SAFE DISCLOSURE POLICY

[Organization Name] emphasizes honesty, integrity, respect, and ethical conduct, and expects all employees working on its behalf to uphold these principles. The goal of this policy is to lay out the organization's expectations for those who detect fraud or other criminal activities, specifically at their place of employment.

Unfavourable publicity as a result of criminal or unethical behaviour is detrimental to an organization and its operations. Such issues, if unresolved, can continue for a long period of time and it then becomes extremely difficult for a company to recover their reputation and, in general, trust within the organization.

As such, [Organization Name] has put into place this Safe Disclosure Policy as a way to immediately investigate, correct, and improve any conditions at the organization that are criminal and/or dangerous to a person’s health and safety or the organization’s standing and reputation.

Note: in this policy, “Safe disclosure” and “whistleblowing” have the same meaning.

## SCOPE

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This policy applies to all employees, agents, contractors, volunteers, and any others acting on behalf of [Organization Name] or doing business with [Organization Name].

## DEFINITIONS

“Whistleblower” means “a person, generally an employee, who informs law authorities about business malpractice, usually in their organization."

“Whistleblowing” means “the act of an employee revealing misconduct when they consider that the public interest is being hurt by the action and is more important than the organization's interests.”

“Good faith” refers to reporting made for the purpose of remedying the condition and not for a frivolous, vexatious or extraneous purpose.

**Legislation**

Threats and retaliation against employees

* **425.1** **(1)** No employer or person acting on behalf of an employer or in a position of authority in respect of an employee of the employer shall take a disciplinary measure against, demote, terminate, or otherwise adversely affect the employment of such an employee, or threaten to do so,
  + **(a)** with the intent to compel the employee to abstain from providing information to a person whose duties include the enforcement of federal or provincial law, respecting an offence that the employee believes has been or is being committed contrary to this or any other federal or provincial Act or regulation by the employer or an officer or employee of the employer or, if the employer is a corporation, by one or more of its directors; or
  + **(b)** with the intent to retaliate against the employee because the employee has provided information referred to in paragraph (a) to a person whose duties include the enforcement of federal or provincial law (Source: [Criminal Code of Canada](https://laws-lois.justice.gc.ca/eng/acts/c-46/page-90.html)).

POLICY

This policy provides a mechanism through which [Organization Name] employees can confidentially and anonymously disclose suspected fraud, irregularities, or unethical conduct that they have witnessed, or have otherwise obtained information about or evidence of, in the process of performing their roles and responsibilities at [Organization Name].

[Organization Name] feels that whistleblowing is an important aspect of a transparent workplace. All incidents of whistleblowing should be done in good faith in order to reveal significantly illegal and/or corrupt acts. The organization will ensure that employees who report such conduct will be protected from any reprisal or threats when the disclosures are made in good faith.

Generally, safe disclosure occurs in any of the following areas:

* Theft
* Fraud
* Embezzlement
* Forgery or alteration of documents or data
* Health and Safety
* Harassment
* Victimization
* Workplace Violence
* Discrimination
* Employee/Management issues
* Policy Breaches
  + Note: this list is not exhaustive and there are other subjects that can be brought forward under the Safe Disclosure Policy and/or the open door process.

This policy is in addition to and does not replace the rights or responsibilities of an individual under law, their employment contract, or professional ethics.

### Confidentiality

### All employees involved in an investigation of fraud, irregularity, or misconduct must keep the details and results of the investigation confidential, in order to safeguard and protect the rights of those involved in the allegations, and preserve the legal validity of all evidence collected.

[Organization Name] will protect the confidentiality of individuals and events under investigation, except where disclosure is required by law.

### Health and Safety Concerns

Occupational health and safety regulations protect employees who report harmful activities or health concerns. It is in the public interest to have this protection available, as dangerous behaviours can result in injury or even death.

Health and safety concerns will be brought forward to the health and safety committee and will be investigated, with thorough records kept of the results of any investigations. As needed, the stop work process will be used in order to stop any work that is unsafe, in line with the right to refuse unsafe work under occupational health and safety regulations. Employees are invited to bring any complaints concerning health and safety forward to their worker member of the health and safety committee. All complaints received in good faith will be investigated by the health and safety committee.

Violence or Harassment

Any accusations or whistleblower revelations will be investigated under [Organization Name]’s Violence and Harassment policies, following the complaint process. In any cases where the alleged perpetrators consist of [Organization Name]’s management, an external third party will be brought forward to conduct an impartial investigation.

### Securities

Individuals are encouraged to report major violations of securities or other securities-related wrongdoing under [Insert Province]’s *The Securities Act and The Commodity Futures Act*.

### Criminal Activity

Whistleblowers who provide the authorities with knowledge on criminal activities are protected under the Criminal Code of Canada, as per the legislation above.

Possible Exceptions to Whistleblower Protections

If the issue disclosed involves personal or personnel matters, an employee will generally not be entitled to the same protections as a whistleblower. These matters will be resolved using the open-door complaint process.

[Organization Name] will not penalize employees who bring forward a false complaint if it was done in good faith. Employees who use the whistleblowing process for personal gain will be subject to corrective action, up to and including termination of employment.

Enforcement

Any violations of this policy may result in disciplinary action, up to and including termination of employment. If an employee has any questions or concerns about this policy, they should contact the [Insert person] for clarification.