

## **REPORTING OF WRONGDOING POLICY**

### **Statement of Policy**

Loyola High School is committed to safeguarding the trust and confidence that members of our community place in our school. Employees, volunteers, external organizations and/or persons working for Loyola High School are expected to uphold that trust and demonstrate integrity in all of their dealings.

This Policy supports that commitment by providing a framework for the disclosure and investigation of wrongdoing, as well as protection from reprisal or threat of reprisal for those who make disclosures. All individuals are expected to act with honesty and integrity in the fulfillment of their responsibilities in accordance with the school's codes of conduct, policies and procedures. The school shall make every reasonable effort to discourage wrongdoing and shall establish and maintain internal controls to prevent and detect wrongdoing.

All persons to whom this policy applies are expected to adhere to the procedures outlined in this policy when making a disclosure and during any subsequent investigation.

This policy encourages the reporting of witnessing or reasonable suspicion of wrongdoing and applies to Loyola High School employees, parents, students, the Board of Governors and volunteers. It also applies to external organizations and the general public.

### **1. Principles**

- 1.1.** Loyola High School is committed to protecting its students, staff, revenue, property, private information and other assets.
- 1.2.** Loyola High School will not tolerate any misuse or misappropriation of its assets.
- 1.3.** Loyola High School will make every reasonable effort to protect itself against wrongdoing and will establish and maintain a system of internal control to ensure, to the fullest extent possible, the prevention and detection of wrongdoing.
- 1.4.** Any individual or employee who has knowledge of an occurrence of wrongdoing, or has reason to suspect that wrongdoing has occurred, has the right and obligation to report the occurrence using the methods of reporting already in place under the various policies, procedures, and agreements.
- 1.5.** If normal reporting procedures are not adequate, an individual may choose to report the incident to our designated third-party certified ethics reporting officer:

Mr. William Blakeney

Blakeney, Henneberry, Murphy & Galligan

Email: blakeney@bhmg.ca

Tel.: (416) 408 4225

- 1.6. This policy does not supersede other Board policies, procedures and protocols and a person making a report may be directed to use other available complaint resolution processes.
- 1.7. Provided there are reasonable grounds, Loyola High School shall investigate any and all incidents of suspected or alleged acts of wrongdoing. An objective and impartial investigation will be conducted regardless of the position, title, length of service, or relationship with the Board or school, of any party who becomes the subject of such investigation.
- 1.8. The identity of the reporting person shall remain confidential to those persons directly involved in applying this policy, unless:
  - 1.8.1. The reporting person consents to being identified.
  - 1.8.2. The disclosure of the identity of the reporting person is legally required.

## 2. Definition of Wrongdoing

For the purposes of this statement of policy, “wrongdoing” is used to refer collectively to illegal or inappropriate conduct.

### 2.1. Wrongdoing includes but is not limited to:

- 2.1.1. any act or omission that seriously compromises or may seriously compromise a person’s health or safety.
- 2.1.2. Unprofessional conduct or conduct that contravenes Loyola High School policies and procedures.
- 2.1.3. Fraud as defined in the Criminal Code of Canada.
- 2.1.4. Misappropriation of funds, supplies, resources, or other assets.
- 2.1.5. Any computer related activity involving the alteration, destruction, forgery, manipulation of data or unauthorized access for wrongdoing purposes, in violation of Loyola’s policy.

- 2.1.6. Irregular and/or improper accounting, internal controls, or auditing practices or conduct.
- 2.1.7. Conflicts of interest (personal or otherwise) influencing the objectives and decision-making of one's duties.
- 2.1.8. Time theft (i.e., an act where an employee collects pay for time not actually worked).
- 2.1.9. An actual or suspected violation or contravention of any federal or provincial law, regulation, Loyola High School policies or administrative procedures as it relates to Loyola High School.
- 2.1.10. Knowingly directing or counselling a person to commit a wrongdoing of illegal or inappropriate conduct.

**2.2.** The above list is not exhaustive but is intended to provide guidance to individuals as to the kind of conduct, which constitutes wrongdoing under this policy. Individuals who are in doubt as to whether a concern is an improper activity should contact their immediate supervisor, or Loyola's designated third party certified ethics reporting officer prior to reporting any wrongdoing.

### **3. Reporting a Wrongdoing**

**3.1.** Any act of wrongdoing that is detected or reasonably suspected must be reported immediately either through their home room teacher, advisor, guidance counselor or vice-principal in the case of a student or, in the case of an employee or volunteer, the immediate supervisor; or for anyone, through our designated third party certified ethics reporting officer:

Mr. William Blakeney

Blakeney, Henneberry, Murphy & Galligan

Email: [blakeney@bhmg.ca](mailto:blakeney@bhmg.ca)

Tel: (416) 408-4225

**3.2.** Where a member of senior staff is suspected of wrongdoing, the individual or employee may notify the School President.

**3.3.** Where the President is suspected of wrongdoing, the individual or employee may notify the Chair of the Board of Governors.

- 3.4. Where a Governor is suspected of wrongdoing, the individual or employee may notify the Chair of the Board of Governors.
- 3.5. In making a report, an individual or employee must be acting in good faith with reasonable grounds for believing that there is wrongdoing.
- 3.6. An individual or employee who makes an unsubstantiated report, which is knowingly false or made with malicious intent, will be subject to discipline.
- 3.7. If a report of suspected wrongdoing is received at Loyola, both the Chair of the Board of Governors and the Chair of the Jesuits Board of Owners must be notified and provided with an initial plan of action to investigate the case.

#### **4. Investigation of Suspicions or Allegations of Wrongdoing**

The process for addressing and resolving a reporting of suspected wrongdoing must be neutral, appropriately independent, transparent, fair and timely. This includes informing the person who filed the report of the manner in which the disclosure was addressed.

- 4.1. As with all matters of a serious nature, responsibility for ensuring all reported allegations of wrongdoing are investigated, rests with the Chair of the Board of Governors.
- 4.2. The Chair of the Board of Governors shall ensure that all instances of alleged or suspected wrongdoing shall be appropriately investigated and reported back to the Board of Governors through the Governance, Ethics and Nominations Committee.
- 4.3. The Chair of the Board of Governors may involve the services of internal staff and/or external resources as appropriate.
- 4.4. Students and employees are expected to fully cooperate with management and any others involved in the investigation and make all reasonable efforts to be available to assist during the course of the investigation.
- 4.5. All participants in an investigation of wrongdoing, including persons who make a disclosure, witnesses, and the persons alleged to be responsible for wrongdoing, shall keep the process, details and results of the investigation confidential, and shall not discuss the matter with anyone other than those performing the investigation, provided this paragraph does not apply where disclosure is legally required or in application of paragraph 4.9.

- 4.6. Loyola High School shall protect the identities of all participants in an investigation of wrongdoing, including persons who make a disclosure, witnesses, and the persons alleged to be responsible for wrongdoing.
- 4.7. The third-party service may refuse to deal with a disclosure if the information provided was determined not to be made in good faith.
- 4.8. When a wrongdoing is confirmed by the investigation, appropriate disciplinary action shall be taken.
- 4.9. In the event of suspected criminal misconduct, the police authorities shall be notified immediately.

### 5. Reprisal

- 5.1. This policy prohibits reprisals or threats of reprisals against individuals acting in good faith, who:
  - 5.1.1. report incidents of suspected wrongdoing;
  - 5.1.2. seek advice about making a disclosure;
  - 5.1.3. cooperate in any subsequent investigation;
  - 5.1.4. act as witnesses in any subsequent investigation; or
  - 5.1.5. act in compliance with the Policy.
- 5.2. A reprisal is any measure taken against an individual that adversely affects his or her employment or appointment and includes, but is not limited to:
  - 5.2.1. ending or threatening to end an individual or employee's employment or appointment;
  - 5.2.2. disciplining or suspending or threatening to discipline or suspend an individual;
  - 5.2.3. imposing or threatening to impose a penalty related to employment or appointment of an individual or employee; and
  - 5.2.4. intimidating, coercing or harassing an individual or employee in relation to his or her employment or appointment.
- 5.3. A person who has reasonable grounds for believing he or she has suffered a reprisal is entitled to make a complaint to the Chair or the Board of Governors or the third-party service.
- 5.4. The Chair of the Board of Governors shall investigate all complaints of reprisal.

**5.5.** The Board or Governors shall make every effort to ensure that an individual who in good faith reports under this policy, is protected from harassment, retaliation or adverse treatment.

**5.6.** An individual or employee who retaliates against someone who has reported in good faith is subject to discipline.

### **6. Prohibition Against Interfering with an Investigation**

**6.1.** No person shall wilfully obstruct management or any others involved in an investigation of wrongdoing.

**6.2.** Any person who wilfully obstructs management or any others involved in an investigation of wrongdoing is subject to disciplinary measures including expulsion, suspension or dismissal.

**6.3.** No person shall destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation of wrongdoing.

**6.4.** Any person who destroys, alters, falsifies, or conceals a document or other thing they know or ought to know is likely relevant to the investigation of wrongdoing is subject to disciplinary measures, including suspension or dismissal.

### **7. Prohibition Against Counselling Interference with an Investigation**

**7.1.** No person shall direct, counsel or cause in any manner any person to obstruct management or any others involved in an investigation of wrongdoing.

**7.2.** No person shall direct, counsel or cause in any manner any person to destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation of wrongdoing.

**7.3.** Any person who directs, counsels or causes in any manner any person to obstruct management or any others involved in an investigation of wrongdoing is subject to disciplinary measures, including suspension or dismissal.

**7.4.** Any person who directs, counsels or causes in any manner any person to destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation is subject to disciplinary measures, including, expulsion, suspension or dismissal.

### **8. Publication**

- 8.1.** This current version of this policy will be publicly available on the Loyola High School website.
- 8.2.** Each school year, before the end of September, the school administration will publicize the existence of this policy to all parents, students, staff and volunteers.

Approved: September 21, 2020