

## Whistleblower Policy

Date Approved by Council: April 14, 2026 Resolution No.: 115/26

Mayor: 

Chief Administrative Officer: 

### 1. Purpose

The purpose of this Whistleblower Policy is to encourage the Good Faith reporting of suspected Wrongdoing within Sturgeon County and to protect Employees, Contractors, Volunteers, and other stakeholders of Sturgeon County, or the public, who make a Disclosure.

### 2. Revision History

Approval Date	Revision Number	Modification
Year/Month/Date	1.0	New Document

### 3. Persons Affected

This Policy applies to Employees, Volunteers, Contractors, and those working in any capacity for the County.

In accordance with section 145(9) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, this Policy does not address the behaviour or conduct of councillors or of members of council committees who are not councillors. However, an Employee, Volunteer, or Contractor who is suspected of, or has engaged in, Wrongdoing while otherwise bidding for County work, or retained to provide goods /services to or on behalf of the County, is not exempt from investigation or the outcomes contemplated by this Policy and associated Procedure solely because of their membership on a Council Committee.

### 4. Definitions

The terms used in this Policy have the same meaning as given to them in the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended (the Act), unless otherwise noted.

The following definitions and interpretations apply to this policy:

*Administration* means the CAO or their delegates.

*CAO* means the Chief Administrative Officer of the County.

*Contractor* means an individual or company hired to perform work on behalf of the County.  
*Council* means the Council of Sturgeon County.

*County* means the Municipality of Sturgeon County.

*Disclosure* means a Good Faith report of a suspected or alleged Wrongdoing by Employees, Contractors, and Volunteers in accordance with this Policy, its accompanying Whistleblower Procedure and/or applicable legislation. Members of the public are also encouraged to report suspected or alleged Wrongdoing in Good Faith.

*Employee* means a person employed by the County in a permanent, non-permanent, full time, part time or casual capacity, including all classified, management positions engaged through an employment contract, as well as any former employee alleging that their employment was terminated due to retaliation for having made a Disclosure, or having cooperated in an investigation related to a Disclosure.

*Good Faith* is defined as per the common law. Without limiting common law definitions of Good Faith, and for the purposes of further clarity, a Good Faith Disclosure is one that is made with honest belief and some factual basis. A Good Faith Disclosure is not motivated by deceit, malice, or other improper purpose, nor is it reckless, frivolous or vexatious.

*Hotline Service Provider* means an independent third party, engaged under a contract for services to receive Disclosures.

*Investigator(s)* means the responsible staff or independent third-party service provider as designated or contracted, respectively, by the CAO, Mayor, or Deputy Mayor, as appropriate, to investigate Whistleblower complaints in compliance with County policies.

*Retaliation* means retribution or reprisal, or a threat of taking such a measure, against a person or person(s) in connection with a Disclosure. Forms of retaliation may include, but are not limited to:

- Dismissal, demotion, suspension, or termination of employment or engagement;
- Harassment, intimidation, or threats, at or outside the workplace;
- Refusing to provide a municipal service; or
- Any other adverse action that negatively affects the person's employment or contractual or business relationship as a direct result of making a Disclosure.

However, the following do not constitute retaliation:

- Legitimate exercises of the County's rights to manage its Employees' performance, including providing feedback for improvement and disciplinary measures for misconduct unrelated to an Employee having made, or sought advice on making, a Disclosure;
- Applying disciplinary measures for disclosures that have not been made in Good Faith;
- Making business decisions such as restructuring, reassignment, or changes in duties, provided these are not influenced by the individual having made, or sought advice on making, a Disclosure.

*Volunteer* means a person who participates in the delivery of a County program or service or provides a benefit for the County in a non-employment relationship but may receive honorariums and reimbursement of expenses; excludes persons appointed to Council committees.

*Whistleblower* means any person, including the public, who, in Good Faith, reports or discloses suspected Wrongdoing within the County in accordance with this Policy and accompanying Whistleblower Procedure, and/or applicable legislation.

