

## Whistleblower Policy

Updated: April 2021

### Purpose:

This policy is intended to demonstrate Support House's commitment to its clients, employees, stakeholders, volunteers, and student placements by providing the steps to be taken in the event of **wrongdoing** by the corporation or employees of the corporation against an employee, corporation or community stakeholders (see also the Staff Concern Policy 2.7.8, Occurrence Form, Workplace Violence and Harassment Policy 4.4, Service Concern 5.2)

Support House wants to ensure that all employees understand and have clear guidelines so that they may report any wrongdoing that may adversely impact the Corporation, the Corporation's clients, employees, stakeholders, or the public at large, without fear of retaliation or a negative impact on their employment status at Support House.

Support House is committed to:

- Making the whistleblower process accessible, transparent; flexible, and responsive
- Providing individuals with a mechanism to use that is simple and clear
- Ensuring investigations will be timely, fair and respectful until the issue is resolved
- Protect those who in good faith make disclosures.

### Definitions

#### Wrongdoing

1. an act or omission constituting a violation of Support House policies, standards or practices including
  - a. codes of conduct
  - b. Abuse of clients by any party;
  - c. Negligence of client care in violation of policies.
  - d. financial policies or accounting/audit practices;
2. an act or omission constituting an offence under any provincial or federal legislation;

3. an act or omission that creates a substantial and specific danger to the life, health or safety of persons or to the environment;
4. gross mismanagement
5. quality or malpractice of care
6. environmental issues
7. breach of contract and negligence

### **Complainant**

Any person that submits a complaint or report of wrongdoing.

### **Respondent**

Someone who's alleged conduct is the subject of a complaint.

### **Adverse Employment Action**

Any demotion, suspension, termination, unfavorable transfer, denial of promotion, denial of benefits, threat, harassment or denial of compensation as a result of the reporting of wrongdoing, or any manner of discrimination against an employee in the terms and conditions of employment because of any other lawful act done by the employee pursuant to this policy, or any applicable Canadian legislation.

## **PROCEDURES:**

### **1. Reporting Obligations**

#### **Employees/Individuals**

Employees who believe they have witnessed or have been made aware of wrongdoing in their working environment are advised to immediately report the incident(s) or retaliation to the Designated Authority (refer to Designate of Authority Policy), or to their supervisor/manager. Delays in reporting may be unavoidable in some circumstances (to be determined on a case-by-case basis).

#### **Supervisors & Managers**

Any supervisor or manager who is subjected to, witnesses, or is given written or oral complaints of wrongdoing or retaliation will immediately report it to the Designated Authority. Delays in

reporting may be unavoidable in some circumstances (to be determined on a case-by-case basis).

Supervisors/Managers who are contacted by an individual seeking to file a complaint about wrongdoing in their team will assist the complainant in the process and/or in contacting the Designated Authority.

Wherever and whenever investigations are conducted, this Policy asserts that Complainants and Respondents are entitled to certain rights. These rights include, but are not limited to:

- Receiving written notice of the allegations (where permitted by law).
- Presenting relevant information to the Designated Authority.
- Receiving a copy of the report at the conclusion of the investigation (where permitted by law).

## 2. Other Reporting Mechanisms

1. Contact via email at [whistleblower@supporthouse.ca](mailto:whistleblower@supporthouse.ca)
2. Toll-Free Telephone Number 1-833-845-WELL (9355)
3. By letter addressed to the Executive Director
4. In matters involving the Executive Director or Board Members, by a communication to the Chair of the Board of Directors at [chair@supporthouse.ca](mailto:chair@supporthouse.ca).

To report anonymously or to our funder:

1. Anonymous – survey monkey link <https://www.surveymonkey.com/r/RBJB7XP>
2. Communication to MHLHIN as a funder 1-888-733-1177

## 3. Reporting Process

Complainants are always encouraged to file a complaint immediately after an alleged incident of workplace wrongdoing. Nevertheless, Support House is aware that such timely response may not always be possible, due to feelings of fear on the Complainant's part.

### a. Staff Concern Process:

Support House encourages staff, when possible, to express their concern and/or resolve their issues through the Staff Concern Reporting process before finding it necessary to initiate the formal whistleblower procedure. Staff may proceed with any of the following informal/formal options as listed in 2.7.8 Staff Concern Policy.

