

Policy # 5.69.2

PUBLIC INFORMATION DISCLOSURE ACT (WHISTLEBLOWER ACT)

(Application to Wrongdoing Alleged to Have Been Committed Post June 1, 2013)

Adopted: February 20, 2018

Amended: May 2023

BACKGROUND

The Province of Alberta enacted the Public Interest Disclosure Act (PIDA) in 2013 in order to:

- Facilitate the disclosure and investigation of significant and serious matters in or relating to public bodies, including school boards that an employee believes may be unlawful, dangerous to the public, or injurious to the public interest.
- Protect employees who make those disclosures
- Manage, investigate and make recommendations respecting disclosures of wrongdoing and reprisals.
- Promote public confidence in the administration of public bodies.

POLICY

The Calgary Jewish Academy is fully committed to the highest standard of ethical conduct. It also recognizes the importance of ensuring that any form of wrongdoing within the organization is investigated and corrected if required. This is to ensure that both the community and the public at large have complete confidence in the operations of the CJA.

The Calgary Jewish Academy is also committed to having a safe, caring and supportive working environment for students, teachers and all staff. In this context, the School's Board of Directors, Chief Officer, Teachers and all employees, parents, students and members of the community must be assured that any concerns about wrongdoing or potential wrongdoing will be taken seriously in the best interests of the school and its stakeholders.

REGULATIONS

Reporting and Protection

Teachers and other employees have the right and obligation to report any wrongdoing or potential wrongdoing. The Calgary Jewish Academy commits that any disclosure of wrongdoing or alleged wrongdoing reported to the CJA's Chief Officer (Head of School-Principal) will be properly reviewed, investigated and appropriately acted on.



A teacher or any employee of the CJA making a disclosure in good faith will be protected against reprisal as per PIDA Legislation.

DEFINITIONS

PIDA-Public Information Disclosure Act also known as the Act.

Wrongdoing-Engaging in improper behavior or action. Committing an illegal act or engaging in dishonest behavior. Wrongdoing may also be an act or omission of an act that creates a danger to the life, health or safety of individuals or danger to the environment. Wrongdoing also includes the gross mismanagement of public funds or public assets. For the purposes of PIDA wrongdoing also includes knowingly directing or counseling someone else to act or behave improperly or illegally.

Chief Officer-The Head of School-Principal of the CJA is the Chief Officer for the purpose of the overall administration and reporting required under PIDA.

Designated Officer-The Head of School-Principal of the CJA is also the Designated Officer for the purpose of administering and investigating disclosure under PIDA.

Public Interest Commissioner-is an independent office of the Alberta Legislature that provides advice to public entities and reviews and investigates disclosures of wrongdoing and reprisals under PIDA.

Reprisals-An employee who in good faith seeks advice about making a disclosure, makes a disclosure, cooperated in an investigation or declined to participate in an investigation will not be subject to threats or actions impacting or affecting their employment or working conditions.

Responsibilities and Disclosure

The Chief Officer of the CJA as defined in the Act is responsible for the overall administration and reporting requirements under the PIDA Legislation. The Chief Officer is responsible for ensuring information concerning the CJA's Whistleblower Policy is communicated to all personnel and stakeholders of the school. The Chief Officer for the CJA is the Principal/Head of School.

The Designated Officer for the school as defined in the Act is responsible for receiving disclosures of wrongdoing and assessing whether or not to investigate. The Designated Officer is responsible for conducting investigations of wrongdoing and issuing a report. Given the size of the CJA, the Principal/Head of School will act as both the Chief and Designated Officer for the purposes of administering this Act. In the event that disclosure to the Chief/Designated Officer is not appropriate due to a conflict of interest the Chair of the CJA Board of Directors will accept disclosures for the purpose of administering this Act.



The Public Interest Commissioner for the Province of Alberta will also accept reports of wrongdoing or reprisal, however it is strongly encouraged that individuals who desire to make a disclosure or report a reprisal utilize the CJA's internal processes as the first step.

Anonymous disclosures may be acted upon, but an investigation may be seriously hindered by the request for anonymity.

Disclosures of matters that constitute "imminent risk" that require immediate attention as they pose significant risk to public health or safety must be made directly to the Public Interest Commissioner who will then communicate with appropriate authorities. The employee should also disclose with the CJA Chief Officer.

Confidentiality of the disclosure shall be maintained as possible consistent with the need to conduct a thorough investigation. Investigations shall be conducted in accordance with the principles of fairness and natural justice.

Reporting and Investigation Protocols

The Chief Officer should be the initial contact for individuals desiring to make a disclosure under the Act. The Chief Officer will request the disclosure to be put in writing and shall include the names of individuals alleged to have engaged in wrongdoing. The written disclosure must provide sufficient information and details to serve as the basis for an investigation, consistent with the requirements of the Act. Individuals may also decide to disclose directly to the Public Interest Commissioner. In either case, an individual disclosing alleged wrongdoing should review the form in Appendix A and provide information as required.

A disclosure of wrongdoing or complaint of reprisal shall be dealt with in a timely manner as follows:

- Acknowledgement of receiving within 5 business days from date of receipt.
- Decision to conduct an investigation within 10 business days.
- Investigation to be completed within 110 business days. The employee who submitted a disclosure of wrongdoing shall be advised of the result of the investigation in writing.

An employee who submits a disclosure of wrongdoing or complaint of reprisal must act in good faith. Deliberately false or malicious allegations by an employee will form the grounds for disciplinary action up to and including termination of employment.



Appendix A - PIDA Disclosure Form

CJA 6700 Kootenay St. SW Calgary Alberta

Joyce Kerr-Head of School-Principal

This form serves as the public disclosure of wrongdoing form of Calgary Jewish Academy as authorized under Section 13 of Alberta's PIDA

Name of person making the disclosure:

Contact information for disclosing individual:

Telephone:

Address:

Email address:

Description of the alleged wrongdoing.

1. Wrongdoing-
2. When it took place-
3. Where it took place-
4. Context in which it happened-
5. Name of the person who allegedly committed the wrongdoing-
6. Supporting information (witnesses, documentation)-

Has a disclosure of wrongdoing been made as a report or complaint under other legislation? (professional conduct or criminal code) If so, please describe.

Has a disclosure been made to the Public Interest Disclosure Commissioner? Please describe how, when and confirmation of the report.