staff, as well as independent offices of the Legislature. PIDA is being expanded to apply to organizations in the broader provincial and local public sector — including public boards of education.

All reports are considered confidential.

Protection of Employee and Employer

Employee

Any employee(s) who files a report under this policy will be protected if the employee(s):

- Believes it to be substantially true;
- Does not act maliciously or make false allegations; and
- Does not seek any personal or financial gain

All reports under this policy will be handled with strict confidentiality and personally identifiable information from the report will only be shared to the extent necessary to conduct a complete and fair investigation according to the law.

No retaliation, including dismissal or demotion may result from reporting in good faith under this policy.

If an investigation reveals that the report was frivolously, fraudulently or maliciously made or undertaken for improper motives or without reasonable and probable basis, disciplinary action may be taken.

Employer

Nothing in this policy shall be deemed to diminish or impair the rights of the District to manage its employees under any policy or collective agreement; or to prohibit any personnel action which otherwise would have been taken regardless of the reporting of the information.

Reporting a Complaint

Employees and stakeholders should submit claims about any reportable activity to the Superintendent, Secretary Treasurer or Board Chair at the School Board Office by either confidential email, regular mail or at an in-person meeting. The report should contain particulars of the alleged improper activity and the name(s) and affiliation of each person involved.

Investigation Procedure

Upon receiving a complaint, the Superintendent, Secretary-Treasurer or Board Chair will record the receipt of the complaint and determine whether the matter is, in fact, a reportable activity under this procedure.

If the complaint is determined to be a legitimate reportable activity, he or she will open an investigation file and commence an investigation in a timely manner. The reporter will be informed when the investigation has concluded but not necessarily the outcome of said investigation.

The investigation will include, but will not be limited to, discussions with the reporting employee, the party against whom the allegations have been made, and witnesses, as appropriate.

Employees will not impede or obstruct any investigation.

The Superintendent, Secretary-Treasurer or Board Chair in order to complete a fair, full and impartial investigation may enlist outside legal, accounting or other advisors, as appropriate, to assist in conducting the investigation.

Confidentiality will be maintained, subject to the need to conduct a full and impartial investigation and remedy any violations of law or the Board's policies.

If the investigation establishes that improper activity has occurred, the Board will take appropriate corrective action in a timely manner.

Records of all formal and informal resolutions, hearing and reviews will be kept by the Superintendent or Secretary-Treasurer.

Annual Report

The Superintendent will communicate to all District staff this policy and its purpose on an Annual Basis at the beginning of each school year in September.

The Superintendent shall submit to the Board, In Camera, an annual summary of actions taken under the Policy. The summary will include reports received and acted upon during the school year. July 1st to June 30th.