



POLICY

POLICY NO: 117 **APPROVAL DATE:** September 22, 2014
TITLE: Disclosure of Wrongdoing and Reprisal Protection Provisions
(formally known as the “Whistleblower Policy”) **REVISION DATE:** November 16, 2020
SECTION: Administration **PAGE 1 OF 4**
DEPARTMENT: Human Resources/City Manager

POLICY STATEMENT

The City of Grande Prairie (“City”) will not tolerate Wrongdoing or Reprisals against employees who report Wrongdoing and all employees have a duty to report suspected Wrongdoing. The City Manager will lead and advance a culture rooted in the highest ethical standards for employees.

REASON FOR POLICY

The purpose of this Policy is to establish an accessible process for employees and the general public to report Wrongdoing that is contrary to public interest, ensure all reports of Wrongdoing are investigated, and to protect from Reprisal those who are acting in good faith to the fullest extent possible.

RELATED INFORMATION

[Council Code of Conduct Bylaw C-1384.](#)
[Employee Code of Ethics and Conflict of Interest Policy 401.](#)

DEFINITIONS

Wrongdoing means serious actions that are contrary to the public interest including but not limited to:

- fraud;
- theft of City assets;
- waste (intentional or negligent mismanagement of City resources); and
- violation of Code of Ethics and/or Code of Conduct, conflict of interest or breach of trust.

Reprisal means any measure taken or threatened against an employee, as a direct result of disclosing or being suspected of disclosing an allegation of Wrongdoing and includes an action taken against those initiating or co-operating in an investigation into an alleged Wrongdoing.

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION PROVISIONS

This includes but is not limited to:

- disciplinary measures;
 - demotion;
 - suspension;
 - termination;
 - intimidation;
 - harassment; or
 - counselling someone to commit a Reprisal.
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GENERAL PROVISIONS

Confidentiality

The identity of individuals involved in an investigation, including the identity of an individual alleging Wrongdoing and the identity of an individual alleged to have committed Wrongdoing, will be protected to the fullest extent possible from Reprisal.

All reasonable efforts will be made to maintain confidentiality. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know and such disclosures shall be restricted to what must be disclosed to ensure a thorough, effective and complete investigation.

Internal

All employees who are aware that Wrongdoing has occurred are encouraged to immediately notify their Manager or Director. Employees who report Wrongdoing in good faith will be protected from Reprisal. Anonymous submissions received through the dedicated Disclosure of Wrongdoing submission form with sufficient specific information will be investigated.

Any employee who knowingly makes a false complaint in bad faith or who knowingly makes a false or misleading statement that is intended to mislead an investigation of a complaint, may be subject to disciplinary action up to and including dismissal as determined by the City Manager in consultation with Human Resources.

External

All reports of Wrongdoing from the general public that includes specific information involving an employee will be investigated in accordance with this Policy. Anonymous submissions received through the dedicated Disclosure of Wrongdoing submission form with sufficient specific information will be investigated.

Reports of Wrongdoing involving a member of Council will be subject to the process included in the Council Code of Conduct Bylaw.

Anonymous Reporting

Employees and the general public may remain anonymous when reporting suspected Wrongdoing. Providing contact information is optional.

Reporting will be through a Disclosure of Wrongdoing submission form accessible on the City's website.

Reports involving employees will be received by the City Manager.

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION PROVISIONS

Reports involving the City Manager and Directors will be received by the City Clerk.

Investigations

With the exception of allegations involving the City Manager and/or Directors, all disclosures of alleged Wrongdoing involving employees will be investigated by the City Manager depending on the nature and scope of the alleged Wrongdoing.

All disclosures of alleged Wrongdoing involving the City Manager and/or Directors will be received by the City Clerk who will notify the Mayor and the Deputy Mayor at the earliest opportunity. Council will determine whether to proceed with an investigation utilizing internal or independent third-party resources as they deem appropriate. All of Council will be informed of investigation findings.

All disclosures of alleged Wrongdoing involving Council will be investigated in accordance with the Council Code of Conduct Bylaw.

Right to Respond

The individual against whom allegations are being made will be given a reasonable opportunity to respond to those allegations as part of the investigation.

The right to respond is subject to any Collective Agreement provisions respecting the rights of employees in the disciplinary process.

Following an Investigation of Alleged Wrongdoing

Recommendations may be made in order to minimize future risk.

Disciplinary Action for Wrongdoing - If alleged Wrongdoing by an employee is substantiated through an investigation, the employee will be subject to disciplinary action up to and including dismissal as determined by the City Manager in consultation with Human Resources.

Wrongdoing involving the City Manager is subject to disciplinary action up to and including dismissal as determined by Council.

Tracking and Reporting

The City Manager will be responsible for bringing forward a report to Council before the end of January each year that provides the total number in the preceding year of:

- Wrongdoing reports involving employees;
- findings of Wrongdoing involving employees;
- open investigations involving employees; and
- closed investigations involving employees.

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION PROVISIONS

Reprisal Protection

No person shall take a Reprisal against an employee because the employee has:

- sought information or advice about making a disclosure about Wrongdoing;
- made a disclosure about Wrongdoing in good faith;
- acted in compliance with this Policy;
- initiated or co-operated in an investigation or other process related to a disclosure of Wrongdoing;
- appeared as a witness, given evidence or participated in any proceeding relating to the Wrongdoing, or is required to do so; or
- alleged or reported a Reprisal.

Reprisal protection cannot be extended to an employee whose identity cannot be confirmed.

Reporting and Investigating Reprisal

An employee who believes that they are subject of a Reprisal following a disclosure shall notify the City Manager or Manager of Human Resources immediately.

An employee informed of, or who becomes aware of a Reprisal against an employee, has a duty to notify the City Manager or Manager of Human Resources.

Allegations of Reprisal will be subject to investigation led by the City Manager. Investigations of alleged Reprisals involving Council be subject to the Council Code of Conduct Bylaw.

Following an Investigation of Reprisal

Where the investigation substantiates the allegations of Reprisals, the employee(s) involved will be subject to disciplinary action up to and including dismissal as determined by the City Manager in consultation with Human Resources.

RESPONSIBILITIES

City Council will review and approve any revisions to this Policy.

City Manager will review and approve any procedures related to this Policy

City Administration will carry out the policy based on established procedures.

[Disclosure of Wrongdoing Submission Form](#)