

PUBLIC INTEREST DISCLOSURE AND WHISTLEBLOWER PROTECTION POLICY AND PROCEDURE

Effective Date: March 1, 2022
Approved by: RDAR Board of Directors
Approval Date: March 1, 2022

PART 1

1 OVERVIEW

- 1.1 RDAR is committed to maintaining high professional values, fiscal and ethical standards in carrying out its mandate. The Members, Board of Directors, management and employees share a common interest in ensuring that RDAR operates with integrity, accountability and trust.
- 1.2 To ensure RDAR maintains high standards of legal, ethical and fiscal behaviour, RDAR endorses a culture where Members, directors, management and employees work collaboratively to detect and remedy wrongdoing and protect those who report wrongdoing.

2 PURPOSE

- 2.1 The purpose of this Policy is to:
 - 2.1.1 to facilitate the disclosure and investigation of wrongdoings,
 - 2.1.2 protect individuals who make disclosures from reprisal,
 - 2.1.3 to manage, investigate and make recommendations respecting disclosures and reprisals,
 - 2.1.4 to provide for the determination of appropriate remedies concerning wrongdoings and reprisals, and
 - 2.1.5 to promote public confidence in the administration of or services provided by RDAR.
- 2.2 RDAR will continue to manage all matters that do not relate to wrongdoings defined in this Policy under RDAR's other internal operational policies and procedures.

PART 2

3 DEFINITIONS

- 3.1 In this Policy:
 - 3.1.1 "Chair" means the director elected as the Chair of RDAR under RDAR's By-laws,
 - 3.1.2 "Chief Officer" means the Chief Executive Officer of RDAR,

- 3.1.3 “Designated Officer” means the senior official designated by the Chief Officer to manage and investigate disclosures under the Act,
- (i) “disclosure,” means a good faith report of wrongdoing by an individual under this Policy, when the individual reasonably believes that the individual has information that:
 - (ii) could show that a wrongdoing has been committed or is about to be committed, or
 - (iii) could show that the individual making the disclosure has been asked to commit a wrongdoing.
- 3.1.4 “External Investigator” means an independent third-party hired by RDAR to conduct investigations of wrongdoing and reprisals,
- 3.1.5 “good faith” has the meaning outlined in paragraphs 36 to 38,
- 3.1.6 “individual” means, as the context requires, a current or former:
- (i) RDAR member, director, employee,
 - (ii) RDAR contractor or a current or former employee of a contractor,
 - (iii) research funding applicant or grant recipient or an employee of a research funding applicant or grant recipient, or
 - (iv) member, director, employee, contractor, research funding applicant or grant recipient or an employee of a contractor, research funding applicant or grant recipient who has suffered a reprisal.
- 3.1.7 “Minister” means the Minister of Agriculture, Forestry and Rural Economic Development,
- 3.1.8 “personal information” means personal information as defined in RDAR’s Personal Information and Protection of Privacy Policy,
- 3.1.9 “Policy” means this Public Interest Disclosure and Whistleblower Protection Policy,
- 3.1.10 “reprisal” means a measure taken, directed or counselled contrary to paragraph 89,
- 3.1.11 “wrongdoing” means a wrongdoing referred to in paragraph 6 and, except in paragraph 98.d), includes an alleged wrongdoing.

PART 3

4 WRONGDOINGS

- 4.1 This Policy applies in respect of the following wrongdoings:
- 4.1.1 a contravention of a federal or provincial statute or regulation,
 - 4.1.2 an infringement of an RDAR Policy or a procedure made under an RDAR Policy,
 - 4.1.3 gross mismanagement, including an act or omission that is deliberate and shows a reckless or willful disregard for the proper management of
 - (i) RDAR funding,
 - (ii) RDAR expenses,
 - (iii) the delivery of a RDAR’s services, including the management or performance of

- A. a contract or arrangement, including the duties resulting from the contract or arrangement, , and
 - B. any funds administered or provided as a result of a contract or arrangement,
or
 - (iv) individuals, 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,
- 4.1.4 knowingly directing or counselling an individual to commit a wrongdoing mentioned in clauses (a) to (c).
- 4.2 This Policy applies only in respect of wrongdoings that occur after the coming into force of this Policy.
- 4.3 Nothing in this Policy authorizes the disclosure of
- (i) information or documents that would disclose the deliberations of the Board of Directors or a committee of the Board or the proceedings of any of them, or
 - (ii) information or documents protected by solicitor-client privilege or litigation privilege.

