

HORIZON SCHOOL DIVISION NO. 67 POLICY HANDBOOK	Policy Code:	GBA
	Policy Title:	Public Interest Disclosure
	Cross Reference:	GAA, JB
	Legal Reference:	Public Disclosure (Whistle Blower Protection Act)
	Adoption Date	February 25, 2014
	Amendment or Re-affirmation Date:	June 23, 2025

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 WHEN MAKING GOOD FAITH REPORTS OF ANY UNLAWFUL OR IMPROPER CONDUCT WITHOUT THE FEAR OF RETALIATION.

DEFINITIONS

Act means the *Public Interest Disclosure (Whistleblower Protection) Act*, and any regulations thereunder.

Chief Officer means the Superintendent of Schools, as per the Act, with overall responsibility for procedures related to the Act.

Commissioner refers to the Office of the Public Interest Commissioner.

Designated Officer is the individual designated by the Chief Officer with responsibility for the management and investigation of any disclosure under the Act.

Disclosure means informing an appropriate person about wrongdoing or believed wrongdoing of another Division employee or related official.

Employee refers to an individual employed by the Horizon School Division who makes a disclosure under the Act, or an individual who is no longer employed by the Horizon School Division and has suffered reprisal.

Reprisal means any of the following measures taken or directed against an employee because the employee has, in good faith, sought advice about making a disclosure, made a disclosure, co-operated in an investigation under the Act or the procedures, declined to participate in a wrongdoing or done anything in accordance with the Act or the procedures:

- dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of job location, reduction in wages, change in hours of work or reprimand;
- any measure, other than one mentioned in (i) above, that adversely affects the employee's employment or working conditions (e.g. harassment); or
- a threat to take any of the measures mentioned in (i) or (ii) above.

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Wrong doing means an act that falls into one or more of the following:

- contravention of an act or a regulation of Alberta or Canada;
- an act or omission that creates:
 - 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
 - a substantial and specific danger to the environment;
- gross mismanagement (deliberate omission or reckless or willful disregard for proper management) of:
 - public funds or a public asset;
 - the delivery of a public service; or
 - employees, by a pattern of behaviour or conduct of a systemic nature that indicates a problem in the culture of the organization relating to bullying, harassment or intimidation; or
- knowingly directing or counseling an individual to commit a wrongdoing as identified above.

GUIDELINES

1. This policy applies to all Horizon employees.
2. The Chief Officer shall:
 - 2.1. establish and maintain, in accordance with the Act, written procedures for managing and investigating disclosures;
 - 2.2. appoint a Designated Officer to manage and investigate disclosures under the Act;
 - 2.3. ensure Freedom of Information and Protection of Privacy Act Regulations are followed with regard to access of information limitations;
 - 2.4. receive recommendations resulting from investigations;
 - 2.5. fulfill the annual reporting requirements; and
 - 2.6. ensure employee awareness of the Act, this policy and the disclosure procedures.
3. The Associate Superintendent of Human Services shall act as the Designated Officer and will manage and investigate disclosures, in accordance with the Act, this policy, and shall:
 - 3.1. assisting employees who wish to report a suspected wrongdoing;
 - 3.2. be responsible for conducting screening and preliminary analysis of disclosures;
 - 3.3. impartially assess each report to determine whether it is a disclosure under this regulation;
 - 3.4. assessing reports of suspected wrongdoing and determining if there are sufficient grounds to warrant further action;
 - 3.5. determine the nature and the scope of the investigative process;

