

HR.4.12	
WRONGDOING DISCLOSURE	
Section:	Human Resources (HR)
Subject:	Employment Rights and Obligations
Legislation:	<i>Public Interest Disclosure (Whistleblowers Protection) Act (SA 2012 cP-39.5); Public Interest Disclosure (Whistleblower Protection) Regulation (Alta. Reg. 71/2013); Public Interest Disclosure (Whistleblower Protection Amendment Regulation (Alta. Reg. 15/2018)); Freedom of Information and Protection of Privacy Act (RSA 2000 cF-25).</i>
Effective:	March 17, 2021
Revision:	March 7, 2023

APPROVED: _____
President and CEO

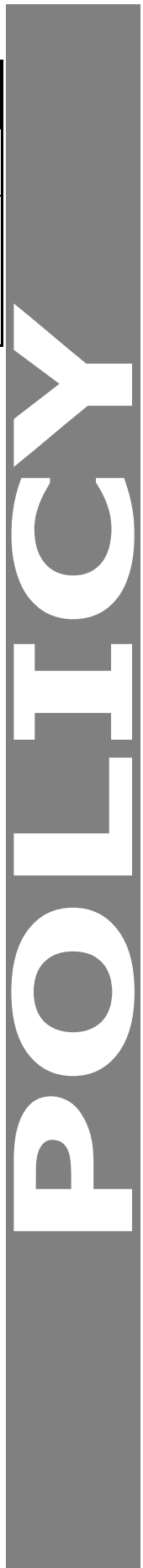
POLICY

The policy of the Board of Governors is that members of the SAIT community shall bring forward information concerning wrongdoing, and shall be treated fairly and without reprisal when doing so.

DEFINITIONS

- Chief officer** For the purpose of this procedure, SAIT’s president and CEO.
- Complainant** An individual who makes a disclosure of wrongdoing under this policy and its accompanying procedure.
- Designated officer** For the purpose of this procedure, SAIT’s associate vice president, employee services.
- Disclosure** A disclosure of wrongdoing made in good faith to SAIT or to the public interest commissioner in accordance with the PID Act or this procedure.
- Employee** A person employed on SAIT’s payroll, whether paid by annual salary or hourly wage, including contractors, consultants and volunteers. For the purpose of this procedure, it also includes an individual who had been employed on SAIT’s payroll but who has suffered a reprisal and is no longer employed by SAIT.
- Ethics hotline** The external service provider established for receiving complaints under this procedure.
- Good faith** Not frivolous or vexatious and without malicious intent.

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Gross mismanagement	<p>A deliberate act or omission that shows a reckless or wilful disregard for the proper management of:</p> <ul style="list-style-type: none">a) Public funds or a public asset;b) Delivery of a public service, including:<ul style="list-style-type: none">i) Management/performance of or administration of funds provided under a contract or arrangement set out in the PID Act’s regulations;ii) Duties/powers resulting from or the administration of funds provided under an enactment set out in the PID Act’s regulations; orc) Employees, through systemic conduct or a pattern of behaviour relating to bullying, harassment or intimidation.
PID Act	<p><i>Public Interest Disclosure (Whistleblower Protection) Act</i></p>
Public interest commissioner	<p>The public interest commissioner of Alberta, available by toll-free phone number 1-855-641-8659</p>
Reprisal	<p>Any of the following measures taken or threatened to be taken against an employee because the employee has in good faith sought advice about making a disclosure, made a disclosure, co-operated in an investigation pursuant to the PID Act or this procedure, declined to participate in suspected wrongdoing, or done anything in accordance with the PID Act or this policy:</p> <ul style="list-style-type: none">a) 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;b) Any other measure that adversely affects the employee’s employment or working conditions.
Respondent	<p>An individual alleged to have committed an act of wrongdoing under this policy and its accompanying procedure.</p>
SAIT community	<p>SAIT’s governors, employees, students, contractors, consultants, agents, and volunteers.</p>
Student	<p>A person currently enrolled in a SAIT program or course.</p>

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Wrongdoing

For the purpose of this policy, wrongdoing by SAIT, its schools/departments/units, and/or its employees includes:

- a) Contravening provincial or federal legislation or regulations;
- b) An act or omission creating:
 - i) A substantial and specific danger to the life, health or safety of individuals other than a danger inherent in the performance of the employee's duties or functions, or
 - ii) A substantial and specific danger to the environment;
- c) An act or omission of gross mismanagement (as defined above);
- d) An act of wrongdoing as set out in the PID Act's regulations; or
- e) Knowingly directing or counselling someone to commit an act of wrongdoing.

