

2.3.4 Whistleblowing

1. Statement of Intent

- 1.1. The FSA seeks to ensure a high level of integrity and ethical behaviour in all its operations. The processes set out in this policy are intended to ensure proper review of and action on concerns about questionable matters (financial or otherwise) within the FSA.
- 1.2. All FSA members, Directors, and staff are encouraged to disclose concerns regarding possible wrongdoing, unethical behaviour, or actions by FSA Directors or FSA staff that undermine the integrity of the FSA.
- 1.3. FSA members and staff bringing forward any such concern (the "Whistleblower/s") are to be protected by the FSA Board of Directors and management from retaliation or other adverse consequences resulting from the raising of a concern.
- 1.4. The FSA remains responsible for addressing the integrity and ethical behaviour of its Directors and staff even if a concern is identified through a means other than those provided by this policy.

2. Application

- 2.1. This policy applies to all FSA operations, including actions by:
 - 2.1.1. Directors, acting alone or in concert;
 - 2.1.2. Any FSA staff member, including any person employed by the FSA in a management capacity or who is an excluded employee;
 - 2.1.3. Any member elected, selected, or appointed by the FSA to represent the union, its members, or a group of members, including BCIT committee members and Tech Reps;
 - 2.1.4. Any person contracted to provide products or services to the FSA or on its behalf (a contractor).
- 2.2. Persons entitled to initiate actions under this policy include:
 - 2.2.5. Any FSA member not currently holding a position on the Board of Directors;
 - 2.2.6. Any FSA manager, except with regards to concerns about the actions of an FSA staff member or contractor;
 - 2.2.7. Any other FSA staff member;
 - 2.2.8. Any FSA contractor;
 - 2.2.9. Any person who interacts with the normal business of the FSA other than a BCIT manager.

- 2.3. Members of the FSA Board of Directors are expected to address their concerns directly with the FSA Board of Directors and/or the president as appropriate.
 - 2.4. Any FSA manager with a concern about the actions of FSA staff or contractor under their direction shall address that concern by exercising management rights.
 - 2.5. Any BCIT manager with a concern shall have their concern addressed directly by the FSA President or Executive Director as appropriate.
3. Duties and Responsibilities
- 3.1. FSA Directors and staff shall take every concern about the ethics and integrity of FSA operations seriously and in accordance with the process set out below.
 - 3.2. The FSA will post this policy on the FSA website and in the FSA office.
4. Process
- 4.1. The whistleblowing process may be initiated by any communication expressing a concern about the ethics and integrity of FSA operations to any FSA Director or manager. The Whistleblower should identify whether the matter qualifies as whistleblowing such that the FSA can ensure the processes in this policy are followed.
 - 4.2. The recipient of such a concern shall direct the potential Whistleblower to this policy and shall advise the FSA management or the FSA President that they have received such information.
 - 4.3. Anonymous concerns will be addressed according to the FSA's obligation to ensure the integrity and ethical operation of the organization even though a Whistleblower's choice to remain anonymous may limit the Association's ability to investigate and respond to the concerns.
 - 4.4. The identity of a Whistleblower who identifies themselves in raising a concern under this policy will be kept confidential by the person who receives the concern. The Whistleblower's identity will only be disclosed with their agreement and to the extent needed to complete the response to the concern.
 - 4.5. The protections afforded to the Whistleblower under this policy are extended on the expectation that the FSA will follow due process in addressing the concern. Should the Whistleblower take their concern public or otherwise compromise the processes in this policy, the FSA may, subject to 4.6, take steps to mitigate the impact of the publicity on the FSA.
 - 4.6. Under no circumstances shall the FSA retaliate against a Whistleblower who, in good faith, brings forward a concern under this policy.
 - 4.6.1. Anyone who retaliates against a Whistleblower bringing forward a concern in good faith shall be subject to reprimand, as defined below.
 - 4.6.2. Conversely, any person who makes an allegation that proves to be false and that proves to have been made maliciously will be viewed as having committed a serious offence and may be subject to reprimand.
 - 4.6.3. For FSA staff, reprimand may include discipline.

- 4.6.4. For Directors, reprimand may include processes to remove them from the Board in accordance with the bylaws, or other actions as appropriate under applicable legislation, bylaws, etc.
- 4.6.5. For members elected, selected, or appointed by the FSA to represent the union, its members, or a group of members, including BCIT committee members and Tech Reps, reprimand may include being removed from their elected, selected, or appointed position.
- 4.7. The Executive Director, the President, or a Director designated for this purpose (the "Responding Officer") shall be responsible for responding to the concern on behalf of the Association.
- 4.8. Directors and FSA managers shall immediately forward any identified concerns to the Responding Officer.
- 4.9. A response to the concern shall be initiated within five working days of being received by the Responding Officer. Wherever possible, the Whistleblower that has brought forward a concern will be advised when a response is initiated.
- 4.10. The response shall include the initiation of an investigation appropriate to the identified concern.
 - 4.10.1. Usually, the Responding Officer will also act as Investigator.
 - 4.10.2. Certain circumstances such as the gravity of the allegation, the specialized nature of the subject matter, the individuals involved in the breach may warrant that the FSA engage an external advisor as Investigator.
 - 4.10.3. All FSA Directors and staff are expected to co-operate fully with the investigation and the investigation shall be completed in a timely fashion while ensuring that due diligence and due process are followed.
 - 4.10.4. The Investigator shall produce a confidential written report to be shared only with the Whistleblower, the Executive Director, and the Board of Directors. The Whistleblower shall have the opportunity to respond to the report within ten working days.
- 4.11. Based on the report of the investigation, and any response from the Whistleblower, the Responding Officer shall make recommendations to the Board of Directors to address the concern. The Board of Directors will determine the FSA's response to the concern.
 - 4.11.5. Wherever possible, the Whistleblower shall be advised of the FSA response by the Responding Officer.
- 4.12. The Executive Director shall ensure that documents relating to whistleblowing concerns are kept on file by the FSA as per FSA Policy 3.3.3 - Records and Retention.

Revision History

Date	Revision (Brief description)
May 13, 2015	Revisions approved.
December 2014	Formatted into branded policy template. No changes to content
May 21, 2014	Minor housekeeping changes
March 14, 2012	Changed numbering from 3.1.3 to 2.3.4 (mis-numbered)
Dec 7, 2011	Approval