PART 4

5 ROLES & RESPONSIBILITIES

5.1 The Chief Officer

- 5.1.1 The Chief Officer is responsible for the overall administration and reporting requirements of the Policy within RDAR. This responsibility includes establishing and maintaining this Policy and ensuring information about the Policy is widely communicated to RDAR's employees, directors, members and stakeholders. When required, the Chief Officer is also responsible for implementing corrective measures at the conclusion of an investigation.

5.2 The Designated Officer

- 5.2.1 The Designated Officer is the individual appointed by the Chief Officer to receive disclosures and, if required, to retain the External Investigator. The Designated Officer also has a responsibility to provide information and advice to individuals considering making a disclosure. If a Designated Officer is not appointed, the Chief Officer fills this role.

5.3 The External Investigator

- 5.3.1 The External Investigator reviews and investigates disclosures and complaints of reprisal made under this Policy by individuals within RDAR and reports the outcome of any investigation, along with recommendations for corrective measures, to the Chief Officer or the RDAR Board of Directors and the Minister when required. The External Investigator also provides advice to individuals and supports the Designated Officers in the management and investigation of disclosures.

5.4 The Board of Directors

- 5.4.1 The role of the Board of Directors is to promote a culture that supports individuals who come forward to report wrongdoing and to endorse this Policy. The Board of Directors is responsible for ensuring that RDAR complies with this Policy and for supporting the Chief Officer in implementing corrective measures following an investigation. When the Chief Officer is subject to an investigation, the Board of Directors is responsible for receiving the External Investigator's report and implementing corrective measures, if required.

PART 5

6 PROCEDURES TO REPORT WRONGDOING

6.1 Reportable types of wrongdoing

- 6.1.1 This Policy facilitates the disclosure and investigation of wrongdoing defined in 3.1 and 4.1.
- 6.1.2 This procedure does not apply to alleged infringements of RDAR's Respectful Workplace Policy or individual disputes relating to bullying, harassment or intimidation.

6.2 Request for advice

- 6.2.1 Individuals considering making a disclosure may seek advice the Designated Officer or RDAR's legal counsel.
- 6.2.2 In circumstances where a complaint relates to the Designated Officer or Chief Officer, individuals are encouraged to request advice from the Chair or RDAR's legal counsel.
- 6.2.3 The Designated Officer, the Chair or RDAR's legal counsel may require a request for advice to be in writing.

6.3 Disclosures - Reporting wrongdoing

- 6.3.1 Individuals may make a disclosure to the Designated Officer in the first instance of perceived wrongdoing despite any other procedure, code of conduct, or Policy requiring an individual to take any other preliminary step to address their concern.
- 6.3.2 Subject to paragraph 20, individuals who want to make a disclosure may do so by contacting the Designated Officer. Individuals should indicate they are making a disclosure under this Policy.
- 6.3.3 Individuals who have information about wrongdoing involving the Chief Officer or the Designated Officer shall make a disclosure to either the Chair or RDAR's legal counsel.
- 6.3.4 Individuals who submit a disclosure to the Designated Officer may also inform RDAR's legal counsel of the disclosure. RDAR's legal counsel will consult with the Designated Officer and monitor the outcome of the matter.

6.4 Anonymous disclosures

- 6.4.1 Individuals considering making an anonymous disclosure should seek advice about doing so from the Designated Officer or RDAR's legal counsel. The Designated Officer or the External Investigator may not act on an anonymous disclosure if the disclosure does not contain adequate particulars about the alleged wrongdoing to conduct a fair and effective.

