

CALGARY WALDORF SCHOOL

WHISTLEBLOWER POLICY INFORMATION SHEET

Approved by the CWSS Board of Directors

September 25, 2014

Amended (Updated) April 19, 2018

In June 2013, The Government of Alberta enacted the *Public Interest Disclosure (Whistleblower Protection) Act* (“PIDA” or “*the Act*”). In keeping with the requirements of *the Act*, the Board of Directors of the Calgary Waldorf School Society passed a “Whistleblower Policy and Procedures” in September 2014 (updated in April 2018) to bring the Calgary Waldorf School Society in compliance with and to facilitate disclosures made under the provisions of the *Public Interest Disclosure (Whistleblower Protection) Act*.

Independent Schools and Whistleblowing

The Act applies to most public entities in the Province of Alberta, as well as to independent schools such as the Calgary Waldorf School. *The Act* facilitates the disclosure and investigation of wrongdoings alleged to have occurred at an Alberta entity to which *the Act* applies. It also protects individuals who report alleged wrongdoings from reprisal.

The Act facilitates reporting on the part of an entity’s employees. Wrongdoing that can be formally reported under *the Act* includes:

- a. a contravention of an Act, a regulation made pursuant to an Act, an Act of the Parliament of Canada, a regulation made pursuant to an Act of the Parliament of Canada, or School policies and requirements mandated by legislation;
- b. an act or omission that creates:
 - i) a substantial and specific danger to the life, health or safety of individuals other than a danger that is inherent in the performance of the duties or functions of an employee, or
 - ii) a substantial and specific danger to the environment;
- c. gross mismanagement, including an act or omission that is deliberate and that shows a reckless or willful disregard for the proper management of:
 - i) public and/or School funds or a public and/or School asset,
 - ii) the delivery of a public service, including the management or performance of:
 - a) a contract or arrangement identified or described in the regulations, including the duties resulting from the contract or arrangement or any funds administered or provided under the contract or arrangement, and
 - b) the duties and powers resulting from an enactment identified or described in the regulations or any funds administered or provided as a result of the enactment, or

- iii) employees, by a pattern of behaviour or conduct of a systemic nature that indicates a problem in the culture of the organization relating to bullying, harassment or intimidation;
- d. a wrongdoing prescribed in the regulations;
- e. knowingly directing or counselling an individual to commit a wrongdoing mentioned in clauses a. to d. above.

The Act strongly highlights protection from reprisal against those who disclose wrongdoing. No person shall take or direct, or counsel or direct a person to take or direct, any of the following measures against an employee because the employee has, in good faith, sought advice about making a disclosure, made a disclosure, co-operated in an investigation, or declined to participate in a wrongdoing:

- (a) A dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of job location, reduction in wages, change in hours of work, or a reprimand;
- (b) Any measure, other than one mentioned above, that adversely affects the employee's employment or working conditions; or
- (c) A threat to take any of the measures mentioned above.

Responsibilities

The "Chief Officer" for the Calgary Waldorf School, as defined in *the Act*, is the School Principal. This Chief Officer is responsible for the overall administration and reporting requirements under the legislation. Additionally, the Chief Officer is responsible for ensuring that information concerning the School's Whistleblower Policy and Procedures is widely communicated to all personnel of the School.

The "Designated Officer" for the Calgary Waldorf School, as defined in *the Act*, is the School Administrator. Within the Calgary Waldorf School, its Board of Directors has chosen the School Administrator to be the Designated Officer, because this internal, senior administrative School official is someone who (as referenced in *the Act*) enjoys credibility with employees, parents, students and the supporting school community on the basis of her/his preparation and experience.

The Chief Officer for the School is responsible for receiving disclosures of wrongdoing, and for determining whether or not a disclosure merits investigation by the Designated Officer. If an investigation of a disclosure is warranted, then the Designated Officer for the School is charged with: conducting the investigation of the alleged wrongdoing, issuing a report of the investigation to the Chief Officer, and ensuring that the Chief Officer is apprised of the investigation and its progress.

For more information about the duties and work of the Chief Officer and the Designated Officer under *the Act*, please refer to the Public Interest Commissioner's document titled *Practice and Procedure Considerations for Chief and Designated Officers*, October 24, 2013.

The Provincial Public Interest Commissioner is an Officer of the Legislature of Alberta established by *the Act*. The Public Interest Commissioner's office will also accept direct disclosures or reports of wrongdoing or reprisal in the first instance.

Reporting Protocols

The Act better enables individuals who wish to make a disclosure to utilize the public entity's internal reporting mechanisms as the initial step for reporting wrongdoing.

The Chief Officer of the Calgary Waldorf School should be the initial contact for individuals wishing to make a disclosure under *the Act*. However, an individual who is considering making a disclosure can first request information or advice from his/her supervisor, from the Chief Officer, or from the Designated Officer.

The Chief Officer will ask an employee or other person with a disclosure if he/she is making a formal disclosure under *the Act*, and will require that this individual make his/her disclosure in writing, including the names of the individuals alleged to have engaged in wrongdoing, as well as providing sufficient particulars to serve as the basis for investigation consistent with the School's own Whistleblower Policy and Procedures and with Alberta legislation. Individuals may also choose to disclose directly to Alberta's Public Interest Commissioner in the first instance.

In either case, an individual disclosing an alleged wrongdoing should review the Disclosure Form attached to the School's Whistleblower Policy and Procedures, or at the following link: <https://www.yourvoiceprotected/wrongdoing-form.aspx>. The Form provides a number of questions a person making a disclosure may ask him or herself. When making a disclosure, an employee or other person should use the Form provided in APPENDIX A of the School's Whistleblower Policy and Procedures, and should provide the completed Form to the School's Chief Officer and/or to the Public Interest Commissioner.

A disclosure to the Public Interest Commissioner can be made in conjunction with a disclosure to the Chief Officer of the School, or can be made directly and independently. The link to the Commissioner's office is: <http://www.yourvoiceprotected.ca>.

The Act only applies to wrongdoings alleged to have been committed after June 1, 2013.

Investigation Procedures

The investigation of an allegation will be conducted in keeping with the School's Whistleblower Policy and Procedures, and in a manner consistent with due process and the principles of fundamental justice.

Time Limits

The Calgary Waldorf School will comply with time limits as established in *the Act*. Once a disclosure has been made to the Chief Officer:

1. The Chief Officer will have five business days to acknowledge receipt of the disclosure;
2. The Chief Officer will have ten business days to determine whether the disclosure merits investigation by the Designated Officer and to inform the person disclosing accordingly; and
3. The Designated Officer will have one hundred and ten business days to complete an investigation and provide the report required under the School's Whistleblower Policy and Procedures and under Alberta legislation.

The Chief Officer may grant an extension of up to thirty business days for investigations, if required.

Contact Information

- The Chief Officer of the Calgary Waldorf School is the School Principal.

The Designated Officer of the Calgary Waldorf School is the School Administrator.

Please contact the School Office at 403 – 287 – 1868 or info@calgarywaldorf.org, or consult the School's website at www.calgarywaldorf.org (look under "Our School", then under "Our Faculty", and then under "Administrative Staff") to find out the names of our currently-serving Principal and our currently-serving School Administrator, as well as their individual School email addresses and individual School phone numbers (extensions).

- [Office of the Public Interest Commissioner](#)