



SIMON FRASER UNIVERSITY
ENGAGING THE WORLD

TO:

Senate

FROM

Joy Johnson

Chair – Senate Committee on Agenda and Rules (SCAR)

DATE:

December 20, 2024

SUBJECT:

Amendments to GP 41 - Safe Disclosure of Wrongdoing

SCAR has reviewed S.25-2 (Amendments to GP 41 - Safe Disclosure of Wrongdoing) and is forwarding it to Senate for information.

Draft Messaging

From: Office of the General Counsel

Subject: Community Consultation: GP 41 Safe Disclosure of Wrongdoing Review

This following message is sent on behalf of Margarita Fullerton, University Secretary. It has been sent to all faculty and staff.

Dear University Faculty and Staff,

Earlier this year, SFU introduced a new Public Interest Disclosure Policy for employees or former employees who wish to disclose or seek advice about serious wrongdoing occurring within the organization. The Public Interest Disclosure Policy ensures SFU's compliance with the new [BC Public Interest Disclosure Act](#) (PIDA) and is intended to work alongside SFU's existing GP41 Safe Disclosure of Wrongdoing policy to provide additional rights and supports for members of the SFU community, [agents and contractors](#).

GP 41 provides a mechanism by which members of the university community (Board of Governors, students, faculty, staff, temporary or sessional instructors, adjunct professors, any volunteer engaged in a sanctioned university activity) and agents and contractors can safely disclose wrongdoing committed by employees, agents, contractors and volunteers, to someone other than their supervisor, and provides protection to those who do so.

The proposed Public Interest Disclosure Policy (comes into effect Dec. 1, 2024) will provide added protections, including allowing for anonymous disclosures of wrongdoing, ability to make public disclosures in circumstances of imminent risk or danger, and the ability to disclose wrongdoing directly to the provincial ombudsperson.

Amendments are being proposed to GP41 to reflect the addition of the new Public Interest Disclosure Policy.

We invite you to learn more about the proposed policy and provide your feedback by January 7, 2024.

Key information about the proposed policy amendments:

- The Director, Internal Audit is the Designated Officer responsible for assessing each report of wrongdoing disclosed under both GP 41 Safe Disclosure of Wrongdoing and the new Public Interest Disclosure Policy. This provides community members with an additional level of support, ensuring that their report is forwarded to the university office(s) that manages related policies.
- In the event where the Designated Officer is away or if the disclosure is in respect to any person in the office of Internal Audit, the alternate Designated Officer is the General Counsel.

- In recognition of the sensitive nature of disclosures, FAQs and a flowchart to support the update of this policy will assist the community in understanding how complaints will be managed and routed through SFU's responsible offices.

Draft of GP 41 Safe Disclosure of Wrongdoing Policy is posted on the Community Consultation Website (PDF)

The proposed GP41 policy amendments are intended to reflect the addition of the new PIDA policy. SFU maintains a comprehensive policy structure that addresses inappropriate conduct and behaviour at SFU, such as policy S10.01 (Student Academic Integrity), S10.05 (Student Conduct), GP18 (Human Rights), GP44 (Sexual Violence and Misconduct Prevention, Education and Support), and GP47 (Bullying and Harassment). Additional communication materials to support the community in navigating these policies will also be developed.

We invite you to review the proposed policy amendments posted [here](#). Please submit your feedback to board_admin@sfu.ca by January 7, 2024.

Thank you,

Margarita Fullerton

University Secretary

Input provided is collected under the authority of the [University Act](#), [Freedom of Information and Protection of Privacy Act \(RSBC 1996, c. 165\)](#), and SFU Policy on University Policies and Procedures (B10.00). This information is collected for the purpose of engaging in community consultation, which may result in recommended changes to a policy. If you have any queries about the collection of this information, please contact privacy@sfu.ca

About Policy GP41 Safe Disclosure of Wrongdoing – Frequently Asked Questions

ABOUT GP41 SAFE DISCLOSURE OF WRONGDOING

1. What is the Safe Disclosure of Wrongdoing Policy?

The Safe Disclosure of Wrongdoing Policy (GP41) is SFU's whistleblower policy that will live alongside the BC Ombudsperson's Public Interest Disclosure Policy (PIDA). GP41 allows Members of the University Community, Agents and Contractors to report wrongdoing to SFU's Director of Internal Audit using the email iagp41@sfu.ca. GP41 provides mechanisms for investigating allegations of wrongdoing and where wrongdoing is found, the means to address it. GP41 also provides protection for disclosers of wrongdoing by prohibiting reprisal against those who seek advice about reporting wrongdoing, report wrongdoing, or participate in an investigation of wrongdoing.

2. Is the Safe Disclosure of Wrongdoing a New Policy?

GP41 The Safe Disclosure of Wrongdoing (Whistleblower) Policy has been in effect since 2014. Given the implementation of PIDA, changes are being made to GP41 through a community consultation process, to ensure that the two policies complement one another and work together to serve the SFU community.

3. Does this revised “Safe Disclosure of Wrongdoing Policy” replace any of the other policies that address inappropriate conduct or behaviour at SFU?”

No. SFU maintains a comprehensive policy structure that addresses inappropriate conduct and behaviour at SFU, such as policy GP18 (Human Rights), GP41 (Whistleblower), GP44 (Sexual Violence and Misconduct Prevention, Education and Support), and GP47 (Bullying and Harassment), along with the new PIDA Policy that will come into effect Dec. 1, 2024.

Individuals who experience inappropriate conduct or behaviour may report it under existing applicable policies including the revised GP41 Whistleblower policy. However, if an employee believes that they have knowledge of wrongdoing as defined by PIDA, they may report it under the new Public Interest Disclosure Policy instead of under other applicable policies. As part of their assessment, the Designated Officer may determine that a report would be more appropriately addressed under another university policy, in which case the Designated Officer will either refer the discloser to the applicable policy or notify the discloser and forward the report to the university office(s) that manages the applicable policy.

About Policy GP41 Safe Disclosure of Wrongdoing – Frequently Asked Questions

REPORTING WRONGDOING

4. What is wrongdoing under Policy GP41 Safe Disclosure of Wrongdoing?

Wrongdoing is defined under GP41 to specifically mean:

Improper, dishonest, unethical, irregular, or unlawful activities.

5. What are some examples of wrongdoing?

The following circumstances would meet the definition of wrongdoing under GP41 :

- Misappropriation or misuse of university property, assets, resources, or funds
- Irregularities related to contracts or expense claims
- Nepotism
- Destruction of property
- Environmental or health and safety violations
- Mistakes with paystubs
- Errors in submitting travel expenses
- Expensing costly dinners or alcohol outside of travel and expense policy
- Fraud, theft, embezzlement
- Providing false or misleading information in an application or otherwise, for the university to rely upon in decisions relating to hiring, provision of awards, and the like
- Deliberate non-compliance with Statutory Obligations
- Obstructing a person's right to make a report of Wrongdoing under this policy
- Reprisals for reporting Wrongdoing under this policy

This list provides examples of wrongdoing and is not exhaustive.

6. Who can report wrongdoing under Policy GP41 Safe Disclosure of Wrongdoing?

Members of the University Community including SFU's Board of Governors, employees, volunteers engaged in a sanctioned university activity and students to the extent that university resources are involved or impacted and to the extent it is reasonably applicable.

Agents authorized by the University to act on its behalf and contractors retained under a contract to supply goods or perform services for the University can also report under GP41.

7. How can I report wrongdoing?

Members of the University Community and Agents and Contractors can report disclosures:

1. To the Director of Internal Audit in person, by telephone or to the Internal Audit email iagp41@sfu.ca.

About Policy GP41 Safe Disclosure of Wrongdoing – Frequently Asked Questions

2. The SFU online GP41 disclosure form on the SFU Community Support web-page.

Employees can choose where to report wrongdoing. Reports can be made anonymously, but the University may not be obliged to investigate an anonymous report made under GP41 unless the report provides sufficient detail to conduct a fair investigation.

Members of the University Community, Agents and Contractors who report Wrongdoing should be aware that confidentiality is not the same as anonymity. If a Member of the University Community, Agent or Contractor wishes to report Wrongdoing anonymously, they should indicate that clearly when making the report. However, requiring complete anonymity may practically and procedurally make it more difficult for the University to investigate the report or take corrective action.