6.5 Contents of disclosure

- 6.5.1 A disclosure must be in writing and must include the following information:
- 6.5.2 a description of the wrongdoing,
- 6.5.3 the name and contact information of the individual or individuals alleged
 - (i) to have committed the wrongdoing, or
 - (ii) to be about to commit the wrongdoing,
- 6.5.4 the date of the wrongdoing,
- 6.5.5 any additional information that may be reasonably required to investigate the matters set out in the disclosure, and
- 6.5.6 whether the wrongdoing was reported using any other internal procedure and the outcome of the reporting.
- 6.5.7 Individuals may be asked to report the wrongdoing using the prescribed Disclosure of Wrongdoing form in **Appendix “A.”**

PART 6

7 PROCEDURES FOR MANAGING AND INVESTIGATING DISCLOSURES

7.1 Purposes of investigation

- 7.1.1 The purposes of an investigation into a disclosure are to
 - (i) bring the wrongdoing to the attention of the Board of Directors,
 - (ii) recommend corrective measures that should be taken, and
 - (iii) promote public confidence in the administration of and services provided by RDAR.

7.2 Assessing disclosures

- 7.2.1 After receiving a disclosure from an individual, the Designated Officer must acknowledge receipt of the disclosure within five business days.
- 7.2.2 If the Designated Officer receives more than one disclosure concerning the same matter, a single investigation may be conducted rather than a separate investigation.
- 7.2.3 Within 20 business days, the Designated Officer must decide whether an investigation is required.
- 7.2.4 To establish jurisdiction over a disclosure under this Policy, the Designated Officer must confirm that:
 - (i) the disclosure relates to act or omission by an individual defined in paragraph 5.g),
 - (ii) the disclosure appears to have been made in good faith,
 - (iii) less than two years have passed since the discovery of the wrongdoing,
 - (iv) the allegation appears to meet the definition of wrongdoing as defined in this Policy, and
 - (v) the allegation has a public interest component and are not based only on perceived wrongs perpetrated against the individual who made the disclosure.

- 7.2.5 Where a disclosure does not meet the definition in this Policy, the Designated Officer must notify the individual who made the disclosure. The Designated Officer may refer the individual to a more appropriate process or alternate authority.
- 7.2.6 An investigation is not required if:
- (i) the subject matter of the disclosure could more appropriately be dealt with, initially or completely, according to a procedure provided for under another RDAR policy,
 - (ii) the subject matter of the disclosure is already being investigated under this Policy,
 - (iii) the disclosure is frivolous or vexatious, has not been made in good faith or does not deal with a wrongdoing,
 - (iv) the disclosure relates to a decision, action or matter resulting from a balanced and informed decision-making process on an RDAR policy or operational issue,
 - (v) the disclosure does not provide adequate particulars about the wrongdoing as required by paragraph 23 to permit the conduct of a fair and effective investigation,
 - (vi) more than two years have passed since the date that the wrongdoing was discovered, or
 - (vii) there is another valid reason for not investigating the disclosure (e.g., the subject matter of the disclosure is under investigation by another authority or is currently before the courts.)
- 7.2.7 Disclosures alleging gross mismanagement of individuals fall within this Policy when all of the following apply:
- (i) there is a pattern of behaviour or conduct of a systemic nature by the alleged wrongdoer,
 - (ii) the behaviour or pattern of behaviour indicates a problem within the culture of RDAR,
 - (iii) the conduct relates to bullying, harassment or intimidation, and
 - (iv) the matter does not relate to an individual dispute between individuals or between an individual and anyone who has a reporting relationship with that individual.
- 7.2.8 When assessing a disclosure alleging gross mismanagement, the Designated Officers shall consider whether all applicable mechanisms, including any human resource processes or processes under other policies, to address bullying, harassment or intimidation, within the organization have been used or considered.
- 7.2.9 If all other mechanisms have not been used or considered first, the Designated Officer may refer the individual to the alternate process. If the matter is referred to an alternate process, the individual remains protected from reprisal due to the initial disclosure or request for advice. If the matter is not resolved through the alternate process, the individual may return the matter to the Designated Officer.

