Whistleblower

Policy No.: ADM-6	**Council Resolution No.:** 121/2022
Department: Administration	**Authority:** Council
Effective Date: May 25, 2015	**Revision Date:** March 28, 2022
Review Date: April 2025	**Repealed Date:**
Supersedes: N/A	
Related Procedure No.: ADM-6	
Related Procedure Name: Whistleblower	

1.0 PURPOSE

1.1 To establish specific responsibilities regarding the reporting and investigation of allegations of wrongdoings that may be, but are not limited to, unlawful or illegal behaviour within the organization of the Town of Taber. The policy reflects the Town's commitment to open, ethical, accountable and transparent local government.

2.0 POLICY STATEMENT

2.1 This policy applies to all Town employees and Contractors over which Council has the authority to require that general policies be followed.

2.2 Every employee of the Town of Taber has a responsibility to report any wrongdoing of which he or she may have knowledge. Every employee has a responsibility to treat any such report of wrongdoing in a confidential manner in accordance with the procedures set out in this policy.

2.3 Members of the general public are encouraged to report any incidence of wrongdoing they may observe by Town of Taber employees or Contractors.

2.4 While employees and members of the public are encouraged to identify themselves in making a report of wrongdoing, they may do so on an anonymous basis. The Town of Taber will ensure, to the extent permitted by law and in accordance with this policy, that all reports of wrongdoing are treated in a confidential manner. However, anonymity cannot be guaranteed in all cases.

2.5 Wrongdoings may include but shall not be limited to:
2.5.1 crime or suspected criminal activity;

2.5.2 any actual or suspected violation of any federal, provincial or municipal act, regulation or bylaw;

2.5.3 any actual or suspected violation of any Town policies and procedures;

2.5.4 the misuse of position for personal gain;

2.5.5 any claim for reimbursement of expenses that are not made for the exclusive benefit of the Town;

2.5.6 unauthorized use of Town property, equipment, materials or records;

2.5.7 any misappropriation of funds, securities, supplies or other assets;

2.5.8 dangerous practices likely to cause physical harm or damage to any person or property;

2.5.9 failure to rectify or take reasonable steps to report a matter likely to give rise to significant and avoidable cost or loss to the Town; or,

2.5.10 improper or fraudulent accounting or auditing practices.

2.6 This policy will protect any Town of Taber employee who makes a disclosure or raises a concern under this policy provided that the employee:

2.6.1 discloses information in good faith;

2.6.2 believes it to be substantially true;

2.6.3 does not act maliciously or make false allegations; and,

2.6.4 does not seek any personal or financial gain.

2.7 The intention of this policy is to ensure that employees and members of the public can raise legitimate concerns about wrongdoing in a safe and secure manner. If an employee or member of the public files a report of wrongdoing in good faith, he or she shall not be subject to any form of penalty, retaliation, or reprisal. All employees are prohibited from penalizing or retaliating against such an employee or member of the public. Examples of such prohibited actions are:

2.7.1 dismissing or threatening to dismiss an employee;

2.7.2 disciplining, suspending or threatening to discipline or suspend an employee;

2.7.3 subjecting an employee to any form of harassment or abuse as per the Employee Code of Conduct Policy, the Workplace Harassment Prevention Policy or the Workplace Violence Prevention Policy;

2.7.4 imposing any penalty, directly or indirectly, upon a public complainant; and,

2.7.5 intimidating or coercing an employee or public complainant.

2.8 If an employee files a report of wrongdoing maliciously, in bad faith or with an ulterior motive (including with the intention to harm any individual or the Town), he or she may be subject to disciplinary action as outlined in the Town of Taber Employee Code of Conduct Policy, or any other applicable policy.

2.9 If any member of the public files a report of wrongdoing maliciously, in bad faith or with an ulterior motive (including with the intention to harm any individual or the Town), he or she may be subject to civil or other legal remedies available to the Town or the aggrieved party.

2.10 In the event that a Council member is the subject of a complaint, the complainant shall be referred to the Town of Taber Council Code of Conduct Bylaw for reporting when contacting MNP's Ethics Alert Hotline (1-866-529-9589). This is the legislated routing in accordance with the *Municipal Government Act*.

2.11 In the event that the Chief of Police is the subject of the complaint, the complainant shall be referred to the Chair of the Taber Municipal Police Commission for reporting when contacting MNP's Ethics Alert Hotline (1-866-529-9589). This is the legislated routing in accordance with the Police Act.

2.12 In the event that a member of the Taber Police Service is the subject of the complaint, the complainant shall be referred to the Chief of Police for reporting when contacting MNP's Ethics Alert Hotline (1-866-529-9589). This is the legislated routing in accordance with the Police Act.

2.13 Administration shall establish procedures for this policy and shall be responsible to ensure the spirit and intent of the policy is adhered to.

3.0 ADDITIONAL REFERENCES

- *Municipal Government Act*
- *Police Act*
- Council Code of Conduct Bylaw
- Town of Taber Employee Code of Conduct Policy
- Workplace Harassment Prevention Policy
- Workplace Violence Prevention Policy
- CUPE Local 2038 Collective Agreement
- MNP LLP Whistleblower Hotline, Ethics Alert

MAYOR — **DATE** Apr. 13, 2022

CHIEF ADMINISTRATIVE OFFICER — **DATE** April 7/22