



Background

The Calgary Girls Charter School provides a positive, supportive environment for employees and is committed to high standards of ethical and accountable conduct. All employees are responsible for knowing, understanding and complying with this Administrative Procedure which serves the following purposes:

- Facilitate the disclosure and investigation of significant and serious matters that an employee believes may be unlawful, dangerous to the public, or injurious to the public interest.
- Manage, investigate and make recommendations respecting disclosures of wrongdoing and reprisals.
- Identify the processes and accountabilities for employees for reporting and investigating wrong doing within the organization.
- Protect employees from reprisal for making a disclosure.
- Promote public confidence in the administration of the Calgary Girls Charter School.

Definition of Wrongdoing: Wrongdoing means an act that falls into one or more of the following areas: contravention of an act or a regulation of Alberta or Canada; an act or omission that creates: a substantial or specific danger to the life, health or safety of individuals other than a danger that is inherent in the performance of duties or functions of the employee or a substantial or specific danger to the environment; gross mismanagement of public funds or a public asset; or knowingly directing or counseling an individual to commit a wrongdoing defined above.

Procedures

A. Roles and Responsibilities

1. The Superintendent is the Chief Officer as outlined in the Public Interest Disclosure Act. The Superintendent must establish and maintain, in accordance with the Act, written procedures for managing and investigating disclosures; approve recommendations resulting from investigations; fulfill the annual reporting requirements; and ensure employee awareness of the Act, this Administrative Procedure, and disclosure procedures.
2. The Secretary Treasurer is the Designated Officer and will manage and investigate disclosures in accordance with the Act. The authority and discretion to determine the nature and scope of the investigative process rests with the Designated Officer who acts as a neutral party to process internal reports of wrongdoing. This includes:
 - 2.1 providing advice on this Administrative Procedure;
 - 2.2 assisting employees who wish to report a suspected wrongdoing;

- 2.3 receiving and processing reports of suspected wrongdoing;
 - 2.4 assessing reports of suspected wrongdoing and determining if there are sufficient grounds to warrant further action;
 - 2.5 determining what actions must be taken to address the suspected wrongdoing; including providing a report to the Superintendent or to outside law enforcement, where necessary;
 - 2.6 implementing measures to protect employees who report suspected wrongdoing in good faith from reprisals;
 - 2.7 implementing measures to protect employees who are witnesses or provide information in relation to a report of suspected wrongdoing from reprisals;
 - 2.8 making recommendations for consequences if a complaint or allegation is filed maliciously or in bad faith;
 - 2.9 keeping records of all complaints and allegations and any investigations or remedial action taken;
 - 2.10 referring any disclosure to the Public Interest Commissioner as soon as there is reason to believe that the matter relates to an imminent risk of a substantial or specific danger to the life, health or safety of individuals, or to the environment;
 - 2.11 referring a disclosure to another public entity;
 - 2.12 preparing an annual report on all disclosures.
- 3. Supervisors are expected to ensure employees are aware of the process for reporting wrongdoing; be open and accessible to employees who express concerns about suspected wrongdoings; immediately upon receiving the report, refer the employee to the Designated Officer; cooperate with investigations; and protect employees who report suspected wrongdoings from reprisals.
 - 4. Employees shall participate in investigations as required and cooperate fully with the Designated Officer or any investigators appointed by the Designated Officer; make disclosures of wrongdoing in good faith in a timely manner; refrain from engaging in reprisal against an individual for making a report of wrongdoing or cooperating with an investigation of wrongdoing.