8. Are there time limits for when I may report wrongdoing?

Yes. Members of the University Community, Agents and Contractors may make a disclosure of wrongdoing at any time, even if it occurred in the past, providing the initial report of wrongdoing is not received more than a reasonable time (normally one year) after the applicable instance of Wrongdoing is believed to have occurred.

9. What if my allegation doesn't meet the criteria for wrongdoing under Policy GP41 Safe Disclosure of Wrongdoing?

Not all wrongdoing is considered wrongdoing under GP41. The revised GP41 policy is one of many complaint processes available to Members of the University Community, agents and contractors and does not replace other reporting mechanisms. Disclosers have several pathways to report concerns in their workplace, including:

ISSUE	REPORTING PATH & POLICY
Work and research safety	Environmental Health and Safety, GP17
Academic Integrity	Instructor, Chair, or Registrar as set out in S10.01
Human Rights/Discrimination	Human Rights Office, GP18
Sexualized Violence	Sexual Violence Support and Prevention Office, GP44
Bullying and Harassment	Bullying and Harassment Central Hub, GP47
Privacy breaches	Privacy Office, I10.11
Other systemic wrongdoing or deliberate non-compliance matters	Public Interest Disclosure Policy

About Policy GP41 Safe Disclosure of Wrongdoing – Frequently Asked Questions

Privacy and Confidentiality

10. What privacy and confidentiality protections does GP41 provide?

If a Member of the University Community, Agent or Contractor reports wrongdoing, GP41 requires that their personal information and identity be kept confidential to the extent possible. Investigations are conducted confidentially and the identity of the person who made the report of wrongdoing will not be included in any report describing the outcomes of an investigation.

The university is subject to the Freedom of Information and Protection of Privacy Act (RSBC 1996, c.165) (FIPPA):

Sections 12-22 of FIPPA ensure that sensitive information remains confidential, protecting the privacy and interests of all parties involved during any Freedom of Information (FOI) process. Each FOI request is assessed individually, based on the specific records requested and their content, and is evaluated on a case-by-case basis.

Common redactions may include:

- i) the identity of the discloser and, in some cases, the subject of the report;
- ii) advice or recommendations regarding actions to be taken in response to the report;
- iii) legal advice related to the report;
- iv) information that could compromise or interfere with an investigation;
- v) details that may harm the financial interests of SFU or a third party.

These redactions are crucial for protecting individuals' privacy and safety, preserving the integrity of ongoing investigations, and safeguarding the financial and strategic interests of all parties involved.

Specific confidentiality and reprisal legal protections provided by GP41 include -

- It requires the identity of a Member of the University Community, Agent or Contractor who reports wrongdoing to be kept confidential.
- It prohibits reprisal against a Member of the University Community, Agent or Contractor who reports wrongdoing, asks for advice about reporting wrongdoing or makes a reprisal complaint, or cooperates with an investigation.

11. I committed to confidentiality when I started my job. Does making a report under GP41 mean I have failed to satisfy my commitment?

- GP41 allows employees to share otherwise confidential information for the purpose of reporting wrongdoing, except information that is protected by solicitor-client privilege or

About Policy GP41 Safe Disclosure of Wrongdoing – Frequently Asked Questions

another rule of privilege.

- Reporting wrongdoing under GP41 is consistent with an employee's employment obligations.

Protection from Reprisals

12. What should I do if I feel I am being treated differently after seeking advice, reporting a wrongdoing or cooperating with an investigation?

- Reprisal is when you experience retaliation for seeking advice about making a report, reporting wrongdoing or cooperating with an investigation. This can include demotion, disciplinary measures, termination of employment or any measure that adversely affects your employment or working conditions.
- Reporting of what appears to be wrongdoing is a necessary and valuable service to the university community and must not be cause for reprisal. The University is committed to protecting: Members of the University Community, Agents and Contractors who report suspected wrongdoing from reprisal.
- Any initiator who reports reprisal or threat of reprisal as a result of disclosure in accordance with this Policy shall inform the Office of Internal Audit, who shall ensure that the matter is investigated and appropriate action is taken.
- Reprisal is unacceptable and prohibited conduct that, if found to have occurred, may result in a range of corrective measures and disciplinary sanctions including, where appropriate, dismissal or permanent suspension.

