



Whistleblower

STATEMENT OF PURPOSE

The Library is committed to the principles of integrity, accountability and openness. This policy sets out guidelines for reporting and investigating any suspected act of wrongdoing where there are no other procedures in place for doing so. The policy also provides protection from retaliation to those who report suspected acts of wrongdoing in good faith.

Nothing in this policy is intended to conflict with or override the terms of the Collective Agreement or employment contracts, nor is it intended to create an independent reporting requirement where another process exists.

SCOPE

This policy applies to all Library employees.

In the event that any portion of this policy is inconsistent with the Collective Agreement or federal or provincial legislation, that portion and only that portion of the policy will have no application to the extent of that inconsistency. All other portions of the policy will continue in full force and effect.

DEFINITIONS

A whistleblower is defined as a person who calls attention, in good faith, to an act of wrongdoing in an attempt to have the activity brought to an end.

For purposes of this policy, wrongdoing refers collectively to illegal or inappropriate conduct. Examples of wrongdoing are:

- Crime or suspected criminal activity;
- Fraud as defined in the Criminal Code of Canada (R.S., 1985, c. C-46);
- Breach of Employee Code of Conduct or any other Board policy;
- Wrongful or unauthorized acquisition, use, appropriation, or disposal of Library assets including monies, information, data, materials, labour, or equipment;
- Breach of confidentiality;
- Negligence of duty;



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- Retaliation, discrimination, or reprisal against a person reporting suspected wrongdoing;
 - Forgery or alteration of cheques, drafts and promissory notes;
 - Any misappropriation of funds, securities, supplies or other assets;
 - Any deliberate irregularity in the handling or reporting of money transactions;
 - Misappropriation of furniture, fixtures and equipment;
 - Misuse of Library Board or municipal property, equipment, materials or records;
 - Any claims for reimbursement of expenses that are not made for the exclusive benefit of the Library.

STANDARDS

Staff members have a responsibility to report instances of suspected wrongdoing as defined in this policy. Reports of wrongdoing are a serious matter. Staff reporting suspected wrongdoing are to act in good faith and have reasonable grounds for believing the report to be true.

Reports made under this policy may be redirected where other more appropriate procedures are applicable such as:

- Grievance procedures as outlined in the Collective Agreement;
- Human rights complaint procedures related to harassment or human rights violations as outlined in human rights legislation and applicable Library policies;
- Procedures for reporting safety concerns as outlined in workers' compensation legislation and applicable Library policies.

Staff who report suspected wrongdoing in good faith will be protected under this policy regardless of the Library policy or process under which the report was made.

Where staff come forward to report their own wrongdoing under this policy, they will not be exempt from discipline appropriate to the wrongdoing; however, such reporting will be given appropriate consideration as a mitigating factor and these instances will be dealt with on an individual basis in accordance with this policy.

Knowingly making false allegations or making allegations in a malicious manner is viewed as wrongdoing. Reports that are found to be frivolous, false, malicious or in bad faith will be dealt with in accordance with this policy. Employees making such a complaint may be subject to discipline, up to and including dismissal.

Concerns regarding wrongdoing may have a significant impact on the Library's legitimate interests. Staff have a responsibility to use the internal whistleblowing reporting process when they have such concerns. Matters covered by this policy are considered confidential and breaches of that confidentiality, including making public statements or disclosing information to the media, will be dealt with in accordance with this policy.



CONFIDENTIALITY

The Designate will make every reasonable effort to provide confidentiality to those reporting wrongdoing, including protecting their identity. However, information collected and retained may be required to be released by law including release required in court proceedings, arbitration or other legal proceedings.

Confidentiality extends to all records relating to reports, including but not limited to, meetings, interviews and investigation results. Personal information, including the identity of the person reporting the suspected wrongdoing, will be protected in accordance with the *Freedom of Information and Protection of Privacy Act*. Individuals making a report, investigators, witnesses and individuals against whom a report has been made are expected to maintain confidentiality. Breaches of confidentiality may be regarded as wrongdoing and will be treated accordingly.

PROTECTION AGAINST RETALIATION

Any form of retaliation, discrimination or reprisal against an employee because that person reported wrongdoing in good faith or because that person acted as a witness or otherwise participated in an investigation in good faith will be considered a serious violation of this policy. Such retaliatory actions are themselves considered to be wrongdoing and may result in discipline up to and including dismissal.

If an employee believes that they have been subjected to retaliation as set out above, that person may submit a written report to the CEO or his designate who will ensure the allegation is appropriately investigated.

RETENTION AND DOCUMENTATION OF INVESTIGATIONS

The designate will document the results of each investigation in a confidential report. If an investigation determines that wrongdoing has occurred, the designate will immediately report the details and any action taken to the CEO.

MITIGATION OF FURTHER RISK

The CEO will conduct a review of each investigation report where wrongdoing was found to have occurred and will assign responsibility to ensure steps are taken to address underlying causes and to then take appropriate actions to mitigate the risk of further occurrences.

ROLES & RESPONSIBILITIES

The CEO is responsible for overseeing this policy. The CEO may appoint a designate to be responsible for the day-to-day administration and stewardship of the policy. The CEO will execute the roles and responsibilities of the designate should an allegation involve the



designate. In the event an allegation involves the CEO the matter will be dealt with in-camera by the Library Board who will determine and assign responsibility for the investigation and disposition of the matter.

Approved by the Greater Victoria Public Library Board:

November 24, 2009

Reviewed by the Policy & Program Development Committee:

November 17, 2009

Amended by the Greater Victoria Public Library Board: