



POLICY TITLE: Whistleblower Policy

POLICY CATEGORY: BOARD

POLICY NUMBER: TBD

POLICY OWNER: Secretary of the Board

POLICY APPROVER: Board of Governors

APPROVAL DATE: 7/23/2020

EFFECTIVE DATE: 7/23/2020

REVIEW PERIOD: Every 5 Years

REVIEWED: 4/10/2024

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1. Purpose

This policy establishes a process for George Brown College (the “college”) community members to disclose in good faith serious wrongdoing by other college community members without concern about retaliation. The complaint procedure established by this policy is to be used where no other college policy or procedure is available for that purpose.

2. Scope

Whistleblowing is the reporting of evidence of serious wrongdoing under this policy. Whistleblowing does not include raising individual concerns, appeals, complaints, grievances, or issues associated with matters such as, but not limited to: academic appeals, student or employee conduct or harassment, discrimination, accessibility, copyright, intellectual property, individual health or safety, management or employee

performance, or provisions contained in collective agreements or legal statute, where other resolution processes exist.

This policy applies to all college community members, including:

- the Board of Governors;
- employees of the college;
- students,
- volunteers,
- visiting scholars,
- any other persons while they are acting on behalf of or at the request of the college;
- any agent, vendor, subcontractor, contractor, or company providing a product or service to the college, or who is involved in a request for proposal/tender process issued by the college; and
- appointees (e.g. Chancellor).

3. Definition of Terms

This section includes an explanation of terms used within the policy.

Whistleblower – an individual making a complaint of serious wrongdoing.

Serious wrongdoing – is activity that constitutes:

- a criminal offense, or other willful violations of federal, provincial or municipal law;
- negligent, improper use, or gross mismanagement¹ of college or public resources; and
- acts or omissions that cause substantial and specific danger to the environment or public health and safety.

4. Policy

4.1. Whistleblower Complaints

4.1.1. Any member of the college community who knows of, has reason to believe, or has evidence that another college community member is engaged in serious wrongdoing may make a whistleblower complaint (“complaint”) to the Board Secretariat in one of the following ways:

- a) Complaints may be submitted online via georgebrown.confidenceline.com or by phone at 1 (877) 876-6677 to Confidence Line, a secure, third-party reporting service.

¹ Gross mismanagement includes the exercise of responsibilities in a manner that significantly deviates from the standard of care or competence that a reasonable person would apply in the same circumstances.

Complaints submitted via Confidence Line can be made anonymously such that individual IP addresses are not tracked and personal information is redacted if desired by the whistleblower. Confidence Line will transmit any complaint it receives to the college anonymously for review and investigation.

- b) Whistleblower complaints may be submitted by email to whistleblowing@georgebrown.ca.

If the whistleblower wishes to verbally discuss any matter, this request should be made in the written report, which should include a telephone number or other contact information.

Complaints implicating the Secretary of the Board should not be submitted to whistleblowing@georgebrown.ca as the Secretary of the Board monitors this email address.

- c) Complaints may be submitted in a sealed envelope, addressed as follows:

Secretary of the Board of Governors
George Brown College
P.O. Box 1015, Station B,
Toronto ON, M5T 2T9

- 4.1.2. Whistleblower complaints should include as much detail as possible including dates, individuals or witnesses involved, and any supporting material or evidence pertaining to the allegation.
- 4.1.3. Where a whistleblower has submitted an identical complaint by two or more of the above-noted reporting mechanisms, the whistleblower should state that fact in the submission(s).
- 4.1.4. Complaints may be made anonymously. Whistleblowers who identify themselves but wish to remain anonymous must clearly say so in their written report. The investigation will attempt to protect the whistleblower's identity to the extent possible. However, the interests of fairness may ultimately require that the whistleblower's identity, if known, be provided to one or more persons.
- 4.1.5. Whistleblower complaints will only be acted upon if the evidence collected in a preliminary investigation establishes that the report has merit, can be properly investigated, and should be pursued as a matter of the college's best interest.

4.2. Process

- 4.2.1. The Secretary of the Board will receive and access the complaint. If it is determined that the complaint falls outside the scope of application the Secretary of the Board will refer the complaint to another appropriate process, entity, or person for resolution.
- 4.2.2. If the Secretary of the Board determines the complaints falls within the application and scope of this policy, notice will be given to the Board Chair and/or the President and referred for investigation.
- 4.2.3. If the Secretary of the Board is the subject of the complaint, the complaint will be referred to General Legal Counsel for case management. If the Board Chair or any member of the Board of Governors, is the subject of the complaint, the matter will be dealt with in accordance with the Governors Code of Conduct. If the President is the subject of complaint the matter will be handle by the Chair of the Board of Governors.
- 4.2.4. The Secretary of the Board and/or Board Chair will appoint an investigator, as appropriate. An investigator will not have any personal, pecuniary, or direct interest in the matter being investigated.
- 4.2.5. The investigator shall provide an investigation report to the Secretary of the Board and/or the Board Chair with findings of fact and/or breach, if any, in response to the allegations set out in the complaint within a reasonable period of time.
- 4.2.6. The investigation report will be referred to the appropriate member of the Senior Leadership Team for resolution, as necessary and appropriate. Whistleblowers will not receive a copy of the investigation report.
- 4.2.7. In the event an internal solution to a complaint is not available and depending on the nature of the issues raised in the submission, the matter may be referred to the external auditors of the college, the Minister of Colleges and Universities, or other legal avenues, including law enforcement, for resolution.
- 4.2.8. The Secretary of the Board and/or Board Chair may seek legal advice and/or consult with other professionals as appropriate.

4.3. Protection

4.3.1. No Reprisal

The college will not retaliate against any college community member who, in good faith, submits a whistleblower complaint in accordance with this policy. If a person makes a complaint under this policy in bad faith, or knowingly provides false or inaccurate information, that person will be subject to disciplinary sanctions, which may include termination of employment or expulsion.

4.3.2. Fair Process

All persons involved in allegations of serious wrongdoing will be treated fairly and impartially regardless of their position or the length of their involvement with the college.

4.3.3. Confidentiality

All participants in the investigation process are required to maintain the confidentiality of the process and any information shared as part of the investigation to the extent permitted by law.

4.4. Record Keeping

The Secretary of the Board will keep a written record of all whistleblower complaints and investigations reports for a period of no less than seven years in compliance with the Records Retention Schedule.

4.5. Annual Report to the Board

The Secretary of the Board will provide an annual report to the Board of Governors on any ongoing or completed investigations. Reports will include steps taken to resolve the matters raised in each report. All reports to the board will be presented in-camera and any personal information will be redacted.

5. Forms and Templates

- Not Applicable

6. Related Materials

- [GBC Board of Governors By-law Number 1](#)
- [O. Reg. 34/03: GENERAL](#)
- [Not-for-Profit Corporations Act, 2010](#)
- [Minister's Binding Policy Directive 1.0 Governance and Accountability: Conflict of Interest 2003](#)
- [Minister's Binding Policy Directive 1.0 Governance and Accountability: Governance and Accountability Framework 2010](#)
- Whistleblower Procedures (in development)

7. Related Policies

- Employee Codes of Conduct
- Governor's Code of Conduct
- Conflict of Interest for Governors Policy
- Sexual Assault and Sexual Violence
- Human Rights Discrimination and Harassment
- Prevention of Workplace Violence and Harassment Policy
- Finance Policies and Procedures (e.g. Procurement policy; Travel, Meals and Hospitality)