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- 3.5.1. The designated officer is not required to investigate a disclosure or, if an investigation has been initiated, may discontinue the investigation if more than 2 years has passed since the date that the wrongdoing was discovered;
 - 3.6. either personally conduct or oversee, manage and coordinate the investigation of disclosures;
 - 3.7. ensure that any individual assigned to review or investigate an alleged wrongdoing is impartial and has no potential, perceived or real conflict of interest;
 - 3.8. determining what actions must be taken to address the suspected wrongdoing, including providing a report to the Chief Officer or to outside law enforcement, where necessary;
 - 3.9. follow up of any disciplinary action, or corrective measures taken;
 - 3.10. implementing measures to protect witnesses, and employees who report suspected wrongdoing in good faith from reprisals to the extent possible; and
 - 3.11. making recommendations for consequences if a complaint or allegation is filed maliciously or in bad faith;
4. Supervisors shall
- 4.1. be open and accessible to employees who express concern about suspected wrongdoings;
 - 4.2. protect employees involved in a disclosure of wrongdoing from possible reprisal;
 - 4.3. upon receiving the report, refer the employee to the Designated Officer or the Public Interest Commissioner;
 - 4.4. cooperate with investigations; and
 - 4.5. protect employees who report suspected wrongdoings from reprisals.
5. An employee who is considering making a disclosure may request information or advice from the employee's supervisor, Designated Officer, or Chief Officer, or from the Commissioner.
6. An employee who perceives a wrongdoing has been committed, is about to be committed, or has been asked to commit a wrongdoing, may report the perceived wrongdoing to the Designated Officer or the Public Interest Commissioner.
7. Employees shall:
- 7.1. submit reports of wrongdoing, in writing.
 - 7.1.1. Submissions should be made by completing the current Public Interest Disclosure Reporting Form (see attached)
 - 7.1.1.1. Reports containing the same information but not via the form may be accepted.

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- 7.1.2. Reports of wrongdoing must be signed by the individual making a complaint.
 - 7.1.2.1. If an allegation of wrongdoing has been made anonymously or by an individual who is not an employee, the designated officer may, as the designated officer considers appropriate,
 - 7.1.2.1.1. investigate and report the matter in the same manner as a disclosure, or
 - 7.1.2.1.2. refuse to investigate.
- 7.2. participate in investigations as required and cooperate fully with the Designated Officer or any investigators appointed by the Designated Officer;
- 7.3. maintain strict confidentiality of any information related to, or arising out of, a disclosure;
- 7.4. make disclosures of wrongdoing in good faith and based on reasonable grounds;
- 7.5. refrain from engaging in reprisal against an individual for:
 - 7.5.1. making a report of wrongdoing;
 - 7.5.2. cooperating with an investigation of wrongdoing; or
 - 7.5.3. refusing to commit a wrongdoing.
- 8. Individuals engaged in the investigation of an alleged wrongdoing will not include any individuals who have a potential, perceived or real conflict of interest to the matter being investigated.
- 9. Information collected during the course of a disclosure investigation will be kept confidential according to the limits outlined by the Act and as applicable in the Framework.
- 10. All employees who have knowledge of, or are participants in, an investigation pursuant to this regulation shall keep the details and results of the investigation confidential.
- 11. No action lies against the division, or an employee, for making a reasonable human services decision in good faith.

REGULATIONS

- 1. Reporting wrongdoing
 - 1.1. This process does not normally apply to concerns and, or complaints addressed through other regulations and processes including, but not limited to, grievance procedures and reporting procedures for workplace violence, harassment, Code of Conduct and occupational health and safety.

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- 1.1.1. An employee who perceives a wrongdoing has been committed or is about to be committed may seek advice from and or report the perceived wrongdoing to the Designated Officer or the Commissioner.
 - 1.1.1.1. An employee who intentionally makes a false, bad faith or vexatious report will suffer appropriate consequences, up to and including termination of employment.
- 1.1.2. Should the disclosure be related to the Designated Officer, it may be reported to the Chief Officer or the Commissioner.
- 1.1.3. A disclosure may be reported directly to the Commissioner if:
 - 1.1.3.1. the disclosure is believed to be a matter of imminent risk of a substantial or specific nature to the life, health or safety of individuals or to the environment,;
 - 1.1.3.2. the disclosure involves the Chief Officer or Designated Officer;
 - 1.1.3.3. the disclosure has been made and not resolved within the specified time periods or according to procedures; or
 - 1.1.3.4. the employee is not satisfied with the resolution of a completed investigation.
- 1.1.4. All reports of wrongdoing must be made in writing, and may be completed using the Public Disclosure Form. Reports are to be submitted to either:
 - 1.1.4.1. Electronically via email, or
 - 1.1.4.2. Horizon School Division
6302 56 Street
Taber, AB T1G 1Z9
ATTENTION: Associate Superintendent of Human Services (CONFIDENTIAL)
- 1.1.5. Reports shall be made in good faith, on a timely basis and based on reasonable grounds. Deliberately false or vexatious allegations are serious offences and will be dealt with accordingly.

