

Code of Conduct Policy of Bow Valley College

PREAMBLE

Bow Valley College expects all members of the College community to engage in ethical behavior in all aspects of College-related activities. All Employees and Board Members are expected to share in preserving and enhancing the College's image and reputation.

The College is committed to high standards of conduct and ethical practices. This Code of Conduct establishes expectations and conditions for appropriate conduct of our day-to-day work activities and relationships. The objective is having Employee and Board conduct of the highest ethical calibre.

As a publicly funded institution, we recognize the people of Alberta have a right to postsecondary educational services that are conducted with impartiality and integrity. It is this special obligation to the College that demands that there not be, nor seem to be, any conflict between the private interests of Employees and Board Members and their duty to act in the best interest of the College. At the same time, it is recognized that Employees and Board Members should enjoy the same rights in their private dealings as any other citizens unless it can be demonstrated that a restriction is essential to the public interest.

PART 1

1. Definitions

- (1) For purposes of this Code, unless the context otherwise requires,
 - (a) "**Act**" means the *Conflicts of Interest Act* (Alberta), as amended by the *Conflicts of Interest Amendment Act, 2017* (Alberta), and thereafter as amended from time to time, and all related regulations;
 - (b) an "**apparent conflict of interest**" exists if there is a reasonable perception, which a reasonably well informed person could properly have, that the Employee's or Board Member's ability to exercise that Employee's or Board Member's duties may have been affected by their private interest;
 - (c) "**applicable privacy legislation**" means the *Freedom of Information and Protection of Privacy Act* (Alberta), as amended from time to time and all other privacy-related legislation, regulations, Orders in Council, rules and guidelines to which the College is subject;
 - (d) "**Associate Vice President**" means the Associate Vice President, Human Resources, of the College;
 - (e) "**Benefit**" means a financial or personal benefit to an individual Employee or Board Member, other than a benefit that is applicable to a group of individuals within the College or is inconsequential;

- (f) **“Board Chair”** means the Chair of the Board of Governors as selected by the members of the Board of Governors of Bow Valley College or as appointed Chair of the Board of Governors of Bow Valley College by the Government of Alberta (as the case may be);
- (g) **“Board Member”** is anyone appointed by the Government of Alberta to the Bow Valley College Board of Governors or a committee of the Board of Governors;
- (h) **“Chief Financial Officer”** means the chief financial officer of the College;
- (i) **“Code”** means this Code of Conduct for the College, as amended from time to time;
- (j) **“College”** means Bow Valley College;
- (k) **“College Resources”** means the tangible and intangible assets of the College, including Intellectual Property (as defined in section 18);
- (l) **“Compliance Officer”** means the Chief Financial Officer;
- (m) **“Conflict of Commitment”** exists when the outside employment or activities of an Employee or Board Member adversely affects their capacity to fulfil their College responsibilities (including their ability for informed and balanced decision making) and includes conflicts where the interests of the outside boards, committees, organizations and entities are not aligned with the interests of the College;
- (n) a **“Conflict of Interest”** exists when:
 - (i) an individual takes part in a decision in the course of carrying out their College responsibilities, where they know or ought to know that the decision may result in a real or perceived Benefit to them, a Family Member, or a Related Entity of the individual;
 - (ii) an individual uses their position with the College to influence or seek to influence a College decision, which they know or ought to know may result in a real or perceived Benefit to them, a Family Member, or a Related Entity of the individual;
 - or
 - (iii) an individual communicates information that they know or ought to know is not available to the general public and is obtained by the individual in the course of carrying out their College responsibilities or as a result of their College position to obtain or seek a Benefit for the individual or a Family Member, or a Related Entity of the individual;
- (o) **“Dean”** means the Dean of the department in which the Employee works;
- (p) **“Director”** means the director of the department in which the Employee works;

- (q) **“Employee”** includes individuals engaged to perform a service at Bow Valley College, in accordance with existing terms and conditions of employment, employment contracts or collective agreements, and includes the President and Chief Executive Officer;
- (r) **“Ethics Commissioner”** means the individual appointed by the Government of Alberta to serve as the Ethics Commissioner;
- (s) **“Family Member”** means a parent, sibling, child, or spouse of the individual;
- (t) **“Incidental personal use”** means activities performed on College information technology resources that are not related to college business.
- (u) **“minor children”** mean the children of any individual to whom Appendix A of this Code applies who are under the age of 18 years;
- (v) the **“private interest”** of an Employee or Board Member (as the context requires) means a financial or personal interest of the Employee, but does not include an interest:
 - (i) in a matter that is of general application; or
 - (ii) that affects the Employee as one of a broad class of the public; or
 - (iii) that affects the compensation or benefits of an Employee; or
 - (iv) an interest that is trivial;
- (w) **“President and Chief Executive Officer”** means the President and Chief Executive Officer of the College;
- (x) **“Protected Disclosure Procedure”** means the protected disclosure procedure adopted by the College in November 2013, as amended from time to time;
- (y) **“Related Entity”** means
 - (i) a spouse or adult interdependent partner of the individual
 - (ii) a for-profit corporation with share capital of which the individual is a director or senior officer;
 - (iii) a private corporation carrying on business for profit of which the individual is the beneficial owner of shares, except an association defined in the Co-operatives Associations Act or a cooperative as defined in the Cooperatives Act, a credit union incorporated under the Credit Union Act, a co-operative credit society incorporated by or under an Act of the Parliament of Canada or the United Farmers of Alberta Cooperative Limited;

- (iv) a partnership of which the individual is a partner or of which one of the partners is directly associated with the individual by reason of (ii) or (iii); or
- (v) a person or group of persons acting with the express or implied consent of the individual.

- (z) **“Reprisal”** means retaliatory measures that are taken against an individual because the individual has sought advice about making a disclosure; filed a report of a potential breach of this Code in good faith; cooperated with the investigation of the potential breach; or declined to participate in a situation that formed the basis for the potential breach of this Code;

- (aa) **“spouse”** includes a party to a relationship who is living together with another person on a bona fide domestic basis, but does not include a spouse who is living apart from the employee if the employee and spouse have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order; and

- (bb) **“Vice President”**, unless specifically identified means, the Vice President responsible for the department in which the Employee works.

PART 2

Application of the Code

2. General

- (1) All provisions of the Code come into effect on May 30, 2019, unless otherwise expressly set out at the beginning of a particular provision in this Code.
- (2) This Code applies to all Employees, including the President and Chief Executive Officer.
- (3) This Code also applies to all Board Members, except where the Board Members are expressly not included or exempted.

PART 3

Administration of the Code

3. Executive Committee Responsibility

- (1) The Code will be administered by the Chief Financial Officer who also serves as the Compliance Officer for the College. Any questions regarding the interpretation or application of this Code are to be directed to the Chief Financial Officer.
- (2) Reviews under this Code will be brought to the Chief Financial Officer who will consult with the Associate Vice President and legal counsel as appropriate. Employees and Board Members must follow the processes set out in the Protected Disclosure Procedure to launch a formal review.