7.3 Assessing good faith

- 7.3.1 Individuals are required to make disclosures in good faith.
- 7.3.2 An individual has made a disclosure in good faith if they have an honest belief in the wrongdoing they are alleging, absent of apparent malice or intent to seek an unjust or unfair advantage, and regardless of subsequent negligence or error.

- 7.3.3 In the absence of clear evidence of malice, the Designated Officer must assume that the individual making the disclosure is doing so in good faith.
- 7.3.4 A disclosure is not made in good faith if:
- (i) the disclosure is seeking to deceive RDAR,
 - (ii) the allegations are non-serious (i.e., frivolous), or
 - (iii) the allegations are vexatious and seek to cause emotional or material harm to those accused of wrongdoing.
- 7.3.5 RDAR is not required under this Policy to investigate a disclosure that has not been made in good faith. The Designated Officer shall decline to investigate allegations that have not been made in good faith.
- 7.3.6 This Policy does not permit RDAR to penalize an individual who has not made a disclosure in good faith with adverse measures. Doing so may contravene the reprisal provisions of this Policy.
- 7.3.7 In severe instances where an individual has knowingly made a false or misleading statement when making a disclosure, the Designated Officer shall consult with RDAR's legal counsel to determine whether the conduct constitutes a breach of this Policy.

7.4 Decision not to investigate or to discontinue investigation

- 7.4.1 If the Designated Officer decides not to investigate a disclosure or to discontinue an investigation, the Designated Officer must, in writing, inform the individual who made the disclosure and the Chief Officer
- (i) of the Designated Officer's decision, and
 - (ii) of the reasons for the decision.
- 7.4.2 An individual dissatisfied with the Designated Officer's decision may bring the matter to the Chief Officer.

7.5 Investigating disclosures

- 7.5.1 The Designated Officer will notify the Chief Officer before initiating an investigation into a disclosure. The Designated Officer may consult with the Chief Officer regarding the management and investigation of the disclosure.
- 7.5.2 The Designated Officer may request advice and support from RDAR's legal counsel during the management and investigation of a disclosure.
- 7.5.3 All investigations of disclosures will be conducted by an External Investigator.
- 7.5.4 Before initiating an investigation, the Designated Officer, in consultation with the External Investigator, shall prepare terms of reference, including:
- (i) the scope of the investigation,
 - (ii) the human resources required to complete the investigation, including external consultants and subject-matter experts,
 - (iii) a preliminary list of witnesses to be interviewed,

- (iv) a preliminary list of records as are necessary for the investigation, and
- (v) a timeline for completion of the investigation.

7.6 External Investigator to facilitate resolution

7.6.1 When a disclosure is made, the External Investigator may take any steps they consider appropriate to help resolve the matter before initiating a formal investigation.

7.7 External Investigator's Access to information

7.7.1 At all reasonable times and for any purpose related to an investigation, the External Investigator is entitled to access the records of and electronic data processing equipment relevant to the investigation.

7.7.2 Individuals must give the External Investigator any information, records or explanations that the External Investigator considers necessary for the investigation.

7.7.3 The External Investigator may enter the premises of any person relevant to the investigation, and that person must provide the necessary accommodation, equipment and materials.

7.7.4 The External Investigator may, in the course of an investigation,

- (i) require any record to be produced to the External Investigator, examine any information in a record, including personal information or financial information, and make copies of, take photographs of, or otherwise record the information, and
- (ii) require any person who, in the External Investigator's opinion, is able to provide any information, including personal information or financial information, relating to any disclosure being investigated by the External Investigator
 - A. to give written or oral replies to questions,
 - B. to produce any books, records, reports, documents or other items, including electronic records and documents, and
 - C. to provide any additional information requested by the External Investigator.

