A. Background and Definitions

Any member of the College community has the right to raise concerns or file a disclosure where there is an honest belief that the College or its members are engaged in serious misconduct, wrongdoing, or illegal activity and there is no confidential internal mechanism available to raise issues of a public concern.

Whistleblowing: For the purpose of this policy, Whistleblowing is the disclosure of information that is evidence of Wrongdoing or a violation of law. This policy applies to the reporting of illegal, unethical and/or fraudulent business practices by a College official in the interest of managing college finances and resources with the utmost integrity.

Wrongdoing: For the purpose of this policy, it is activity that constitutes:
   a) A criminal offense;
   b) Negligent, improper or gross mismanagement of any College or public funds;
   c) A serious, willful, and/or flagrant breach of federal, provincial, or municipal statute, College policy, procedure or regulation; and/or
   d) Substantial and specific danger to the environment or public health and safety.

B. Purpose

The purpose of this policy is to provide for the safe disclosure of Wrongdoing and prohibit retaliation against any member of the College community who, in good faith, makes a disclosure or raises a concern in accordance with this policy, or discloses information to an external agency/body against the College or any employee of the College on the basis of a reasonable and honest belief that the information is true and in the public interest.

C. Policy Statements

1. This policy does not apply to individual concerns, appeals, complaints, grievances, or issues associated with matters such as, but not limited to; academic appeals, student or employee conduct, harassment, discrimination, accessibility, copyright, intellectual property, individual health or safety, management or employee performance, provisions contained within the collective agreements, and/or legal statute.
2. If any member of the College community reasonably knows or has reason to believe that the College, or a member of the College, is engaged in activity covered by this policy, they may file, in confidence, a written report or disclosure with the Office of the President, or in the event of a conflict of interest, to the Chair of the Board of Governors.

3. If the discloser wishes to remain anonymous, the written communication should clearly indicate this. The investigation will attempt to protect the discloser’s identity as much as possible however, the interests of fairness may require that the discloser’s identity be provided to one or more persons.

4. The discloser is protected from retaliation in accordance with this policy, if the disclosure is made in good faith and is not knowingly false or materially inaccurate. If a person makes a disclosure under this policy in bad faith or knowingly provides false or materially inaccurate information, they shall be subject to disciplinary sanctions including reprimand, suspension, demotion, expulsion or termination.

5. Individuals will not be discharged, demoted, suspended, threatened, harassed, or in any other manner, discriminated against as a result of communicating a genuine Wrongdoing or participating in an investigation of such Wrongdoing. Any member of the College community found to be in violation of this policy to protect the discloser from retaliation will be subject to disciplinary action.

6. All individuals involved in a disclosure of wrongdoing and/or its investigation, are to be treated fairly and impartially, and will retain the rights, privileges and protection afforded to them through applicable legislation, College policies and collective agreements in effect at the time of the alleged wrongdoing, regardless of their position or duration of involvement with the College.

7. All legitimate disclosures as defined by this policy, shall be investigated and resolved on the direction of the President and/or Board Chair. Anonymous allegations will only be acted on if the evidence collected during the preliminary investigation indicates the disclosure can be properly investigated and is in the public interest.
8. A disclosure may be rejected if, at the time of filing, a substantially similar allegation is currently under investigation.

9. In the event that an internal solution is not available and depending on the nature of the disclosure, the matter may be referred to the appropriate government ministry, authority, or other external commission, tribunal and/or legal process for resolution.

10. The President shall ensure the Board of Governors receives reports of any investigations, which will include steps taken to satisfactorily address the disclosure. All reports to the Board of Governors will be presented in-camera.

D. Related Documents

Board of Governors Policy: IV-L Implementation of a Whistleblowing Reporting Procedure

Procedure: NC100 Whistleblowing

E. Document History

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<tr>
<th>Date</th>
<th>Approval/Review/Key Change(s)</th>
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<tbody>
<tr>
<td>February 2, 2021</td>
<td>Separation of policy &amp; procedure Updates: added definition of wrongdoing, protection for investigation participants, in-camera reporting to the Board</td>
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