2. Investigating Wrongdoing

- 2.1. All disclosures received through the processes in this policy shall be appropriately reviewed and evaluated for possible investigation, in accordance with this regulation and the Procedures by the Designated Officer.
- 2.2. The Designated Officer may consult with the Chief Officer or the Commissioner before launching an investigation.
- 2.3. Information collected during the course of an investigation shall be kept confidential according to the limits outlined by the Act, the *Alberta Freedom of Information and Protection of Privacy Act* and the Procedures.

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- 2.4. In cases where the disclosure is of imminent risk to the life, health or safety of individuals or the environment, the Designated Officer must report such matters to:
 - 2.4.1. an appropriate law enforcement agency;
 - 2.4.2. the Chief Medical Officer of Health, in the case of a health-related matter; or
 - 2.4.3. the department, public entity or office responsible for managing, controlling or containing the risk;
- 2.5. In circumstances where the Chief Officer or Designated Officer has reason to believe that an offence has been committed under a statute or regulation, the offence will be reported to a law enforcement agency or other appropriate agency. In such cases, the investigation into the matter will be suspended until procedures of the other agencies are complete.
- 2.6. If more than one disclosure of wrongdoing or complaint of reprisal is received by a designated officer in respect of the same matter, a single investigation may be conducted.

3. Communicating and Reporting

- 3.1. The Designated Officer shall in writing:
 - 3.1.1. Within five (5) business days of receipt of the disclosure, acknowledge receipt to the disclosing employee.
 - 3.1.2. Within twenty (20) business days of receipt of the disclosure, notify the disclosing employee of the decision as to whether an investigation is required.
 - 3.1.3. Within 120 business days of receipt of the disclosure, report the findings of the investigation to the Chief Officer and the disclosing employee.
 - 3.1.3.1. The Chief Officer may extend the above time limits provided that the overall time period for investigation and the provision of a report is not extended for more than thirty (30) business days.
 - 3.1.4. Prepare a report for the Chief Officer, that includes the following details related to the investigation of each disclosure:
 - 3.1.4.1. date of report;
 - 3.1.4.2. executive summary;
 - 3.1.4.3. name of the person who made the disclosure of the wrongdoing;
 - 3.1.4.4. date the disclosure was received;

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- 3.1.4.5. a copy of the disclosures;
- 3.1.4.6. date of acknowledgement of the receipt of the disclosure;
- 3.1.4.7. date on which the Chief Officer was advised;
- 3.1.4.8. date, if any, of referral to the Commissioner or other agency;
- 3.1.4.9. date of appointment of investigator;
- 3.1.4.10. date investigation was commenced and completed;
- 3.1.4.11. names of all persons interviewed;
- 3.1.4.12. table of documentary and other evidence;
- 3.1.4.13. time frame of investigation;
- 3.1.4.14. findings of fact with reference to sources and rationale for the findings;
- 3.1.4.15. all interview notes or transcript of recording (may be a reference to a digital repository); and
- 3.1.4.16. recommendations of the Designated Officer regarding any corrective measures that Horizon should take.

3.2. The Chief Officer will report annually, and make available to the public, the following:

- 3.2.1. number of inquiries;
- 3.2.2. number of disclosures;
- 3.2.3. number of investigations; and
- 3.2.4. recommendations made.

