

	A02.01.03 Protected Disclosure (Whistleblower)	Next Review: 2027May
--	---	-------------------------

This policy is not designed to question decisions taken by the BC Government, College, its Education Council or its Board of Governors

This policy does not apply to members of the public, volunteers, students or former Employees who

Wrongdoing Any improper activity or relating to the College and as identified in the Public Interest Disclosure Act (PIDA):

- x A serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada
- x An act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an Employee's or a Contractor's duties or functions;
- x Serious misuse of public funds or public asset
- x Gross or systemic mismanagement
- x Knowingly directing or counselling an individual to commit Wrongdoings as set out in any of the points listed above

D. POLICY STATEMENTS

1. Douglas College is committed to maintaining the highest ethical standards in all of its activities; to ensuring the transparency, accountability and ethical conduct of its Employees

8. In addition to, and apart from, any penalty provided for by law, employees may be subject to discipline, up to and including termination of employment contract(s) if they commit Wrongdoing
9. In addition to disciplinary consequences, it is a provincial offence under the Public Interest Disclosure Act (PIDA) to obstruct, make a false statement to, or mislead or attempt to mislead, a person in the performance of their duties, powers or functions under PIDA, punishable upon conviction by a fine.

Roles and Responsibilities

10. Under PIDA and this policy, the President and

b. Receiving and investigating Disclosures as prescribed by 4.0 of the Public Interest Disclosure Act (PIDA); and

c. Any additional responsibilities as assigned by the President.

The College's Designated Officers are the Associate Vice President, Human Resources and the Vice President, Administrative Services and the Financial Officer.

12. Responsible Administrators are responsible for the following:

- a. Responding to requests for advice from Employees about this policy and procedures;
- b. Receiving Disclosures and
- c. Date-stamping and forwarding Disclosures to the Designated Officer or other senior official, as appropriate, in accordance with procedures set out below.

E. PROCEDURES

Seeking and Providing Advice

1. An Employee may request advice about making a Disclosure or about Reprisal from any of the following:

- x The Employee or the Associate Vice President, Human Resources

- x If the Wrongdoing relates to a violation of provincial and federal law and/or College policy or procedures; identification of applicable laws, policies or procedures;
 - x Whether the Wrongdoing has previously been disclosed and if so, the name of the person to whom it was disclosed and the response, if any, that the Employee received; and
 - x Any other information that may assist in evaluating the Disclosure.
5. An Employee who believes they have been the subject of a Retaliation or a complaint about Retaliation under this policy may make a complaint to the Ombudsperson who may investigate and make recommendations to address a Retaliation in accordance with the Public Interest Disclosure Act (PIDA).

Making Disclosures About Urgent Risk

1. Under PIDA, Employees may make Disclosures public under limited circumstances where the following conditions are met
- a. The Employee reasonably believed that there is a matter that constitutes an imminent risk of a substantial and specific danger to the life, health or safety of persons or to the environment;
 - b. The Employee has consulted with the relevant Protection Official, as defined in this policy, before making the Disclosure;
 - c. The Employee has received direction from that Protection Official and is following that direction;
 - d. The Employee has consulted with the relevant Protection Official and is following that direction;

Receiving and Reviewing Disclosures of Wrongdoing

- c. The Disclosure relates primarily to
- i. a dispute between the employee and the College about the employment or contract(s)
 - ii. a law enforcement matter being addressed by the police, or conduct of members of a police force;
 - iii. a matter relating to the College's operations or activities.

5. The Designated Officer (or applicable Responsible Administrator) will notify the Whistleblower and, if appropriate, the Respondent if they refuse, stop, postpone or suspend an investigation or refer the investigation to another process or authority and will provide the reasons for this decision. The Designated Officer (or applicable Responsible Administrator) will also notify the President unless the President is alleged to be responsible for the Wrongdoing, in which case the Designated Officer (or applicable Responsible Administrator) will notify the Chair of the College Board and any other person required by the Public Interest Disclosure Act (PIDA).

Investigating Disclosures of Wrongdoing

1. Every person involved in investigations under this policy must carry out their functions in an expeditious, fair and proportionate manner as appropriate in the circumstances required under PIDA and in accordance with applicable obligations under any relevant collective or employment agreement.
2. Investigations will be conducted in accordance with the principles of procedural fairness and natural justice, and any applicable legislation, policy and agreements. Respondents to the Disclosure will be informed of the nature of the allegations and will have an opportunity to respond to the allegations.
3. Where the Designated Officer (or applicable Responsible Administrator) decides that an investigation is warranted, the Designated Officer will

5. Responsible Administrators and Designated Officers must only collect, use and disclose personal information, particularly if it may reveal the identity of a Whistleblower or Respondent, as necessary to fulfill their responsibilities under PIA. As otherwise permitted by PIA, including to comply with other applicable laws and agreements, and to ensure a fair and appropriate investigation.

F. SUPPORTING FORMS, DOCUMENTS, WEBSITES, RELATED POLICIES

Administration Policies

x ~~Appendix 15 - 2 of 002 01 15 - 9 for 01 06 14 (UP) - 5 to (3) 302 13 (1) 70 (5) - (1) (e) 314 10 (5) 10~~