

Title	Public Interest Disclosure		
Parent Policy	Public Interest Disclosure	Responsible Office	People and Culture
Classification	Administrative	Effective Date	2024-Dec-01
Category	Governance and Legal	Document No.	1102-PR
Approval	President		

This procedure is applied in a manner consistent with applicable statutory and legal obligations, including university collective agreements, terms of employment and the parent policy.

The most up-to-date versions of the university's procedures are posted on the policy and procedure website. If you have printed this procedure, check the website to ensure you have the current version.

The first appearance of terms in **bold** in this document (except titles) are defined terms – refer to the Definitions section.

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1.0 INTRODUCTION

1.1 Purpose

The following procedures are established to fulfill the President's responsibilities under section 9 of Public Interest Disclosure Act (PIDA or the Act). These procedures reflect the guiding principle in PIDA that disclosures must be managed in an expeditious, fair and proportionate manner.

To build on protections already in place under other B.C. laws, as well as the Safe Disclosure Policy and Standards of Conduct and Service for Royal Roads University (RRU) employees, PIDA was brought into effect on December 1, 2024, for post-secondary institutions. PIDA provides employees a clear process for disclosing concerns about wrongdoing in the BC Public Service and provides legislative protection from reprisal.

PIDA encourages employees to come forward and make a disclosure if they believe that serious wrongdoing has occurred or is about to occur in the workplace. It also ensures that there are mechanisms in place to protect employees who make disclosures against reprisal and provides a fair and objective process for those accused of wrongdoing.

A public interest disclosure occurs when an employee reports a wrongdoing to their employer, through their supervisor, designated officer, or to the BC Ombudsperson. Public interest disclosures must be about a matter of public interest, regarding an allegation of serious wrongdoing in or relating to the University.

PIDA is intended to apply to serious wrongdoing that is potentially unlawful, dangerous to the public or injurious to the public interest. A wrongdoing is defined in section 7 of PIDA as:

- a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
- an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee's duties or functions;
- a serious misuse of public funds or public assets;
- gross or systemic mismanagement; or
- knowingly directing or counselling a person to commit a wrongdoing listed above. It is important to note that not all disclosures of information that are made will be a "public interest disclosure" for the purposes of PIDA.

The purpose of this procedure is to articulate how the University complies with the Act and provides a process for employees to make a disclosure, seek advice about making a disclosure or make a complaint about a reprisal.

1.2 Scope

- a. This policy applies to Royal Roads University (University) employees.
- b. This procedure applies only to disclosures of serious wrongdoings that meet the following requirements:
 - i. It is made by an employee or former employee of the University (if they were an employee at the time the wrongdoing was committed);
 - ii. The discloser in good faith reasonably believes that they have information that a serious wrongdoing has been committed or is about to be committed; and
 - iii. The disclosure is made to the appropriate person (the employee's supervisor, designated officer or the BC Ombudsperson).
- c. Reporting a wrongdoing under this procedure does not replace other mandatory reporting requirements. Additionally, this procedure does not affect other protections found in other

B.C. laws, such as the Freedom of Information and Protection of Privacy Act. In other words, the protections for disclosers in other B.C. Laws remain for people who report under those frameworks.

2.0 DISCLOSURE PROCEDURES

2.1 Designated Officer

- a. The President designates the Executive Officer and AVP, People and Culture as the Designated Officer 1 (DO1) and the Associate Director, Human Rights and Accessibility as the Designated Officer 1 (DO2) for receiving and reviewing disclosures and managing investigations under this procedure for RRU.
- b. The DO may delegate their authority to another employee or a third party to assess and investigate disclosures at their discretion and as required in the circumstances.

2.2 Requests for Advice

- a. An employee who is considering making a disclosure under this procedure, or has concerns about reprisal after making a disclosure under this procedure, may seek advice about doing so from:
 - i. their union representative or other employee representative;
 - ii. a lawyer;
 - iii. their supervisor;
 - iv. a Designated Officer; or
 - v. the Ombudsperson.
- b. Supervisors or Designated Officers may require the employee to make the request for advice in writing.
- c. Supervisors and Designated Officers will document all requests for advice received under the procedure and maintain a written record of the advice provided.
- d. Supervisors and Designated Officers are to clarify that a request for advice is being made under this procedure in cases where there is ambiguity.
- e. Employees may wish to specify that they are requesting advice under the procedure.
- f. Employees who seek advice from the people set out above are protected from reprisal under this procedure. No person can adversely affect a person's employment or working conditions because the employee sought advice about making a disclosure.
- g. This protection applies whether or not the employee decides to make a disclosure.

2.3 Making a Disclosure

- a. Employees can make disclosures of wrongdoing under this procedure for the following wrongdoings in or relating to the University, including wrongdoings that occurred before the Act coming into force:
 - i. a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
 - ii. an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee's duties or functions;
 - iii. a serious misuse of public funds or public assets;
 - iv. gross or systemic mismanagement; and
 - v. knowingly directing or counselling a person to commit a wrongdoing.

- b. Employees can make disclosures, in good faith, about wrongdoings that they reasonably believe have occurred or are about to occur. Employees can make disclosures about wrongdoings that occurred before the Act was in force, as long as the wrongdoing occurred or the employee learned of the wrongdoing during their employment.
- c. If an employee makes a disclosure to their supervisor, the supervisor must forward it to a Designated Officer immediately. If a Designated Officer is the subject of the allegations, the supervisor will forward the disclosure to the other Designated Officer. If an alternative Designated Officer is not available, the supervisor may suggest the disclosure be submitted to the Ombudsperson.
- d. Employees who wish to make a disclosure must do so in writing. Employees are encouraged to use the Disclosure Form. Disclosures must include the following information, if known:
 - i. a description of the wrongdoing;
 - ii. the name(s) of the person alleged
 - to have committed the wrongdoing, or
 - to be about to commit the wrongdoing;
 - iii. the date(s) of the wrongdoing;
 - iv. whether the information or conduct that is being disclosed relates to an obligation under another enactment and, if so, a reference to the enactment;
 - v. whether the wrongdoing has already been disclosed under this procedure or another enactment;
 - vi. if paragraph (v) applies, the name of the person to whom the disclosure was made and the response, if any, that has been received.
- e. Employees can also make disclosures to their supervisor or a Designated Officer by email or mail. Employees are encouraged to note that they are making a public interest disclosure and to ensure that their disclosure includes the required information.
- f. If an initial disclosure is not made in writing, the supervisor or Designated Officer will assist the employee to document their disclosure using the Disclosure Form.

2.4 Anonymous Disclosures

- a. Disclosures may be made anonymously to the Designated Officer or the BC Ombudsperson. While anonymous disclosures are permitted, those who may be considering making anonymous disclosures should be aware that it can be very difficult for the Designated Officer to follow up, which could impact the investigation of the disclosure.
- b. It is possible that an anonymous report will not contain adequate detail with respect to an allegation to enable a full and thorough investigation and the Designated Officer may be unable to seek clarification or further information if there is no way to contact the anonymous discloser. Additionally, the Designated Officer may be unable to advise an anonymous discloser of whether an investigation will be conducted, what steps may be taken in response, or the results of an investigation.
- c. If an employee chooses to make a disclosure anonymously, they need to be anonymous from the start when they make the disclosure. An anonymous disclosure cannot contain any information which identifies the person who submitted it (such as their email address, personal address or name).
- d. If advice was previously sought under this procedure and the identify of the discloser is known to the person, they sought advice from, they cannot ask to make the disclosure anonymously. The legislation provides confidentiality and protections from reprisal to protect you if you make a disclosure.

- e. If the Designated Officer is unable to establish that an employee made the disclosure, the Designated Officer will close the file.

2.5 Multiple Disclosers

- a. If multiple disclosers come forward at the same time regarding the same alleged wrongdoing, the Designated Officer may assess and investigate the disclosures together as a single matter.
- b. The fact that multiple disclosers have come forward about the same alleged wrongdoing will not be shared with the other disclosers. Each discloser will have protections from reprisal under this procedure and will be interviewed separately.

2.6 Public Disclosures

- a. An employee may make a public disclosure where they “reasonably believe that a matter constitutes an imminent risk of a substantial and specific danger to the life, health or safety of persons, or to the environment”. An employee must take the following steps prior to making an urgent public disclosure:
 - i. consult the relevant protection official as follows:
 - in respect of a health-related matter, the Provincial Health Officer,
 - the provincial administrator as defined in section 1(1) of the [Emergency and Disaster Management Act](#), or
 - in any other case, the appropriate police force;
 - ii. receive direction from the protection official about whether to make the disclosure, and if so, on what conditions; and
 - iii. where the protection official approves the disclosure, make the disclosure in accordance with any conditions the protection official imposes.
- b. There are a number of limits on the kind of information that an employee can share when making a public disclosure. Employees must not share information that is subject to a restriction under an enactment of BC or Canada. This means employees must not share information that they are prohibited from sharing under a statutory oath or any statute or other regulation.
- c. In addition, this procedure does not authorize the release of information in a public disclosure that is:
 - i. protected by solicitor-client privilege;
 - ii. protected by any common law rule of privilege; or
 - iii. subject to public interest immunity, including cabinet privilege.
- d. If the protection official directs the employee not to make the disclosure public, the employee must not make it public. The protections for employees in this procedure may not apply to employees who do not follow the protection official’s advice.
- e. Immediately after making the disclosure public, the employee must advise their supervisor or Designated Officer about the public disclosure and then make the disclosure to their supervisor, Designated Officer or the Ombudsperson.
- f. If the Designated Officer investigates a disclosure following a public disclosure, they will contact the protection official to gather information regarding the steps that the protection official has taken in response to the subject matter of the disclosure. The Designated Officer will consider the information obtained when assessing whether further investigation is warranted.

2.7 Reprisal

- a. Reprisal is prohibited under PIDA.
- b. Reprisals may include: a disciplinary measure, demotion, termination of employment and any other measure that adversely affects the employee's employment or working conditions.
- c. Employees are protected from reprisals resulting from:
 - i. seeking advice about making a disclosure;
 - ii. seeking advice about concerns of reprisal;
 - iii. making a disclosure;
 - iv. reporting a reprisal; or
 - v. cooperating with an investigation in accordance with this procedure.
- d. Under the Act the BC Ombudsperson is responsible for investigating complaints of reprisal. Employees are encouraged to contact the BC Ombudsperson if they feel that they have suffered a reprisal because they participated in an investigation or sought advice about PIDA.

3.0 ASSESSMENT PROCEDURES

3.1 Designated Officer

- a. The Designated Officer is responsible for receiving disclosures and assessing whether they are made by an employee and meet the threshold for wrongdoing.
- b. The Designated Officer will conduct this initial assessment prior to determining whether an investigation is warranted.

3.2 Initial Interview

- a. The Designated Officer will confirm receipt of a disclosure to an employee within 2 business days. The Designated Officer will conduct an initial interview with a discloser as soon as possible after receipt of a disclosure. The interview, and any subsequent interviews, will be conducted in a manner and place that maintains the confidentiality of the identity of the discloser.
- b. The purpose of the interview is to gather more information about the nature of the disclosure and to assess whether it meets the threshold for wrongdoing. The interview is also intended to inform the Designated Officer's assessment of the urgency of the matter, as well as an initial consideration of any risk of reprisal to the discloser.

3.3 Risk Assessments

The Designated Officer is responsible for conducting two types of risk assessments: an urgency assessment and a reprisal risk assessment. Both assessments will be conducted as soon as practicable. The assessments are then conducted throughout the life of a file, but in particular, as new information is received indicating the presence of a risk or when the file moves to a new phase (from assessment, to investigation, to reporting).

3.4 Urgency Assessment

- a. The Designated Officer will assess whether the disclosure raises a matter which requires an urgent response. Urgent responses may be required where the subject matter of the disclosure indicates a serious risk to life, public health or safety, or the environment. This includes disclosures made following an urgent public disclosure unless information indicates that any serious risk has already been addressed. An urgent response may also be required where:

- i. the alleged wrongdoing has not occurred and there is an opportunity to intervene before it occurs;
 - ii. there is a high risk that evidence will be lost or destroyed;
 - iii. there is an imminent risk of significant financial harm; or
 - iv. there is a high risk of reprisal for the discloser (see **Reprisal Risk Assessment Tool**).
- b. Where a matter poses a risk of significant harm to the environment or the health or safety of persons, the Designated Officer will consider whether the public interest reporting provision in section 25 of the Freedom of Information and Freedom of Information and Protection of Privacy Act may be applicable. Where the Designated Officer believes section 25 may apply, the Designated Officer will consult the Chief Executive.

3.5 Reprisal Risk Assessment

- a. Employees are protected from reprisal under PIDA for making a disclosure, requesting advice about making a disclosure or cooperating with an investigation under this procedure.
- b. The Designated Officer must conduct a reprisal risk assessment when they receive a disclosure. The reprisal risk assessment is intended to ensure any risks of reprisal are identified and managed to the extent possible.
- c. The Designated Officer will use the Reprisal Risk Assessment Tool for more information about when and how to assess the risk of reprisal and how to manage that risk.

