1.0 PURPOSE

This procedure supports Policy D7020 Safe Disclosure and informs Members of the University Community how allegations of Wrongful Conduct may be disclosed.

2.0 REPORTING CONCERNS OF WRONGFUL CONDUCT

When to Report

Anyone who in good faith believes that Wrongful Conduct will occur, is occurring, or has occurred at the University should report their concern. People need not know the details of a law or policy or be certain about a violation. If unsure, the better course of action is to raise the concern and seek advice.

Mandatory Reporting for the Protection of Minors. All University faculty and staff are required by provincial law to report to Edmonton Police Services immediately when they have reasonable and probable grounds to believe a minor child is being physically or sexually abused or neglected, including abuse or neglect by non-University persons, whether or not the incident occurred during a University activity or on University property.

Where to Report

- To a department supervisor or Chair. Typically, concerns should be raised first at the "local" level-within the department or faculty. Usually, a local supervisor is most familiar with the issues and parties and is best equipped to handle the concern. If an individual is not comfortable speaking with the supervisor, or is not satisfied with the supervisor’s response, individuals should take their concerns to the offices listed below that will investigate and/or address the concern as appropriate; OR

- To a Responsible Office. Sometimes, because of the subject matter involved or because of work or personal relationships, concerns may be best raised first through an office dedicated to handling certain types of concerns. Responsible Offices and associated concerns include the following:
  - Internal Audit Services (Director, Internal Audit) - If a report involves financial matters. Will be handled in accordance with D7110 Fraud and Irregularities Policy (D7110);
  - Workplace Health, Safety and Wellness (Senior Manager, WH&S) - If a report involves environmental safety/OH&S concerns. Will be handled in accordance with Health and Safety Policy (D1400) and associated procedures;
  - Security Services (Director, Security Services) - If a report involves security or personal safety concerns;
Safe Disclosure – Reporting Allegations of Wrongful Conduct Procedure  D7020-01

- **Human Resources (Director, Human Resources Client Services)** - If a report involves harassment, discrimination, bullying, code of conduct matters and other purely employment concerns. Will be handled in accordance with **D1200 Code of Conduct - Employees** (D1200); **Conflict of Interest and Commitment** (D1205); **Violence in the Workplace Policy** (D1420);

- **Office of Academic Integrity (Academic Integrity Coordinator)** - If a report involves academic dishonesty/integrity concerns. Will be handled in accordance with **Academic Integrity Policy** (C1000);

- **Student Services (Vice President, Student Services)** – If a report involves a student related matter. Will be handled in accordance with **Student Rights and Responsibilities Policy** (E3101), **Student Discipline Policy** (E3102), and **Student Appeals Policy** (E3103);

- **Research Services (Director of Research Services)** – If a report involves research matters or matters of academic integrity related to research and scholarly activity. Will be handled in accordance with policies **C5050 (Research, Scholarship and Creative Activity)**, **C5051 (Responsible Conduct of Research and Scholarly Activity)**, **C5052 (Ethical Review of Research with Human Participants)** and/or **C5053 (Animal Research Ethics)**;

- **Office of VP, General Counsel and Compliance Officer** – If a report involves:
  - violations of law or serious violations of University policy;
  - 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 of public funds or a public asset;
  - allegations of reprisal (reports may also be made directly to Alberta’s Public Interest Commissioner);
  - misconduct by a high-level University official;
  - a situation that may likely require the University to self-report a violation to an outside agency or entity or pay a significant financial penalty; or
  - all other matters not otherwise mentioned above.
GRANT MACEWAN UNIVERSITY
POLICY MANUAL

Safe Disclosure – Reporting Allegations of Wrongful Conduct Procedure  D7020-01

3.0  ENSURING FAIR TREATMENT OF PERSONS INVOLVED

Protection for Persons Making a Report

Reprisal for raising a good faith concern of Wrongful Conduct is prohibited. The University will provide support as appropriate to ensure fair treatment of employees and students making reports. Support for employees may include appointing someone to serve as a liaison to communicate with the reporting party and to respond to concerns about Reprisal. Administrators handling reports will inform the person making the report, and others as may be necessary, about the University's prohibition against Reprisal and will respond to such report in accordance with the University’s Public Interest Disclosure Framework [link].