**b. Formal Whistleblower Resolution Process:**

1. If resolution at the Staff Concern level or process is not achieved or the complainant feel they need to escalate a wrongdoing (as defined above) they can notify the Executive Director and/or Executive Director designate(s) and/or the Board Chair and/or use other reporting mechanisms as listed above.
  - a. Upon receiving the concern the Executive Director and/or Executive Director designate(s) and/or Board Chair will acknowledge receipt within two business days.
  - b. The Executive Director and/or Executive Director designate(s) and/or Board Chair will investigate the concern and provide an update to the individual and discuss next steps with the individual as soon as possible.
  - c. The Executive Director and/or Executive Director designate(s) and/or Board Chair will document and track concerns which will be reported to the Board of Directors.
2. Human Resources will maintain a record of the concern and resolution in the employee's personnel file and is available to that individual upon request.

**4. Investigation**

Lead Assignment

- a. Designated staff may be assigned by the Executive Director based upon review and assessment of the issue (refer to Temporary Designation of Authority policy)
- b. In matters involving the Executive Director or Board Members, the Board Executive Committee will determine the process to be utilized. Any complaint made involving a designated officer will not be reviewed by that individual.

The designated staff will determine:

- a. whether or not a reported act is wrongdoing
- b. the veracity of allegations of wrongdoing or retaliation
- c. and determine, in consultation with others, if necessary, the manner in which wrongdoing will be investigated, using internal and/or external resources, and will determine who will lead such investigation.
- d. treat each report of a complaint, as well as its investigation and disposition on a confidential basis
- e. Involve in each investigation only those persons who need to be involved in order to properly carry out such investigation and ensuring appropriate support to staff e.g. by allowing legal counsel as applicable; and
- f. Conduct each investigation in a timely manner to a maximum of 10 (ten) business days from the date of assignment.
  - i. It should be noted that the seriousness, complexity and timeliness of a disclosure may impact the method, resources and speed with which a disclosure is reviewed and/or investigated and resolved.

## 5. Reporting

- a. The investigation of all third-party Complaints will be monitored on an ongoing basis by the Designated Officers.

- b. Monthly, a summary of all complaints filed in the Occurrence Report System will be presented by the Executive Director to the Board of Directors (Risk Management Report).
- c. At the conclusion of an investigation, the investigator must create a written report including a statement regarding any and all findings that have been proven, and a statement of decision on whether or not the Policy has been violated.
  - i. The report shall be presented for review to any/all appropriate authorities and/or legal counsel, as appropriate.
- d. The Designated Authority will advise the Complainant and the Respondent of the resolution of any investigation conducted under this Policy. A copy of the investigative findings shall be provided in writing to the Complainant and the Respondent.
- e. The Board will take all complaints and concerns seriously and investigate appropriately. Documentation regarding the investigation will be created and retained.

## **6. Confidentiality**

- a. All records of workplace wrongdoing reports and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law.
- b. Support House will do everything it can to protect the privacy of the individuals involved and to ensure that the Complainant and the Respondent are treated fairly and respectfully.
- c. Support House will protect this privacy so long as doing so remains consistent with the enforcement of this Policy and adherence to the law.

## **7. Assurance Against Retaliation**

- a. This Policy encourages employees to freely express – in a responsible and orderly fashion – their thoughts, opinions, and feelings regarding workplace wrongdoing complaints.

- b. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against the Complainant and/or against any witness providing information about a workplace wrongdoing report is strictly prohibited and will result in appropriate disciplinary action.
- c. Acts of retaliation include (but are not limited to) interference, coercion, threats, and restraint.
- d. This Whistleblower Policy will not be used to bring fraudulent or malicious complaints against employees. Any complaint made in bad faith, if demonstrated as being such through convincing evidence, will result in disciplinary action being taken against the individual lodging the fraudulent or malicious complaint.

#### **8. Disciplinary Action**

- a. Upon concluding that an instance of workplace wrongdoing has indeed occurred, the Respondent will be subject to disciplinary action, which may result in suspension of duties, or outright termination of employment and possible legal action depending on the severity of the action.
- b. Disciplinary actions imposed by the Executive Director and/or Executive Director designate(s) and will be determined on the basis of the facts of each case, precedents, and the extent of harm to Support House codes of conduct, values, interests and goals.

#### **References:**

- Staff Concern Policy
- Service Concern Policy
- Workplace Violence and Harassment Policy