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| SAVIS of Halton             |                                |  |
| <b>Whistleblower Policy</b> | <b>Policy Type: Governance</b> |   |
| Date Approved: May 22, 2024 |                                |   |

**SAVIS OF HALTON WHISTLEBLOWER POLICY**

**Purpose**

The SAVIS of Halton Whistleblower Policy outlines the requirements for reporting illegal and/or unethical behaviour and violations of SAVIS of Halton policies. The purpose of this Policy is to reinforce SAVIS of Halton's commitment to transparency and best practices and to confirm SAVIS of Halton's responsibility to protect Whistleblowers from reprisals and retaliation.

**Scope**

The Whistleblower Policy applies to Employees, Board Members, Volunteers, Students, Clients and other Stakeholders.

**Definitions**

1. **Whistleblower:** A person who reports illegal or unethical acts or violations of SAVIS of Halton’s policies.
2. **Stakeholders:** These may include visitors and community partners.
3. **Respondent:** Someone whose alleged conduct is the subject of a report.
4. **Unethical or illegal acts** May include but are not limited to, accounting, auditing, or other financial reporting fraud or misrepresentation; other types of fraud and/or theft; harassment; workplace violence; substance use; conflict of interest; discrimination; safety concerns; and serious violations of SAVIS of Halton's policies.
5. **Misconduct:** The term misconduct is used interchangeably with illegal, unethical behaviour and violations of SAVIS of Halton policies.
6. **False, misleading, fraudulent or malicious reports** of misconduct: These are reports of misconduct by an individual known to be untrue or unfounded.
7. **Retaliatory Acts:** any retribution or reprisal against a Whistleblower due to their reporting of misconduct and/or against any employee, student, volunteer or board member participating in a misconduct investigation.
8. **Vexatious reports:** Include reports of insignificant issues or continuous reports of misconduct that does not meet the threshold of illegal and/or unethical behaviour or serious violations of SAVIS of Halton policies.
9. **SAVIS of Halton** is also referred to as the Organization.

**Policy Statement**

Any Employee, Board Member, Student, or Volunteer who learns of alleged misconduct suspected on reasonable grounds must report it to their manager or the Executive Director. If the Executive Director is the subject of misconduct, a report must be made to the Board Chair. If a Board member is the subject of misconduct, a report must be made to the Board Chair. If the Board Chair is the subject of a complaint, a report must be made to the Vice Chair.

An allegation of misconduct can result in an investigation, disciplinary action up to and including dismissal, termination of a student or volunteer placement, or removal of a Director from the Board. In some cases, legal action may be warranted.

### Assurance Against Retaliation

The Whistle-Blower Policy ensures that individuals with information about illegal or unethical behaviour or violations of SAVIS of Halton policy can bring this information to the attention of SAVIS of Halton management (or Board) without fear of reprisal or retaliation. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against the Whistle-Blower is strictly prohibited and will result in disciplinary action. Reprisals by the Respondent, or anyone acting on behalf of the Respondent, against any witness providing information about a workplace wrongdoing report are also strictly prohibited. Acts of retaliation include (but are not limited to) interference, coercion, threats, and restraint.

### No Vexatious, Fraudulent or Malicious Reports of Misconduct

The Whistleblower Policy must not be used to bring fraudulent, vexatious or malicious complaints against an individual. Any complaint made in bad faith will result in disciplinary action

### **Guidelines/Procedures**

#### Making a Report

Employees, Students and Volunteers who become aware of misconduct must report it to their immediate Manager, who is then responsible for reporting it to the Executive Director. Allegations may also be reported directly to the Executive Director. Any serious occurrence that presents significant risk will be reported to the Board immediately by the Executive Director.

Client reports of misconduct shall go to the Executive Director. Upon becoming aware of a Client complaint of misconduct, Managers and other Employees will provide Clients with contact information for the Executive Director. Alternatively, if the Client prefers, Employees will take the details of the complaint and report that information to the Executive Director. Failure to provide Clients with the Executive Director contact information or to relay Client reports of misconduct to the Executive Director may result in disciplinary action.

Allegations of Executive Director misconduct must be reported to the Board Chair. Employees shall contact the Executive Coordinator for the Board Chair's email address. Misconduct allegations related to the Executive Director must be made in writing, and the individual(s) making the allegations must be identified.