4. Department Responsibility

- (1) The Dean and Director of each department, along with the Vice President responsible for the department, will administer the Code for their department, and will issue instructions as necessary for implementation of the Code.
- (2) The Chief Financial Officer and the Associate Vice President will promote the Code on a regular basis to ensure the Vice Presidents, and the President and Chief Executive Officer are aware of their obligations.
- (3) The Board Chair and the President and Chief Executive Officer, working together, will promote the Code on a regular basis to ensure the Board Members are aware of their obligations.

PART 4

Responsibilities Under The Code

The following section refers to general and specific responsibilities of Employees and Board Members. Any special obligations, which apply to the President and Chief Executive Officer, and Board Chair only, are outlined in Appendix A of this Code.

General Employee and Board Member Responsibilities

5. Impartiality

- (1) Employees and Board Members are required in all regards to conduct their duties with impartiality.

6. Disclosure

- (1) Employees are required to disclose, to their Dean, Director, or Vice President or their designates, any situation involving them that is a Conflict of Interest, Conflict of Commitment or an apparent conflict of interest.
- (2) The Vice Presidents are required to disclose to the President and Chief Executive Officer or designate any situation involving them that is a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.
- (3) Board Members are required to disclose to the Board Chair or designate any situation involving them that is a Conflict of Interest, Conflict of Commitment or an apparent conflict of interest.
- (4) The Board Chair and the President and Chief Executive Officer shall, so far as it is known to them, disclose and discuss with the Human Resources Committee of the Board of Governors, situations that may be a Conflict of Interest, Conflict of Commitment or apparent conflict of interest.

7. Requirement for Confidentiality

- (1) Any Employee or Board Member privy to confidential, personal or proprietary information is prohibited from communicating such information to someone else, unless they have been

authorized to do so and such communication is necessary to do so in the course of their duty. Efforts must be made to limit access to confidential, personal or proprietary information to only those who need to know the information and those persons are to be advised that the information is to be kept confidential.

- (2) Outside persons privy to confidential information are to be informed, preferably in writing, that they must not divulge this information to anyone else, other than is necessary for them to carry on their work or association with the College.
- (3) Confidential, personal and proprietary information received, collected by or which an Employee or Board Member has accessed in the course of their duty shall be protected and treated in accordance with applicable privacy legislation and shall not be used for personal gain.

8. Requirement to comply with applicable laws and policies

- (1) Individuals must agree to execute ethically, conscientiously, with due diligence and according to law, the duties required of them as an Employee or a Board Member of the College, as the case may be.
- (2) Employees and Board Members shall act at all times in compliance with both the letter and the spirit of all applicable law and applicable College procedures and guidelines and in accordance with contractual commitments. Employees and Board Members should not only comply fully with the law, but should also avoid any situation that could be perceived as improper or indicate a casual attitude towards compliance.
- (3) Employees and Board Members are expected to be sufficiently familiar with any legislation (including applicable privacy legislation) that applies to their work to recognize potential liabilities and to know when to seek advice or assistance.
- (4) For greater certainty, Employees and Board Members who have access to information that is confidential, proprietary, or personal are required to be familiar and to comply with laws and College policies and procedures pertaining to access, use, modification, protection, and disclosure of such information.
- (5) In some cases Employees and Board Members are governed by ethical codes or standards of their professions or disciplines. Employees and Board Members are required to conduct their professional activities and their activities related to their discipline in compliance with all applicable codes and standards of their profession or discipline.

9. Furthering Private Interests

- (1) Employees and Board Members are required to disclose, in accordance with applicable procedures, any private interest that has the potential to give rise to a Conflict of Interest, Conflict of Commitment or an apparent conflict of interest.
- (2) Employees and Board Members must not take part in a decision of the College if doing so would result in a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.

- (3) Employees and Board Members must not use their public role or position with the College to influence or seek to influence a College decision that could further a private interest of the Employee or Board Member (as the case may be) or a Family Member or Related Entity of the individual that could result in a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.
- (4) Employees and Board Members must not use or communicate information not available to the general public that was gained by the Employee or Board Member (as the case may be) in the course of carrying out their duties or as a result of their College position or responsibilities, to further or seek to further a private interest of the Employee or Board Member (as the case may be), a Family Member, or a Related Entity of the individual.

Specific Employee and Board Member Responsibilities

10. Dealings with Others

- (1) Employees and Board Members who exercise discretionary authority over others shall disqualify themselves from dealing with any matters concerning an Employee or Board Member (as applicable) where their impartiality may be compromised. In situations where service delivery could be impaired if the Employee with discretionary authority does not act, the Employee must advise their Dean, Director, Vice President, or the President and Chief Executive Officer of the details before exercising their authority. Once the Dean, Director, Vice President, or the President and Chief Executive Officer has been notified, the Employee shall only exercise their authority in accordance with the instructions received. In emergency situations, the Employee shall act impartially and notify their the Dean, Director, Vice President, or the President and Chief Executive Officer immediately after exercising their authority.
- (2) Candidates for employment must declare any Family Members already employed with the College, before being hired. Family Members of an Employee may work in the College within the same School or Department, provided an Employee does not supervise a Family Member and no Conflict of Interest or apparent conflict of interest exists for the Employees involved. Should a Dean, Director, or Vice President wish to hire a Family Member of a current Employee into the same department, prior approval from the President and Chief Executive Officer is required.
- (3) In the recruitment process, selection panel members shall disqualify themselves from competitions where applicants include Family Members or other individuals where the continued participation of the panel member could raise a question as to their impartiality.
- (4) Employees shall, so far as it is known to them, disclose and discuss with their Dean, Director, or Vice President or designate situations that may be a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest under this section.
- (5) Vice Presidents shall, so far as it is known to them, disclose and discuss with the President and Chief Executive Officer, situations that may be a Conflict of Interest, Conflicts of Commitment, or apparent conflict of interest.

- (6) Board Members shall, so far as it is known to them, disclose and discuss with the Board Chair or designate, situations which may be a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.
- (7) The Board Chair, and the President and Chief Executive Officer shall, so far as it is known to them, disclose and discuss with the Human Resources Committee of the Board of Governors situations that may be a Conflict of Interest, Conflict of Commitment, or apparent conflict of interest.

11. Community-based Activities

- (1) The College supports Employees' involvement in community-based work where they will grow personally and/or professionally and/or where the College will benefit from such involvement. This includes board work (volunteer or paid) and committee involvement.
- (2) If an appearance before or participation on a committee, council, board, commission, organization, association or any other agency could result in adverse consequences for the College, or represent a Conflict of Interest, Conflict of Commitment, or apparent conflict of interest, the Employee or Board Member (as the case may be) must not participate.
- (3) Employees and Board Members may, however, exercise their rights as a citizen so long as it is clear that they are representing themselves as a private citizen and in no way representing the interests of the College.