About Policy GP41 Safe Disclosure of Wrongdoing – Frequently Asked Questions

Investigations into Wrongdoing

13. What happens after I report wrongdoing?

When the University receives a report of wrongdoing, the Director of Internal Audit will be responsible for assessing and responding to it, including coordinating or conducting an investigation where appropriate.

The Director of Internal Audit's response actions may vary depending on the nature and extent of the suspected wrongdoing, however, every report of wrongdoing will be taken seriously and assessed in accordance with the procedures associated with this policy.

The Director of Internal Audit is responsible for: assessing reports of Wrongdoing and, where required, coordinating or conducting an investigation or notifying the Member of the University Community, Agent or Contractor who made the report that their report is being forwarded to the appropriate university office(s) for that policy or process.

14. What happens at the end of an investigation?

The Director of Internal Audit will provide a written report of the results of investigations coordinated or conducted under this policy including recommendations, if any, to the relevant Vice-President and, in the normal course, a summary of the report and recommendations to the Audit Committee of the Board of Governors.

SAFE DISCLOSURE OF WRONGDOING ("WHISTLEBLOWER")

Date	Number
January 30, 2014	GP-41
Date of Last Review/Revision	Mandated Review
	[TBA] 2029

Discussion Draft – Updated March 9, 2022 – Version one
Discussion Draft – Updated July 21, 2023 – Version two
Discussion Draft – Updated July 23, 2024 – Version three
Discussion Draft – Updated August 14, 2024 – Version four
Discussion Draft – Updated September 3, 2024 – Version five
Discussion Draft – Updated September 23, 2024 – Version six
Discussion Draft – Updated October 18, 2024 – Version seven
Discussion Draft – Updated October 22, 2024 – Version eight

Policy Authority: University Secretary

Associated Procedure(s): Safe Disclosure of Wrongdoing ("Whistleblower")

EXECUTIVE SUMMARY

This policy establishes a safe disclosure ("Whistleblower") mechanism by which Members of the University Community can report situations that appear to involve Wrongdoing, such as misappropriation or misuse of university property, assets, resources, or funds as well as other irregular activities such as, but not limited to: irregularities related to contracts, expense claims, nepotism, destruction of property, environmental or health and safety violations etc. Disclosures of Wrongdoing can be made directly to the Director of Internal Audit or by using the Internal Audit email iagp41@sfu.ca or by telephone. The Director of Internal Audit will assess the report and coordinate or conduct an investigation, or forward to the appropriate office. The Director of Internal Audit will annually inform the Audit Committee of the Board of Governors about reports of Wrongdoing received under this policy.

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GLOSSARY

Agent means a person who is authorized by the University to act on its behalf.

Contractor means a person retained under a contract to supply goods or perform services for the University.

Employee means all current employees of the University.

Member of the University Community means members of the University's Board of Governors, Employees, volunteers engaged in a sanctioned university activity, Students, Agents, and Contractors to the extent that university resources are involved or impacted and to the extent it is reasonably applicable.

Reprisal means an act of retaliation such as to harass, demote, discipline, suspend, dismiss, or otherwise disadvantage the individual or deny that individual a benefit.

Student means any of the following: a person who has accepted an offer of admission to the University; an undergraduate who has been enrolled for one or more of the last three (3) terms, including the current term, and is eligible to continue; a graduate student who is enrolled at the University in the current term and is eligible to continue; a graduate student who is not enrolled in the current term but is eligible to enroll at the University when the approved leave ends; a visiting, exchange, or special audit student who has been admitted to the University for the purposes of taking courses, or to take part in an approved research term; or a person enrolled at the University in a non-credit program or course.

Statutory Obligation means an act or course of action that a person is legally bound to perform under municipal by-law, provincial or federal law.

University means Simon Fraser University.

