

# Safe Disclosure of Theft, Fraud, or Misappropriation of University Resources.

**Category:** Operations

**Approval:** Board of Governors (cannot be amended without Board approval)

**Responsibility:** University Secretary

**Date:** June 24, 2016

## **Definitions:**

For the purposes of this Policy and the accompanying procedure:

“Employee” includes all faculty, professional librarians and staff (permanent, contract and casual), student employees, post-doctoral fellows, visiting scholars, research chairs, adjunct faculty, researchers and retired employees using University facilities or resources for University business or research.

“Wrongdoing” includes all wrongdoing or fraudulent transactions defined in the Criminal Code or other applicable federal or provincial legislation including, but not limited to: theft; gross mismanagement of University resources; unauthorized destruction, removal or concealment of University records or property for the purposes of gain; forgery; falsification or alternation of documents; making false claims; computer hacking; identity theft.

“Good faith reporting” includes evidence of wrongdoing and is made for the purpose of remedying the condition and not for a frivolous, vexatious or extraneous purpose.

“Frivolous, vexatious or extraneous reporting” is an allegation of wrongdoing that is trivial, malicious, made in bad faith or is based on information that the complainant knows to be false or without reasonable grounds to support the belief in the Wrongdoing.

## **Purpose/Reason for Policy:**

Trent University (the University) is committed to maintaining the highest standards of ethical conduct in all of its activities and to acting immediately on any report of wrongdoing. The University recognizes that employees and other individuals involved in the day-to-day operations of the University are best positioned to observe and report unethical conduct or abuse of the public trust. It is the responsibility of these employees and other individuals, acting in good faith, to immediately report any alleged misconduct or fraud, without fear of retaliation.

This policy:

- confirms the University’s commitment to take seriously, and promptly respond to, allegations of misconduct involving University resources;

- enhances the University's accountability to the public trust, supports statutory compliance and adherence to University policies, and ensuring fair treatment; and
- establishes the procedures for confidential disclosure that protects individuals against interference, reprisals or retaliation when they report incidents of alleged wrongdoing in good faith.

### **Scope of this Policy:**

This Policy applies to all employees, volunteers, contractors and agents of the University.

It applies in situations where individuals have reasonable grounds to believe that fraud, theft or misappropriation of University resources has occurred.

This Policy is not intended to replace other related policies and procedures already in place at the University. The intent is to provide a mechanism for confidential reporting and the protection of persons who report wrongdoing in this manner. In the event that this Policy conflicts with another University policy, this Policy will prevail to the extent of the conflict, related to any protected disclosure made under this policy.

Exceptions: This Policy does not apply to the following types of wrongdoing:

- Wrongdoing pertaining to research and research funding: reported and addressed through a separate process outlined in the Policy on Research and Scholarly Misconduct. <http://www.trentu.ca/administration/pdfs/APPENDIXC-Scholarlymisconduct.pdf>
- Issues of academic integrity where students are acting solely in their capacity as students: addressed through separate processes. <http://www.trentu.ca/vpacademic/integrity.php>
- Concerns about conflict of interest: dealt with under a separate, Board-approved policy at <http://www.trentu.ca/administration/pdfs/Conflictofinterest-Dec2012.pdf>
- A failure or alleged failure of the University or any of its employees to abide by the terms of any collective agreement or any other matter which is under the jurisdiction of the Ontario Labour Relations Board, or any other board or tribunal.
- Matters that are clerical or relate to administrative procedures.

### **Policy Statement:**

The University is committed to conducting its affairs honestly and lawfully. It strives to prevent, detect and correct any incidents of Wrongdoing that may occur, including theft, fraud and misappropriation of University resources, not otherwise dealt with by specific policy.

University Employees, contractors, agents and volunteers who believe they have evidence of Wrongdoing as defined in this policy are required to disclose such concerns. Where possible, Employees are encouraged to seek resolution of the matter by bringing the matter to the attention of their immediate supervisor or other appropriate person (i.e., manager, unit head, vice-president). When the circumstances preclude such a step or the matter remains unresolved, the individual is to report any concerns of Wrongdoing, made in good faith, in confidence through the University Secretary who shall report the matter to the Chair of the Audit & Investment Committee of the Board of Governors.

The University Secretary is responsible for ensuring that reports of Wrongdoing submitted through her/his office are brought to the attention of the Chair of the Audit & Investment Committee of the Board of Governors in a timely manner. The Board of Governors, through its Audit & Investment Committee, is responsible for ensuring that the University responds appropriately to allegations of Wrongdoing that are made in good faith, and which the Board determines do not constitute frivolous, vexatious or extraneous reporting.

All disclosures made under this Policy and all investigations arising out of such disclosure will be handled in a timely, confidential and sensitive manner and will not be disclosed or discussed with anyone other than those individuals with a legitimate need to know. All individuals involved in investigations arising from such disclosure shall keep the details and results confidential and not disclose any information without authorization. The formal procedure for disclosure and investigation of possible Wrongdoing is set out in Appendix A to this Policy.

The University prohibits reprisals for Good Faith reporting of Wrongdoing, and will respond promptly to any concerns regarding reprisals or unfair treatment linked to this type of disclosure.

Employee members of collective bargaining units who are found to have participated in acts of Wrongdoing or in making a frivolous, vexatious or extraneous reporting under this Policy may be subject to disciplinary action consistent with the terms of their collective agreement.

**Contact Officer:**

University Secretary and Secretary, Board of Governors

**Date for Next Review:**

June 24, 2018

**Related Policies, Procedures & Guidelines**

- a) Procedure for Safe Disclosure of Theft, Fraud, Misappropriation of University Resources (Appendix A)
- b) Supply Chain Code of Ethics Policy
- c) Procurement of Goods and Services
- d) Reimbursement of Travel or other Business Expenses
- e) Perquisites
- f) Policy on Scholarly Misconduct
- g) Conflict of Interest Policy

**Policies Superseded by This Policy:**

N/A