12. Volunteer Activities

- (1) Employees are encouraged to participate in volunteer activities; however, the restrictions as listed under the title Community-based Activities also apply to volunteer activities. Employees who are actively associated on a volunteer basis with any organization shall disclose to their Dean, Director, or Vice President their involvement in any organization where a Conflict of Interest or a Conflict of Commitment may arise, including an apparent conflict of interest. Vice Presidents shall make similar disclosures to the President and Chief Executive Officer, and the President and Chief Executive Officer shall make similar disclosures to the Board Chair. Such Employees shall disqualify themselves from participating in any decisions of other organizations or the College which could result in a Conflict of Interest or Conflict of Commitment.
- (2) It is recognized that Board Members may have other volunteer activities in which they engage, including serving as directors on other not-for-profit boards. Board Members are required to disclose, when first appointed and thereafter on an annual basis, their involvement in any organization where a Conflict of Interest, or a Conflict of Commitment may arise, including an apparent conflict of interest. Such Board Members shall disqualify themselves from participating in any decisions of other organizations or the College, which could result in a Conflict of Interest or Conflict of Commitment.

13. Appointments and Secondary Employment

- (1) Employees (other than the President and Chief Executive Officer) may accept appointments and participate in secondary employment, except where the secondary employment:

- (a) interferes with the Employee's duties, availability or performance to the College's requirements;
- (b) involves business relations, or other outside employment duties during any portion of the employee's regular working hours with the College, except in pre-approved circumstances;
- (c) the Employee gains any Benefit or acts in any capacity for a supplier, contractor, customer, or any other entity with which the College does business;
- (d) might reasonably expect them to disclose confidential or proprietary information to which they have access by virtue of their College appointments;
- (e) involves the Employee holding a position as a member of a board of governors or an officer of a competitor of the College unless approved by the President and Chief Executive Officer; or
- (f) creates or appears to create ethical or legal conflict of interests.

14. Process for Approval of Appointments, Secondary Employment:

- (1) For Employees (other than the President and Chief Executive Officer) to pursue secondary employment or accept appointments, Employees are required to declare the employment or appointment, and obtain approval from their Dean, Director, Vice President, or Associate Vice President. Approval will be documented and placed in the Employee's file. Where approval is given, the College may request the use of unpaid leave or vacation time to pursue these opportunities. The Employee may choose to donate their proceeds or honorarium back to the College.
- (2) Employees considering a new offer of appointment or employment must be aware of and manage any potential Conflicts of Interest, Conflicts of Commitment and apparent conflicts of interest between their current position and future circumstances, and must remove themselves from any decisions affecting their appointment or employment.
- (3) Board members shall declare in writing to the Board Chair any concurrent appointment, business, undertaking or employment, including self-employment, upon initial appointment and immediately at any time there is a change from the initial declaration.

15. Acceptance of Gifts

- (1) Employees and Board Members shall not accept fees, gifts or other benefits, including event invitations, that are connected directly or indirectly with the performance of the College position or duties, from any individual, organization, or corporation other than:
 - (a) The normal exchange of gifts between friends;
 - (b) The normal exchange of hospitality between persons doing business together;
 - (c) Tokens exchanged as part of protocol; or

- (d) The normal presentation of gifts to persons participating in public functions, awards, speeches, lectures, presentations or seminars.
- (2) Acceptance of cash or cash equivalents as a gift under paragraph 15(1) is prohibited.
 - (3) The value of a single tangible gift permitted by this section shall not exceed \$100. The total cumulative value of tangible gifts received from a single source in a calendar year shall not exceed \$200.
 - (4) The value of a single event invitation permitted by this section shall not exceed \$200. The total cumulative value of event invitations, received by Employees and Board Members from a single source in a calendar year shall not exceed \$400. The exception to these values for the Board Chair, the President and Chief Executive Officer and members of the Executive are itemized in 15(6).
 - (5) Subject to the general restrictions of paragraph 15(1) and the monetary limits of paragraph 15(4), Employees and Board Members may accept:
 - (a) Paid invitations to industry, civic or community events where attendance at such events is considered key to establishing and maintaining positive donor relationships and community collaboration relationships for the College, provided that such activities are carried on in the best interests of the College and not for any Benefit; or
 - (b) Paid invitations for events where a large cross-section of people have been invited, provided that the invitation does not create a real or apparent Conflict of Interest.
 - (6) For the Board Chair, the President and Chief Executive Officer, and members of the Executive, the value of a single event invitation permitted by this section from donors and friends of the institution shall not exceed \$1,000. The total cumulative value of events invitations permitted by this section, received by the Board Chair, the President and Chief Executive Officer, or a member of the Executive (as applicable) from a single donor or friend of the institution in a calendar year shall not exceed \$1,500.
 - (7) Employees and Board Members may accept invitations to conferences, symposiums and professional development workshops where admission, accommodation, airfare and other fees are paid, provided that such invitation:
 - (a) Is reasonable and customary in the academic or professional circumstances;
 - (b) Is not actually nor reasonably could be perceived as being provided in exchange for a favor or advantage to the organizers of the conference, symposium or professional development workshop or to any other party; and
 - (c) Requires the attendee to speak, present or participate in an active role.
 - (8) The value of a single invitation permitted under paragraph 15(7) shall not exceed \$4,000 and the cumulative value of all invitations permitted under paragraph 15(7) received from a single source in a calendar year shall not exceed \$8,000. Any invitation exceeding these limits may be accepted with prior written approval from the appropriate party (as identified in paragraph 15(10)) whose

permission shall be granted in writing, in accordance with the principles and provisions of the Code, and where acceptance of the invitation would not create a real or apparent Conflict of Interest.

- (9) If an Employee or Board Member is unclear as to the valuation of a gift, event invitation, or other benefit, as to whether a gift, event invitation, or other benefit fits under one of the above exceptions or under which section a gift, event invitation, or other benefit is captured, the Employee or Board Member shall seek assistance from the Appropriate Party. The appropriate party holds final discretion on the valuation or classification of a gift, event invitation, or other benefit.
- (10) The Appropriate Party under paragraphs 15(8) and 15(9) is:
 - (a) The Dean, Director, Associate Vice President or Vice President, for Employees;
 - (b) The Board Chair, for Board Members; or
 - (c) The Human Resources Committee of the Board of Governors, for the Board Chair and the President and Chief Executive Officer.

16. Political Activity

- (1) There is no restriction upon participation in political activity by Employees and Board members except that:
 - (a) they must not participate directly in soliciting contributions;
 - (b) any political activities carried out must be clearly separate from activities undertaken for the College and may not involve College Resources;
 - (c) the section on Community-based Activities applies;
 - (d) Employees who run as candidates in a provincial or federal election must take a leave of absence without pay commencing on the earlier of: the day after the writ for the election is issued or the day that their candidacy is publicly announced. The restriction relating to soliciting contributions shall not apply to such Employees or Board Member once the leave of absence commences;
 - (e) Employees who are elected to federal, provincial or municipal council office must resign their employment effective the day of the federal or provincial election; and
 - (f) Employees who seek election and are not elected are entitled to return to the same or similar employment effective the day after the election.

17. Public Statements

- (1) The responsibility for maintaining the confidentiality of information or documents includes the responsibility for ensuring that such information or documents are not directly or indirectly made available to unauthorized persons.

- (2) Employees and Board Members must adhere to the requirements of all applicable privacy legislation.
- (3) Employees and Board Members are reminded that posting content, including the use of social media, whether on behalf of the College or for personal purposes, is public, immediate and permanent. As such, Employees and Board Members are expected to be transparent, thoughtful, and respectful to protect their personal and professional reputation, as well as that of the College. Employees and Board Members must comply at all times with all relevant applicable laws and the College's policies and procedures.

18. Use of College Resources

- (1) Employees and Board Members may only use College Resources for activities on behalf of the College and within their scope of responsibility as per policy.
- (2) Notwithstanding 18(1), College Resources may be used for personal purposes in limited circumstances when permitted by an existing policy or where incidental personal use is reasonable in all of the circumstances.
- (3) Employees and Board Members are required to treat College Resources with care and to adhere to laws and College policies regarding the acquisition, use, maintenance, documentation, and disposal of College Resources.
- (4) Employees or Board Members shall not sell, trade, market, or distribute any such product, technology or Intellectual Property (as defined below) unless otherwise authorized by the President and Chief Executive Officer or designate. Unauthorized distribution of Intellectual Property or other proprietary information or technology could also be illegal and result in civil or criminal penalties.
- (5) As users of information produced outside of the College, Employees shall strive to ensure that all of the College's Intellectual Property is respected. Intellectual Property means confidential information, copyright works, trademarks, industrial designs, design rights, inventions (whether patentable or not), unpublished patent applications, inventive ideas, discoveries, innovations, developments, or improvements thereto, or any other intellectual property rights relating to any of the foregoing, whether registered or non-registered, whether or not reduced to written form or practice, within the scope of the College's business activities. Issues relating to Intellectual Property and licensing agreements should be directed to Learner Services.
- (6) Employees who produce Intellectual Property or make improvements to Intellectual Property during employee work hours or with College Resources must cooperate with the College to ensure:
 - (a) the Intellectual Property becomes or remains the exclusive property of the College and its creation or any modifications are disclosed to the College; and
 - (b) an unconditional waiver of all moral rights is made.
- (7) Employees wishing to see material or Intellectual Property produced by the College or material or Intellectual Property that they have produced themselves in their employment with the

College must receive permission from the President and Chief Executive Officer, or designate, prior to using or disseminating those materials externally.

- (8) Economic rights relating to the development of any materials or Intellectual Property for the College shall be the property of the College.

PART 5

Reporting, Investigating a Breach of the Code

19. Disclosing and Investigating

- (1) Employees or Board Members shall disclose known or suspected breaches of the Code to the Compliance Officer in accordance with the Protected Disclosure Procedure (Appendix B). A breach of the Code shall be deemed to be within the definition of Wrongdoing (as defined in the Protected Disclosure Procedure). Any Employee or Board Member disclosing a breach or suspected breach of the Code will follow the steps for making a disclosure, and such disclosure, as well as any Reprisals, will be investigated and a conclusion reached in accordance with the Protected Disclosure Procedure.
 - (a) The party alleged to have breached the Code will have an opportunity to respond to the allegations through the process.

PART 6

Penalties, Consequences and Reprisals

20. Penalties and Consequences

- (1) Employees or Board Members who do not comply with any provisions of this Code may be subject to disciplinary action, up to and including termination of employment or other relationship with the College. Disciplinary action will be taken in accordance with the provisions of any applicable collective agreement.
- (2) Employees or Board Members who are found to have made a frivolous or vexatious report of a potential breach of the Code may be subject to disciplinary action up to and including termination of employment or other relationship with the College. Disciplinary action will be taken in accordance with the provisions of any applicable collective agreement.

21. Reprisals

- (1) Employees and Board Members will not take any action in Reprisal against another individual.
- (2) An individual who believes they may be the subject of a Reprisal may notify the Chief Financial Officer in accordance with relevant procedures set out in the Protected Disclosure Procedure.

PART 7

Administration Matters

22. Review of the Code

- (1) This Code of Conduct replaces the Employee Code of Conduct Policy (April 16, 2014), the Employee Code of Conduct Procedure (January 14, 2014), the Ethical Business Practices Policy (March 15, 2013), the Ethical Business Practices Procedure (March 15, 2013), and the Ethical Business Practices Guidelines (March 15, 2014).
- (2) This Code shall be reviewed on a regular basis under the direction of the Chief Financial Officer and any material amendments shall be approved by the Board of Governors. The President and Chief Executive Officer or designate shall have the authority to make any housekeeping changes or changes required to reflect legislative or regulatory changes, including Orders in Council, as issued from time to time, without any further Board of Governors' approval.

Each Employee and Board Member shall be required to confirm on an annual basis that they have read and understand the Code and are not aware of any breach of the Code in the preceding year that has not been fully disclosed.

APPENDIX A

Obligations of the Board Chair and the President and Chief Executive Officer

1. Restrictions Against Furthering Private Interests

- (1) Pursuant to s. 23.925 of the *Conflicts of Interest Act*, the Board Chair and the President and Chief Executive Officer are subject to additional provisions. The Board Chair and the President and Chief Executive Officer:
 - (a) Must not take part in a decision in the course of carrying out his/her office or powers knowing that the decision might further a private interest of the Board Chair or the President and Chief Executive Officer (as applicable), a Related Entity of the Board Chair or the President and Chief Executive Officer (as applicable), or the Board Chair or the President and Chief Executive Officer's minor or adult child (as applicable);
 - (b) Must not use his/her office or powers of influence or seek to influence a decision made by or on behalf of the Crown or a public agency, including the College, to further a private interest of the Board Chair or the President and Chief Executive Officer (as applicable), a minor child or Related Entity with the Board Chair or the President and Executive Officer (as applicable), or to improperly further any other person's private interests;
 - (c) Must not use or communicate information not available to the general public that was gained by the Board Chair, or the President and Chief Executive Officer in the course of carrying out his/her office or powers to further or seek to further a private interest of the Board Chair or the President and Chief Executive Officer or any other person's private interests; and
 - (d) Must appropriately and adequately disclose a real or apparent conflict of interest.
- (2) Any approvals or plans to manage a Conflict of Interest or apparent conflict of interest should be documented and placed in the Board Chair or the President and Chief Executive Officer's file (as applicable) and reviewed annually as part of the annual sign-off procedure for this Code.