*Wrongdoing* means, but is not limited to:

- a) a contravention of provincial or federal legislation, or a regulation made pursuant to such legislation;
- b) an act or omission that creates
  - i) a substantial and specific danger to the life, health or safety of individuals other than a danger that is inherent in the performance of the duties or functions of an Employee;
  - ii) a substantial and specific danger to the environment,
- c) gross mismanagement, including an act or omission that is deliberate and that shows a reckless or willful disregard for the proper management of
  - i) public funds or a public asset;
  - ii) the delivery of a public service, including the management or performance of
    - a) a contract or arrangement with the County, including the duties resulting from the contract or arrangement or any funds administered or provided under the contract or arrangement; or
    - b) the duties and powers resulting from legislation, including the *Municipal Government Act*, or any funds administered or provided as a result of the legislation;
- d) fraudulent activities or other actions leading to financial irregularities;
- e) breach of policy; or

- f) knowingly directing or counselling an individual to commit a Wrongdoing.

## 5. Policy Statement

- 5.1. The County is committed to protecting all public assets in any form entrusted to the County, fostering an environment of accountability, transparency, and integrity; to protecting those who make a Disclosure in Good Faith; and to impartial investigation into allegations of Wrongdoing.
- 5.2. Nothing in this Policy abrogates from the County's rights or obligations to report, in Good Faith, an individual's actions or omissions to the appropriate law enforcement and regulatory authorities, or to commence legal proceedings against that individual, where that individual's actions may give rise to such right or obligation.

## 6. Advice and Disclosures

- 6.1. The County will provide a process for the receipt of Disclosures.
- 6.2. An Employee, Volunteer, or Contractor who is considering making a Disclosure may request information or advice from their supervisor or the CAO (or the Mayor in the event that the CAO is the subject of the Disclosure, or is otherwise in a conflict of interest, or the Deputy Mayor, in the event that neither the CAO nor the Mayor is able to act with respect to the Disclosure). A member of the public who is considering making a Disclosure may also request information from the CAO (or the Mayor in the event that the CAO is the subject of the Disclosure, or is otherwise in a conflict of interest, or the Deputy Mayor, in the event that neither the CAO nor the Mayor is able to act with respect to the Disclosure).

## 7. Legislative Compliance

- 7.1. All Whistleblower investigations will be conducted in accordance with applicable legislation.

## 8. Protection from Retaliation

- 8.1. No person who makes a Disclosure in Good Faith, or who cooperates in an investigation about a Disclosure, will be subject to Retaliation related to the disclosure and/or cooperation. Further, no person will be subject to Retaliation for their refusal to participate in, or to conceal, a Wrongdoing.
- 8.2. Protection starts the moment the person seeks advice on making a Disclosure or makes a Disclosure.
- 8.3. Any Employee, Volunteer or Contractor who retaliates against a Whistleblower will face disciplinary action, up to and including termination of employment or business relationship.

## **9. False or Malicious Reporting and Interference with an Investigation**

- 9.1. An Employee who destroys, mutilates, alters, falsifies, or conceals any record relevant to an investigation, obstructs or counsels another person to obstruct an individual acting under this Policy, or knowingly makes a false or misleading statement to an Investigator may be subject to disciplinary action, up to and including termination of employment
- 9.2. If an Investigator determines that an Employee made a frivolous, vexatious, or malicious Disclosure (not in Good Faith), that Employee may be subject to disciplinary action, up to and including termination of employment.
- 9.3. Volunteers and Contractors who knowingly make false allegations or reports may be subject to severance of business relationship.

## **10. Confidentiality and Anonymity**

- 10.1. Disclosure is a confidential and protected process.
- 10.2. All information collected, including the identity of the Whistleblower, the alleged wrongdoer, and witnesses, will be kept confidential by all parties involved, except where disclosure is:
  - 10.2.1. Necessary for the purposes of the investigation,
  - 10.2.2. Required by law,
  - 10.2.3. Necessary when public interest outweighs confidentiality,
  - 10.2.4. Necessary to prevent an imminent risk of substantial and specific danger to the life, health, or safety of individuals, or to the environment, or
  - 10.2.5. Required for procedural fairness and natural justice, to the extent that individuals accused of Wrongdoing may receive adequate information to meaningfully respond to the allegations of Wrongdoing.
- 10.3. The Investigator shall take every reasonable step to protect the identity of the person making the Disclosure.
  - 10.3.1. Report of any investigation shall be confidential, and its distribution shall be restricted to those who need to know to take action to address the recommendations, or as required by law. The report may include the identity of the Whistleblower, any named individual(s), and any information gathered as part of an investigation.
  - 10.3.2. If an investigation requires the Whistleblower's identity to be disclosed, the Investigator shall, where practicable, advise the CAO, Mayor, or Deputy Mayor, as appropriate, who shall then notify the Whistleblower in writing

prior to disclosing the Whistleblower's identity, along with the reason for the disclosure. In situations where there is an imminent risk of substantial and specific danger to the life, health, or safety of individuals, or to the environment, the investigator may disclose the Whistleblower's identity to the appropriate law enforcement authorities without prior notice to the CAO, Mayor, Deputy Mayor, or Whistleblower.