Wrongdoing means illegal or dishonest behaviour or misconduct that is in the form of:

- i. fraud, theft, embezzlement, misappropriation or misuse of University property, assets, resources or funds, including funds that have, or are reasonably likely to have monetary value, or are administered by the University on behalf of another party;
- ii. irregularities related to contracts, expense claims, nepotism, destruction of property, environmental or health and safety violations;
- iii. deliberate non-compliance with Statutory Obligations;
- iv. obstructing a person's right to make a report of Wrongdoing under this policy;
- v. Reprisals for reporting Wrongdoing under this policy.

1.0 PREAMBLE

The University is committed to the highest standards of ethical conduct. Accordingly, all Members of the University Community have an obligation to conduct the activities of the University with honesty, integrity, and accountability.

2.0 PURPOSE

2.1 This policy:

- 2.1.1 Provides a reporting mechanism by which a Member of the University Community can report Wrongdoing. A former Member of the University Community can report Wrongdoing but that report must take place within one year of the occurrence of the alleged Wrongdoing and;
- 2.1.2 Confirms the University's commitment to protect a Member of the University Community, who reports such Wrongdoing in good faith from Reprisal.

2.2 This policy and its associated procedures are intended to complement and not conflict with or replace other mechanisms for reporting other types of Wrongdoing to the University. Members of the University Community are encouraged to continue to use existing policies and processes including, but not limited to:

- 2.2.1 Public Interest Disclosure (XXX)
- 2.2.1 Conflict of Interest and Conflict of Commitment (GP-37)
- 2.2.2 Responsible Conduct of Research (R60.01)
- 2.2.3 Bullying and Harassment (GP-47)
- 2.2.4 Sexualized Violence (GP-44)
- 2.2.5 Academic Integrity (S10.03)
- 2.2.6 Student Conduct (S10.05).

- 2.2.7 Human Rights (GP 18)
- 2.2.8 Response to Violence and Threatening Behaviour (GP 25)

3.0 SCOPE AND JURISDICTION

- 3.1 This policy applies to Wrongdoing by any Member of the University Community. Individuals who report their own Wrongdoing are not protected by this policy.
- 3.2 Individual employment or contractual disputes, except with respect to Reprisals, do not normally meet the definition of Wrongdoing and so may not fall within the scope and jurisdiction of this policy. For those matters, after an initial assessment, they may be referred to other applicable processes, such as collective agreement processes, applicable laws (such as the *Workers Compensation Act* and the *Human Rights Code*), or other University policies (such as GP47 (Bullying and Harassment), GP18 (Human Rights), or I10.11 (Protection of Privacy)).
- 3.3 This Policy must comply with all relevant provisions in any applicable collective agreement, including academic freedom, notice, timelines, and other process requirements; and members of unions and employee associations have all rights to representation that their collective agreements confer.

4.0 POLICY

- 4.1 Members of the University Community are often in the best position to observe or encounter what they reasonably believe to be improper, dishonest, unethical, irregular, or unlawful activities. Members of the University Community are strongly encouraged to make timely disclosure of such activities to the Office of Internal Audit so that prompt corrective action can be taken.
- 4.2 Reporting of what appears to be Wrongdoing is a necessary and valuable service to the University community and must not be cause for Reprisal. The University is committed to protecting Members of the University Community who report suspected Wrongdoing from Reprisal.
- 4.3 Any initiator who reports Reprisal or threat of Reprisal as a result of disclosure in accordance with this Policy shall inform the Office of Internal Audit, who shall ensure that the matter is investigated and appropriate action is taken.
- 4.4 Reprisal is unacceptable and prohibited conduct that, if found to have occurred, may result in a range of corrective measures and disciplinary sanctions including, where appropriate, dismissal or permanent suspension.
- 4.5 When the University receives a report of Wrongdoing, the Director of Internal Audit will be responsible for assessing and responding to it, including co-ordinating or conducting an investigation where appropriate.
- 4.6 Reports and investigations will be kept confidential to the extent possible and consistent with the need to conduct an adequate investigation and take corrective action. Members of the University Community who report Wrongdoing should be aware that confidentiality is not the same as anonymity. If a Member of the University Community wishes to report Wrongdoing anonymously, they should indicate that clearly when making the report. However, requiring complete anonymity may practically and procedurally make it more difficult for the University to investigate the report or take corrective action.
- 4.7 The Director of Internal Audit's response actions may vary depending on the nature and extent of the suspected Wrongdoing, however, every report of Wrongdoing will be taken seriously and assessed in accordance with the procedures associated with this policy.

