



## TOTAL INTEGRITY PLAN (THE TIP LINE)

Responsibility:	<i>Director of Education</i>
Legal References:	<i>Criminal Code of Canada: s. 425.1; Education Act.</i>
Related References:	<i>Board Policy 6001 – Code of Conduct; Board Policy 4016 – Business Complaint Policy; Administrative Procedure 4360 – Principles of Business Conduct for Board Employees; Administrative Procedure 3760 – Staff Discipline.</i>
Revisions:	<i>December 2016</i>
Reviewed:	<i>October 2019, April 2022</i>

### 1. Preamble

- 1.1 The Waterloo Region District School Board (“Board”) believes that a key element of effective stewardship is creating an environment where Board employees are encouraged and expected to report any misuse of Board resources, violations of applicable laws and regulations and the failure of any Board employee to comply with Board business policies and procedures.
- 1.2 The purpose of this procedure is to ensure that staff can report concerns regarding actual or suspected business wrongdoing without fear of reprisal or feeling threatened by doing so and aims to:
  - 1.2.1 Encourage employees, acting in good faith, to report an issue if they genuinely believe someone has contravened Board business policies and procedures, the Principles of Business Conduct for Board Employees, regulations or the law;
  - 1.2.2 Provide the steps an employee should follow when reporting a concern they have about potential business wrongdoing in the workplace; and
  - 1.2.3 Outline how the Board will deal with all reported business related wrongdoings.

### 2. Scope

- 2.1 This procedure applies to all employees of Waterloo Region District School Board.
- 2.2 This procedure outlines how the Board deals with reports made by employees in relation to suspected improper conduct by staff and external organizations (e.g. contractors, vendors, volunteers, etc.) in their business dealings with the Board.
- 2.3 These procedures have been introduced to enable employees to raise or disclose concerns about potential business wrongdoing in the workplace at an early stage and in the correct manner, and they apply in all cases where there are genuine concerns, regardless of where this may be and whether the information involved is confidential or not.
- 2.4 Business related incidents, concerns or wrongdoings are intended to include, but are not limited to the following:

- 2.4.1 Theft, embezzlement or misappropriation of funds, goods and supplies, resources, other assets or time;
  - 2.4.2 Fraud;
  - 2.4.3 Misuse or abuse of authority in the context of purchasing supplies or services;
  - 2.4.4 The use of Board money, property, resources, or authority for personal gain or other non-Board related purposes except as provided under Board policy or procedure;
  - 2.4.5 Conflict of interest (when a personal interest influences the objective exercise of one's duties);
  - 2.4.6 Breach of confidentiality;
  - 2.4.7 Showing undue favour to a contractor or supplier of goods/services; or
  - 2.4.8 Breach of or failure to implement or comply with any Board business related policies or procedures.
- 2.5 Administrative Procedure 3740 – Prevention and Resolution of Workplace Harassment is in place to handle allegations of harassment.
- 2.6 If an individual raises a genuine concern and is acting in good faith, even if it is later discovered that they are mistaken; they will not be at risk of losing their job or suffer any form of retribution as a result. This assurance will not be extended to an individual who maliciously raises a matter they reasonably ought to know is untrue.

### 3. Definitions

- 3.1 **Anonymous Reporting:** The identity of the complainant is kept confidential by the use of a third party to which the report, complaint or concern can be made. The identity of the person reporting is not disclosed to the Board without the permission of the individual.
- 3.2 **Complainant:** Any person who reports his or her complaints or concerns of suspected incidents of illegal, irregular or inappropriate business behaviour which violates Board policies, Board procedures, or the laws and regulations (e.g. Education Act, Criminal Code of Canada, etc.) which the Board is required to operate under. A complainant can also be described as a whistleblower or informant.
- 3.3 **Good Faith:** Good faith is evident when a report is made without malice or consideration of personal benefit and the employee has a reasonable basis to believe that the report is true; provided, however, a report does not have to be proven to be true to be made in good faith. Good faith is lacking when the disclosure is known to be malicious or false.
- 3.4 **Suspected Incidents:** Any incident which the individual reasonably believes is a breach of a Board business policy, Board business procedure or laws and regulations under which the Board must operate. Suspected incidents are also described as wrongdoing, reports, complaints or concerns raised by individuals.
- 3.5 **The Tip Line:** An anonymous third party communications and reporting tool for any employee to report a suspected incident by using a toll free number at any time.

### 4. Duty to Disclose

- 4.1 The Board strongly encourages employees who are aware of an improper business activity or business wrongdoing will bring the matter to the attention of the Board and give the Board a reasonable opportunity to investigate and take corrective actions appropriate to the circumstances.

### 5. Procedure for Reporting Business Concerns

- 5.1 It is expected that the following steps will be followed when employees raise concerns of suspected business wrongdoing:
- 5.1.1 Any complainant who believes they have witnessed or has knowledge of business being conducted in an unethical and dishonest manner, is encouraged to make known to the offending individual that the behaviour is deemed to be against the law, regulation or Board policy or procedure.
  - 5.1.2 If a complainant cannot confront the offending individual, he or she is encouraged to speak directly with their immediate supervisor, human resources manager or senior management.
  - 5.1.3 If a complainant cannot address the issue directly to an appropriate Board employee, he or she should access the Tip Line to file a complaint.
- 5.2 Administrative Procedure 3740 – Prevention and Resolution of Workplace Harassment should be followed by employees when they report allegations of harassment.
- 5.3 A report filed through the Tip Line is given a case number and will be forwarded to the Superintendent, Business Services & Treasurer of the Board and other Senior Superintendents where deemed appropriate. Where a disclosure relates to the Director of Education, the report will be forwarded to the Chair of the Board. Where a disclosure relates to the Superintendent, Business Services & Treasurer of the Board, the report will be forwarded to the Director of Education.
- 5.4 All disclosures of any nature will be reported to the Director of Education on a bi-annual basis.
- 5.5 The identity of the complainant will not be disclosed without their knowledge and then only when required to fully investigate the complaint.