7.7.5 When the External Investigator requires the production of a document, paper or thing under paragraph 52, the External Investigator may need it to be produced at a place designated by the External Investigator and may require that it be left in the External Investigator's possession for the investigation.

7.7.6 When the External Investigator requires the production of a document, paper or thing under paragraph 52, the External Investigator

- (i) must give a receipt for it to the person from whom it was taken,
- (ii) may make copies of, take photographs of or otherwise record it,
- (iii) on request, must return or provide a copy of the book, record, report or other document, including an electronic record or document and a record or document containing personal information or financial information, to the person from whom it was taken or to a person who is entitled to custody of it, and

(iv) must return the document, paper or thing to the person to whom the receipt was given when it has served the purposes for which it was taken.

7.7.7 The External Investigator may request assistance from any individual while investigating the disclosure, including retaining the services of a third party where appropriate.

7.7.8 The External Investigator must conclude an investigation not more than 120 business days from the date the disclosure was received. RDAR's legal counsel may extend the time to complete the investigation as RDAR's legal counsel considers appropriate in the interest of a fair and efficient outcome.

7.7.9 If the time has been extended, the individual who submitted the disclosure must be promptly advised of when they may expect the next procedural step to occur or be completed.

7.8 Investigating other wrongdoings

7.8.1 If, during an investigation, the External Investigator has reason to believe that another wrongdoing has been committed or may be committed, the External Investigator may investigate the wrongdoing and notify the Designated Officer and the Chief Officer.

7.9 Ensuring procedural fairness

7.9.1 Disclosures of wrongdoing shall be investigated following the principles of procedural fairness and natural justice. This includes the right of an alleged wrongdoer(s) to be heard and have the matter investigated in an impartial manner.

7.9.2 Where a disclosure is determined to have merit, the alleged wrongdoer(s) has the right to know the nature of the allegations made against them.

7.9.3 Where a disclosure is determined to have merit, the Designated Officer and the External Investigator must allow the alleged wrongdoer(s) to respond to the allegations and the relevant information used to support the allegation. The Designated Officer or External Investigator may receive a response verbally or in writing, and in any manner, the Designated Officer or External Investigator determines to be fair and appropriate.

7.9.4 The Designated Officer must recuse themselves from an investigation where they believe they are in a conflict of interest or believe a personal bias exists. The Chief Officer may appoint an alternate individual to function as the Designated Officer or refer the matter to RDAR's legal counsel.

7.9.5 The External Investigator must recuse themselves from an investigation where they believe they are in a conflict of interest or believe a personal bias exists. The Chief Officer must appoint an alternate External Investigator if a conflict of interest or bias arises during an investigation.

7.10 External Investigator's report

- 7.10.1 On completing an investigation, the External Investigator must prepare a report that sets out
- (i) the External Investigator's findings and reasons for those findings, and
 - (ii) any recommendations the External Investigator considers appropriate respecting the disclosure and the wrongdoing.
- 7.10.2 Subject to paragraph 72, the External Investigator may request that the Chief Officer notify the External Investigator, within any reasonable time that the External Investigator specifies, of the steps that the Chief Officer has taken or proposes to take to give effect to the External Investigator's recommendations.
- 7.10.3 The External Investigator must provide a copy of the report referred to in paragraph 64 to the Chief Officer and the Designated Officer within the 120 business days referred to in paragraph 56.
- 7.10.4 The External Investigator must notify the individual who made the disclosure that a report has been made and provide the individual with any information respecting the report that the External Investigator considers appropriate in the circumstances.
- 7.10.5 The Chief Officer shall consider the recommendations, implement corrective measures to remedy the wrongdoing, and take appropriate disciplinary action as required, including termination of employment or removal from office.
- 7.10.6 An individual who is dissatisfied with the outcome of the investigation by the External Investigator or believes the matter has not been resolved may bring the matter to RDAR's legal counsel.
- 7.10.7 If the External Investigator believes that Chief Officer has not appropriately followed up on the External Investigator's recommendations, if any, or did not co-operate in the External Investigator's investigation under this Policy, the External Investigator may make a report on the matter to the Board of Directors.
- 7.10.8 If the External Investigator believes that the Board of Directors has not appropriately followed up on the External Investigator's recommendations, if any, the External Investigator may report the matter to the Minister.

