
HORIZON SCHOOL DIVISION**POLICY HANDBOOK**

Policy Code:	JBA
Policy Title:	Public Interest Disclosure
Cross Reference:	JB – FOIP
Legal Reference:	Public Disclosure (Whistle Blower Protection Act)
Adoption Date	February 25, 2014
Amendment or Re-affirmation Date:	January 16, 2018

POLICY

THE BOARD OF TRUSTEES OF HORIZON SCHOOL DIVISION BELIEVES THAT EMPLOYEES SHOULD FEEL PROTECTED WHEN REPORTING WRONGDOING AS OUTLINED IN THE PUBLIC INTEREST DISCLOSURE ACT. THE BOARD ENCOURAGES EMPLOYEES TO COMPLY WITH THEIR RESPECTIVE CODE OF ETHICS IN MAKING GOOD FAITH REPORTS OF ANY UNLAWFUL OR IMPROPER CONDUCT WITHOUT THE FEAR OF RETALIATION.

GUIDELINES

1. Wrongdoings to which this policy applies include:
 - 1.1. a contravention of an Act,
 - 1.2. a contravention of a regulation made pursuant to an Act,
 - 1.3. an act or omission that creates
 - 1.3.1. 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
 - 1.3.2. a substantial and specific danger to the environment;
 - 1.4. gross mismanagement, including an act or omission that is deliberate and that shows a reckless or willful disregard for the proper management of
 - 1.4.1. public funds or a public asset,
 - 1.4.2. delivery of a public service; or
 - 1.4.3. employees, by a pattern of behavior or conduct of a systemic nature that indicates a problem in the culture relating to bullying, harassment, or intimidation.
 - 1.5. knowingly directing or counselling an individual to commit a wrongdoing mentioned in clauses 1.1 to 1.4.

POLICY JBA - *Public Interest Disclosure, Cont'd.*

REGULATIONS

1. An employee should promptly report any such wrongdoing to his/her supervisor, or alternatively to the superintendent, or board chairperson, or his/her designate.
 - 1.1. Teachers shall continue to comply with their code of professional conduct.
2. The employee may also make the disclosure directly to the Public Interest Commissioner (as appointed by the Legislative Assembly) and advise the Commissioner that the disclosure has not been made to the employee's supervisor, the superintendent, board chairman, or his/her designate for the purposes of commencing an investigation.
3. All complaints will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law.
4. Adverse personnel action or reprisals will not be taken against an employee for seeking advice from their supervisor, related to reporting, and/or for reporting of information pursuant to this policy, provided the reporting employee has acted reasonably and in good faith
5. This policy does not immunize an employee from the consequences of his/her own actions, if such actions do not constitute reasonable and good faith disclosure in filing his/her report.
6. Reports of wrongdoing must be in writing and must include, if known:
 - 6.1. a description of the wrongdoing;
 - 6.2. the name of the individual or individuals alleged to have committed (or about to commit) the wrongdoing;
 - 6.3. the date of the wrongdoing;
 - 6.4. whether a disclosure in respect of a wrongdoing has been made pursuant to the procedures established under section 5 by the department, public entity or office of the Legislature and whether a response has been received, and if so, a copy of the response;
 - 6.5. any additional information that may reasonably be require in order to investigate the matters set out in the disclosure; and
 - 6.6. any other information prescribed in the regulations.
7. Reports of wrongdoing must be signed by the individual making a complaint. Anonymous communications will not be responded to.