## **6. Handling of Concerns Raised through the Tip Line**

- 6.1 All disclosures shall be treated as confidential, whether received anonymously or otherwise.
- 6.2 Disclosures of a serious nature involving fraud, theft or corruption may be reported to the authorities (e.g. Waterloo Regional Police Services).
- 6.3 In cases where the complainant has chosen to leave their name and contact details the information will remain confidential at all times. The identity of the complainant will not be implicated or divulged to anyone unless his or her express permission has been obtained to do so except under the circumstances where the matter is required to be reported to the Police. Under these circumstances the law may require disclosure of the identity of the complainant in legal proceedings.

## **7. Responsibility**

- 7.1 The Director of Education (or designate) is responsible for the management of this procedure.
- 7.2 Senior staff and managers have a specific responsibility to facilitate the operation of this policy and to ensure that staff feel able to raise concerns, without fear of reprisals, in accordance with the procedure provided.
- 7.3 Staff are responsible for the success of this policy and should ensure that they take steps to disclose any business related wrongdoing of which they become aware.

## **8. Investigation Process**

- 8.1 If the Superintendent, Business Services & Treasurer of the Board, (or designate) determines that the business related complaint merits further attention, he or she will open a file and commence an investigation.
- 8.2 All disclosures will be investigated by the Superintendent, Business Services & Treasurer of the Board, (or designate) in a timely manner.
- 8.3 Results of investigations will be shared with the Director of Education.
- 8.4 The task of the individual investigating will be to access, investigate and report on the disclosure and recommend a course of action in a prompt and fair manner.
- 8.5 The investigation generally will include, but will not be limited to, discussions with the reporting employee if not anonymous, the party against whom the allegations have been made, union representation if requested and witnesses, where appropriate.
- 8.6 Employees shall not obstruct or impede any investigation.
- 8.7 All individuals investigating an incident have a duty of fairness, objectivity, thoroughness and observance of legal and professional standards.

## **9. Outcomes**

- 9.1 Individuals found to have participated in wrongful acts will be subject to disciplinary action. Disciplinary action against the employee may be up to and including termination of employment and prosecution. These principles apply equally to all employees, regardless of their position, past performance or length of service.

## **10. Response to Complainant**

- 10.1 Complainants have a right to be informed of the disposition of their report, absent overriding legal or public interest reasons.
- 10.2 The case number of the complaint must be provided by the complainant to the individual taking the calls for the Tip Line for them to obtain information on the investigation.
- 10.3 Complainants may obtain information on the status of their complaint and the estimated date of completion of an investigation by contacting the Tip Line.

## **11. Retention of Records of Complaints**

- 11.1 Records pertaining to a complaint are the property of the Board and shall be retained as follows:
  - 11.1.1 In compliance with applicable laws and document retention policies of the Board;
  - 11.1.2 Subject to safeguards that ensure their confidentiality and, when applicable, the anonymity of the person making the complaint.

## **12. Prevention of Recriminations, Victimization or Harassment**

- 12.1 The Board will not tolerate an attempt on the part of anyone to apply any sanction or detriment to any person who has reported to the Board a serious and genuine concern that they may have concerning an apparent business wrongdoing.
- 12.2 An employee who retaliates against someone who has reported a business related concern in good faith is subject to discipline up to and including termination of employment.

- 12.3 Any complainant who believes they are being penalized for raising a business related concern should report their concerns through the Tip Line.

**13. Anonymous Allegations**

- 13.1 This procedure encourages employees who voice a concern they have of a potential business related wrongdoing to put their name to the allegation. Concerns expressed anonymously are much less powerful but will be considered at the discretion of senior staff. In exercising this discretion the factors to be taken into account will include:
- 13.1.1 The seriousness of the issues raised;
  - 13.1.2 The credibility of the concern; and
  - 13.1.3 The likelihood of confirming the allegation from attributable sources.

**14. False and Malicious Allegations**

- 14.1 The Board is proud of its reputation with the highest ethical standards. It will therefore ensure that substantial and adequate resources are put into investigating any complaint which it receives. However, it is important to realize that the Board will view very seriously any allegations which prove not to be substantiated and which prove to have been made maliciously or knowing them to be false.
- 14.2 The Board will regard the making of any deliberately false or malicious allegations by any employee of the organization as a serious disciplinary offence which may result in disciplinary action, up to and including dismissal for cause.

**15. Awareness**

- 15.1 This procedure will be promoted throughout the Board via the Intranet.
- 15.2 Information in relation to this procedure will be provided to new staff as part of their introduction package.

**16. Third Party Contact Information**

- 16.1 Suspected incidents can be reported confidentially at any time through the Tip Line by accessing the following toll free number: **1-866-287-4813**
- 16.2 The toll free number is available 24 hours a day, seven days a week.