

**GOV-015     Town of Viking Whistleblower Policy**

**Whistleblower**

Approved:	2024	Resolution No:	2043-7408
Next Review:	2028	Replaces:	NEW

**POLICY STATEMENT**

The Town of Viking is committed to the highest ethical, professional and operational standards. The Town honors this commitment by conducting its business with integrity and compliance with all applicable legislation. In keeping with this commitment, the Town provides an avenue for employees, residents and other stakeholders to raise concerns about the subjects covered by this Policy and to be assured that in making complaints they will be protected from reprisal or victimization for raising concerns in good faith.

**DEFINITIONS**

“Reportable Activity” includes any of the following activities committed by an employee, volunteer, consultant, service provider, council member or other stakeholder hired or engaged by the Town:

- a) Accounting, audit or other financial reporting fraud or misrepresentation,
- b) Fraud or deliberate error in preparation, evaluation, review or audit of any financial statement,
- c) Fraud or deliberate error in the recording and maintaining of financial records,
- d) Deficiencies in or non-compliance with the Town’s internal accounting controls,
- e) Misrepresentation or false statements to or by the Town’s accountant/auditor regarding a matter contained in the financial records, financial reports or audit reports,
- f) Deviation from full and fair reporting of the Town’s financial condition,
- g) Unsafe working conditions and working environment,
- h) Discrimination, harassment, sexual misconduct, psychological abuse and workplace violence,
- i) Any type of fraud, theft, or unethical behaviour.

“Reporter” means the person alleging a wrongdoing or Reportable Activity.

**POLICY**

The purpose of the Policy is as follows:

- a) Enhance a positive and ethical working environment,
- b) Ensure employee protection and support,
- c) Uphold the integrity of the Town and its workforce in the business operations,
- d) Provide a confidential process to report Reportable Activities occurring within Town operations,
- e) Protect against retaliatory action resulting from reporting a Reportable Activity.

**Reportable Activity and Non-Retaliation**

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- a) The Town will not permit any employee, volunteer, consultant, service provider, council member or other stakeholder hired or engaged by the Town to harass, retaliate, or discriminate against a Reporter who reported a Reportable Activity in good faith.
- b) Retaliation in any form will not be tolerated and should be reported.
- c) Any retaliatory conduct may subject the violator to sanction and disciplinary action which, depending on the circumstances, may include severing of the relationship with the volunteer, consultant, or service provider (as the case may be), employee discipline in accordance with policy, termination of employment for cause, or legal action.

### **Complaints Made in Bad Faith**

- a) Integrity and professionalism are at the heart of the Town's activities. Individuals are required to report in good faith, and without malicious intent or for personal benefit.
- b) Complaints of a Reportable Activity made in bad faith will be viewed as serious misconduct and may be subject to sanctions including:
  - i. Severing of the relationship with the Reporter,
  - ii. In the case of an employee, discipline in accordance with Town policy, up to and including termination of employment for cause.

### **Confidentiality and Fair Treatment**

- a) All reports of wrongdoing will be treated confidentially and with fair treatment.
- b) Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know, including but not limited to, any person with direct knowledge of the suspected wrongdoing,
- c) To the extent reasonably possible, the identities of the Reporter, the individual alleged to have committed wrongdoing, and the individuals involved in an investigation, will be protected.
- d) The Town cannot guarantee that identities will not become disclosed or apparent through the investigation, depending on the nature of the Reportable Activity (e.g., criminal charges).

### **Process**

- a) All reports of alleged wrongdoing must be made in writing by the Reporter.
- b) All reports of alleged wrongdoing shall be directly made to the CAO;
  - i. If the complaint is coming from the CAO, the alleged wrongdoing written complaint shall be provided to Council as a whole.
  - ii. If the complaint is concerning the CAO, the complaint must be made to the Mayor who must bring a copy of the written complaint to Council as a whole.
- c) Because of the serious nature of all Reportable Activities, a 3<sup>rd</sup> party must be contracted to review the Reportable Activity. The 3<sup>rd</sup> party shall have receive a copy of the written complaint. The 3<sup>rd</sup> party shall discuss the complaint with the Reporter.
- d) Council shall have 10 calendar days from their receipt of a written complaint to have an investigation begun by the 3<sup>rd</sup> party.
- e) Upon triggering the investigation, the 3<sup>rd</sup> party will be required to move with the utmost of urgency to recommend an appropriate resolution.

**IMPLEMENTATION**

1. This policy shall be posted on the website.

Mayor

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CAO

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