Obligations of the President and Chief Executive Officer

2. Restrictions on Concurrent Employment

- (1) The President and Chief Executive Officer must seek approval in writing from the Board of Governors and from the Ethics Commissioner to engage in an appointment, business, undertaking or employment, including self-employment, other than their role with the College or another role that is subject to the requirements of the Act. Approval will be documented and placed in the President and Chief Executive Officer's file.
- (2) The current President and Chief Executive Officer is subject to paragraph 2(1) of this Appendix on December 15, 2019, or when his/her appointment or contract is renewed or extended, whichever comes first. The paragraph applies immediately for new hires or appointments.

3. Special Obligations

The provisions set out in this paragraph come into effect for the current President and Chief Executive Officer on the earlier of: (i) April 4, 2020 or (ii) upon renewal or extension of their contract or employment. For new hires or appointments, these obligations apply immediately.

The President and Chief Executive Officer, who is the Designated Senior Official (as defined in the Act), must comply with all disclosure statement and return reporting requirements, post-employment restrictions, and restrictions on holdings in connection with publicly traded securities, in the manner and in accordance with the timelines set out in the Act.

A. Restrictions on Holdings:

As set out in s. 23.93 of the *Conflict of Interest Act*, the President and Chief Executive Officer must not own or hold a beneficial interest in publicly traded securities unless held in a blind trust approved by the Ethics Commissioner. Approvals for other investment arrangements or exemptions must be granted in writing by the Ethics Commissioner.

Securities must be managed within 60 days of a person becoming the President and Chief Executive Officer, the Code's entry into force, or the acquisition of securities by gift or inheritance. The Ethics Commissioner may set out a longer period.

B. Disclosure Requirements:

As set out by ss. 23.931 & 23.932 of the *Conflict of Interest Act*, at a time specified by the Ethics Commissioner, and in a manner and form specified by the Ethics Commissioner, the President and Chief Executive Officer must provide to the Ethics Commissioner an annual and full financial disclosure of the President and Chief Executive Officer's assets, liabilities, investments, holdings, and other interests.

At a time specified by the Ethics Commissioner, and in a manner and form specified by the Ethics Commissioner, the President and Chief Executive Officer must also provide to the Ethics Commissioner a return of the assets, liabilities, investments, holdings and other interests of the President and Chief Executive Officer's direct associates: spouses, adult interdependent partners, minor children, and any corporation or partnership that the President and Chief Executive Officer, his/her spouse, or his/her adult interdependent partner controls.

Within 60 days of the Code coming into force, the President and Chief Executive Officer must provide a direct associate return to the Ethics Commissioner.

The President and Chief Executive Officer must file an updated disclosure or return within 30 days of any material changes to a previous return or disclosure, and within 30 days if no longer designated as designated senior official.

4. Post-Employment Restrictions on the President and Chief Executive Officer

As required by s. 23.937 of the *Conflicts of Interest Act*, for twelve (12) months after the last day they hold their position as President and Chief Executive Officer, the President and Chief Executive Officer:

- Must not lobby any public office holder, as defined in the *Lobbyists Act*;

- Must not act on a commercial basis or make representations on behalf of any party in connection with any ongoing matter in connection with which the President and Chief Executive Officer directly acted for or advised a department or public agency;
- Must not make representations with respect to a contract with or benefit from that department or public agency;
- Must not make representations with respect to or solicit or accept on his/her own behalf a contract or benefit from a department or public agency with which the President and CEO had a direct and significant official dealing; and
- Must not accept employment with an individual, organization, board of directors, or equivalent body of an organization with which the President and CEO had direct and significant official dealing.

The President and Chief Executive Officer may apply to the Ethics Commissioner for a waiver or reduction of a time period to these restrictions.

APPENDIX B

PROTECTED DISCLOSURE PROCEDURE

Parent Policy

Protected Disclosure Policy # 200-1-6

Purpose

The purpose of this procedure is to provide clarity to members of the College community regarding the procedure for disclosing and investigating potential cases of Wrongdoing, and to:

- Facilitate the Disclosure and investigation of Wrongdoing as defined by *Public Interest Disclosure (Whistleblower Protection) Act (PIDA)*;
- Protect employees who make those Disclosures from Reprisals;
- Manage, investigate and make recommendations respecting Disclosures of Wrongdoings and Reprisals; and
- Promote public confidence in the administration of Bow Valley College.

Scope

This procedure applies to all employees, independent contractors, volunteers, and any other individuals associated with Bow Valley College (e.g. vendors, suppliers and campus visitors). When a Case of Wrongdoing is reported by a complainant, Bow Valley College will identify if the respondent(s) status with the College alters or takes precedence over this procedure due to a contract, collective agreement or statute.

Compliance

All Bow Valley College employees, independent contractors, volunteers, and other individuals who are associated with Bow Valley College are responsible for knowing, understanding, and complying with Bow Valley College policies and procedures to the extent that procedures relate to their position, contract and if applicable Collective Agreement.

Procedure

This procedure outlines the options available to any member of the College community who would like to report a Wrongdoing.

Bow Valley College encourages the prompt and timely reporting of all cases of Wrongdoing to the Designated Officer, regardless of the offender.

Administration

1. Roles and responsibilities

- 1.1 The Chief Officer for the College under the Act is the President and Chief Executive Officer. The Chief Officer is responsible for communicating all information about the Act and the

procedures established in this document to all employees and to designate a Designated Officer for the purposes of managing and investigating Disclosures.

- 1.2 The Designated Officer under the Act for the College is the Vice President, Learner Services and Chief Financial Officer. The Designated Officer will conduct an initial evaluation/assessment:
 - To determine if the matter brought forward is an allegation of Wrongdoing; and
 - If it is an allegation of Wrongdoing, to determine if there are sufficient grounds for further action.
- 1.3 The Public Interest Commissioner is appointed pursuant to the Act and is responsible for providing oversight with respect to the Act, handling certain cases of Wrongdoing and managing cases of Reprisal.

Reporting phase

2. Filing a report of an alleged Wrongdoing

- 2.1 Employees should raise concerns as soon as possible after the alleged Wrongdoing.
- 2.2 Employees who are considering making a Disclosure may request information or advice from the following:
 - Supervisor,
 - Designated Officer,
 - Chief Officer; or
 - Office of the Public Interest Commissioner <https://yourvoiceprotected.ca/for-employees>.
- 2.3 Employees may make a Disclosure of Wrongdoing to the Designated Officer and/or directly to the Commissioner (if the case of Wrongdoing falls under PIDA) <https://yourvoiceprotected.ca/for-employees/Disclosure-form>.
- 2.4 All Employees are encouraged to complete a Protected Disclosure Report (Appendix A) to provide full details, including:
 - A description of the Wrongdoing;
 - The date and time of the Wrongdoing;
 - The name of the individual or individuals alleged to have committed the Wrongdoing or to be about to commit the Wrongdoing;
 - Whether a Disclosure in respect of a Wrongdoing has been made under Section 5 of the Public Interest Disclosure Act and whether a response has been received, and if so, a copy of the response; and
 - Any additional information the Designated Officer or Commissioner may reasonably require in order to investigate the matters set out in the Disclosure.

