

## **POLICY STATEMENT**

The Nipissing-Parry Sound Catholic District School Board (NPSCDSB) is committed to fostering an organizational culture that operates with a high degree of honesty, accountability, ethics, transparency and integrity within all of its activities. It is equally committed to safeguarding the public interest and trust in public education while acting in accordance with all applicable legislation and regulatory requirements, as well as the Board's existing policies. All internal and external stakeholders of the NPSCDSB are expected to uphold the public trust and demonstrate integrity in all dealings.

### **1. PURPOSE**

The purpose of the **Safe Disclosure Policy** is to provide a framework through which members of the NPSCDSB community and the public may confidentially disclose, in good faith, any improper conduct that goes against the principles fundamental to the Board as stated above and include: honesty, accountability, ethics, transparency and integrity (hereinafter referred to as a "disclosure").

This policy also protects and supports anyone making such disclosure from reprisals against them. Additionally, this policy outlines the process by which disclosure is made and issues are investigated.

This policy is intended to operate alongside other policies of the NPSCDSB and its legal requirements, to provide accountability when a disclosure is made. This Safe Disclosure policy compliments existing policies and processes that deal with misconduct. In the case of a conflict between the provisions of this policy and those of applicable law or an Alternate policy, the provisions of the law or Alternate policy shall prevail.

### **2. SCOPE**

This policy applies to all members of the NPSCDSB community. This includes all individuals or organizations engaged in education or other activities while on NPSCDSB premises or representing the NPSCDSB. The Director of Education is responsible for this policy.

Disclosure may be made concerning misconduct by any member of the NPSCDSB community. This includes all NPSCDSB, employees, volunteers including members of the Board of Trustees, and third parties on contract with the NPSCDSB.

Situations where there is an imminent threat to personal safety or to the NPSCDSB's property must be reported immediately to the Director's Office, or to the North Bay Police Service.

#### **2.1. Activities In Scope**

Activities that may be the subject of a disclosure under this policy include, but are not limited to the following:

- A. Violations of policies, procedures or legislation.
- B. Criminal offences as defined in the Criminal Code of Canada.

- C. Financial misconduct, including but not limited to:
  - Fraud, misappropriation of funds, theft, or misuse of NPSCDSB assets.
  - Forgery, alteration or unauthorized destruction of NPSCDSB documents.
  - Acceptance or seeking anything of material value from contractors, vendors or persons seeking to become suppliers to the NPSCDSB (with the exception of free samples of teaching materials).
  - Authorizing or receiving payments for goods or services not received or performed.
  - Falsification of employee or contractor expenses submitted to the NPSCDSB.
- D. Research misconduct.
- E. Making false or misleading statements.
- F. Undisclosed conflicts of interests.
- G. Retaliation or reprisals for making a good faith disclosure under this policy.

## 2.2. Out of Scope

This policy shall not limit or supersede any legal requirements. Nothing in this policy is intended to limit, amend, or replace any existing Alternate policy, or any collective agreement binding upon the NPSCDSB.

For further guidance on reporting suspected issues under each of these areas, please consult the relevant Alternate policy in Section 13 of this policy.

## 3. SAFE DISCLOSURE PROCESS

Any member of the NPSCDSB community or the public who has information and reasonable grounds to believe there has been improper conduct pertaining to the NPSCDSB is encouraged to make disclosure.

- 3.1. Employees of the NPSCDSB should make a disclosure to their immediate supervisor. If it is inappropriate to make a disclosure to the immediate supervisor, the employee may make the disclosure to the Director of Education.
- 3.2. No matter to whom it is initially disclosed, any report of financial misuse or misconduct shall be referred to the Director of Education's office.
- 3.3. Students and members of the public may make a disclosure directly to the Director of Education. Disclosures may be sent via email to [director@npsc.ca](mailto:director@npsc.ca) or mailed to:

Director of Education  
Nipissing-Parry Sound Catholic DSB  
1000 High Street  
North Bay, Ontario P1B 6S6

- 3.4. Misconduct by the Director of Education of NPSCDSB should be disclosed to the Chair of the Board of Trustees.
- 3.5. The person receiving the report will provide a written acknowledgement of such to the person who submitted the report.

#### **4. CONFIDENTIALITY**

The NPSCDSB will exercise reasonable efforts to keep the details disclosed confidential and to protect the identity of the individual making disclosure. Confidentiality cannot be guaranteed.

#### **5. REPRISAL OR RETRIBUTION**

The NPSCDSB shall make every effort to ensure that an individual who, in good faith, makes a report under this policy is protected from harassment, retaliation or adverse actions and/or results.

