

SAFE DISCLOSURE POLICY

Policy Section:	Office of the President & CEO	Effective Date:	April 3, 2018
Policy Owner:	President & CEO	Last Revised:	November 15, 2024
Policy Administrator:	Director People & Culture	Review Scheduled:	Every 4 years
Approver:	Executive Committee		
<i>The official controlled version of this document is held with the Legislative Compliance / Policy & Procedure Coordinator.</i>			

A. POLICY STATEMENT

Keyano College is committed to the highest standards of professionalism through its fair, legal, fiscal, ethical and accountable conduct. In accordance with the *Public Interest Disclosure (Whistleblower Protection) Act (PIDA)* the College will provide its stakeholders with an avenue in which to disclose, make enquiries about, or seek advice regarding potential ethical breaches and cooperate in an investigation of ethical breaches without fear of reprisal.

Keyano College takes gross misconduct very seriously, and will maintain its standards by encouraging members of the College community to disclose any wrongdoings that they may have knowledge of or reasonably suspect.

The College will facilitate the disclosure and investigation of significant and serious matters in or relating to its operations, including academia, administration, with students, with industry partners, and its relationship with the community at large.

The College seeks to be informed of misconduct, fraud, or other ethical breaches that may occur within its community.

This policy applies to all locations included within the College premises.

This policy was created to encourage and enable members of the College community to report ethical breaches. Members of the College community who witness or have knowledge of a probable contravention of the *Code of Conduct Policy* (or related policies) have a responsibility to disclose that information to the College.

The College will ensure the protection of individuals who make good faith disclosures in respect to wrongdoings, including prohibiting reprisal against such individuals. The College will also manage, investigate and make recommendations respecting disclosures of wrongdoings and reprisals and will promote public confidence in the operations of the College.

1. GUIDING PRINCIPLES

- 1.1 Keyano College has zero tolerance for reprisals made against reporters of information related to ethical breaches, or suspected ethical breaches.
- 1.2 Reporting of ethical breaches is the responsibility of all members of the College community.
- 1.3 This policy applies to all locations included within the College premises.
- 1.4 This policy applies to any report of ethical violations involving members of the College community.
- 1.5 The College will take an action on all reports of ethical breaches (or related breaches) it receives that were made in good faith.
- 1.6 Any investigative activity required in relation to a suspected ethical breach will be conducted without regards to the suspected wrongdoer's length of service, position, title or relationship to the College.
- 1.7 The President & CEO will appoint a Designated Officer to directly manage the Safe Disclosure Program. The Designated Officer will be held accountable by the President & CEO for the College's compliance with the Act.
- 1.8 The President & CEO will ensure the safe disclosure program provides several options for individuals to make an ethical violation report.
- 1.9 College will ensure all investigations are treated fairly and consistently, and in compliance with the collective agreements, College policies, the Act and other prevailing laws.
- 1.10 Reports will be kept confidential unless the reporter provides explicit permission to disclose their identity. Confidentiality will be maintained, but cannot be guaranteed in the event that external legal action flows from the disclosure.
- 1.11 Individuals who provide a report in good faith have a right to be updated on the status of their report, including outcomes. The Designated Officer is responsible for liaising with the reporter if they have been identified.
- 1.12 The Designated Officer will ensure reports are dealt with in compliance with the Act. The Designated Officer will adhere to all reporting and action timelines as defined in the Act.
- 1.13 Employees who have suffered a reprisal as a result of making a report are encouraged to contact the Public Commissioner directly, as prescribed under the Act.
- 1.14 The College will ensure that its employees are aware of the safe disclosure procedures, the protection of reporters of ethical breaches under the Act, and have reviewed the Code of Conduct, as well as the Safe Disclosure Policy.

1.15 The Safe Disclosure Policy will not in any way contravene the Act or other laws in the Province of Alberta, and/or collective bargaining agreements. In the event of any inconsistency, federal and provincial statutes or collective bargaining agreements will take precedence.

2. REDRESS

2.1 Anyone who contravenes this Policy may be subject to a range of corrective measures, up to and including dismissal from the College, in accordance with the *Employee Progressive Discipline Policy & Procedure*. In all cases where the College has suffered a financial loss, it may seek to recover losses in full along with all costs incurred to investigate and litigate said loss.

2.2 If following an investigation, the Commissioner finds that a reprisal occurred, the Commissioner is obligated to refer the decision to the Labour Relations Board for determination as to the appropriate remedy.