Allegations of misconduct by Board members will be reported to the Board Chair. In the event that the allegation relates to the Board Chair, reports will be made to the Vice Chair.

The Executive Director or Board Chair will protect the wellbeing and safety of the Whistleblower and others involved with the report by ensuring confidentiality of the complaint and removing the individual(s) from any immediate risk.

### Investigation

SAVIS of Halton will attempt to resolve reports of illegal and unethical behaviour claims as expeditiously as possible. Every effort will be made to ensure Investigations are conducted and the appropriate actions are taken within 30 working days following a misconduct report (or, at minimum, are substantially underway).

Depending on the nature of the alleged misconduct, the Executive Director or Board Chair may hire an external investigator to conduct the investigations.

The investigation of misconduct must make the following determinations:

- Whether the allegations of misconduct are true.
- Whether there is insufficient evidence to support a finding of misconduct.
- Whether any retaliatory behaviour has been directed at the Whistleblower or others involved in the investigation
- Considerations for disciplinary action for the Respondent if the allegations are proven to be true. Disciplinary action may include mandatory training for the Respondent and others.
- Considerations for disciplinary action for the Whistle Blower if allegations were falsely, maliciously, or vexatiously made.

#### Respondent Rights

Respondents are entitled to rights that include, but are not limited to:

- Receiving written information of the allegations (where confidentiality can be maintained).
- Being allowed to respond to the allegations made against them.
- Receiving a copy of the report at the conclusion of the investigation (where confidentiality can be maintained).

#### Report Handling Procedures

After an investigation, a written report, including a statement regarding any proven findings and a statement of decision on whether or not the Whistleblower Policy has been violated, shall be presented for review to all appropriate authorities and/or legal counsel as required.

#### Investigation Outcome and Disciplinary Action

The Respondent will be advised of the investigation's outcome and any disciplinary actions resulting from its findings (if any).

#### Confidentiality

At the end of the above process and subject to responsibilities outlined below, all related records are confidential and will not be disclosed to anyone except as required by law.

SAVIS of Halton will do everything possible to protect the individuals' privacy and ensure that the Whistleblower, other witnesses, and the Respondent are treated fairly and respectfully. SAVIS of Halton will protect this privacy to the degree that doing so remains consistent with the enforcement of this Policy and adherence to the law.

#### **Responsibilities**

Management/Executive Director/Board Chair/Vice-Chair (as applicable) will:

- Take all reports of misconduct seriously and act to protect the Whistleblower and others involved in the investigation.
- Listen to reported misconduct concerns and ensure incidents are properly recorded and investigated.
- Initiate required investigation, including those by a third party, and make appropriate decisions regarding discipline or other appropriate outcomes
- Follow due diligence to mitigate risks of misconduct.
- Ensure Employees access and participate in mandatory training, including training recommended as an outcome of a misconduct investigation.
- Take steps to preserve documents or items relevant to an investigation under this Policy and ensure they are not destroyed, altered, falsified, or concealed.

Employees will:

- Participate in misconduct investigations as required.
- Accept personal responsibility for performing duties according to Policy and ethical standards of behaviour.
- Work professionally with other SAVIS of Halton colleagues and resolve issues in a non-aggressive, non-disruptive manner.
- Participate in mandatory training, including training recommended as an outcome of a misconduct investigation.
- Disclose misconduct experienced or witnessed, especially if it poses a risk to self or others (e.g., Colleagues, Clients, and other Stakeholders)
- Refrain from making false, misleading, fraudulent or vexatious allegations of misconduct.
- Ensure documents or items relevant to an investigation under this Policy are not destroyed, altered, falsified, or concealed.

## **Questions**

Questions about this Policy can be directed to the Executive Director. Clients wishing to make complaints of misconduct are to be given the Executive Director's email contact information:

[silvia@savisofhalton.org](mailto:silvia@savisofhalton.org).

## **Cross References**

- Board Code of Conduct
- Staff Code of Conduct
- Confidentiality Policy
- Anti-Harassment and Non-Discrimination Policy
- Anti-Racism and Anti-Oppression Policy
- Workplace Violence Policy and Program
- Complaints Policy