Any reprisal, retaliation or threats of retribution made by any member of the NPSCDSB community against an individual who has made a disclosure will not be tolerated. The NPSCDSB will investigate and take appropriate action to address allegations of reprisal. Any individual found to have engaged in such reprisal or retribution will be subject to sanctions or disciplinary actions.

#### **6. TIMEFRAME FOR REPORTING**

Disclosure should be made as soon as possible to facilitate a full investigation. While timely disclosure is strongly encouraged, there is no time limit for reporting.

An investigation will commence within ten (10) business days of the report being made and will be completed in a timely manner.

#### **7. INVESTIGATION PROCESS**

The NPSCDSB will conduct a preliminary assessment to determine whether the facts disclosed, if true, would give rise to a breach of NPSCDSB policy or of the law. If so, the matter will normally be investigated. Exceptions may occur if the circumstances make it impossible to conduct a fair and thorough investigation, or if no remedial purpose would be served by conducting an investigation.

The NPSCDSB may choose to hire a third party to support investigation or investigate the matter internally.

If misconduct is substantiated, the NPSCDSB will take steps to not only implement any required sanctions or legal action but also take measures to review and assess the need for process improvements.

The NPSCDSB will share appropriate information with the individual who made the disclosure, once the process is complete.

#### **8. FRIVOLOUS REPORTING**

If the NPSCDSB determines that a report made by a member of the NPSCDSB community was not made in good faith, which is knowingly false, frivolous or made with vexatious or malicious intent, the individual may be subject to appropriate sanctions which could include disciplinary and legal action.

#### **9. ANONYMOUS REPORTING**

The NPSCDSB will accept anonymous disclosure, however, being recognized that anonymity may limit the ability to investigate a matter.

## 10. REPORTING OF DISCLOSURE

The Director of Education shall provide the Board of Trustees with appropriate ongoing and timely information about disclosures that have been made and their resolution.

The Board of Trustees shall receive an annual monitoring report of any disclosures made, their resolution, and any mitigation steps taken as a result of such disclosures in accordance with Executive Limitations (EL) 6 policy: Organizational Integrity.

## 11. RESPONSIBILITIES

### 11.1. Director of Education:

- i. To oversee compliance with the Safe Disclosure policy.
- ii. To acquire external services as deemed necessary.
- iii. To report to the Board of Trustees on an annual basis of disclosure reports received and the outcome.
- iv. To assign any complaint to the appropriate reviewer while ensuring the integrity of the process and the privacy of the individuals involved.
- v. To ensure that timelines outlined in the policy are adhered to.

### 11.2. Senior Administration:

- i. To promote system awareness and compliance with this policy, including annual communication through posting on the website under 'policies', staff training and through school administrators.
- ii. To forward any reports under this policy to the Director of Education.

### 11.3. Administration:

- i. To support implementation and maintenance of operational procedures in order to safeguard NPSCDSB assets in its day-to-day operation.
- ii. To forward any reports under this policy to the Director of Education.

### 11.4. NPSCDSB Students, Staff, Volunteers and Other Stakeholders:

- i. To make a report under this policy if they have reason to believe that misconduct has occurred.

## 12. REVIEW OF THE POLICY

The Board will review this policy as often as is necessary, but at least bi-annually.

## 13. ALTERNATE POLICIES

- PB 10.0 Collection, Protection of and Access to Personal Information of Private Individuals and/or Employees
- AS 29.0 Code of Conduct (Safe Schools, Section R)
- PB 25.0 Workplace Sexual Harassment Policy
- AG 36.0 Workplace Harassment Policy

- AG 37.0 Workplace Violence Policy
- PB 13.0 Hiring, Tenure, Demotion, Suspension and Dismissal of All Staff
- Collective Agreements:
  - Canadian Union of Public Employees
  - Canadian Office and Professional Employees Union
  - Ontario English Catholic Teachers Association
    - Nipissing Elementary Unit
    - Nipissing Secondary Unit
    - Nipissing Occasional Teachers' Bargaining Unit
- Terms and Conditions of Employment – applicable employee groups

#### **14. ADDITIONAL REFERENCES**

- Education Act, RSO 1990, c. E.2, and regulations thereunder
- Human Rights Code, RSO 1990. C. H.19
- Occupational Health and Safety Act, RSO 1990, c. O.1
- Municipal Freedom of Information and Protection of Privacy Act, RSO 1990, c. M.56
- Criminal Code, RSC 1985, c C-46