



**SIMON FRASER UNIVERSITY  
Policies and Procedures**

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**Subject: Protected Disclosure of Wrongdoing**

**1.0 Preamble**

The University is committed to the highest standards of ethical conduct. Accordingly, all Members of the University Community have an obligation to conduct the activities of the University with honesty and accountability. As part of this obligation, and to protect the University and individuals from Wrongdoing, Members of the University Community should report conduct that they reasonably believe to be dishonest, which they observe or encounter in the context of University activities.

Good-faith reporting of such improper conduct is a necessary and valuable service to the University Community and must not be cause for Reprisal.

**2.0 Purpose**

This Policy provides a disclosure mechanism by which Members of the University Community can report Wrongdoing, to someone other than their supervisor, and provides protection to Members of the University Community who do so.

**3.0 Scope**

This Policy applies to all Members of the University Community and deals with acts of Wrongdoing that occur at the University, committed by Employees, Agents, Contractors and Volunteers.

**4.0 Definitions**

“**Agent**” means a person who is authorized by the University to act on its behalf.

“**Contractor**” means a person retained under a contract to supply goods or perform services for the University.

“**Employee**” means a person employed for wages or salary by the University and includes staff and faculty.

“**Members of the University Community**” means any student or employee of the university, including any faculty member, temporary or sessional instructor, adjunct professor, or any volunteer engaged in a sanctioned University activity.

“**Protected Disclosure**” means any disclosure made under this Policy when one is acting in good faith, on the basis of a reasonable belief of Wrongdoing and the disclosure is not frivolous or vexatious.

“**Reprisal**” means an act of retaliation such as to harass, demote, discipline, suspend, dismiss or otherwise disadvantage the individual or deny that individual a benefit.

“**Statutory Obligation**” means an act or course of action that a person is legally bound to perform under municipal by-law, provincial or federal law.

“**Volunteer**” means a person who provides a service to the University without being paid.

“**Wrongdoing**” means illegal or dishonest behaviour or misconduct that is in the form of:

- a. Theft, embezzlement, misappropriation, misuse of University property, assets, resources or funds, including funds that have, or are reasonably likely to have monetary value, or are administered by the University on behalf of another party;
- b. Deliberate non-compliance with Statutory Obligations;

- c. Obstructing a person's right to make a report of Wrongdoing under this Policy;
- d. Reprisals for reporting of Wrongdoing under this Policy.

## **5.0 Policy**

### **Protected Disclosure**

1. Persons who observe or become aware of conduct they reasonably believe constitutes Wrongdoing should make timely disclosure directly to the Office of Internal Audit in accordance with this Policy.
2. The University will take reasonable steps to protect the identity of the person(s) (the "Initiator(s)") reporting the Wrongdoing, recognizing that disclosure may be required in order for the University to investigate the matter or to take disciplinary or other actions.
3. The University will take reasonable steps to ensure that initiators will be protected from Reprisals that fall within the authority of the University as a consequence of such disclosure.
4. Any initiator who reports Reprisal or threat of Reprisal as a result of disclosure in accordance with this Policy shall inform the Office of Internal Audit, who shall ensure that the matter is investigated and appropriate action is taken.

### **Investigation of Alleged Wrongdoing**

5. When the University receives a report of Wrongdoing, the Office of Internal Audit will be responsible for co-ordinating an investigation.
6. The Office of Internal Audit may elect not to proceed with an investigation when:
  - a. the initial disclosure of Wrongdoing is more than a reasonable time (usually six months) after the event is believed to have occurred;
  - b. the disclosure does not provide sufficient information to proceed;
  - c. the disclosure may be more appropriately dealt with by another mechanism or procedure
  - d. it is determined that the disclosure was not made in good faith and, on the basis of reasonable belief, is frivolous or vexatious.
7. Investigations will be conducted with an appropriate level of confidentiality, and with respect to the requirements of any legislation or applicable collective or other agreements.
8. The investigator(s) shall have access to all relevant University premises and records and Employees, Agents, Contractors and Volunteers are expected to provide full cooperation with the investigator(s), subject only to legal rights including those under relevant collective or other agreements.
9. The results of investigations will be reflected in a written report by the Office of Internal Audit, which shall be issued to the University's executive and, in the normal course, reported to the Audit, Risk and Compliance Committee of the Board of Governors.

## **6.0 Authority**

This Policy is administered by the University Secretary.