B. Reporting a Wrongdoing

- 1. This process does not normally apply to concerns and/ or complaints addressed through other regulations and processes including, but not limited to, grievance procedures and reporting procedures for workplace violence, harassment, Code of Conduct and occupational health and safety.
- 2. An employee who perceives a wrongdoing has been committed or is about to be committed may seek advice from and or report the perceived wrongdoing to the Designated Officer or the Commissioner (Office of the Public Interest Commissioner).
- 3. Should the disclosure be related to the Designated Officer, it may be reported to the Superintendent or the Commissioner; or, if related to the Superintendent it may be reported to the Board Chair or the Commissioner.
- 4. A disclosure may be reported directly to the Commissioner if: the disclosure is believed to be a matter of imminent risk of a substantial or specific nature to the life, health or safety of individuals

or to the environment, such that there is insufficient time to report to the Designated Officer; the disclosure involves the Superintendent or Designated Officer; the disclosure has been made and not resolved within the specified time periods or according to fair and impartial process; or the employee is not satisfied with the resolution of a completed investigation.

5. All reports of wrong doing must be in writing and may be completed using the Public Disclosure Form (AF403A), also found on the Alberta Public Interest Commissioner website (<https://yourvoiceprotected.ca/for-employees/disclosure-form/>). Reports may be submitted to the Designated Officer or Commissioner.
6. Reports must be made in good faith, on a timely basis and based on reasonable grounds. Deliberately false or vexatious allegations are a serious offence and will be dealt with accordingly.

C. Investigating a Wrongdoing:

1. All disclosures received shall be appropriately reviewed and evaluated by the Designated Officer for possible investigation in accordance with this Administrative Procedure.
2. The Designated Officer may consult with the Superintendent or Commissioner before launching an investigation.
3. Information collected during the course of an investigation shall be kept confidential according to the limits outlined by the Act and the Procedure.

D. Communicating and Reporting:

1. The Designated Officer shall in writing:
 - 1.1 Within five business days of receipt of the disclosure, acknowledge receipt to the disclosing employee.
 - 1.2 Within 10 business days of receipt of the disclosure, notify the disclosing employee of the decision as to whether an investigation is required.
 - 1.3 Within 110 business days of receipt of the disclosure, report the findings of the investigation to the Superintendent and the disclosing employee.
 - 1.4 Prepare a report for the Superintendent that includes the following details related to the investigation of each disclosure:
 - a) date of report;
 - b) executive summary;
 - c) name of the person who made the disclosure of the wrongdoing;
 - d) date the disclosure was received;
 - e) a copy of the disclosures;
 - f) date of acknowledgement of the receipt of the disclosure;
 - g) date on which the Superintendent was advised;
 - h) date, if any, of referral to the Commissioner or other agency;
 - i) date of appointment of investigator;
 - j) date investigation was commenced and completed;
 - k) names of all persons interviewed;

- l) table of documentary and other evidence;
 - m) time frame of investigation;
 - n) findings of fact with reference to sources and rationale for the findings;
 - o) all interview notes or transcript of recording (may be a reference to a digital repository); and
 - p) recommendations of the Designated Officer regarding any corrective measures that should be taken by the Calgary Girls Charter School.
2. The Superintendent may extend the time period for up to 30 business days for investigation and the provision of a report.
 3. Individuals engaged in the investigation of an alleged wrongdoing will not include any individuals who have potential, perceived, or real conflict of interest to the matter being investigated.
 4. Information collected during the course of a disclosure investigation will be kept confidential according to the limits outlined in the Act.
 5. All employees who have knowledge of, or are participants in, an investigation pursuant to this Administrative Procedure shall keep confidential the details and results of the investigation.
 6. The Chief Officer will report annually to the Commissioner, and make available to the public, the following:
 - a) number of inquiries;
 - b) number of disclosures;
 - c) number of investigations; and
 - d) recommendations made.

E. REPRISALS

1. All complaints of reprisals should be made by the affected employee directly to the Commissioner.
2. Reprisal against an employee who has disclosed a wrongdoing or who has cooperated in an investigation is grounds for disciplinary action and an offence subject to significant personal fines under the Act.

Reference:

Education Act, s. 52, 53, 54, 68, 196, 197, 222
Public Interest Disclosure (Whistle Blower Protection) Act (PIDA)
Freedom of Information and Protection of Privacy Act (FOIPP)