7.11 If subject matter involves Chief Officer or the Designated Officer

- 7.11.1 If the subject matter of an investigation involves the Chief Officer or the Designated Officer, the External Investigator must, instead of providing a copy of the report referred to in paragraph 64 to the Chief Officer and the Designated Officer under paragraph 66, provide a copy of the report to the Board of Directors.
- 7.11.2 The External Investigator may request the Board of Directors to notify the External Investigator, within any reasonable time that the External Investigator specifies, of the steps that the Board of Directors proposes to take or has taken to give effect to the External Investigator's recommendations.
- 7.11.3 If the External Investigator believes that the Board of Directors has not appropriately followed up on the External Investigator's recommendations, if any, the External Investigator may report the matter to the Minister.

7.12 Protecting confidentiality

- 7.12.1 The Designated Officer and External Investigator must protect the identity of individuals who make disclosures, individuals alleged to have committed wrongdoing, and witnesses who participate in investigations.
- 7.12.2 Any persons engaged to assist with managing or investigating a disclosure, must protect the identity of the individuals involved in the disclosure process, including the individual making the disclosure, individuals alleged to have committed the wrongdoings, and witnesses.
- 7.12.3 The identity of Individuals who make disclosures, individuals alleged to have committed wrongdoing, and witnesses who participate in investigations, may only be revealed to:
- (i) persons appointed as the Designated Officer,
 - (ii) the Chief Officer,
 - (iii) the External Investigator,
 - (iv) RDAR's legal counsel,
 - (v) persons engaged by the Designated Officer or External Investigator to assist with managing or investigating a disclosure,
 - (vi) other persons when required by law, and
 - (vii) when disclosing the identity of the individuals referred to in paragraph 75 is absolutely necessary to ensure the right to procedural fairness and natural justice is respected.
- 7.12.4 The Designated Officer or External Investigator shall inform the individual who made the disclosure, the individual alleged to have committed wrongdoing, or witnesses who participated in the investigation of the intent to reveal their identity before doing so. In the event of a dispute regarding the release of the identity of a party, the Designated Officer or External Investigator shall seek advice from RDAR's legal counsel.
- 7.12.5 Where a wrongdoing has been found, the Chief Officer or the Board of Directors, when the wrongdoing relates to the Chief Officer, may identify the wrongdoer(s) to others within the organization or to external authorities to take appropriate corrective action.

7.13 Information Security

- 7.13.1 The Designated Officer and External Investigator will ensure all information obtained through an investigation is secured, remains confidential, and is only disclosed when necessary to manage and investigate disclosures.
- 7.13.2 The Designated Officer must maintain all records and information relating to investigations electronically on a secure network drive with access privileges restricted to the Designated Officer and Chief Officer. Where additional persons are required to assist with an investigation, all records must be maintained electronically on the secure network drive with file permissions established for each specific case.

7.14 Referring disclosures

- 7.14.1 The Designated Officer may refer a disclosure to an alternate authority, including to RDAR's legal counsel. Factors in considering whether to refer a disclosure include:
- (i) whether another authority would more appropriately deal with the subject-matter of the disclosure,
 - (ii) the complexity of the subject-matter of the disclosure,
 - (iii) whether an actual or perceived conflict of interest may exist,
 - (iv) the resources and expertise required to conduct a fair and effective investigation, and
 - (v) whether the subject-matter pertains to an individual whose position in the organization is superior to that of the Designated Officer.
- 7.14.2 When a disclosure is referred to an alternate authority, the individual who made the disclosure must be informed of the decision.

