




## Manual: Board of Directors

<b>Title:</b>	WHISTLE-BLOWING		<b>No.:</b> CA-260
<b>Section:</b>	Orientation guidelines	<b>Effective date:</b>	2022-06-21
<b>Issuing authority:</b>	Board of Directors	<b>Date of last revision:</b>	2021-06-22
<b>Approver:</b>	Board of Directors Denis M. Pelletier, Acting Chairperson 	<b>Approved on:</b>	2022-06-21
<b>Facility(ies)/program(s):</b>			

### PREAMBLE

Vitalité Health Network (the "Network") is determined to prevent the theft or diversion of its funds, assets, information, and other property and to investigate allegations of impropriety that may compromise the health and safety of employees or the public or the integrity of the organization. Such actions will not be tolerated, and wrongdoers will be subject to disciplinary measures and/or legal sanctions. This policy outlines specific measures and related responsibilities with respect to the investigation of allegations of impropriety. This policy is designed to allow employees and others to express, in good faith and without fear of reprisal, their concerns about suspected improprieties occurring within the Network.

### PURPOSE

The goal is to clearly set out the Network's position on whistle-blowing, which encompasses theft, corruption, or non-compliant activities or to cases of serious errors, incompetence, or inefficiency, and to establish a protocol for reporting and handling such allegations.

### SCOPE

This policy applies to the members of the Board of directors (the "Board"), to employees, to physicians, to students, and to contractors assigned to the Network.

Employees who are members of a bargaining unit must refer to the provisions of their collective agreement. Where these diverge from this policy, the provisions of the collective agreement take precedence.

### POLICY

Corporate Services

1. Anyone covered by this policy is required to report suspected improprieties. The Network will not take any reprisal against an individual who, in good faith, reports an impropriety and will not tolerate any such reprisals.
2. Employees must report suspected improprieties to their vice-president. Where an allegation involves their vice-president, employees must report the allegation to the President and CEO. Where an allegation involves the President and CEO, the vice-president in question must inform the Board Chair for the latter to take the necessary action under this policy. Where an allegation involves the Board Chair, the President and CEO must inform the Board Vice-Chair for the latter to take the necessary action under this policy.
3. The vice-president receiving an allegation immediately informs the President and CEO and an investigation is launched under the direction of the Vice-President of Human Resources. External experts may participate in the investigation, where applicable. Police involvement may also be possible in cases of suspected criminal activity.
4. Employees have the right to anonymity when they report suspected improprieties to a vice-president or to the President and CEO, as the case may be.
5. Where the whistle-blowing involves suspected fraud, the President and CEO must immediately take steps to prevent the theft, alteration, or destruction of relevant documents. These documents must be kept in a safe location.

### **Investigation**

1. All the information collected during an investigation remains confidential, except where disclosure is required by law or under this policy. For the purposes of this policy, the reporting of an impropriety must, wherever possible, remain confidential, subject to the need to conduct a satisfactory investigation.
2. All employees suspected of improprieties must be treated equitably and their legal rights respected.
3. If the investigation determines that the whistle-blowing was done in bad faith or with the intention to cause harm, appropriate measures will be taken, including, where applicable, disciplinary measures against the complainant.
4. An individual suspected of an impropriety must not be confronted before the investigation begins. It may be necessary to seize the documents related to the activity before the suspected individual learns that an investigation is under way.
5. If the investigation determines that an allegation is likely founded, the individual should be suspended with pay for the duration of the investigation if they are a salaried employee of the Network.
6. Barring exceptional circumstances, an individual under investigation for an impropriety must, at the conclusion of the investigation and before the final disciplinary measures are imposed, be informed in writing of the facts supporting the allegations. After receiving such notice, the individual has seven calendar days to submit a written explanation to the President and CEO. This explanation will be taken into consideration before disciplinary measures are imposed.

7. If the investigation determines that an allegation is founded, disciplinary measures up to and including termination may be taken. If there are grounds for criminal charges, the police must also be notified.
8. The Vice-President of Human Resources is the default lead investigator. If an allegation involves the Vice-President of Human Resources, the President and CEO determines who the lead investigator will be. The investigator determines the investigation structure and mechanisms.
9. The investigator is also responsible for establishing controls or mitigation procedures to reduce or prevent other improprieties from occurring in future.
10. At the conclusion of the investigation, the President and CEO writes a confidential report describing the incident, the outcome of the investigation, and the mitigation plans for the future and goes on to present this report to the Board at an in camera meeting, where applicable.

### Definitions

Acting in good faith refers to anyone reporting an impropriety because they have reasonable grounds to believe that it constitutes an infraction under a law, policy, or professional code.

Corruption refers to offering, giving, seeking, or accepting promises or rewards that may influence an individual's decisions, decision-making process, or actions.

Fraud constitutes an infraction under the *Criminal Code of Canada*. This legal term refers to a fact or situation where the existence of fraud, of a loss or benefit, and of victims has been established and proven.

Theft constitutes an infraction under the *Criminal Code of Canada*. This refers to the action of taking property belonging to an organization or individual without authorization.

Non-compliant activity refers to an illicit action or to the failure to comply with legislation, regulations, policies, or other compulsory standards.

Impropriety refers to suspected fraud or corruption, to the theft of money or property owned by Vitalité Health Network, or to a non-compliant activity that results in the intentional or unintentional diversion of assets.

<b>Supersedes:</b>	<b>Zone 1:</b> _____	<b>Zone 5:</b> _____
	<b>Zone 4:</b> _____	<b>Zone 6:</b> _____