4. Reprisals

- 4.1. All complaints of reprisals may be made by the affected employee directly to the Commissioner.
- 4.2. Reprisal against an employee who has disclosed a wrongdoing or who has cooperated in an investigation is grounds for disciplinary action.

DISCLOSURE OF WRONGDOING

This form is to assist you in providing information about a disclosure of wrongdoing. Your responses will assist in reviewing the matter under the Public Interest Disclosure (Whistleblower Protection) Act, and division policy. Please send this form directly to the Associate Superintendent of Human Services.

Information that you provide in this Disclosure form will be protected and kept confidential to the fullest extent possible subject only to the provisions of the Public Interest Disclosure (Whistleblower Protection) Act, and principles of fairness and natural justice.

Date Stamp
Received
Office Use
Only

General Contact Information

Name Title (Optional)

Mailing Address
City
Postal Code

Telephone
Work
Home
Cell/Other

E-mail (Optional)

Best Time to Contact Day ☐ Evening ☐ Weekend ☐

How do you wish to receive communication in regards to the Disclosure?

☐ I don't ☐ E-mail ☐ Telephone ☐ Mail

School or building

Current Organization if other than Employer

DISCLOSURE OF WRONGDOING

Information about the Disclosure of Wrongdoing

TYPE OF WRONGDOING

Which of the below applies to the Wrongdoing you are reporting?

- ☐ Contraventions of an Act or a Regulation of Alberta or Canada.
- ☐ An act or omission that creates a substantial and specific danger to the life, health or safety of individuals.
- ☐ An act or omission that creates a substantial and specific danger to the environment.
- ☐ Gross mismanagement of public funds or a public asset.
- ☐ Gross mismanagement of the delivery of a public service, including the management or performance of:
 - A contract or arrangement identified or described in the regulations, including the duties resulting from the contract or arrangement or any funds administered or provided under the contract or arrangement; and
 - The duties and powers resulting from an enactment identified or described in the regulations or any funds administered or provided as a result of the enactment.
- ☐ Gross mismanagement of employees, by a pattern of behaviour or conduct of a systemic nature that indicates a problem in the culture of the organization relating to bullying, harassment or intimidation.
- ☐ Knowingly directing or counselling an individual to commit a wrong doing mentioned above.

Please provide a description of the wrongdoing, including any applicable Acts or regulations. If necessary, please attach any available supporting documentation.

Please state the location where the wrongdoing took place or is about to take place

DISCLOSURE OF WRONGDOING

Please identify the date(s) on which the wrongdoing occurred, and if it is ongoing.

Have you reported this alleged wrongdoing to your supervisor or to any other person at your place of employment?

☐ Yes

☐ No

If yes, please identify who you reported to. Please include relevant dates and describe any actions or decisions taken as a result. If necessary, attach any supporting documentation.

To the best of your knowledge, has a Disclosure already been made in respect of this wrongdoing?

☐ Yes

☐ No

If yes, has a response been received? By whom? Be sure to include supporting documentation as necessary.

DISCLOSURE OF WRONGDOING

Please identify the person(s) alleged to have committed the wrongdoing or about to commit the wrongdoing.

Name Title (Optional)

School or facility

Work Address
City
Postal Code

Telephone Work

E-mail (Optional)

Name Title (Optional)

School or facility

Work Address
City
Postal Code

Telephone Work

E-mail (Optional)

Name Title (Optional)

School or facility

Work Address
City
Postal Code

Telephone Work

E-mail (Optional)

DISCLOSURE OF WRONGDOING

*Is there any additional information pertaining to the alleged wrongdoing you wish to provide?
Please attach any supporting documentation as necessary.*

Declaration

I believe that all the information provided is true and accurate to the best of my knowledge.*

_____	_____	_____
Name	Signature	Date

* Knowingly making a false or misleading statement is an offence pursuant to the Act, and division policy.

Please email this form to karen.rancier@horizon.ab.ca or you can mail directly to:

Horizon School Division
6302 56 Street
Taber, AB T1G 1Z9
ATTENTION: Associate Superintendent of Human Services (CONFIDENTIAL)