

## **POLICY GBO – Public Interest Disclosure (Whistleblower) Policy**

**A just workplace culture is fundamental to the success of school divisions in Alberta. To ensure Peace Wapiti Public School Division (PWPSD) maintains high standards of legal, ethical and fiscal behavior, PWPSD endorses a culture where employees and management work collaboratively to detect and remedy wrongdoing, and employees who come forward to report wrongdoing are protected and valued.**

### **PURPOSE**

The purpose of this policy and its subsidiary procedures is to:

- provide guidance to employees on how to report wrongdoing within PWPSD;
- describe the roles and responsibilities of management and employees as they relate to the Act;
- provide guidance on the management and investigation of disclosures by employees, as required by the Act;
- support employees who come forward to report wrongdoing, and make them aware of the protection provisions afforded to them under the Act; and
- detect and remedy wrongdoing within PWPSD and in doing so, instill public confidence in the administration of PWPSD.

### **APPLICATION**

The *Public Interest Disclosure (Whistleblower Protection) Act* (the Act) facilitates the disclosure and investigation of significant and serious matters that employees believe to be unlawful, dangerous or injurious to the public interest. The Act applies to employees of school divisions in Alberta.

The Act and this procedure only apply with respect to wrongdoings committed after the Act came into force on June 1, 2013, and to wrongdoings added to the amended Act that came into force on March 1, 2018.

Matters that do not relate to wrongdoings defined under the Act will continue to be managed in accordance with other internal operational policies & procedures.

### **DEFINITIONS**

“**Act**” means the Public Interest Disclosure (Whistleblower Protection) Act;

“**Chief Officer**” means the superintendent of the school division;

“**Commissioner**” means Public Interest Commissioner;

“**Employee**” means an employee of the school division, or an individual who has suffered a reprisal and is no longer employed by the school division;

**“Designated Officer”** means the senior official designated by the chief officer to manage and investigate disclosures under the Act;

**“Good faith”** means an honest belief absent of clear malice or intent to seek an unjust advantage;

**“Personal information”** means personal information as defined in the Freedom of Information and Protection of Privacy Act;

**“Reprisal”** means a measure taken, directed or counselled contrary to section 24(2) or (3) of the Act;

**“Regulation”** means the Public Interest Disclosure (Whistleblower Protection) Regulation;

**“Wrongdoing”** means a wrongdoing referred to in section 3 of the Act, and includes an alleged wrongdoing.

## **ROLES AND RESPONSIBILITIES**

**Public Interest Commissioner** is responsible for carrying out the purpose of the Act. The Public Interest Commissioner reviews and investigates disclosures of wrongdoing and complaints of reprisal made under the Act by employees within school divisions, and reports the outcome of any investigation, along with recommendations for corrective measures, to the superintendent, or to the board of trustees and Minister of Education when required. The Public Interest Commissioner also provides advice to employees, and provides advice and support to designated officers in the management and investigation of disclosures.

**Chief Officer** is responsible for the overall administration and reporting requirements of the Act within a school division. This includes the establishing and maintaining this procedure, and ensuring information about the Act and the procedures is widely communicated to employees. The chief officer is also responsible for implementing corrective measures at the conclusion of an investigation, when required. The chief officer of a school division is the superintendent.

**Designated Officer** is the individual appointed by the chief officer to receive and investigate disclosures of wrongdoing made by employees within the school division. The designated officer also has a responsibility to provide information and advice to employees who are considering making a disclosure. If a designated officer is not appointed, the chief officer fills this role. The designated officer for PWPSD is the District Principal, (780) 532-8133.

**The Board of Trustees’** role is to promote a culture that supports employees who come forward to report wrongdoing, and to endorse this policy and procedures. The board of trustees is responsible for ensuring PWPSD is compliant with the Act and supporting the chief officer in implementing corrective measures following an investigation. When an investigation is conducted by the Public Interest Commissioner relating to the chief officer, the board of trustees is responsible for receiving the Commissioner’s report and implementing corrective measures if required.

**Supervisors** are responsible for giving information and advice to employees who are considering making a disclosure of wrongdoing. Employees are protected for seeking advice from their supervisor to the extent of the information requested and advice provided. A supervisor is anyone who has a reporting relationship with the employee. Further information relating to the role of supervisors is available on the Public Interest Commissioner’s website [here](#).

**Employees** who believe wrongdoing is occurring within PWPSD are protected from any type of adverse employment action when they report the wrongdoing to either their designated officer, or to the Public Interest Commissioner. Employees have a responsibility to report wrongdoing in good faith, to cooperate during an investigation, and to provide any information the designated officer or Public Interest Commissioner may require.

### **GUIDELINES & PROCEDURES**

#### **1. Procedures for Employees to Report Wrongdoing**

- a.) See Exhibit 1 – Procedures for Employees to Report Wrongdoing

#### **2. Procedure for Managing and Investigating Disclosures of Wrongdoing**

- a.) See Exhibit 2 – Procedures for Managing and Investigating Disclosures of Wrongdoing

#### **3. Annual Reporting Requirements**

- a.) The chief officer will prepare a report annually as required by the Act, and include:
  - i.) The number of disclosures received by or referred to the designated officer;
  - ii.) the number of disclosures acted on, and the number of disclosures not acted on, by the designated officer;
  - iii.) the number of investigations commenced by the designated officer;
  - iv.) in the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations made or corrective measures taken in relation to the wrongdoing; and
  - v.) if corrective measures in relation to the wrongdoing have not been taken, the reasons provided.
- b.) The chief officer’s report will be included in the annual report for PWPSD.
- c.) The chief officer will not publicly identify an employee who requested advice, made a disclosure of wrongdoing or complaint of reprisal, or publicly disclose individually identifying health information within the annual report.

## **REFERENCES**

### **Cross References:**

[Exhibit 1 – Procedure for Employees to Report Wrongdoing](#)

[Exhibit 2 – Procedure for Managing and Investigating Disclosures of Wrongdoing](#)

[Exhibit 3 – Disclosure of Wrongdoing Form](#)

[Policy GBE](#) – Health and Safety

[Policy GBEA](#) – Protection of Staff

[Policy JAB](#) – Conflict Resolution

### **Legal References:**

[Public Interest Disclosure \(Whistleblower Protection\) Act](#)

[Public Interest Disclosure \(Whistleblower Protection\) Regulation](#)

Alberta’s Public Interest Commissioner's website: <https://yourvoiceprotected.ca/>

**BM#:** 20131010.1008, 20161027.1008; 20230119.1010; 20260115.1009

**Next Review:** 20282029