



Safe Disclosure of Employee Wrongdoing Policy & Procedures

Policy

Purpose and Scope

Mount Saint Vincent University is committed to maintaining the highest standards of ethical conduct of employees in all its operations. This policy is designed to enable employees, students, and other members of the Campus community to disclose information about behaviour which the individual believes shows Wrongdoing, and to ensure that the individual is protected from retaliation when making such an allegation.

The University encourages students and employees, who become aware of incidences of Wrongdoing, to bring these to the attention of the University. The act of bringing such incidents to the attention of the University may be termed "safe disclosure" or more commonly "whistleblowing". It is the University's intent that students and employees should be able to disclose perceived acts of Wrongdoing without putting themselves at risk.

Confidentiality of Disclosures

The University will treat all disclosures made under this policy in a confidential and sensitive manner. The identity of the person making the allegation will remain confidential until an investigation is launched. Thereafter, the identity of the person making the allegation will be kept confidential, if requested, so long as it does not hinder the investigation.

To allow a competent investigation to be completed, all individuals involved in an allegation or an investigation shall keep the details and results confidential, to the extent possible within the limitations of the law, collective agreements and University policies.

Detailed results of an investigation will not be disclosed or discussed with anyone other than those who have a legitimate need to know.

Protection from Retaliation

Individuals will not be retaliated against, who in good faith, report Wrongdoing, or provide assistance or information in relation to the investigation of an allegation.

If an individual who has made an allegation considers that there has been retaliation, the individual should report an allegation of retaliation in the same manner as a disclosure of Wrongdoing in the Procedures for Safe Disclosure of Wrongdoing.

Definitions

Safe Disclosure: Safe Disclosure means any good faith communication that discloses information that may provide evidence of Wrongdoing if the disclosure or intention to disclose is made for the purpose of remedying the condition.

Wrongdoing: Wrongdoing, for the purposes of the Policy and Procedures, refers to an activity relating to the University that includes, but is not limited to:

- Financial malpractice or fraud
- Failure to comply with a legal obligation
- Endangering health or safety or the environment
- Criminal activity
- Attempts to conceal any of the above

Procedures for Safe Disclosure of Wrong Doing

Any employee, student, member of a University governing body (Board or Senate) or any other person associated with the Campus Community who observes or encounters evidence of Wrongdoing (as defined above) should report it immediately to their supervisor/ administrator, to a Dean, or to another senior administrator, or to the President of the University.

Alternatively, if the person making the allegation is concerned or uncomfortable with reporting a Wrongdoing to someone within the University community, or if the allegation is about the President of the University, the person making the allegation can contact the Chair of the Audit Committee directly at AuditChair@msvu.ca. (Please note that only the Chair of the Audit Committee has access to emails sent to this email account.)

Allegations of Wrongdoing must be put in writing and signed (manually or electronically) by the person reporting the Wrongdoing.

All matters to be investigated under this policy will be dealt with as to be in accordance with the appropriate terms of the collective agreements and/or University policy and practices.

The person or persons against whom an allegation is made must be informed of the allegation and the evidence supporting it, and must be allowed to comment on the report before it proceeds to the next level. Where the offence may be a criminal matter, the taking of all precautions to avoid harm to the University may override this provision. Such precautions will be in the best interests to the University.

Upon receiving a report of an investigation into an allegation of Wrongdoing, the [Chair of the Audit Committee](#), will consider whether further investigation is necessary and appropriate. In some instances, the allegation will be dismissed after investigation; in other instances it may be necessary to instigate corrective action, to institute disciplinary proceedings in accordance with collective agreements or policy to terminate an individual's employment, or to alert the police.

The [Chair of the Audit Committee](#) will report all actions taken to the Chair of the Board. In cases where the President is the subject of an allegation, the Board of Governors will consider the matter and take appropriate action.

The Audit Committee will receive a report on all investigations concluded and all actions taken under this Procedure. The Committee will review actions taken, and will determine whether changes to University policies, procedures or controls are required and will direct the President accordingly.

If an allegation cannot, for any reason, be satisfactorily examined and dealt with through these procedures, the Board has the final responsibility for determining an alternative approach which preserves the intent of the procedure. This may, for example, involve establishing a special committee of Board members or drawing upon external advice or arbitration.

The person who came forward with the allegation will be informed of the outcome of the allegation.

Notwithstanding the foregoing clause, if an investigation shows that an individual has made a malicious or frivolous allegation, or knowingly made a false allegation – particularly, if the individual persists in making such allegations – disciplinary action may be taken against the individual concerned.

Reviewed by HRGC January 29, 2014 – No changes
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