

SAFE DISCLOSURE POLICY

PURPOSE

The purpose of this Policy is to:

- a. Provide a mechanism for the University community to disclose concerns about suspected Improper Activity; and
- b. Protect those individuals who make a Good Faith Disclosure of suspected Improper Activity from Reprisal.

SCOPE

This Policy applies to all employees, students, volunteers, contractors and suppliers of Brock University.

This Policy applies to suspected Improper Activity as defined below.

This Policy does not modify or supersede the terms of any collective agreement binding upon the University. This Policy shall be read and interpreted in harmony with the terms of any such collective agreement. In such case where this Policy directly conflicts with a term or terms of an applicable collective agreement, that term or those terms of that applicable collective agreement shall prevail for that case.

POLICY STATEMENT

Commitment to integrity

1. Brock University is committed to conducting its activities and managing its resources with integrity and in accordance with all applicable legislative and regulatory requirements and University policies. All University staff, faculty, students and volunteers are expected to act with integrity and to deal with University assets and resources in a fiscally responsible manner, in compliance with applicable legislative and regulatory requirements and University policies.

Disclosure of Improper Activity

2. To support Brock's commitment to integrity, accountability and transparency, any faculty, staff, student, volunteer, contractor or supplier who has reasonable grounds to believe that Improper Activity has occurred or will occur is entitled and encouraged to make a Good Faith Disclosure. Good Faith Disclosures should, wherever possible, be made directly to the relevant academic or administrative unit or supervisor. Good Faith Disclosures may also be made to other channels on campus including Legal Counsel, Campus Security, Human Rights and Equity, Internal Audit and Human Resources.
3. Where an individual does not wish to disclose directly to the relevant unit or supervisor, the individual may make a safe disclosure under this Policy in accordance with the Safe Disclosure Procedures.
4. The University will use reasonable efforts to keep the details of a Good Faith Disclosure confidential, including the identity of the individual making the Good Faith Disclosure, to the extent permitted under legislation, regulations, University policy and collective agreements.
5. The University will make reasonable good faith efforts to investigate and respond to Good Faith Disclosures of Improper Activity, in accordance with any applicable legislative and regulatory requirements, University policies and collective agreements.

Protection for Good Faith Disclosure

6. The University will take all reasonable steps to ensure that individuals who are determined to have made a Good Faith Disclosure in accordance with this Policy are protected from Reprisal.
7. Any individual who experiences a Reprisal or threat of Reprisal as a result of a Good Faith Disclosure made in accordance with this Policy should inform the Director, Internal Audit and University Secretary and General Legal Counsel who shall ensure that the matter is investigated and appropriate action taken.

8. Any individual who is found to have been involved in any act of Reprisal in contravention of this Policy may be subject to disciplinary action up to and including termination of employment.

Knowingly false, frivolous, or vexatious disclosures

9. Any person who knowingly makes an allegation of Improper Activity which is determined to be false, frivolous, or vexatious will be subject to disciplinary action up to and including termination of employment. Such disciplinary action shall follow the appropriate procedures in a collective agreement, if applicable.

DEFINITIONS

Good Faith Disclosure means a disclosure concerning suspected Improper Activity that is determined to be based on reasonable belief and is not malicious, frivolous, or vexatious.

Improper Activity means:

- a. A breach of University policy;
- b. A violation of a legal or regulatory requirement;
- c. Research misconduct; or
- d. Financial misconduct, including but not limited to:
 - i. theft, misapplication or misappropriation of University assets;
 - ii. destruction, removal or concealment of University records or property for personal gain;
 - iii. forgery, falsification or alteration or inappropriate destruction of finance-related documents;
 - iv. personally accepting or seeking anything of material value from contractors, vendors or persons providing or seeking to provide goods or services to the University. For clarity, this shall not include free samples of teaching materials; and
 - v. authorizing or receiving payments for goods not received, services not performed or hours not worked.

Reprisal means any act of intimidation, harassment, discipline or retaliation as a result of a Good Faith Disclosure and includes, without limitation, any demotion, suspension, termination, or any actual or threatened action that adversely affects the employment or learning environment of any faculty,

staff or student, or the working conditions of contractual arrangements of a contractor or supplier.

COMPLIANCE AND REPORTING The Vice-President, Administration is responsible for the interpretation and application of this Policy.

The Vice-President, Administration, or designate thereof, shall provide safe disclosure reporting to the Audit Committee of the Board of Trustees.

Policy owner:	Vice-President, Administration
Authorized by:	Board of Trustees, Audit Committee
Accepted by:	Senior Administrative Council
Effective date:	December, 2015
Next review:	December, 2020
Revision history:	November, 2017; March, 2018
Related documents:	Safe Disclosure Procedures