

# ROYAL ROADS UNIVERSITY

## BOARD POLICY

**Title:** Whistleblowing Policy

**Policy #:** B 1220

**Effective Date:** November 15, 2005

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### Board Policy Statement

The Board of Governors, having the responsibility for the management and control of the University and its accountability to stakeholders, is committed to ensuring that the University adheres to the highest standards of probity in its operations and provides an avenue for governors, officers, employees and learners to make protected disclosures of wrongdoing within the University.

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### Philosophy

Royal Roads University is committed to maintaining the highest standards of ethical conduct. It is the responsibility of each employee, learner or governor to immediately report any alleged ethical misconduct or fraud. The University will protect all individuals who take steps to expose wrongdoing by prohibiting harassment, threats, retaliation or discrimination against them.

Employees, learners and volunteers are often in the best position to observe ethical misconduct or abuse of public trust because of their proximity to day-to-day University operations. The University relies on these individuals to report such activities so that it can take prompt corrective action.

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### Role of the Board of Governors

It is the responsibility of the Board of Governors to:

- Provide an avenue for receiving and acting upon disclosures of ethical misconduct or fraud in the University which includes a channel for direct reporting to the Chair of its Finance and Audit Committee.
  - Provide an avenue for receiving and acting upon allegations of retribution against whistleblowers.
  - Ensure that the University has appropriate and effective procedures for dealing discreetly with disclosures of ethical misconduct.
  - Review reports from the Finance and Audit Committee on complaints received under this policy and actions taken.
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**President's Responsibilities**

It is the responsibility of the President to:

- Ensure that employees and learners are made aware of procedures, processes, and resources in place to effect this Policy.
  - Ensure that the Manager, FOIPOP, reports to the Finance and Audit Committee on any disclosures and actions taken under this policy.
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**RELATED DOCUMENTS:**

Royal Roads University Procedures Manual – Whistleblowing Procedures

**FACT SHEET**

**DATES:**

15.11.05	Board Approval
15.11.05	Implementation
15.11.08	Review Due

# ROYAL ROADS UNIVERSITY PROCEDURES MANUAL

## Whistleblowing Procedures

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### OPERATING POLICY

Royal Roads University is committed to maintaining the highest standards of ethical conduct. It is the responsibility of each employee, learner, Foundation director or governor to immediately report any alleged ethical misconduct or fraud. The University will protect all individuals who take steps to expose wrongdoing by prohibiting harassment, threats, retaliation or discrimination against them.

Employees, learners and volunteers are often in the best position to observe ethical misconduct or abuse of public trust because of their proximity to day-to-day University operations. The University relies on these individuals to report such activities so that it can take prompt corrective action.

### PROCEDURES

#### 1. General

- 1.1 This policy is not intended to replace procedures already in effect to deal with academic dishonesty or sexual harassment.
- 1.2 Nothing in this policy shall limit or amend the provisions of collective agreements entered into by the University and its employee groups.
- 1.3 This policy is not designed to question financial or business decisions taken by the University.

#### 2. Disclosure of Wrongdoing

- 2.1 This policy is designed to enable employees or other members of the University to raise concerns which are in the public interest and to disclose at a higher level information about behaviour which the individual believes shows malpractice or misuse of University assets. Such behaviour may include, but is not limited to:
  - Financial malpractice or impropriety or fraud
  - Failure to comply with a legal obligation
  - Endangering health or safety or the environment
  - Criminal activity
  - Miscarriage of justice
  - Improper conduct or unethical behavior
  - Attempts to conceal any of the above
- 2.2 Any employee, learner, governor or director who knowingly observes or encounters evidence of misuse of University assets, or who is asked to commit a wrongdoing, must report it immediately to the next appropriate

- supervisory/management level. If the person about whom the complaint is being made is the supervisor/manager, or if the complainant believes on reasonable grounds that it would not be appropriate to disclose the matter to the supervisor/manager, a Dean or a senior administrator, the person making the disclosure may submit it to the Manager, Freedom of Information and Protection of Privacy (FOIPOP) or the Chair of the Board of Governors' Finance and Audit Committee.
- 2.3 Disclosures of misconduct must be put in writing and should be signed. This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, and they will be considered only at the discretion of the Board. In exercising this discretion, the Board will take the following factors into account:
- the seriousness of the issues raised;
  - the credibility of the concern; and
  - the likelihood of confirming the allegation from alternative credible sources.
- 2.4 The person receiving an allegation will make a record of its receipt. He or she will normally arrange for an investigation to be carried out, and for a report to be prepared. The report of the investigation will be made to the Manager, FOIPOP and the President, or if the complaint concerns either of these officers, to the Chair of the Finance and Audit Committee of the Board of Governors. If the person with whom the allegation is raised judges that the allegation is wholly without substance or merit, he/she may dismiss the complaint without investigation. In such instances, the complainant will be so informed, and will be given the opportunity to re-make the allegation to another person.
- 2.5 The person or persons against whom any 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 offense is a criminal matter, the taking of all necessary precautions to avoid injury or harm to an individual or the University may override this provision.
- 2.6 Upon receiving a report of an investigation into an allegation of serious malpractice, the President may ask for a further investigation to be carried out. He or she will then consider what action 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, to terminate an individual's employment, or to alert the police. The President will report all actions taken to the Manager, FOIPOP. In cases where the President is the subject of a complaint, the Board of Governors will consider the matter and take appropriate action.
- 2.7 The Manager, FOIPOP will report to the Finance and Audit Committee 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.
- 2.8 If an allegation or complaint cannot, for any reason, be satisfactorily examined

and dealt with through these procedures, the Board of Governors has final responsibility for determining an alternative approach which preserves the spirit of the procedure. This may, for example, involve establishing a special committee of Governors or drawing upon external advice or arbitration.

- 2.9 The original complainant will be kept informed of the outcome of the complaint.

### **3. Confidentiality of Disclosures**

- 3.1 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 or frustrate any investigation. However, it may be judged unfair to conceal the identity of a person making an allegation from the person about whom it is made.

- 3.2 All individuals involved in a disclosure or an investigation shall keep the details and results confidential.

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

### **4. Protection from Retaliation**

- 4.1 In order to protect an individual who has acted in good faith in accordance with the requirements of these procedures, the Board of Governors or individuals acting on behalf of the Board shall not:
- dismiss or threaten to dismiss that individual;
  - discipline or suspend or threaten to discipline or suspend that individual;
  - impose any penalty upon that individual;
  - intimidate or coerce that individual.
- 4.2 Notwithstanding the foregoing clause, if an investigation shows that an individual has made a malicious or frivolous allegation, or knowingly made a false allegation - and particularly if he or she persists in making such allegations - disciplinary action may be taken against the individual concerned.