

 Region of Waterloo	HUMAN RESOURCES AND CITIZEN SERVICE POLICIES	Section #	Policy #
		I	35
		Approval Date:	Revision Date: Sept 2007
Title:	DISCOVERY AND REPORTING OF SERIOUS WRONGDOING		
Applies To:	All Employees		

POLICY STATEMENT:

All employees of the Region have an obligation to report information regarding serious wrongdoing of an employee, agent or individual associated with the functions of the Region. An employee's first obligation is to report such wrongdoing to the Region's management. The Regional Municipality of Waterloo will take all reasonable steps to investigate complaints of serious wrongdoing.

DEFINITION:

“Serious wrongdoing” may include willful acts or omissions that:

1. Contravene any law or regulation;
2. Directly violate a Regional Policy or a Council directive;
3. Pose a substantial and specific danger to the life, health, or safety of any individual or the environment;
4. Involve the misuse of public funds or assets; and/or
5. Constitute gross mismanagement.

RESPONSIBILITY FOR REPORTING:

An employee who is aware that serious wrongdoing has occurred will first report it to their supervisor.

If the employee feels that their supervisor has a conflict of interest, related to the wrongdoing, they will report the matter directly to the next level of management in their department.

If the employee feels that all members of management in their department have a conflict of interest related to the wrongdoing, they will report the matter directly to the **Internal Auditor.**

Upon notification of serious wrongdoing, the supervisor will advise the **Director, Employee Relations** and the **Internal Auditor.**

If the Director, Employee Relations and the Department Head, in consultation with Internal Auditor, determine that an investigation is appropriate, they will convene an **Investigation Planning Team (IPT)** to plan and coordinate the investigation process. The IPT will normally consist of:

1. The Director, Employee Relations or designate;
2. The Department Head for the area where the alleged wrongdoing took place; and
3. The Internal Auditor.

If any member of the Investigation Planning Team is named in the complaint or appears to have a conflict of interest related to the situation, the Director, Employee Relations will appoint another management staff person to the Investigation Planning Team in their place.

The Investigation Planning Team will select an external party who will conduct the formal investigation. The purchase and payment of that party's services will be arranged through the office of the Internal Auditor.

If the above steps have been followed and appropriate action has not been taken, then the employee may report the wrongdoing to the CAO. If appropriate action has still not been taken, the employee may report the matter to the Chair of Regional Council.

When all internal investigations have been completed, the employee who first reported the matter will be advised of whether or not the allegation of wrongdoing has been substantiated.

It is the Region's expectation that employees will ensure that all internal complaint and investigation mechanisms have been exhausted before reporting or publicising wrongdoing to any party external to the Region, unless there is a legal obligation or right to do so.

OPERATING DETAILS:

Any reports of serious wrongdoing must be made in good faith and must not be frivolous, vexatious, or knowingly or recklessly false.

Any employee who reports serious wrongdoing in good faith under this policy shall not be subject to any reprisal or threat of reprisal in the workplace as a result of this reporting.

Nothing in this policy will be applied in a manner that contravenes any applicable legislation.

SEE ALSO:

- Code of Ethics and Conflict of Interest (I-8)
- Public Criticism of Employer (I-31)

FOR FURTHER INFORMATION PLEASE CONTACT:

- Commissioner,
Human Resources and Citizen Service