- 2.5 The identity of the Discloser will be kept confidential, if so requested, for as long as is possible, provided that this is compatible with a proper investigation into the alleged Wrongdoing, including the principles of fairness and natural justice.
- 2.6 Anonymous Disclosures by individuals who assert that they are employees of the College will be evaluated by the Designated Officer for potential investigation by considering the seriousness of the allegation raised, the credibility of the complaint, the prospects of being able to investigate the matter properly, and fairness to any individuals mentioned in the Disclosure.

3. Receiving a report of an alleged Wrongdoing

- 3.1 If the Designated Officer is in a conflict of interest, the Disclosure may be made to the Chief Officer, who will appoint another senior officer of the College to assume the role, the rights, and the responsibilities of the Designated Officer, with respect to managing the Disclosure process for that particular Disclosure.
- 3.2 The Designated Officer may refer a Disclosure of Wrongdoing to an alternate authority, including to the Public Interest Commissioner. Factors in considering whether to refer a Disclosure of Wrongdoing include:
 - Whether the subject matter of the Disclosure would more appropriately be dealt with by another authority;
 - The complexity of the subject matter of the Disclosure;
 - Whether a perceived conflict of interest may exist;
 - If the act of Wrongdoing falls under PIDA;
 - The resources and expertise required to conduct a fair and effective investigation; or
 - If the subject matter pertains to an individual that supersedes the hierarchal position of the Designated Officer.

4. Reviewing a report of an alleged Wrongdoing

- 4.1 A Disclosure may not proceed to formal investigation under this procedure if:
 - The allegations do not constitute Wrongdoing defined under this procedure, therefore, the matter could potentially be resolved through an alternative, informal process with the agreement of all parties involved; or
 - The matter is more appropriately dealt with through another established process (grievances, performance management issues, Respectful Workplace Policy, etc); or
 - The subject matter of the Disclosure is currently before the courts; or
 - More than two (2) years have passed since the date that the Wrongdoing was discovered; or
 - The matter is determined to be trivial or frivolous or vexatious or an abuse of process. For a matter to be considered frivolous or vexatious or an abuse of process, the allegation must be such that no reasonable person would treat it as bona fide or the matter was determined to be not brought in good faith or on the basis of a reasonable belief.

- 4.2 An employee who does not act in good faith or makes an allegation without having reasonable grounds for believing it to be substantially true, or who makes it for the purposes of personal gain, or who makes it maliciously, frivolously or vexatiously, may be subject to disciplinary proceedings, up to and including termination.
- 4.3 The Designated Officer will acknowledge the receipt of a Disclosure to the individual making the Disclosure within five (5) Business Days.
- 4.4 The Designated Officer will also review the following with the Discloser:
- Confidentiality of information collected in relation to Disclosures and investigations;
 - Protection of the identity of individuals involved in the Disclosure process, including the Discloser, the Respondent and witnesses, subject to any other Act or regulation and to the principles of procedural fairness and natural justice;
 - The record keeping process; and
 - The commitment of the College to protect the Discloser from Reprisal.
- 4.5 Depending on the nature and severity of the allegation and the risk to others, in consultation with the Chief Officer, the Designated Officer will make the determination if an interim action is required (i.e., if the Respondent should be removed from the workplace).
- 4.6 Within ten (10) Business Days of receiving the report, the Designated Officer, will decide if:
- The report should be processed as a case of alleged Wrongdoing;
 - The report should be referred to an alternate process;
 - The report should be dismissed for being frivolous or vexatious, or made in bad faith; or
 - The report should be dismissed for any other valid reason.
- 4.7 Within ten (10) Business Days of receiving the report, the Designated Officer, will inform the Discloser of the decision and any next steps. The Respondent will also be informed if an investigation is to proceed.
- 4.8 A maximum of thirty (30) Business Days can be approved by the Chief Officer to extend a time limit for the management of Disclosures. Further extensions may only be granted by the Commissioner.
- 4.9 If the Associate Vice President, HR, or designate, finds it necessary to initiate an investigation, they are to follow the Investigation Guiding Principles and Process outlined in this Procedure.

5. Protecting Involved Parties

- 5.1 The Designated Officer may appoint a representative to manage either the Discloser's or the Respondent's welfare. This representative will:
- Examine the immediate welfare and protection needs of either party;
 - Ensure both the Discloser and Respondent are aware of employee assistance programs and other supports;
 - Listen to any concerns of harassment or intimidation, or Reprisal due to the reporting of an alleged breach of the Protected Disclosure Policy; and
 - Act as liaison and guide for the process.

- 5.2 Employees are protected from Reprisals when they have in good faith, sought advice about making a Disclosure, cooperated in an investigation under this Act, declined to participate in a Wrongdoing or done anything in accordance with this Act.
- 5.3 The Public Interest Commissioner has exclusive jurisdiction to receive and investigate complaints of Reprisal. Employees who believe they have been subject of a Reprisal are to submit a “Complaint of Reprisal” form directly to the Commissioner. The Complaint of Reprisal must be submitted in the prescribed format and is available on the Public Interest Commissioner’s website at <https://yourvoiceprotected.ca>.
- 5.4 It is an offence to engage in acts of Reprisal. In addition, where the Public Interest Commissioner finds that Reprisal has taken place, the Labour Relations Board may award the Employees who have suffered reprisal further remedies, such as reinstatement, lost wages, or other damages.

The Investigation Phase

Investigation Guiding Principles

- The process of conducting an investigation must be fair. It must be a diligent search for the facts, conducted with an open mind. It must respect the rights of the alleged offenders through appropriate procedural safeguards.
- Investigations will be conducted in accordance with the principles of procedural fairness and natural justice.
- Investigators are expected to be open-minded, objectively assess the facts, maintain neutrality, and act impartially.
- During the course of an investigation, in the event that other Wrongdoings are identified as having been committed or may be committed, these will included in the investigation process
- Protection of sensitive information is a key priority. To the extent possible, Investigators will endeavour to keep the complaint and investigation confidential, unless there is an imminent risk of a substantial and specific danger to the life, health, or safety of individuals or the environment.
- Investigators will utilize introductory, open-ended, close-ended and follow-up questions as the situation demands.
- Investigators will make notes of all discussions, phone calls, and interviews with witnesses.
- The standard of proof is the Balance of Probabilities.

Investigation Process

In the event an investigation is to be conducted, the following procedure will be followed:

6. Investigating a Report of Alleged Wrongdoing

- 6.1 The Designated Officer will appoint an Investigator to carry out the investigation. The Investigator may be internal or external to the College.

