



Procedure Section: **Personnel and Employee Matters**

700

Procedure Name: **Accountability**

717

PROCEDURE

Accountability

Rationale

This Accountability operational procedure (the Procedure) is developed to support implementation of the Keewatin-Patricia District School Board's (KPDSB's) Policy 717 – Accountability.

Objective

To establish the process for reporting of suspected wrongdoing with regard to the Trustees and employees of the Keewatin-Patricia District School Board (KPDSB).

Definitions

“**Board**” is the Keewatin-Patricia District School Board, which is also referred to as the KPDSB.

“**External Third Party**” means an independent and neutral service provided procured by the KPDSB, as required, to investigate claims.

“**Parties Overseeing Investigation**” means officials, i.e., the Chair of the Board, Director of Education, Human Resources, etc., who have authority to initiate investigation of suspected wrongdoing.

“**Reprisal**” includes harassment, intimidation, threats, or discipline against a person for making a report to the Board about a suspected wrongdoing by a Trustee or employee of the KPDSB with respect to the business and operations of its schools, offices, and facilities.

“**KPDSB**” is the Keewatin-Patricia District School Board, which is also referred to as the Board.

Wrongdoing

For the purposes of this statement of policy “**wrongdoing**” is used to refer collectively to illegal or inappropriate conduct. Wrongdoing includes, but is not limited to:

- i. Fraud as defined in the Criminal Code of Canada (s. 380 (1));
- ii. Misappropriation of funds, supplies, resources, or other assets;
- iii. Any computer related activity involving the alteration, destruction, forgery, manipulation of data, or unauthorized access for wrongdoing purposes, in violation of KPDSB’s Policy 618, Responsible Use of Learning Technology and Data;
- iv. Irregular and/or improper accounting, internal controls, or auditing practices, or conduct;
- v. Conflicts of interest (personal or otherwise) influencing the objectives and decision making of one’s duties;
- vi. Conduct or practices that create a danger to life, the physical and/or mental health and well-being, safety of students, staff, or other parties where applicable, or to the learning or working environment;
- vii. Time theft (i.e., an act where an employee collects pay for time not actually worked);
- viii. An actual or suspected violation or contravention of any federal or provincial law, regulation, KPDSB policies, or administrative procedures as it relates to the KPDSB;
- ix. Unprofessional conduct or conduct that contravenes KPDSB’s Code of Conduct; and/or
- x. Knowingly directing or counselling a person to commit a wrongdoing of illegal or inappropriate conduct.

The above list is not exhaustive but is intended to provide guidance to individuals as to the kind of conduct, which constitutes wrongdoing under this policy. Employees who are in doubt as to whether a concern is an improper activity should contact their immediate supervisor or the Director of Education prior to reporting any wrongdoing.

Application and Scope

This Procedure applies to reporting persons (including Trustees, employees, the KPDSB’s permit holders, volunteers, students, parents/guardians, external organizations, and the general public) of suspected wrongdoing by an employee of the KPDSB in respect to the business and operations of the KPDSB’s schools, offices, and facilities.

This Procedure also applies to reporting of suspected wrongdoing with regard to Trustees of the Keewatin-Patricia District School Board.

Reporting of Wrongdoing

Any act of wrongdoing that is detected or suspected must be reported immediately either through the immediate supervisor or through the Director of Education. A confidential website can be located at <https://www.kpdsb-accountability.ca/>

- Where a member of senior staff is suspected of wrongdoing, the individual or employee may notify the Director of Education.
- Where the Director of Education is suspected of wrongdoing, the individual or employee may notify the Chair of the Board.
- Where a Trustee is suspected of wrongdoing, the individual or employee may notify the Director of Education as Secretary of the Board.

In making a report, an individual or employee must be acting in good faith with reasonable grounds for believing that there is a breach of a code of conduct, KPDSB policies, or questionable financial practices.

An individual or employee who makes an unsubstantiated report, which is knowingly false or made with vexatious or malicious intent, will be subject to discipline, up to and including termination of employment or vendor/contractor services.

Investigation of Suspicious or Allegations of Wrongdoing

The process for addressing and resolving a reporting of suspected wrongdoing must be neutral, transparent, fair, and timely. This includes informing the person who filed the report of the manner in which the disclosure was addressed.

As with all matters of a serious nature, responsibility for ensuring all reported allegations of wrongdoing are investigated, rests with the Director of Education.

The Director of Education shall ensure that all instances of alleged or suspected wrongdoing shall be appropriately investigated through the appropriate avenues and reported back to the KPDSB on an annual basis through the Audit Committee.

The Director of Education shall determine when it is appropriate to inform the Chair of the Board, or the Board of Trustees, of an allegation of wrongdoing or the results of an

investigation of wrongdoing. In addition, the Director of Education will inform the Audit Committee if it is a financial wrongdoing.

The Director of Education, in consultation with the KPDSB's forensic consultants and/or the KPDSB's legal counsel, may involve the services of internal staff and/or external resources as appropriate.

Employees are expected to fully cooperate with management and any others involved in the investigation and make all reasonable efforts to be available to assist during the course of the investigation. Employees have a right to representation by their Bargaining Unit.

All participants in an investigation of wrongdoing, including persons who make a disclosure, witnesses, and the persons alleged to be responsible for wrongdoing, shall keep the details and results of the investigation confidential, and shall not discuss the matter with anyone other than those performing the investigation.

KPDSB may develop procedures to protect the identities of all participants in an investigation of wrongdoing, including persons who make a disclosure, witnesses, and the persons alleged to be responsible for wrongdoing.

The Director of Education, Chair of the Board, and/or the Human Resources Manager may refuse to deal with a disclosure if the information provided was determined not to be made in good faith.

When a wrongdoing is confirmed by the investigation, appropriate disciplinary action shall be taken, up to and including termination of employment and/or contract where appropriate.

In the event of criminal misconduct, the police shall be notified.

Prohibition with Interfering with an Investigation

No person shall willfully obstruct management, or any others involved in an investigation of wrongdoing.

Any person who willfully obstructs management or any others involved in an investigation of wrongdoing is subject to disciplinary measures including suspension or dismissal.

No person shall destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation of wrongdoing.

Any person who destroys, alters, falsifies, or conceals a document or other thing they know or ought to know is likely relevant to the investigation of wrongdoing is subject to disciplinary measures, including suspension or dismissal.

Prohibition Against Counselling Interference with an Investigation

No person shall direct, counsel, or cause in any manner any person to obstruct management or any others involved in an investigation of wrongdoing.

No person shall direct, counsel, or cause in any manner any person to destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation of wrongdoing.

Any person who directs, counsels, or causes in any manner any person to obstruct management or any others involved in an investigation of wrongdoing is subject to disciplinary measures, including suspension without pay or dismissal.

Any person who directs, counsels, or causes in any manner any person to destroy, alter, falsify, or conceal a document or other thing they know or ought to know is likely relevant to an investigation is subject to disciplinary measures, including suspension or dismissal.