

## SAFE DISCLOSURE POLICY

This document is the parent policy for any College or Divisional procedures. Questions regarding this policy are to be directed to the identified Policy Administrator.

<b>Functional Category:</b>	Human Resources
<b>Approval Date:</b>	November 4, 2020
<b>Effective Date:</b>	November 4, 2020
<b>Policy Owner:</b>	Vice President, People and Culture
<b>Policy Administrator:</b>	Director, People and Talent Operations

### Objective:

The objective of this Safe Disclosure Policy is to clearly convey the importance of protecting NorQuest College (college), its reputation, employees and assets from the consequences of wrongdoings as defined in the *Public Interest Disclosure (Whistleblower Protection) Act* (PIDA). To achieve this, the college is committed to upholding an atmosphere whereby employees can confidentially disclose alleged wrongdoings and where employees can disclose alleged violations of these policies or seek advice about the disclosing these matters, without retribution.

Authority to establish this policy is derived from the [NorQuest College Board of Governors Policy No. 5](#), which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation.

### Policy:

#### Responsibility to Report

College employees are encouraged to be responsible and report suspected and actual cases of wrongdoings should they become privy to information regarding these wrongdoings.

#### Disclosure of Wrongdoings

Employees of the college may, where done in good faith, confidentially seek advice about disclosing or disclose alleged wrongdoings as defined in the PIDA without risk of retribution.

Refer to the Safe Disclosure Procedure for details.

Violations: Employees are responsible for adhering to the *Public Interest Disclosure (Whistleblower Protection) Act* (PIDA). Violations may result in individual disciplinary penalties up to and including termination.

Employees will not be disciplined for reporting suspected or actual cases of wrongdoing.

### Definitions:

**Commissioner:** the Public Interest Commissioner as appointed under section 38 of the *Public Interest Disclosure (Whistleblower Protection) Act* (PIDA) to carry out the duties and functions as set forth in the Act.

**Employee:** includes a person who is engaged by NorQuest College to perform a service in accordance with existing terms and conditions of employment, employment contracts or collective agreements.

**In Good Faith:** means taking action based on objective evidence with honest and good intention.

**Wrongdoing<sup>1</sup>** means:

- A contravention of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;
- 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 an employee, or
  - a substantial and specific danger to the environment.
- Gross mismanagement, including an act or omission that is deliberate and that shows a reckless or wilful disregard for the proper management of:
  - public funds or a public asset,
  - the delivery of a public service, including the management or performance of:
    - a contract or arrangement identified or described in the regulations, including the duties resulting from the contract or arrangement or any funds administered or provided under the contract or arrangement, and
    - the duties and powers resulting from an enactment identified or described in the regulations or any funds administered or provided as a result of the enactment, or
  - employees, by a pattern of behaviour or conduct of a systemic nature that indicates a problem in the culture of the organization relating to bullying, harassment or intimidation;
- A wrongdoing prescribed in the regulations
- Knowingly directing or counselling an individual to commit a wrongdoing mentioned above.

**Related NorQuest College Information:**

- [Code of Conduct Policy](#)
- [Code of Conduct & Respectful Workplace & Learning Environment Complaints & Investigation Procedure](#)
- [Safe Disclosure Procedure](#)
- [Security Incident and Criminal Activity Reporting and Investigations Procedure](#)

**Related External Information:**

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

**Next Review Date:**

April 2024

**Revision History:**

December 2012: replaces (in part) Standard Practice 7.21: Code of Ethics  
 August 2013: updated for document links and branding  
 June 2014: updated to reflect requirements of the *Public Interest Disclosure (Whistleblower Protection) Act* and Regulations  
 June 2015: annual review: no changes  
 July 2015: update document links  
 May 2016: annual review: no changes  
 June 2017: annual review and updated Owner / Administrator  
 May 2018: updates to the Policy based on the *Public Interest Disclosure (Whistleblower Protection) Amendment Act, 2017*; Policy formerly called Whistleblower Policy.  
 August 2019: Compliance Office template & reorganization update  
 September 2019: review and Executive Council approval

<sup>1</sup> PIDA section 3  
V10



September 2020: annual review and updated titles for  
Owner/Administrator, minor formatting and next review date