If the person making the report self-identifies, but wishes to remain anonymous, his or her identity should not be disclosed except: (1) when an employee's job responsibilities reasonably require knowledge for the purpose of an investigation or management of a matter; (2) when required for investigation or resolution of the report; or (3) where permitted or required by law or legal process (e.g., law enforcement, court subpoena). Maintaining confidentiality and protecting the anonymity of the reporter is a priority of the University. However, when one or more of the above circumstances exist, the reporter will be advised that it is not possible to provide anonymity.

Protection for Subjects of a Report

Individuals who are subjects of a report will be treated fairly, respectfully, and consistent with all protections set out in University policy or law. To assure fair treatment, those accused of Wrongful Conduct should be notified about the nature of the allegations as soon as the administrator responsible for investigating concludes it will not risk the integrity of the investigation. Once advised of the allegation, subjects should be kept informed of the investigation status and the results unless to do so would jeopardize an ongoing investigation.

4.0  WHAT DEPARTMENT OR FACULTY ADMINISTRATORS MUST DO WHEN THEY RECEIVE A REPORT

Evaluate Issues and Refer Where Appropriate. Persons receiving a report of a law or policy violation should promptly evaluate the issues raised and as necessary refer the matter to the most appropriate office or individual. Reports involving a complaint of wrongdoing under the University’s Public Interest Disclosure Framework [link] or a reprisal, must be directed immediately to the VP, General Counsel and Compliance Officer.
Determine Whether You Must Contact a Responsible Office Before Investigating. Responsible Offices (listed in section B above) have responsibility and expertise for handling certain types of concerns. Individuals who receive allegations that fall into these categories must notify the Responsible Office of the matter before taking further action, refer the matter as appropriate, and collaborate as requested. Responsible Offices will work together to avoid duplication of efforts.

Communicate with University Leadership. Individuals receiving reports alleging significant legal or policy violations will promptly alert appropriate senior leadership within the University. Normally, this will include the Dean and the Provost and Vice President Academic, or the Director and the Vice President of an administrative department. If the leadership is a party to the allegations, individuals should instead contact the Office of the VP, General Counsel and Compliance Officer.

Promptly Resolve Minor Reported Concerns. If the reported concern is minor and the solution is straightforward without the need for substantial investigation, the administrator handling the report will promptly resolve the concern. The administrator will ensure a solution is implemented, corrective action is taken, the rights of parties involved are protected, appropriate management within the department/area involved is notified of the issue and resolution, and proper documentation is maintained. If at any time it appears that the issue is more significant than anticipated, the administrator will notify the appropriate Responsible Office as described in Section B above before taking further action.

Maintain Confidentiality. All individuals who receive or handle reports will respect the confidentiality of the person raising the allegations, individuals who are the subjects of the allegations, and any confidential or private data disclosed in the report. Protected reports and investigatory records will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and in accordance with any applicable legislative requirements.

5.0 REPORTING TO SENIOR OFFICERS, THE PRESIDENT, AND BOARD OF GOVERNORS

The University's Director, Internal Audit Services, and the VP, General Counsel and Compliance Officer will ensure that the President and the Audit Committee of the Board of Governors are informed of concerns about any widespread or serious violations or law or University policy, significant accounting concerns, or other matters that in their judgment represent a particularly significant compliance concern.

6.0 RESOURCES

University Compliance Officer: safedisclosure@macewan.ca or (780) 497-5750; Public Interest Commissioner of Alberta: info@pic.alberta.ca or Province-wide (toll-free): 1-855-641-8659.
GRANT MACEWAN UNIVERSITY
POLICY MANUAL

Safe Disclosure – Reporting Allegations of Wrongful Conduct Procedure  D7020-01

FACT SHEET

Relevant Dates

Approved: 2014.10.29
Effective: 2014.10.29
Next Review: 2017.10.29

Source:

Modification History

2014.10.29 This is a new procedure to support policy D7020 – Safe Disclosure

References and acknowledgements:

Authorization:

Office of Accountability  President
Office of Administrative Responsibility  Vice President, General Counsel and Compliance Officer
Approval By:  Vice President, General Counsel and Compliance Officer
Contact Area:  Office of General Counsel

Authority

Related and Associated Matters (Links)

Associated Operational Policies and Procedures
D7020 Safe Disclosure; D1200 Code of Conduct; D1205 Conflict of Interest and Commitment; Code of Conduct Policy Guide; Public Interest Disclosure (Whistleblower Protection) Framework