



Policy	0-5.13
Approved By:	Board of Governors
Approval Date:	June 8, 2009
Amendment Date:	
Policy Holder:	Executive Director, Human Resources

MISCONDUCT REPORTING AND NON-RETALIATION POLICY

Purpose / Rationale

Camosun College is committed to the highest possible standards of openness, honesty and accountability in its dealings. The College seeks to create a climate in which individuals can responsibly raise concerns in good faith without fear of retaliation or discrimination. This policy is intended to protect individuals from retaliation or discrimination who on reasonable grounds raise concerns in accordance with this policy.

A "Whistle Blower" is any person who reports wrongdoing by an employee of the College to a person or entity that has the power to take corrective action. Members of the College community are strongly urged to report "Misconduct" which, for the purposes of this policy means conduct they have reason to believe may be a violation of a law, rule or regulation, or a threat to the public interest, such as fraud, health or safety violations, and corruption.

Scope

This policy applies to Misconduct of any employee of the College, whether reported to the College by another employee, a student or a member of the public.

Principles

1. Camosun College is committed to the highest possible standards of openness, honesty and accountability in its dealings.
2. The College seeks to create a climate in which individuals in good faith can responsibly report Misconduct without fear of retaliation or discrimination.
3. All members of the College community share responsibility to insure that the College meets these standards.
4. If an employee, student or member of the public has reason to believe that any employee of the College is engaged in Misconduct related to the College, that individual is encouraged to report the Misconduct:
 - i) where Misconduct is reported by another employee, to the supervisor of the employee in respect of whom Misconduct is reported or to another manager, who must report the Misconduct to a Director, Vice-President, or the President as appropriate; or
 - ii) where Misconduct is reported by a student or member of the public, to a Director, Vice-President or the President.

5. The College will not take or threaten adverse action against a Whistle Blower, and in particular will not fire, discipline, suspend, penalize, intimidate or coerce a person, who reports Misconduct under this policy.
6. The President must be advised of all reports of Misconduct made under this policy unless the report is of Misconduct on the part of the President, in which case the Chairman of the Board of Governors must be advised of such report.
7. In order to protect those accused of Misconduct, initial enquiries will be made by the Director, Vice-President or the President to whom the report of Misconduct is made under paragraph 5, to decide whether an investigation is appropriate and, if so, what form it should take. Where appropriate, the complaint may be dealt with as follows:
 - a. referral to the police or appropriate authorities;
 - b. referral to the external auditor;
 - c. investigation by management;
 - d. referral to the Board of Governors; or
 - e. referral to an independent investigator.
8. The individual reporting the Misconduct will be informed of the outcome of the initial inquiry and the outcome of the investigation, if any.
9. The College respects the confidentiality of individuals reporting Misconduct under this policy and when requested will not disclose their identity unless required by law to do so. The College will also act on anonymous complaints if appropriate. Anonymous complaints and those made by persons who ask not to be identified, will only be acted upon if the evidence collected during the initial inquiries indicates that the matter can be properly investigated and pursued without knowing the identity of the complainant.
10. An employee or student who makes a report of Misconduct under this policy maliciously or in bad faith, or who knowingly provides false or materially misleading information in a subsequent inquiry or investigation, will be subject to discipline including dismissal or expulsion.
11. All reports of Misconduct made under this policy will be carefully documented and will include written notes on any investigations and findings. All documents with respect to reports of Misconduct will be maintained by Human Resources and filed in the Human Resource Department.

Limits

1. This policy is subject to the *Human Rights Code*, the *Freedom of Information and Protection of Privacy Act*, and laws of general application.
2. This policy and its procedures will not interfere with the rights and obligations specified in the current collective agreements between the College and its unions.

LINKS TO SUPPORTING DOCUMENTS AND RELATED POLICIES

[0-6.1 Freedom of Information and Protection of Privacy](#)

[0-5.11 Code of Conduct, Conflict of Interest and Workplace Relationships](#)

[Student Complaint Procedures](#)