- 4.8 Members of the University Community who are found to have committed Wrongdoing may be subject to disciplinary action, which may include termination, suspension, or prosecution, as applicable.
- 4.9 Any Member of the University Community who knowingly, or with reckless disregard for the truth, makes a false report of Wrongdoing is liable to disciplinary action, up to and including termination or suspension, as applicable. Reports of Wrongdoing that are not substantiated but which are made in good faith are not subject to discipline by the University.

5.0 ROLES AND RESPONSIBILITIES

- 5.1 The Director of Internal Audit is responsible for the administration of this policy.'
 - 5.1.1 The Office of Internal Audit reports functionally to the university's Audit Committee through the Chair of the Audit Committee.
 - 5.1.2 The Office of Internal Audit is considered a department within the portfolio of the University Secretary for administrative purposes only.
- 5.2 The Director of Internal Audit is responsible for receiving, assessing, and addressing reports of Wrongdoing, including co-ordinating or conducting investigations (including whether any technical, financial or legal advice may be required to support the receipt, assessment, or addressing of reports and determining whether an investigation should be led internally or by an external investigator).
- 5.3 Where required or appropriate in light of the nature and extent of the Wrongdoing reported, the Director of Internal Audit may notify appropriate external bodies of a report of Wrongdoing, such as a law enforcement agency, Provincial Health Officer, Emergency Management BC.
- 5.4 The Director of Internal Audit will provide a written report of the results of investigations co-ordinated or conducted under this policy including recommendations where appropriate to the relevant Vice-President and, in the normal course, a high level overview to the Audit Committee of the Board of Governors.

6.0 REPORTING

- 6.1 The Director of Internal Audit will report annually to the Board of Governors through the Board's Audit Committee.

7.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

- 7.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:
 - 7.1.1 *University Act*, R.S.B.C. 1996, c. 468
 - 7.1.2 *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165
 - 7.1.3 *Public Interest Disclosure policy (GP-XX)*
 - 7.1.4 Internal Audit Policy AD3.10

- 7.1.5 Conflict of Interest and Conflict of Commitment Policy (GP-37)
- 7.1.6 Human Rights Policy (GP-18)
- 7.1.7 Sexual Violence and Misconduct Prevention, Education, and Support Policy (GP-44)
- 7.1.8 Bullying and Harassment Policy (GP-47)
- 7.1.9 Responsible Conduct of Research Policy (R60.01)
- 7.1.10 Student Conduct Policy (S10.05)
- 7.1.11 Collective agreements and human resources employment policies.

8.0 ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

- 8.1 The information and records made and received to administer this policy are subject to the access to information and protection of privacy provisions of British Columbia's *Freedom of Information and Protection of Privacy Act* and the University's Information Policy series.

9.0 RETENTION AND DISPOSAL OF RECORDS

- 9.1 Information and records made and received to administer this policy are evidence of the university's actions to address Wrongdoing as defined in this policy. Information and records must be retained and disposed of in accordance with a records retention schedule approved by the University Archivist.

10.0 POLICY REVIEW

- 10.1 This policy must be reviewed every five years and may always be reviewed as required.

11.0 POLICY AUTHORITY

- 11.1 This Policy is administered under the authority of the University Secretary.

12.0 INTERPRETATION

- 12.1 Questions of interpretation or application of this Policy or its procedures shall be referred to the General Counsel and University Secretary whose decision shall be final.

