

Proposed Whistleblower Policy GOV-002-046**Report Purpose**

To seek Council approval of the proposed GOV-002-046 Whistleblower Policy and subsequent rescission of GOV-002-024 Public Interest Disclosure and Protection from Reprisal Policy.

Recommendation

1. THAT GOV-002-046 Whistleblower Policy, as set out in enclosure 1 of the July 16, 2024 Human Resources report, be approved.
2. THAT GOV-002-024 Public Interest Disclosure and Protection from Reprisal Policy, as set out in enclosure 2 of the July 16, 2024 Human Resources report, be rescinded.

Our Strategic Goals

Goal 4 - Municipal Excellence

Goal 4 Priority - A workplace culture that is connected, inclusive, diverse, and promotes employee development

Report

Human Resources (HR) has been working with Legislative and Legal Services (LLS) to review and update HR policies. The goals of the review include updating policies that are no longer current, identifying potential policy gaps, and eliminating or rescinding policies that are no longer required.

Currently, direction for Protected Disclosures is contained in GOV-002-024 Public Interest Disclosure and Protection from Reprisal Policy. The intent is to replace it with an updated policy, GOV-002-046 Whistleblower Policy. Both policies outline the County's commitment to fully investigating any allegations of Wrongdoing and providing a confidential and secure process to report Wrongdoing without fear of reprisal.

While the overall purpose of the Policy has not changed, the updated Policy more clearly establishes the County's commitment to a culture of trust and ethical behaviour. Below is a high-level summary of the key revisions:

- Updated the title to Whistleblower to increase the Policy's visibility.
- Updated the Policy language to provide a clear overview of the guidelines relating to the disclosure of Wrongdoing and processes related to investigations.
- Enhanced the commitment to protect Whistleblowers from reprisal for disclosures made in good faith and demonstrate the County's dedication to fair process.
- Elevated the Policy language to reflect an appropriate level of Council direction.

Detailed processes for reporting and investigations will be available to staff through an internal Whistleblower Guideline. Employees are encouraged to report any allegations of Wrongdoing to their supervisor, manager, director, or HR. Where an employee fears reprisal, or where the nature of the allegation precludes reporting directly, a Protected Disclosure may be submitted anonymously through a new Whistleblower hotline service, administered by a third-party. The third-party vendor (Clearview Connects) provides Whistleblower hotline services to many municipalities across Alberta.

The hotline service, which will be available to staff in September 2024, allows for either anonymous or confidential submissions. Once a submission is completed, Whistleblowers will be provided with a report number which enables them to check back on the status of their investigation. County reviewers can communicate with Whistleblowers through the hotline service.

All Protected Disclosures will be assessed objectively, without regard to the position, title, length of service or relationship to any named individual, and to determine whether sufficient detail and merit exists to support a formal investigation. Employees are required to participate in investigations and will be protected from reprisal. The assigned investigator will collect as much information as possible to fully understand what happened. The Whistleblower will receive general status updates as appropriate throughout the process, however, the level of detail may be limited depending on the circumstances. Executive Team will be apprised of all Whistleblower investigations, except:

- If the allegations are against the Chief Commissioner, the Chief Financial Officer (CFO) will be apprised of the investigation.
- If the allegations are against the CFO or a member of Executive Team, the Chief Commissioner will be apprised of the investigation.
- If the allegations are against member(s) of Council, the Integrity Commissioner will be approved of the investigation and follow the processes outlined in the Council Code of Conduct Bylaw.

Where the results of the investigation are expected to be of public interest, Human Resources and the Chief Commissioner will develop a communications strategy and will inform Council of the investigation in a manner they deem appropriate to the circumstances. Human Resources will report, at least on an annual basis, information related to Protected Disclosures received and investigations conducted during the year to Council.

On June 18, 2024, Priorities Committee reviewed the draft Whistleblower Policy. No feedback was received at that time.

Given the anticipated nature of Whistleblower allegations, HR intends to launch mandatory Employee Code of Conduct and Ethics training and information about the Whistleblower Policy together in September 2024.

Council and Committee History

June 18, 2024	The Priorities Committee was provided an overview of the draft Whistleblower Policy (GOV-002-046).
April 24, 2007	Council approved Policy GOV-002-024 Public Interest Disclosure and Protection from Reprisal.

Other Impacts

Policy: HUM-001-001 Employee Code of Conduct and Ethics

Legislative/Legal: Municipal Government Act, RSA 2000, c M-26 (MGA), Strathcona County Bylaw 27-2018: Council Code of Conduct

Interdepartmental: The policy review initiative involves all County Departments.

Communication Plan

Communication to staff will occur following Council approval of the Policy.

Enclosures

- 1 GOV-002-046: Whistleblower Policy
- 2 GOV-002-024: Public Interest Disclosure and Protection from Reprisal
- 3 Whistleblower Policy and Hotline presentation