



Whistleblower Policy

OEBC is committed to enabling all directors, contractors, staff, members and volunteers to voice concerns in a safe and effective manner. As part of that commitment, OEBC will ensure an impartial investigation of matters reported, regardless of the person reporting or the matter reported.

The objective of this policy is to ensure allegations are properly received, fairly investigated, and meaningfully addressed. High-level decisions will be reported to staff and other relevant parties in the interest of this policy's transparency and accountability.

Whistleblowing is providing information to authorities about an organization's misconduct to eradicate unethical behaviour. Whistleblowers are legally protected from retaliation under the Canadian *Criminal Code* and the Ontario *Securities Act*. Current and former members of the organization are free to provide or inquire about providing cooperation, testimony, information, or other assistance to investigators, regulators, or law enforcement authorities. Employees with confidentiality agreements maintain the same whistleblowing protection.

Any OEBC director, contractor, staff, member or volunteer receiving disclosures of misconduct is expected to report the information to the CEO. If reporting to the CEO is not possible or appropriate given the circumstances, directors are expected to report to the Chair or Vice-Chair of the OEBC Board of Directors.

The CEO will support the process of investigation, determination, consequences, and appropriate reporting. The Complaint Resolution Procedure below outlines the general steps for disclosure, investigation, and corrective action.

Complaint Resolution Procedure

If any complaint or concern is received, OEBC will act promptly and apply appropriate resources to resolve the situation. Any individual currently or previously employed by or engaged with OEBC is encouraged to report issues related to the following:

- Inappropriate behaviour, including violation of OEBC's principles, Respectful Workplace Policy, or Health and Safety Policies
- Unethical behaviour, including personal or systemic misconduct or impropriety
- Intentional failure to meet internal and external requirements, such as theft or fraud
- Attempts to conceal any of the above

The following general steps for raising and addressing complaints to OEBC can apply to grievances, disputes, whistleblowing, discrimination, harassment, violence, and other incidents related to potential misbehaviour within the organization.

1. If any director, contractor, staff, member or volunteer suspects misbehaviour, they are expected to review information objectively in consultation with relevant OEBC policies.

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2. If appropriate and safe, they may consider speaking with the person(s) about concerns and complaints. This is an opportunity to explain in a clear and respectful manner if certain conduct is inappropriate and contrary to OEBC's policies. Disputes can sometimes be resolved at this stage with effective communication.
3. Complainants are encouraged to discuss concerns and questions with the CEO. If discussing with the CEO is not possible or appropriate given the circumstances, the Chair or Vice-Chair of the OEBC Board of Directors can discuss concerns and receive formal complaints.
4. If any director, contractor, staff, member or volunteer would like to submit a formal complaint, they should provide the complaint in writing to the CEO (or appropriate alternate as described in #3, above) along with any supporting documentation. Provide detailed descriptions of what happened, when, where, and any potential witnesses.
 - a. If a complainant believes anonymity is required, disclosures may be presented without a name; however, this can make a fair and thorough investigation more difficult.
5. As soon as practical, OEBC will acknowledge receipt of the complaint in writing; OEBC will enter both the complaint and this acknowledgement into secured confidential records. Information gathered throughout the investigation will also be retained in this file.
 - a. The investigator will inform the person against whom the complaint is made (the respondent) as soon as practical.
6. Depending on the nature and severity of the complaint, the CEO (or alternate) may arrange a meeting between those involved to determine a resolution.
 - a. If parties involved agree to mediation or arbitration for dispute resolution, OEBC will refer the parties to confidential services through a neutral third party where appropriate.
7. Depending on the nature and severity of the complaint, the CEO (or alternate) will conduct an investigation or engage a neutral third party. An investigation may involve interviewing any respondents or witnesses, and possibly consulting other parties such as human rights or legal professionals. The complainant will be notified of all significant steps of the process. The complainant may be requested to provide additional information, which may involve one or more interviews.
 - a. If there is evidence of criminal activity, the investigator will inform the police. If appropriate, the investigator will involve auditors, legal counsel, and/or relevant regulatory authorities.
8. OEBC's decision will be based on a full review of all the relevant information. The decision and any corrective actions will be documented and explained as fully as possible to the complainant and any respondents. OEBC will aim to have investigations completed within 90 calendar days unless there are extenuating circumstances. OEBC will aim to communicate in writing within 10 days of the conclusion of the investigation to complainant(s) and any respondent(s) regarding the results of the investigation and any corrective action.

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9. Following the investigation, actions may include corrective measures for the reported issues, preventative measures for future issues, and consequences for individuals found accountable for wrongdoing.
10. If the complainant is not satisfied that their concern is being properly dealt with by the investigator, they have the right to raise it in confidence with the Chair or Vice-Chair of the OEBC Board of Directors. If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, OEBC recognizes the lawful rights of individuals to make disclosures to prescribed authorities elsewhere.

Confidentiality will be vigorously protected with sensitivity for those involved. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information, and the individual making the disclosure may need to provide a statement as part of the evidence required.

Persistent and malicious allegations proven untrue will be treated as harassment as per OEBC's *Human Resource Policies*.

Reprisals are any measure taken against a director, contractor, staff, member or volunteer that adversely affects his or her role with OEBC, or any threat to take such measures, with the intent to prevent or retaliate against whistleblowing.

OEBC will make every effort to protect whistleblowers, complainants, respondents, and witnesses from reprisals. Any reported reprisal will be investigated with the reported wrongdoing and will be addressed seriously. The Board of Directors will provide oversight and accountability to ensure allegations can be reported without reprisal and will be investigated thoroughly.