7.15 Matters involving a possible offence

- 7.15.1 If during an investigation the Designated Officer has reason to believe that an offence has been committed under a provincial or federal statute or regulation, the matter must be reported to a law enforcement agency as soon as reasonably practicable.
- 7.15.2 The Designated Officer must suspend any investigation into the matter and may only resume after the final disposition of any charge relating to an alleged offence or any investigation by a law enforcement agency.

7.16 Breach of this Policy

- 7.16.1 It is a breach of this Policy to:
- (i) willfully obstruct, or counsel or direct a person to willfully obstruct a Designated Officer or External Investigator in the performance of their duties,
 - (ii) knowingly withhold material information or make a false or misleading statement, orally or in writing, to a Designated Officer or External Investigator,
 - (iii) destroy, mutilate, alter a document or thing, falsify a document or make a false document, conceal a document or thing, or direct or counsel to do any of the foregoing, knowing that the document or thing is likely to be relevant to an investigation by the Designated Officer or External Investigator.
- 7.16.2 The Designated Officer and External Investigator may seek advice from RDAR's legal counsel when there is a concern that a breach may have been committed under this Policy.

PART 7

8 REPRISALS

8.1 Reprisal

- 8.1.1 This part applies to an individual who has, in good faith,

- (i) requested advice about making a disclosure as described in paragraph 15 or, whether or not the individual made a disclosure,
- (ii) made a disclosure under this Policy,
- (iii) co-operated in an investigation under this Policy,
- (iv) declined to participate in a wrongdoing, or
- (v) done anything in accordance with this Policy.

8.1.2 No person shall take or direct, or counsel or direct a person to take or direct, any of the following measures against an individual for the reason that the individual took an action referred to in paragraph 88,

- (i) in the case of an employee, 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 reprimand,
- (ii) in the case of a director or officer, the removal of that director or officer from office,
- (iii) any measure, other than one mentioned in clauses (a) and (b), that adversely affects the individual's employment, position or working conditions,
- (iv) a threat to take any of the measures mentioned in clause (a) to (c).

8.2 Purposes of investigation of reprisals

8.2.1 The purposes of an investigation into a complaint of reprisal are to

- (i) bring the complaint of reprisal to the attention of the Board of Directors,
- (ii) recommend corrective measures that should be taken, and
- (iii) promote public confidence in the administration of and services provided by RDAR.

8.3 Complaints of reprisals

8.3.1 Subject to paragraph 93, an individual may make a written complaint to the Board of Directors if the individual alleges that a reprisal has been taken, directed or counselled against the individual contrary to paragraph 89.

8.3.2 A complaint of reprisal must be in writing and must include the following information:

- (i) a description of the reprisal,
- (ii) the name and contact information of the individual or individuals alleged to have committed the reprisal,
- (iii) the date of the reprisal,
- (iv) any additional information that may reasonably be required to investigate the matters set out in the complaint, and
- (v) whether you have reported the reprisal using any other internal procedure, and the outcome.

8.3.3 Individuals may be asked to report the reprisal using the prescribed Complaint of Reprisal form in **Appendix “B.”**

8.4 Managing and investigating complaints of reprisals

8.4.1 If a complaint is made to the Board of Directors under paragraph 91, the Board of Directors must:

- (i) acknowledge receipt of the disclosure within five business days, and
- (ii) manage and investigate the complaint in the same manner as a disclosure.

8.4.2 Paragraphs 44 to 81 apply, with any necessary modifications, to an investigation under paragraph 96.

8.4.3 If a complaint is made to the Board of Directors under paragraph 91 and the Board finds that a reprisal has been taken, directed or counselled contrary to paragraph 89, the Board of Directors must determine the appropriate remedy.

8.5 Reasonable human resource management decisions

8.5.1 No action lies against RDAR or an employee of RDAR for making a reasonable human resource management decision in good faith.

