

BOARD OF GOVERNORS – Governance Process

Policy # **GP 9 Disclosure Protection**

Original Implementation Date: April 19, 2016

Most Recent Activity: February 13, 2018 *Revisions Made*

Next Mandatory Review Date: 2020-2021

Frequency of Reviews: Every three (3) years



As a public post-secondary institution, the integrity of Medicine Hat College (“MHC” or the “College”) is paramount. This Disclosure Protection Policy (the “Policy”) applies to the Board of Governors of MHC who have an involvement with or contribute to the College’s activities or who act on behalf of the college.

Purpose

The purpose of this policy is to:

- facilitate the disclosure and investigation of significant and serious matters in relation to the Board that a member believes to be unlawful, dangerous to the public or injurious to the public interest;
- protect members who make those disclosures from reprisal;
- manage, investigate and make recommendations respecting disclosures of wrongdoings and reprisals; and
- promote confidence in the administration of the Board.

Scope

This policy applies to all members of the Board.

Definitions

Members: includes Board members, employees, visitors, volunteers, third party contractors and their employees engaged in activities related to their contracts with the College.

Good Faith Disclosure: a submission of information, that is based on reasonable belief and is not malicious, frivolous or vexatious, to the appropriate authority.

Reprisal: means retaliatory actions or measures that are taken, or threatened to be taken against a member for reporting a possible wrongdoing, including but not limited to:

- a) termination of association with the Board,
- b) a dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job,
- c) change of job location, reduction in wages, change in hours of work or reprimand;
- d) any actions or measures that adversely affects the employee’s employment or working conditions;

- e) intimidation or coercion; and
- f) harassment or discrimination.

Disciplinary Action: actions may include termination of employment or association with the Board and/or legal sanctions.

Core Principles

1. The Board recognizes its legal and ethical responsibilities with respect to public interest disclosure and is committed to maintaining the highest standard of legal, fiscal, and ethical behavior by members of the Board.
2. All members have the responsibility to report any wrongdoing which they have observed or which they reasonably suspect.
3. All reports of possible wrongdoing will be taken seriously and will be promptly investigated. The specific action taken in any particular case will depend on the nature and gravity of the conduct or circumstances reported. Where a wrongdoing has occurred those matters will be corrected and, if appropriate, the person(s) responsible will be disciplined.
4. The Board will not tolerate reprisal and will maintain an environment of safe disclosure of allegations of wrongdoing made in good faith. Any member who undertakes, participates in, or directs a reprisal may be subject to disciplinary action.
5. Maintaining confidentiality will be strictly managed throughout the process.
6. Any disclosure of possible wrongdoing or a complaint of reprisal found to be in bad faith or in contravention of this policy shall be subject to appropriate disciplinary action.
7. Those who commit a wrongdoing are subject to appropriate disciplinary action.
8. In addition to the Board's internal complaint procedure, members and complainants should also be aware that certain federal and provincial law enforcement agencies are authorized to review possible wrongdoing. The Board's policy and practices have been developed as a guide to our legal and ethical responsibilities to achieve and maintain the highest ethical standards. Conduct that violates the Board's policies will be viewed as unacceptable. Certain violations of the Board's policies and practices could even subject the Board and any individual member(s) involved to civil and criminal penalties. Before issues or behavior can rise to that level, members are encouraged to report possible wrongdoings.

Wrongdoing

- a) a contravention of a statute of Alberta, a regulation made pursuant to a statute of Alberta, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;
- b) an act or omission that creates a substantial and specific danger to the life, health or safety of individuals, other than a danger that is inherent in the performance of the duties or functions of the employee;
- c) an act or omission that creates a substantial and specific danger to the environment;
- d) gross mismanagement of public funds or a public asset;

- e) the reporting of fraudulent financial information;
- f) corrupt practices and bribery;
- g) an act in or omission in contravention of Board policy;
- h) commission of an act of retaliation or reprisal in relation to a disclosure made pursuant to the Disclosure Protection Policy;
- i) knowingly directing or counselling an individual to commit a wrongdoing identified in a) to h) above;
- j) unethical behavior associated with using one's position as a Board member or one's association with Medicine Hat College for personal advantage, such as altering or incorrectly reporting information for personal gain or for the advantage of another.

Policy Supports

Disclosure of Wrongdoing Procedures – Appendix A

Applicable Legislation/Regulation

[Public Interest Disclosure Act of Alberta](#)