

WHISTLEBLOWER PROTECTION POLICY

PURPOSE

The program managed by the CEO of Palliser Regional Municipal Services Agency (PRMS) is intended to facilitate the reporting and/or investigation of activities that may be considered waste, wrongdoing and/or misconduct, a manner of general public or membership concern or illegal activity. The program ensures the confidentiality of the information collected and the protection of the person disclosing information.

GUIDELINES

Who is protected? This policy will protect any employee of PRMS who makes a disclosure or raises concern under this policy. Employee is considered to include any and all PRMS employees (past or present), board members, contractors and/or volunteers. Any individual representing a member municipality or public complainant will similarly be protected provided that the complainant:

- a) Discloses information in good faith
- b) Believes it to be substantially true
- c) Does not act maliciously or make baseless allegations
- d) Does not seek any personal or financial gain

DEFINITIONS

- a) Baseless Allegations: allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action and / or legal claims by individuals accused of such conduct.

- b) Fraudulent or Dishonest Conduct: a deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:
 - i) Forgery or alteration of documents.
 - ii) Unauthorized alteration or manipulation of computer files or systems.
 - iii) Fraudulent financial reporting.
 - iv) Pursuit of a benefit/advantage in violation of the Conflict of Interest Policy.
 - v) Misappropriation or misuse of organization resources, such as funds, supplies, or other assets.
 - vi) Authorizing or receiving compensation for goods not received or services not performed, and
 - vii) Authorizing or receiving compensation for hours not worked.

PROCESS

The Whistleblower policy will be established by the Board of Directors and administered by the CEO of PRMS.

1. Whistleblower Investigators:

- i) The CEO of PRMS will be appointed as an Investigator for the purposes of this policy, providing expressly that the CEO is not the subject of the report.
- ii) If a whistleblowing complaint involves the CEO, the complaint must be directed to an independent whistleblowing Investigator.
- iii) The following municipal administrators will be appointed as alternate Investigators:
 - a. Special Areas Board- Chair
 - b. County of Paintearth No.18- Chief Administrative Officer
 - c. Town of Drumheller- Chief Administrative Officer
 - d. Town of Hanna- Chief Administrative Officer
- iv) One or more whistleblower Investigators may be contacted at the discretion of the individual raising the concern.
- v) At the Investigator's discretion, they may consult or refer to additional Investigators for assistance in investigating the complaint.
- vi) An alternate Investigator may consult or engage their internal municipal HR staff or external HR consultants for assistance in the investigation at the expense of PRMS.
- vii) The CEO may consult municipal shareholders HR staff or external HR consultants for assistance in investigating the complaint at the expense of PRMS.

2. The Board of Directors shall ensure that:

- i) Appropriate channels are established and sufficiently maintained to facilitate the reporting of suspected waste, wrongdoing and/or misconduct.
- ii) The addresses and contact information for Whistleblowing Investigators will annually be made available on the website and to all employees and board members.
- iii) All reports and allegations received will be investigated using available resources and process within the agency or municipality, and it is expressly understood that the appointed Whistleblowing Investigators, including the CEO, are able to access independent legal advice at the expense of PRMS.

3. The CEO (or alternate investigator) shall ensure that:

- i) Individuals reporting a suspected act or allegation of waste, wrongdoing and/or misconduct will be protected and that the information is handled confidentially in accordance with the *Freedom of Information and Protection of Privacy Act (FOIP)*
- ii) The Reporter's identity will only be disclosed as required by law. All communication with the Board of Directors, Reporter, PRMS staff, Board members, or member municipalities will be reviewed with a legal advisor prior to being disseminated.
- iii) Any underlying causes of procedural failure or financial system weakness will be reported to the Board of Directors along with recommendations required to correct the situation and prevent further occurrences.
- iv) The disclosing individual is advised when the investigation of the disclosure is completed, and will provide the disclosing individual with a summary of the findings.
- v) The investigation is carried out in a manner that will be highly confidential, and in no way will disclose the identity of the disclosing individual or any other individual interviewed in connection with the reported act.
- vi) A substantiated allegation relating to a member of the Board shall be addressed at an in-camera meeting of the Board of Directors. A decision for disciplinary action for a member of the Board will require a resolution by the Board of Directors that includes remedial action and a time frame.
- vii) If reasonable grounds indicate that a fraud or criminal act may have occurred, the file will be turned over to the RCMP at the direction of the Board of Directors.

4. A PRMS Employee shall:

- i) Report allegations of fraudulent or dishonest conduct, criminal activity, breaches of security or any PRMS policy to the CEO or appointed Whistleblower Investigator if the allegation involves the CEO.
- ii) Keep all details and results of any investigation confidential. The matter shall not be discussed with anyone other than the CEO or members of the investigative team as required by law.
- iii) Be held accountable for failing to disclose information regarding a suspected act or allegations of waste, wrongdoing and/or misconduct.
- iv) Not be penalized for making a report in good faith of a suspected act of waste, wrongdoing and/or misconduct, even if the report is unfounded.

5. Disciplinary Action:

- i) An individual under investigation shall be given notice, in writing, of the substantiated waste, wrongdoing and/or misconduct and remedial actions to be taken.
- ii) A PRMS employee that has committed waste, wrongdoing and/or misconduct will be subject to disciplinary action, up to and including dismissal.
- iii) Retaliation or other action taken by any PRMS employee against any individual who reports a suspected act or allegation of waste, wrongdoing and/or misconduct will not be tolerated and subject to disciplinary action.
- iv) Any PRMS employee that files a report that alleges waste, wrongdoing and/or fraudulent or dishonest conduct that proves to be unsubstantiated and to have been made maliciously or knowingly to be false will be subject to disciplinary action.
- v) A contractor, sub-contractor, supplier or member of the public filing a report that alleges waste, wrongdoing and/or misconduct that proves to be unsubstantiated and to have been made maliciously or knowingly to be false may be subject to legal action.