**10.4. Anonymous Disclosure is an option.**

- 10.4.1. Anonymous Disclosure may limit the ability to fully investigate the matter. The CAO, Mayor, or Deputy Mayor, as appropriate, will determine, at their discretion, whether there is sufficient information to pursue further action and whether it is appropriate to do so.

**11. Procedural Fairness and Natural Justice**

**11.1. Individuals accused of Wrongdoing have the right to:**

- 11.1.1. Be informed of the allegations and the evidence against them,
- 11.1.2. Respond to the allegations, and
- 11.1.3. Have their case decided by an impartial Investigator.

**12. Responsibilities**

**12.1. Council shall:**

- 12.1.1. Approve changes to this policy.
- 12.1.2. Appoint an Investigator if the CAO is the subject of a Disclosure.

**12.2. The Mayor shall:**

- 12.2.1. Once a Disclosure has been made in accordance with the Procedure, act as the primary point of contact responsible for the timely handling of Disclosures in accordance with this Policy and associated Procedure if the CAO is the subject of a Disclosure, or if the CAO is otherwise in a conflict of interest.

**12.3. The Deputy Mayor shall:**

- 12.3.1. Once a Disclosure has been made in accordance with the Procedure, act as the primary point of contact responsible for the timely handling of Disclosures in accordance with this Policy and associated Procedure, in the event that neither the CAO nor the Mayor is able to act with respect to the Disclosure.

**12.4. The CAO shall:**

- 12.4.1. Support the implementation of this policy, including a training program.

- 12.4.2. Recommend changes to this Policy to Council.
- 12.4.3. Ensure organizational compliance with this Policy.
- 12.4.4. Establish a mechanism(s) to receive a Disclosure.
- 12.4.5. Act as the primary point of contact responsible for the handling of Disclosures in accordance with this Policy and associated Procedure, unless the CAO is the subject of the Disclosure or is otherwise in a conflict of interest.
- 12.4.6. Appoint an Investigator, where the CAO determines that an investigation is warranted.
- 12.4.7. Report to Council annually the number of Whistleblower Disclosures and the number of investigations underway or completed, and any actions taken in response to any recommendations as a result of an investigation.
- 12.4.8. Disclose any Disclosures received, or investigations underway or completed, to the County Auditor for the relevant audit year.

**12.5. Employees, Volunteers, and Contractors shall:**

- 12.5.1. Exercise due diligence and control to prevent, monitor, detect, and report suspected Wrongdoing.
- 12.5.2. Report suspected violations of this Policy in accordance with the Whistleblower Procedure.
- 12.5.3. Cooperate with any investigation.
- 12.5.4. Maintain confidentiality as set out in this Policy and as otherwise specifically directed by the County.

**12.6. Investigator(s) shall:**

- 12.6.1. Act in compliance with this Policy.
- 12.6.2. To the extent that doing so is in accordance with the principles of procedural fairness and natural justice, and any other applicable laws, safeguard the Whistleblower's identity to protect them from Retaliation.
- 12.6.3. Safeguard the alleged wrongdoer's identity in accordance with this policy.
- 12.6.4. Conduct the investigation without bias or influence.
- 12.6.5. Recommend, if required, immediate, temporary measures (e.g., separation of parties, temporary suspension) to prevent continued Wrongdoing or threatened Retaliation during an investigation.
- 12.6.6. Advise the CAO, Mayor, or Deputy Mayor, as appropriate, and in a timely manner, of any criminal activity and report to the appropriate law enforcement authority.

- 12.6.7. Provide the confidential report of findings to the CAO, the Mayor, or the Deputy Mayor, as appropriate.

### **13. Review Period**

- 13.1. This policy shall be reviewed by Administration in response to any recommendations from Whistleblower investigations, in response to any recommendations by the County Auditor, or at least every four years.

### **14. Cross Reference**

- 14.1. *Municipal Government Act (MGA) and Regulations*  
14.2. *Access to Information Act, SA 2024, c A-1.4*  
14.3. *Protection of Privacy Act, SA 2024, c P-28.5*  
14.4. Whistleblower Procedure