GOVERNING PRINCIPLES

1. SAIT is committed to the highest standards of ethical conduct in all of its activities. This means that:
 - a) SAIT encourages members of the SAIT community to disclose wrongdoings they know of or may reasonably suspect.
 - b) SAIT management is required to report disclosures made to them and to provide information and advice about this policy, its accompanying procedure and the *Public Interest Disclosure (Whistleblowers Protection) Act* to members of the SAIT community. This may include referring individuals to the Ethics Hotline, the designated officer or the public interest commissioner.
2. This policy does not apply to wrongdoing by students: this is addressed in policy [AC.3.4 Student Code of Conduct](#) and its accompanying procedures [AC.3.4.4 Student Non-Academic Conduct](#) and [AC.3.4.5 Behaviours of Concern](#).

PROCEDURE

1. SAIT's chief officer has designated the associate vice president, employee services, as the designated officer responsible for managing this policy and its accompanying procedure.

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The designated officer may appoint a designate for the purposes of receiving, responding to, assisting with and investigating disclosures to ensure the timely and efficient investigation of disclosures.

2. A member of the SAIT community who believes that wrongdoing has occurred or is reasonably likely to occur may immediately disclose this to a direct supervisor or member of management, the designated officer, SAIT's Ethics Hotline at www.sait.confidenceline.net or at 1-800-661-9675, or the Alberta Government's public interest commissioner (using the Public Interest Disclosure Report Form available on the public interest commissioner's website). Details on the information to be included in the disclosure are set out in procedure [HR.4.12.1 Wrongdoing Disclosure](#).
3. A member of the SAIT community who receives a disclosure as per paragraph 2 above must forward that disclosure to the designated officer within five days of receiving it.
4. Depending on the nature of the disclosure, the designated officer may take a variety of actions, including carrying out an investigation, obtaining further information from the complainant, suspending an investigation and sending the disclosure to another governing agency as per the provisions of the PID Act, reporting the wrongdoing to the Alberta Government or to law enforcement agencies, referring the disclosure to a more appropriate process or dismissing the disclosure.
5. The designated officer must advise the complainant that the disclosure has been received and whether or not an investigation will occur, within the timelines set out in procedure [HR.4.12.1 Wrongdoing Disclosure](#).
6. If the designated officer decides that an investigation is required, details on the investigative process are set out in procedure [HR.4.12.1 Wrongdoing Disclosure](#).
7. If a respondent is found to have committed an act of wrongdoing, corrective and/or disciplinary actions will be undertaken against that individual as per procedure [HR.4.4.1 Corrective Action Procedure](#). The PID Act outlines a variety of offences and associated fines that may also be applicable.
8. An individual who believes they have been subjected to reprisals may raise a complaint of reprisal following the procedures outlined above in relation to disclosures of wrongdoing or may submit their complaints directly to the public interest commissioner, as per paragraph 2 above.
9. An individual found to have committed or participated in an act of reprisal will be subject to the corrective and/or disciplinary actions as per procedure [HR.4.4.1 Corrective Action Procedure](#). The PID Act outlines a variety of offences and associated fines that may also be applicable.
10. A complaint made in bad faith or to purposely annoy, embarrass or harm the respondent may result in the complainant being subject to consequences as set out in procedure

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[HR.4.4.1 Corrective Action Procedure](#) or in procedure [AC.3.4.4 Student Non-Academic Conduct](#), as applicable.

11. Information concerning alleged wrongdoing or reprisal (including the identity of the complainant and other individuals involved) and any investigation of those matters will be kept confidential to the extent practicable and appropriate under the circumstances, and as permitted by law.
12. The chief officer is required to prepare an annual report, provide it to the chair of SAIT's Board of Governors Audit Committee, and include it in SAIT's Annual Report. Details on the contents of this report are set out in procedure [HR.4.12.1 Wrongdoing Disclosure](#).

DELEGATION OF AUTHORITY

1. SAIT's president and CEO may approve procedures that are consistent with and supplemental to this policy, including those that interpret or provide examples of expectations as described in this policy; establish additional expectations to supplement those described in this policy; establish processes for reporting, investigating and determining allegations; specify sanctions; and/or provide avenues of appeal.

POLICY/PROCEDURE REFERENCE

HR.4.12.1 Wrongful Disclosure procedure

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