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<b>Department:</b>	Executive Team
<b>Approved by:</b>	Board of Directors
<b>Operational Lead:</b>	CEO
<b>Revision Date:</b>	January 22, 2021

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<b>Policy Number:</b>	EXC-001
<b>Accountability:</b>	Board of Directors
<b>Policy Origin Date:</b>	November 17, 2016
<b>Review Date:</b>	January 2023

**POLICY TITLE:**

# Disclosure of Wrongdoing, Rights and Protections (Whistleblower) Policy

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## 1 POLICY

1.01 Surrey Place is entrusted with the responsibility of providing the highest quality services, teaching, research and advocacy on behalf of the children, youth, adults and families we serve. We must ensure that the highest standards of business and ethical conduct, integrity and professionalism are modelled in fulfilling our responsibilities. As such Surrey Place promotes a culture of transparent, open and honest communication and is committed to protecting individuals who report in good faith and/or file a complaint regarding:

- a) Serious violations of the Code of Conduct, other Surrey Place policies, legislation and regulations
- b) Criminal, illegal and/or fraudulent activities
- c) Unethical or dishonest behaviour
- d) Financial or operational impropriety

1.02 Accordingly, confidential versus anonymous reporting is encouraged in order to facilitate an effective and timely investigation and to ensure appropriate action is taken.

## 2 PURPOSE

2.01 The purpose of this Statement of Policy and Procedure is to establish the expectations and conditions for the reporting and/or addressing: serious violations of the Code of Conduct, other Surrey Place policies, legislation and regulations; criminal, illegal and/ or fraudulent activities; unethical or dishonest behaviour; and financial or operational impropriety.

## 3 SCOPE

3.01 This policy applies to any current or former Surrey Place Board member, employee, contractor, subcontractor, agent, volunteer, student, vendor, donor or member of the general public.

## 4 RESPONSIBILITY

- 4.01 The CEO or Board Executive Committee is responsible for:
- a) Determining whether the complaint applies to this policy or is better referred to another organizational policy or collective agreement process
  - b) Determining whether a third party independent investigation is required
  - c) Investigating and resolving all reported complaints and allegations concerning: serious violations of the Code of Conduct, other Surrey Place policies, legislation and regulations; criminal, illegal and/ or fraudulent activities; unethical or dishonest behaviour; and financial or operational impropriety. Individuals who are not comfortable reporting concerns to the CEO may report them to the Board Executive Committee.
  - d) Maintaining the confidentiality of all complaints, to the extent possible, and retaining appropriate records of complaints
  - e) Providing appropriate briefings to the Surrey Place Ethics Committee, Board Quality Assurance Committee or other bodies as appropriate for continuous improvement e.g. external auditors, legal counsel and funding bodies.
- 4.02 Senior Management (Directors, Vice-Presidents) are responsible for reporting all written complaints to the CEO or Board Executive Committee.
- 4.03 Complainants are responsible for reporting all concerns in accordance with this policy.
- 4.04 The Board of Directors are responsible for receiving appropriate updates on all written complaints from the CEO or Board Executive Committee and responding to any appeals of complaint findings.

## 5 DEFINITIONS

- 5.01 **Complainant:** Any current or former Board member, employee, contractor, subcontractor, agent, volunteer, student, vendor, donor or member of the general public
- 5.02 **Retaliation:** Any direct or indirect detrimental action threatened or taken against an individual
- 5.03 **Whistleblower:** Any current or former Board member, employee, contractor, subcontractor, agent, volunteer, student, vendor, donor or member of the general public who has reported a whistleblower incident
- 5.04 **Whistleblower incident:** Any concern related to: serious violations of the Code of Conduct, other Surrey Place policies, legislation and regulations; criminal, illegal and/or fraudulent activities; unethical or dishonest behaviour; and financial or operational impropriety.

## 6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

- 6.01 Conflict of Interest Policy

## 7 PROCEDURES

### Duty to Report Misconduct

- 7.01 It is the duty of any current or former Board member, employee, contractor, subcontractor, agent, volunteer, student, vendor, donor or member of the general public to report misconduct or suspected misconduct, including fraud and financial impropriety to the CEO or Board Executive Committee. This includes misconduct such as but not limited to:
- a) Providing false or misleading information or withholding material information on Surrey Place's financial statements, funder reports, corporate filings or other public documents
  - b) Pursuit of material benefit or advantage in violation of Surrey Place's Conflict of Interest Policy
  - c) Misappropriation or misuse of Surrey Place resources such as funds or assets
  - d) Unauthorized alteration, manipulation, or deletion of electronic records
  - e) Unethical or unprofessional behavior at work (such as yelling, swearing etc.)
  - f) Intimidation or pressure to perform a work task, which may be contrary to organizational policy, professional values or obligations

