Crowsnest Curling Club

**Policy Name:** Whistleblower

**Version Control:**

**Ratification Date:**

**Review Date:** 

# Whistleblower Policy

**Definitions**

1. The following terms have these meanings in this Policy:
2. *Individual*– An individual who is engaged in activities Crowsnest Curling Club, including but not limited to; athletes, coaches, employees, contractors, officials, volunteers, parents/guardians of minor athletes, spectators of the Crowsnest Curling Club.
3. *Case Manager* - The person appointed by the Crowsnest Curling Club to oversee the management and administration of complaints, as applicable.

**Purpose**

1. The purpose of this Policy is to allow Individuals to have a discrete and safe procedure by which they can disclose incidents of wrongdoing on the Crowsnest Curling Club without fear of unfair treatment or reprisal.

**Application**

1. This Policy only applies to Individuals who observe or experience incidents of wrongdoing committed other Individuals.
2. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by Crowsnest Curling Club can be reported under the terms of Crowsnest Curling Club’s *Discipline and Complaints Policy* and/or reported to the Crowsnest Curling Club’s Executive Director.
3. Matters reported under the terms of this Policy may be referred to be heard under Crowsnest Curling Club’s *Discipline and Complaints Policy*, at the discretion of the Case Manager.

**Wrongdoing**

1. Wrongdoing can be defined as:
2. Violating the law;
3. Intentionally or seriously breaching of Crowsnest Curling Club’s *Code of Conduct and Ethics*;
4. Intentionally or seriously breaching Crowsnest Curling Club’s policies for workplace violence and harassment;
5. Committing or ignoring risks to the life, health, or safety of a participant, volunteer, or other individual;
6. Directing an individual to commit a crime, serious breach of a policy of Crowsnest Curling Club, or other wrongful act; or
7. Fraud.

**Pledge**

1. Crowsnest Curling Club pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Individual who discloses information or submits, in good faith, a report against a Individual under the terms of this Policy.
2. Any individual affiliated with Crowsnest Curling Club who breaks this Pledge will be subject to disciplinary action.

**Reporting Wrongdoing**

1. A Individual who believes or another Individual has committed an incident of wrongdoing should prepare a report that includes the following:
2. Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
3. Identities and roles of other individuals or Individuals (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
4. Why the act or action should be considered to be wrongdoing; and
5. How the wrongdoing affects the Individual submitting the report (if applicable).

**Authority**

1. Crowsnest Curling Club has appointed the following Case Manager to receive reports made under this Policy:

**((Name, Role, Email))**

1. After receiving the report, the Case Manager has the responsibility to:
2. Assure the Individual of Crowsnest Curling Club’s Pledge
3. Connect the Individual to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual’s role with Crowsnest Curling Club and/or the content of the report
4. Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
5. Determine if Crowsnest Curling Club’s *Whistleblower Policy* applies or if the matter should be handled under Crowsnest Curling Club’s *Discipline and Complaints Policy*
6. Determine if the local police service be contacted
7. Determine if mediation or alternate dispute resolution can be used to resolve the issue
8. Begin an investigation

**Alternate Liaison**

1. If the Individual feels that the Case Manager is unable to act in an unbiased or discrete manner due to the individual’s role with Crowsnest Curling Club and/or the content of the report, the Individual should contact the following individual who will act as an independent liaison between the Individual and the Case Manager:

**((Name, Role, Organization, email))**

1. The Alternate Liaison will not disclose the Individual’s identity to the Case Manager or to anyone affiliated with Crowsnest Curling Club without the Individual’s consent.
2. An Individual who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Alternate Liaison for informal advice about the process.

**Investigation**

1. If the Case Manager determines that an investigation should be launched, the Case Manager may decide to contract an external investigator. In such cases, Crowsnest Curling Club’s Executive Director and/or Chairperson may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Individual who submitted the report being disclosed. Crowsnest Curling Club’s Executive Director may not unreasonably refuse the decision to contract an external investigator
2. An investigation launched by the Case Manager or by an external investigator should generally take the following form:
3. Follow-up interview with the Individual who submitted the report
4. Identification of Individuals, participants, volunteers or other individuals that may have been affected by the wrongdoing
5. Interviews with such-affected individuals
6. Interview with the Councillor(s) or Individual(s) against whom the report was submitted
7. Interview with the supervisor(s) of the Councillor(s) or Individual(s) against whom the report was submitted
8. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Individual who submitted the report and/or the specific nature of the report itself. However, Crowsnest Curling Club recognizes that there are some instances where the nature of the report and/or the identity of the Individual who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.
9. The investigator will prepare an Investigator’s Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to Crowsnest Curling Club’s Chairperson and/or Executive Director for review and action.

**Decision**

1. Within fourteen (14) days after receiving the Investigator’s Report, Crowsnest Curling Club’s Chairperson and/or Executive Director will take corrective action, as required. Corrective action may include, but is not limited to including:
2. Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
3. Revision of job descriptions; or
4. Discipline, suspension, termination, or other action as permitted by Crowsnest Curling Club’s Bylaws, provincial employment legislation, any relevant and applicable Crowsnest Curling Club policy*,* and/or the Individual’s Employment Agreement or Contractor Agreement.
5. The corrective action, if any, will be communicated to the investigator who will then inform the Individual who submitted the report.
6. Decisions made under the terms of this Policy may be appealed under the terms of Crowsnest Curling Club’s *Appeal Policy* provided that:
7. If the Individual who submitted the initial report is appealing the decision, the Individual understands that his or her identity must be revealed if he or she submits an appeal, and
8. If the Councillor or Individual against whom the initial report was submitted is appealing the decision, the Individual or Councillor understands that the identity of the Individual who submitted the report will not be revealed and that Crowsnest Curling Club will act as the Respondent

**Confidentiality**

1. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Individual, the Individual(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.