- 6.2 A single investigation may be conducted in circumstances where multiple Disclosures are made on the same matter.
- 6.3 The Investigator will prepare an investigation plan for approval by the Designated Officer. The plan will list the issues to be substantiated and describe the avenue of inquiry. At this point, the Discloser and Respondent will be:
- Notified by the Investigator that he or she has been appointed to conduct the investigation;
 - Asked to clarify any matters;
 - Asked to identify witnesses; and
 - Asked to provide any additional relevant details.
- 6.4 In the course of the investigation, the Investigator(s) will:
- Collect information relating to the allegation, which may involve steps to protect or preserve documents, materials and equipment and to interview witnesses;
 - If Disclosers or Respondents are represented by a union or faculty association, advise them of their right to have a union or faculty association representative present during any investigation meetings or interviews;
 - If Disclosers or Respondents are represented by a student association, advise them of their right to have a student association representative present during any investigation meetings or interviews;
 - Regularly update the Designated Officer on the progress of the investigation;
 - Consider the information collected and to draw conclusions objectively and impartially; and
 - Make recommendations based on the conclusions concerning appropriate action.
- 6.5 The written report from the Investigator must be provided to the Chief Officer no later than 110 Business Days after the Designated Officer receives a report of an alleged Wrongdoing.

7. Investigations Involving Imminent Risk or an Offence

- 7.1 Notwithstanding any other provision in this procedure, where the subject matter constitutes an imminent risk of a substantial or specific danger to the life, health or safety of individuals, or to the environment, the Designated Officer may, without the consent of the disclosing employee, notify any individual within the College in order to be able to appropriately respond to the danger, and notify any appropriate authority required to respond to the danger, including calling 911.
- 7.1.1 The Designated Officer must also notify:
- The appropriate law enforcement agency,
 - In the case of a health-related matter, to the Chief Medical Officer of Health, and
 - To the department, public entity, or other entity responsible for managing, controlling or containing the risk, if any exists.

7.1.2 The Designated Officer must suspend any investigation into the matter, and may only resume after any charge relating to an alleged offence, or any investigation by a law enforcement agency or the Minister of Justice and Solicitor General, has been finally disposed of.

7.2 If during an investigation, the Designated Officer has reason to believe that an offence has been committed under a Provincial or Federal Act or Regulation, the matter must be reported to a law enforcement agency and to the Minister of Justice and Solicitor General as soon as reasonably practicable.

7.2.1 The Designated Officer must suspend any investigation into the matter, and may only resume after any charge relating to an alleged offence, or any investigation by a law enforcement agency or the Minister of Justice and Solicitor General, has been finally disposed of.

8. Submitting the Final Report

○ At the conclusion of the Investigation, the Investigator will submit a written investigation report to the Designated Officer, which will at minimum include:

- Details of the allegation;
- An account of all relevant information received; and
- The conclusions reached and the basis for them.

8.1 If the Investigator finds evidence of Wrongdoing, the report will also include any recommendations for action that should be taken to prevent the conduct from continuing or occurring in the future as well as action that should be taken to remedy any harm or loss arising from the misconduct.

8.2 If the investigation has identified any other possible breaches of College policy, the Investigator should also include them in the report. The possible breaches identified in the report will be dealt with by the Designated Officer.

8.3 The report will be accompanied by all records created or received by the Investigator in the course of the investigation.

8.4 When possible, the report will preserve the Discloser's identity if the Discloser has requested anonymity.

9. Outcome of the Investigation

9.1 The Designated Officer will advise the Discloser and Respondent of the outcome of the investigation.

9.2 The Designated Officer will provide the Chief Officer with the report or a summary of the report's findings and recommendations.

9.3 Individuals who are found to have committed a Wrongdoing may be subject to disciplinary actions in accordance with the provisions of any applicable collective agreement, practice, or applicable policy.

10. Annual Report

10.1 The Chief Officer must prepare an annual report on all Disclosures (regarding Wrongdoing under PIDA) made or referred to the Chief Officer or the Designated Officer. Reports must include:

- The number of Disclosures received by or referred to the Chief Officer, the number of Disclosures acted on as well as the number of Disclosures not acted on by the Chief Officer;
- The number of investigations commenced by the Designated Officer;
- In the case of an investigation that results in a finding of Wrongdoing, a description of the Wrongdoing and:
 - Any recommendations made or corrective measures taken in relation to the Wrongdoing.
 - If the department, public entity or office to which the recommendations relate has not taken corrective measures in relation to the Wrongdoing, the reasons provided.
 - These reports are to be included in the College's Annual Report and available to the public upon request.
 - The Chief Officer is restricted from publically identifying, in the annual report, an Employee who sought advice, made a Disclosure, or made a complaint of Reprisal and from disclosing individually identifying health information.

11. Access to Information

The Freedom of Information and Protection of Privacy Act (FOIPP) has been amended and now places restrictions on the right of access to a record that would reveal the identity of a person who has requested advice about making a Disclosure, made a Disclosure, or submitted a complaint of Reprisal, or whose complaints have been referred to the Labour Relations Board, unless that information can reasonably be severed from a record.

Definitions

Act: The Public Interest Disclosure (Whistleblower Protection) Act (Alberta), as amended by the Public Interest Disclosure (Whistleblower Protection) Act, 2017, (Alberta), and thereafter as amended from time to time, and all related regulations;

Balance of Probabilities: A legal standard, which requires that a dispute be decided in favour of the party whose claims are more likely to be true.

Bona Fide: A term meaning “in good faith.” It stresses the absence of fraud or deception.

Business Days: Any day other than a Saturday, Sunday or statutory holiday or day on which the College is closed for business.

Chief Officer: The individual prescribed under the Act, who is responsible for establishing and maintaining these procedures and for overall administration and reporting requirements under the Act.

Collective Agreement: A commercial agreement negotiated “collectively” between management (on behalf of Bow Valley College) and specific labour unions or associations (on behalf of employees). The collective agreement regulates the terms and conditions of certain employees in their workplace, their duties and the duties of the employer.

Designated Officer: The individual responsible for managing and investigating a Disclosure.

Discloser: Any member of the College community who has reason to believe that another College community member has committed a Wrongdoing and who initiates a procedure under this Policy.

Disclosure of Wrongdoing is to report a Wrongdoing or a risk that a Wrongdoing will occur. In a Disclosure of Wrongdoing, the employee is a witness.

Employee: Individual who is engaged to perform a service at Bow Valley College, in accordance with existing terms and conditions of employment, employment contracts or collective agreements, and includes the President and Chief Executive Officer.

Fraud: Legally defined as the “intentional deception resulting in injury to another. Elements of fraud are a false and material misrepresentation made by one who either knows it is false or is, ignorant of its truth.... Fraud usually consists of a misrepresentation, concealment, or nondisclosure of a material fact, or at least misleading conduct, devices or contrivance.”

Fraud includes, but is not limited to:

- Misappropriation, misapplication, destruction, removal, or concealment of College property
- Alteration or falsification of paper or electronic documents (cheques, invoices, contracts, etc.), including the inappropriate destruction of paper or electronic documents
- Authorizing or receiving payments for goods not received or services not performed
- Altering or deliberately reporting incorrect financial or personal information for either a personal or College advantage

- Unauthorized use of College property and resources for personal advantage or gain
- Any claim for reimbursement of expenses that are not incurred for the benefit of the College
- Graft, bribery, kickbacks, or rebates
- Identity theft
- Misrepresentation of professional or academic credentials,
- Misrepresentation of position or status with the College or misstatement of the right to commit the College to contracts or transactions

Independent Contractor: Businesses, either sole proprietorships or multi-person companies, which provide goods and/or services to Bow Valley College through a business transaction, are independent contractors. Worker payments, transactions, taxes and benefits are the responsibility of the independent contractor.