PART 8

9 ANNUAL REPORTING REQUIREMENTS

9.1.1 The Chief Officer will prepare an annual report for the Board of Directors, and include:

- (i) the number of disclosures received by or referred to the Designated Officer,
- (ii) the number of disclosures acted on, and the number of disclosures not acted on, by the Designated Officer,
- (iii) the number of investigations commenced by the Designated Officer,
- (iv) in the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations made, or corrective measures taken in relation to the wrongdoing, and
- (v) if corrective measures in relation to the wrongdoing have not been taken, the reasons provided.

9.1.2 The Chief Officer’s report will be included in the annual report for RDAR.

9.1.3 The Chief Officer will not publicly identify an individual who requested advice, made a disclosure or complaint of reprisal within the annual report.

APPENDIX “A” DISCLOSURE OF WRONGDOING FORM

TYPE OF WRONGDOING

Which of the below categories does the wrongdoing apply?*

- a) a contravention of a federal or provincial statute or regulation,
- b) an infringement of an RDAR Policy or a procedure made under an RDAR Policy,
- c) gross mismanagement, including an act or omission that is deliberate and shows a reckless or willful disregard for the proper management of
 - (i) RDAR funding,
 - (ii) RDAR expenses,
 - (iii) the delivery of a RDAR’s services, including the management or performance of
 - A. a contract or arrangement, including the duties resulting from the contract or arrangement,
 - B. any funds administered or provided as a result of a contract or arrangement,
 - (iv) individuals, 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) knowingly directing or counselling an individual to commit a wrongdoing mentioned in clauses (a) to (c).

*If none of the above, this Policy does not apply. Consider other internal policies and procedures.

DISCLOSURE DETAILS

Attached a separate page to this form to provide the following information about the wrongdoing and the person(s) alleged to have committed the wrongdoing. Include, if known, the following details:

- a) a description of the wrongdoing,
- b) the name of the individual or individuals alleged to have committed the wrongdoing, or are about to commit the wrongdoing,
- b) contact information of the individual or individuals referred to in clause (a),
- c) the date of the wrongdoing,
- d) any additional information that may be reasonably required to investigate the matters set out in the disclosure, and
- e) whether you have reported the wrongdoing using any other internal procedure, and the outcome.

CONTACT INFORMATION

While anonymous complaints may be accepted, you are encouraged to include your name and contact information. For more information about the advantages and disadvantages of making an anonymous complaint, speak with the Designated Officer.

First Name: _____ Last Name: _____
Work Phone: _____ Cell Phone: _____
E-mail _____
Address: _____

DECLARATION

I declare that all of the information provided in this disclosure is true and accurate to the best of my knowledge. I acknowledge that making a false or misleading statement is a breach of RDAR's Public Interest Disclosure and Whistleblower Protection Policy

Date

Signature

Please submit this form, the disclosure details, and any other supporting documents to the Designated Officer.

APPENDIX "B"

COMPLAINT OF REPRISAL FORM

COMPLAINT DETAILS

Attached a separate page to this form to provide the following information about the reprisal and the person(s) alleged to have committed the reprisal. Include, if known, the following details:

- a) a description of the reprisal,
- b) the name of the individual or individuals alleged to have committed the reprisal,
- b) contact information of the individual or individuals referred to in clause (b),
- c) the date of the reprisal,
- d) any additional information that may be reasonably required to investigate the matters set out in the complaint, and
- e) whether you have reported the reprisal using any other internal procedure, and the outcome.

CONTACT INFORMATION

While anonymous complaints may be accepted, you are encouraged to include your name and contact information. For more information about the advantages and disadvantages of making an anonymous complaint, speak with the Designated Officer.

First Name: _____ Last Name: _____
Work Phone: _____ Cell Phone: _____
E-mail _____
Address: _____

DECLARATION

I declare that all of the information provided in this complain is true and accurate to the best of my knowledge. I acknowledge that making a false or misleading statement is a breach of RDAR's Public Interest Disclosure and Whistleblower Protection Policy.

Date

Signature

Please submit this form, the disclosure details and any other supporting documents to the RDAR Board of Directors.