### Acting In Good Faith

- 7.02 Anyone filing a complaint alleging misconduct must act in good faith and have reasonable grounds for believing the information disclosed indicates wrongdoing.
- 7.03 Making allegations that prove not to be substantiated:
- a) Will not result in disciplinary action when the complainant acts in good faith
  - b) Which prove to have been made maliciously or knowingly to be false may result in disciplinary action up to and including termination of employment

### No Retaliation

- 7.04 No current or former Board member, employee, contractor, subcontractor, agent, volunteer, student, vendor, donor or member of the general public who makes a report in good faith shall suffer retaliation.
- 7.05 Retaliation means any direct or indirect detrimental action threatened or taken against an individual. Anyone who is found to have retaliated against someone who has made a report in good faith may be subject to discipline up to and including termination.

### Reporting Concerns

- 7.06 In most cases, an employee or volunteer's supervisor, or organizational contact is in the best position to address an area of concern.
- 7.07 If the complainant is not comfortable speaking with her or his direct organizational supervisor or contact, the individual is encouraged to raise concerns to more Senior

Management (Directors, Vice-Presidents) or Human Resources. Senior Management is required to report all suspected misconduct in writing to the CEO or Board Executive Committee.

- 7.08 If the complainant is not comfortable reporting concerns to more senior management, the individual is encouraged to raise their concerns in writing to the CEO or Board Executive Committee.

Dr. Terri Hewitt, CEO  
[terri.hewitt@surreyplace.ca](mailto:terri.hewitt@surreyplace.ca)

Board Executive Committee  
[BoardExecutiveCommittee@surreyplace.ca](mailto:BoardExecutiveCommittee@surreyplace.ca)

- 7.09 If the complainant is not comfortable reporting concerns to the CEO or Board Executive Committee, the individual may report their concerns to the Government of Ontario's ReportON email or phone line at [reportONdisability@ontario.ca](mailto:reportONdisability@ontario.ca) or 1-800-575-2222

### Investigating Concerns

- 7.10 The CEO or Board Executive Committee will strive to respond to all written concerns in writing within ten business days of receipt.
- 7.11 If an anonymous complaint is received and the complainant is not willing to come forward the CEO or Board Executive Committee may be limited in their ability to conduct a thorough investigation.
- 7.12 All complaints will be kept confidential, to the extent possible, and information will be shared strictly on a need-to-know basis in conducting an investigation.
- 7.13 The CEO, Board Executive Committee or appointed investigator will have the authority to access information as needed to complete a thorough investigation.
- 7.14 The CEO or Board Executive Committee will strive to complete investigations within 30 business days of receipt of written concerns and will provide a summary of findings as appropriate to the parties involved and to the Board of Directors.
- 7.15 Should the Board or CEO be implicated in a complaint, a third party may be retained to investigate the complaint.

### Reporting of Retaliation

- 7.16 Individuals who believe that retaliatory action has been taken against them because they have reported misconduct should forward all information and documentation to support their complaint to the CEO or Board Executive Committee, depending on the circumstance.
- 7.17 Reports of retaliation will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
- 7.18 If the result of the investigation indicates there is a credible case of retaliation or threat of retaliation, the CEO or Board Executive Committee will refer the findings to the Board and recommend measures to safeguard the interests of the complainant.
- 7.19 The CEO or Board Executive Committee may recommend disciplinary action to be taken against the retaliator and the Board will make a decision on the appropriate action to be taken.

- 7.20 If the investigation reveals no credible case of retaliation or threat of retaliation, the complainant will be advised of other informal mechanisms for conflict resolution.
- 7.21 Regardless of the outcome, the complainant will receive the outcome of the investigation in writing from the CEO or Board Executive Committee and the Board will be informed of the outcome.

**Appeal Procedure**

- 7.22 Should the complainant not be satisfied with the findings of the CEO or Board Executive Committee, he or she may make a direct appeal in writing to the Board of Directors within 20 business days of the receipt of the written findings of their investigation.
- 7.23 The ruling from the Board of Directors will constitute the final disposition of the complaint.

**8 ATTACHMENTS**

8.01 None Noted

**9 REVISION HISTORY**

<b>Date Reviewed</b>	<b>Reviewer (Director or designate)</b>	<b>Comments</b>
05-Apr-19	Director, Q, RM, DS & AS	Updated P&P template, no content changes
29-Oct-19	Coordinator, Special Projects	Updated 7.08 Board Executive Committee
2-Nov-20	Manager, Data & Analytics	Updated 7.08 CEO
22-Jan-20	Manager, Data & Analytics	Updated Board contact information