13.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS

- 13.1 The Procedures for this Policy are: Procedures for Safe Disclosure of Wrongdoing ("Whistleblower")

“PROCEDURES FOR SAFE DISCLOSURE OF WRONGDOING (“WHISTLEBLOWER”)

Date	Number
January 30, 2014	GP-41
Date of Last Review/Revision	Mandated Review
[TBA]	TBA - 2029

Discussion Draft – March 9, 2022 – Version One

Discussion Draft – July 19, 2023 – Version Two

Discussion Draft – July 23, 2024 – Version Three

Discussion Draft – August 14, 2024 – Version Four

Discussion Draft – September 3, 2024 – Version Five

Discussion Draft – September 23, 2024 – Version Six

Discussion Draft – October 18, 2024 – Version Seven

Discussion Draft – October 22, 2024 – Version Eight

Policy Authority: University Secretary

Parent Policy: Safe Disclosure of Wrongdoing (“Whistleblower”)

GLOSSARY

Agent means a person who is authorized by the University to act on its behalf.

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Reprisal means an act of retaliation such as to harass, demote, discipline, suspend, dismiss, or otherwise disadvantage the individual or deny that individual a benefit.

Statutory Obligation means an act or course of action that a person is legally bound to perform under municipal by-law, provincial or federal law.

Student means any of the following: a person who has accepted an offer of admission to the University; an undergraduate who has been enrolled for one or more of the last three (3) terms, including the current term, and is eligible to continue; a graduate student who is enrolled at the University in the current term and is eligible to continue; a graduate student who is not enrolled in the current term but is eligible to enroll at the University when the approved leave ends; a visiting, exchange, or special audit student who has been admitted to the University for the purposes of taking courses, or to take part in an approved research term; or a person enrolled at the University in a non-credit program or course.

University means Simon Fraser University (“SFU”)

Wrongdoing means illegal or dishonest behaviour or misconduct that is in the form of:

- i. Fraud, theft, embezzlement, misappropriation or misuse of University property, assets, resources or funds, including funds that have, or are reasonably likely to have monetary value, or are administered by the University on behalf of another party;
- ii. irregularities related to contracts, expense claims, nepotism, destruction of property, environmental or health and safety violations;
- iii. deliberate non-compliance with Statutory Obligations;
- iv. obstructing a person’s right to make a report of Wrongdoing under this Policy;
- v. Reprisals for reporting Wrongdoing under this Policy.

1.0 PURPOSE

These Procedures provide mechanisms by which a Members of the University Community can report suspected Wrongdoing with confidence that the University will not tolerate any acts of Reprisal against a Member of the University Community who makes a report in good faith.

2.0 PROCEDURE

How to report suspected Wrongdoing

- 2.1 A Member of the University Community may report Wrongdoing by:
 - 2.1.1 making an anonymous report to the Director of Internal Audit by **using the Internal Audit email iagp41@sfu.ca**.
 - 2.1.2 making a report directly to the Director of Internal Audit by email, telephone, or in person.

Responding to a report of Wrongdoing

- 2.2 The Director of Internal Audit is responsible for: assessing reports of Wrongdoing and, where required, co-ordinating or conducting an investigation or notifying the Member of the University

Community who made the report that their report is being forwarded to the appropriate University office(s) for that policy or process.

- 2.2.1 The Director of Internal Audit may elect not to proceed with an investigation under these procedures when:
- 2.2.2 the initial report of Wrongdoing is received more than a reasonable time (normally one year) after the applicable instance of Wrongdoing is believed to have occurred;
- 2.2.3 the report of Wrongdoing does not provide sufficient information to proceed;
- 2.2.4 it is determined that the report of Wrongdoing was not made in good faith or is frivolous or vexatious;
- 2.2.5 the report may be more appropriately addressed by another mechanism or policy, whether such mechanism or policy is internal or external to the university.
- 2.2.6 Investigations of reported Wrongdoing will be conducted in accordance with the requirements of any applicable legislation and will comply with all relevant provisions in any applicable collective agreement, including academic freedom, notice, timelines, and other process requirements. Members of unions and employee associations have all rights to representation that their collective agreements confer.
- 2.2.7 The investigator(s) shall have access to all relevant university premises and records and all Members of the University Community are expected to provide full cooperation with the investigator(s), subject only to legal rights including those under any applicable collective or other agreement.

How to report Reprisal or Threat of Reprisal

- 2.3 A Member of the University Community who experiences Reprisal or threat of Reprisal as a result of making a report under the Safe Disclosure of Wrongdoing Policy should inform the Director of Internal Audit, who shall ensure that the matter is investigated, and appropriate action is taken.