Investigator: An individual or team of individuals having experience and relevant skills to conduct an investigation on behalf of Bow Valley College. This resource is identified by the Designated Officer. An investigator is responsible for conducting a formal investigation of the complaint by collecting information from the Discloser, Respondent, Witnesses and other relevant sources; consulting with the Designated Officer, as appropriate, for advice and guidance; and, preparing an investigation report and communicating the findings to the Designated Officer.

Learner: A person who is currently registered as a learner at the College whether or not for credit. For the purposes of this document, “learner” shall be used synonymously for applicants, prospective learners and learners unless specifically noted otherwise.

Respondent: The person against whom a complaint of Wrongdoing has been alleged. It is expected that the respondent will participate and cooperate with the investigative process. The respondent may ask to bring a support person from within the College community to any interviews.

Reprisal: Any adverse employment action taken against an employee who seeks advice on making a Disclosure, makes a Disclosure, participates in an investigation of a Disclosure, or refuses to participate in a Wrongdoing. Reprisals are specifically defined in PIDA as:

- A dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of job location, reduction in wages, change in hours of work or reprimand;
- Any other measure that adversely affects the employee’s employment or working conditions; and
- A threat to take any of the measures mentioned in the points above.

Safety: The state of being reasonably certain that one will not be emotionally, physically, or mentally hurt by other persons or situations.

Volunteer: A person at Bow Valley College who voluntarily offers himself or herself for a service or undertaking willingly and without pay.

Witnesses: Any member of the College community identified as a witness during the investigation is expected to participate and cooperate with the investigative process. Witnesses may also be from outside

the College community.

Wrongdoing is defined in PIDA as:

- A contravention of a piece of legislation, a regulation made pursuant to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;
- An act or omission that creates
 - A substantial and specific danger to the life, health or safety of individuals other than a danger that is inherent in the performance of the duties or functions of an employee, or
 - A substantial and specific danger to the environment;
- Gross mismanagement, including an act or omission that is deliberate and that shows a reckless or wilful disregard for the proper management of
 - public funds or a public asset,
 - the delivery of a public service, including the management or performance of
 - a) a contract or arrangement identified or described in the regulations, including the duties resulting from the contract or arrangement or any funds administered or provided under the contract or arrangement, and
 - b) the duties and powers resulting from an enactment identified or described in the regulations or any funds administered or provided as a result of the enactment,
 - employees, by a pattern of behaviour or conduct of a systemic nature that indicates a problem in the culture of the organization relating to bullying, harassment or intimidation.
- Knowingly directing or counselling an individual to commit a Wrongdoing mentioned above

In addition, for the purposes of this procedure, Wrongdoing is also defined as:

- An act of fraud; and
- A breach of the Code of Conduct Policy of Bow Valley College #xxxxx.

Date Stamp

Received

APPENDIX A

This form is to assist you in providing information about a Disclosure of Wrongdoing. Please send this form directly to the Designated Officer.

Information that you provide in this Disclosure form will be protected and kept confidential to the fullest extent possible subject only to the provisions of the Public Interest Disclosure (Whistleblower Protection) Act, and principles of fairness and natural justice.

General Contact Information

Name Title (Optional)

Mailing Address
City
Postal Code

Telephone
Work
Home
Cell/Other

E-mail (Optional)

Best Time to Contact Day Evening Weekend

How do you wish to receive communication in regards to the Disclosure?

I don't E-mail Telephone Mail

Name of Employer

Branch or Unit

Current Organization if other than Employer

Name of Designated Officer

Information about the Disclosure of Wrongdoing

TYPE OF WRONGDOING

Which of the below applies to the Wrongdoing you are reporting?

PIDA

- Contraventions of an Act or a Regulation of Alberta or Canada.
- An act or omission that creates a substantial and specific danger to the life, health or safety of individuals.
- An act or omission that creates a substantial and specific danger to the environment.
- Gross mismanagement of public funds or a public asset.
- Gross mismanagement of the delivery of a public service, including the management or performance of:
 - A contract or arrangement identified or described in the regulations, including the duties resulting from the contract or arrangement or any funds administered or provided under the contract or arrangement; and
 - The duties and powers resulting from an enactment identified or described in the regulations or any funds administered or provided as a result of the enactment.
- Gross mismanagement of employees, by a pattern of behaviour or conduct of a systemic nature that indicates a problem in the culture of the organization relating to bullying, harassment or intimidation.
- Knowingly directing or counselling an individual to commit a Wrongdoing mentioned above.

Breach of Code of Conduct

- An act of fraud.
- A breach of the Code of Conduct Policy of Bow Valley College.

Please provide a description of the Wrongdoing, including any applicable Acts or regulations. If necessary, please attach any available supporting documentation.

Please state the location where the Wrongdoing took place or is about to take place

Please identify the date(s) on which the Wrongdoing occurred, and if it is ongoing.

Have you reported this alleged Wrongdoing to your supervisor or to any other person at your place of employment?

Yes No

If yes, please identify who you reported to. Please include relevant dates and describe any actions or decisions taken as a result. If necessary, attach any supporting documentation.

To the best of your knowledge, has a Disclosure already been made in respect of this Wrongdoing?

Yes No

If yes, has a response been received? By whom? Be sure to include supporting documentation as necessary.

Please identify the person(s) alleged to have committed the Wrongdoing or about to commit the Wrongdoing.

Name Title (Optional)

Employer

Work Address
City
Postal Code

Telephone Work

E-mail (Optional)

Name Title (Optional)

Employer

Work Address
City
Postal Code

Telephone Work

E-mail (Optional)

Name Title (Optional)

Employer

Work Address
City
Postal Code

Telephone Work

E-mail (Optional)

Do you wish to also make this Disclosure to the Commissioner?(If you are reporting a case of Wrongdoing under PIDA.)

Yes No

If yes, do you consent to the Designated Officer forwarding this Disclosure to the Commissioner on your behalf?

Yes No

Is there any additional information pertaining to the alleged Wrongdoing you wish to provide? Please attach any supporting documentation as necessary.

Declaration

I believe that all the information provided is true and accurate to the best of my knowledge.*

Signature Current Date

* Knowingly making a false or misleading statement is an offence pursuant to the Act.

If you wish to make this Disclosure to the Commissioner, please email this form to Whistleblower@gov.ab.ca or you can mail directly to:

Public Interest Disclosure Office
6th Floor, Peace Hills Trust Tower
10011 – 109 Street
Edmonton, Alberta
T5J 3S8

