

Whistle Blower Policy

This policy is to provide the opportunity to employees to report to management unethical and improper practices or any other wrongful conduct in the council and to prohibit management personnel from taking any adverse personnel action against those employees.

Definitions

Improper practice is any activity by an employee that is undertaken in the performance of the employee's official duties, whether or not that action is within the scope of his or her employment, and that:

1. Is in violation of any law or regulation under the laws the employee is governed, including but not limited to, corruption, malfeasance, bribery, theft of property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of property, or willful omission to perform duty, or
2. Is in violation of Code of Conduct of the council
3. Is economically wasteful, or
4. Involves gross misconduct, incompetence, or inefficiency
5. Involves any directive to violate or assist in violating an applicable law, rule, or regulation or any order to work or cause others to work in conditions outside of their line of duty that will unreasonably threaten the health or safety of employees or the public
6. Whistle blower is an employee making a disclosure under this policy. The whistle blower's role is as a reporting party. The whistle blower is not an investigator or finder of fact, nor does a whistle blower determine the appropriate corrective or remedial action that may be warranted.

Reporting Allegations of Suspected Improper Practices

Any employee may report allegations of suspected improper practices, knowledge, or suspicion of improper practices.

- Reports of allegations of suspected improper practices are to be made in writing giving factual and specific information.
- Such report should be submitted to the Audit Committee Chair and the Council President.
- The Audit Committee Chair and the Council President will examine the report and, if considered proper, will investigate or appoint an Investigation Team.
- The Investigation Team will investigate the matter and report the findings to the Council President.
- After examining the findings submitted by the Investigation Team, the Council President may take disciplinary actions considered appropriate against the wrongdoer or to take preventive measures etc.

Roles, Rights, and Responsibilities of Whistleblowers, Investigation

Participants, Subjects and Investigators

Whistle Blower

1. Whistleblowers should make their reports in confidence to the extent possible within the limitations of law and policy and the need to conduct a competent investigation.
2. Confidentiality of whistleblowers will be maintained. However, whistleblowers are cautioned that their identity may be known for reasons outside of the control of the Scout Executive.
3. All employees of the council have a duty to cooperate with investigations initiated under this policy.

4. The motivation of a whistle blower is irrelevant for the consideration of validity of the allegations. However, the intentional filing of a false report is itself considered a violation of our values and the council has a right to pursue disciplinary action up to and including termination.
5. A whistle blower will have the right of protection from retaliation. This does not, however, extend immunity for any complicity in the matters that are the subject of the allegations or an ensuing investigation.

Investigation Participants

1. Employees who are interviewed, asked to provide information or otherwise participate in an investigation have a duty to fully cooperate with the authorized investigators.
2. Participants in an investigation are entitled to protection from retaliation for having participated in an investigation.

Investigation Subject

1. An Investigation subject is a person who is the focus of investigative fact-finding either by virtue of allegation made or evidence gathered during the course of an investigation. The decision to conduct an investigation is not an accusation; it is to be treated as a neutral fact-finding process. The outcome of the investigation may or may not support a conclusion that an improper act was committed and if so, by whom.
2. The identity of a subject will be maintained in confidence to the extent possible given the legitimate needs of laws and the investigation.
3. Subjects should normally be informed of the allegations of a formal investigation and have opportunities for input during the investigation.
4. Subjects have a duty to cooperate with investigators.
5. Subjects have a right to be informed of the outcome of the investigation.

Investigators

1. Investigators are those persons authorized by the council to conduct fact-finding and analysis related to cases of alleged Improper Practices.
2. All investigators shall be independent and unbiased both in fact and appearance. Investigators have a duty of fairness, objectivity, thoroughness, ethical behavior, and observance of legal and professional standards.

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APPENDIX UPDATED

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