3. ROLES & RESPONSIBILITIES

STAKEHOLDER	RESPONSIBILITIES
Executive Committee	Approve and formally support this Policy.
President & CEO	Appoints a Designated Officer(s) to manage the Safe disclosure program.
Director People & Culture	Manage the Safe Disclosure program. Designated Officer, unless otherwise directed by the Chief Officer.
Employees, Students, Board, Contractors, Industry Partners	Every employee, student, Board member, contractor or industry partner has a responsibility to: <ul style="list-style-type: none"> • Be knowledgeable of and compliant with this Policy • Comply with all policies and procedures in conducting their work • Report any ethical breach without a delay.

B. DEFINITIONS

- (1) **Chief Officer:** means pursuant to the Act, means the President & CEO
- (2) **College:** means Keyano College
- (3) **College Premises:** means all Keyano College space either owned, leased or operated by the College, as well as any off-campus sites utilized by the College for instruction, practicums, co-op or work experience placements, and/or

- other locations in which an employee is working as part of their position
- (4) **Commissioner:** means Public Interest Commissioner appointed by the Lieutenant Governor in Council in accordance with the Act
- (5) **Disclosures:** means a disclosure of wrongdoing made in good faith to the College or through the Commissioner in accordance with the Act or Public Interest Disclosure procedures
- (6) **Employee:** means an individual employed by, or who has suffered a reprisal and is no longer employed by the College. An employee also includes an individual who holds or who has held, has suffered a reprisal and no longer holds privileges with the College
- (7) **Good Faith:** means the disclosure of a wrongdoing or suspected wrongdoing, is not frivolous or vexatious and is made free of malicious intent, regardless of the result of investigation
- (8) **Members of the College Community:** means all employees, Board of Governors, Board of Directors, students and contractors of Keyano College
- (9) **PIDA:** means Public Interest Disclosure (Whistleblower Protection) Act
- (10) **Policy:** means the Safe Disclosure Policy
- (11) **Procedures or Public Interest Disclosure Procedures:** means procedures for handling and management of disclosures by the College
- (12) **Reprisal:** means retaliatory measures, as a result of a good faith disclosure, sought advice about making a disclosure, co-operated in an investigation under the Act or the procedure, decline to participate in a wrongdoing or done anything in accordance with the Act or procedures:
- a. A dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of job location, reduction in wages, change in hours of work or reprimand;

- b. Any measure, other than one mentioned in clause (a), that adversely affects the employee's employment or working conditions; or
- c. A threat to take any of the measures mentioned in points a) and b).

means gross mismanagement, including an act or omission that is deliberate and that shows a reckless or wilful disregard for the proper management of:

(13) Wrongdoings and gross mismanagement:

- a. Public funds, or a public asset
- b. 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,
- c. 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.

Examples may include:

- 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 function of an employee, except as outlined in the Public Interest Disclosure Act, or to the environment.

- Breach of Keyano's Conflict of Interest Policy or Code of Conduct Policy
- An act of reprisal
- An act believed to be unlawful, dangerous to the College community, public or harmful to the public interest.
- Attempts to conceal any of the above
- Knowingly directing or counseling an individual to commit any of the above

C. RELATED POLICIES

- Academic Integrity Policy
- Code of Conduct Policy
- Data Breach of Security Policy
- Ethical Conduct for Research Involving Humans Policy
- Fraud and Irregularities Policy
- Gender-based and Sexual Violence Policy
- Health and Safety Policy
- Integrity in Research Activity Policy
- Non-Academic Misconduct Policy
- Progressive Discipline Policy
- Protection of Privacy Policy
- Research or Teaching Involving Animals Policy
- Respectful Workplace Policy
- Student Rights Policy

D. RELATED LEGISLATION

- *Alberta Public Interest Disclosure (Whistleblower Protection) Act (PIDA)*
- *Alberta Public Interest Disclosure (Whistleblower Protection) Regulation*
- *Conflict of Interest Act*
- *Freedom of Information and Protection of Privacy Act*
- *Post-Secondary Learning Act*

E. RELATED DOCUMENTS

- Data Breach of Security Procedure

- Employee Progressive Discipline Procedure
- Ethical Conduct for Research Involving Humans Procedure
- Gender-Based And Sexual Violence Procedure
- Non-Academic Misconduct Procedure

F. REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)
3/20/2018	New Policy	ALL	Executive Planning Officer	President & CEO
11/15/2024	Policy content move to a new template & update of Policy administrator position. No content updates.	N/A	Legislative Compliance/Policy & Procedure Coordinator Executive Assistant to President & CEO	Interim President & CEO