3.6 Gathering Information

- a. The Designated Officer is responsible for reviewing the employee's disclosure form or other written submission to ensure it meets the content requirements in section 15 of the Act.
- b. If the content requirements are not met, the Designated Officer will identify the information that is outstanding and ask the discloser to provide that additional information, if known. See Practice Directive: Interpreting Wrongdoing for the type of information needed to complete an assessment (BC Ombudsperson).
- c. If the employee makes their disclosure verbally, the Designated Officer will require the employee to follow-up with a written disclosure, as described in section 2.3 d.

3.7 Assessing the Disclosure

- a. The Designated Officer will assess the disclosure to confirm the following:
 - i. the discloser is an employee or former employee of Royal Roads University;
 - ii. the alleged wrongdoing occurred in or relating to a public body;
 - iii. the allegations meet the threshold of wrongdoing for at least one of [Section 7](#) (1)(a) to (e) of the Act; and
 - iv. the disclosure is in writing and contents of the disclosure meet the requirements of [Section 15](#) of the Act.
- b. In determining whether the allegations meet the threshold for wrongdoing, the Designated Officer should consult Practice Directive: Interpreting Wrongdoing which sets out the test and considerations for each type of wrongdoing.
- c. If the Designated Officer determines that the allegations, if proven, would meet the threshold of wrongdoing, the Designated Officer will also consider whether there is a reasonable basis to support an investigation. The Designated Officer will assess whether the discloser has provided some evidence that could support a conclusion that the alleged wrongdoing occurred. Mere speculation on the part of the discloser without any evidentiary support does not suffice.

3.8 Deciding Whether to Investigate

- a. Once the assessment of a disclosure is complete, the Designated Officer must determine whether or not to investigate. The Designated Officer will decide whether to investigate within 30 days of receipt of the disclosure.
- b. If the Designated Officer concludes that the assessment will require more than 30 days, they will notify the President of the delay, reasons for the delay, and the expected date on which the assessment will be complete and a decision made.

3.9 No Investigation

- a. If the disclosure is not made by an employee or former employee, or if the wrongdoing alleged does not relate to a public body, the Designated Officer must refuse to investigate under this procedure.
- b. If the disclosure does not meet the threshold for wrongdoing under Section 7 of the Act, or there is no reasonable basis to support an investigation, the Designated Officer must refuse to investigate under this procedure.
- c. Where the disclosure meets the assessment criteria, the Designated Officer must consider whether they are prohibited from investigating under this procedure.
- d. The Designated Officer is prohibited from investigating if the disclosure relates primarily to:
 - i. a dispute between an employee and the University respecting their employment;
 - ii. a matter relating to law enforcement;
 - iii. a matter relating to the prosecution of an offence; or
 - iv. an adjudicative function of a court, tribunal or other statutory decision maker, including a decision, or the processes or deliberations that have led to or may lead to a decision, by the court, tribunal or other statutory decision maker.

If any of the above circumstances apply, the Designated Officer must not investigate the disclosure.

- e. If the Designated Officer determines they are not prohibited from investigating, they will consider whether they should exercise their discretion to refuse to investigate applying the following discretionary considerations.
 - i. the disclosure does not provide sufficient details or particulars about the wrongdoing;
 - ii. the disclosure is frivolous or vexatious;
 - iii. the disclosure was not made in good faith;
 - iv. the investigation of the disclosure would serve no useful purpose or could not be reasonably conducted because the length of time that has passed between the date of when the subject matter of the disclosure arose and the date of the disclosure;
 - v. the disclosure relates solely to a public policy decision.
 - vi. the disclosure has been referred to another appropriate authority for investigation; or
 - vii. the disclosure has already been or is being appropriately investigated.
- f. The Designated Officer may seek additional sources or information to assist in determining whether or not an investigation is appropriate.
- g. The Designated Officer will notify the discloser of a decision not to investigate the disclosure and will provide reasons for their decision in writing.
- h. Where the Designated Officer decides not to investigate, the Designated Officer will consider whether there are other mechanisms available for addressing the discloser's concerns and provide that information to the discloser as appropriate.

3.10 Referral to the Ombudsperson

- a. Where the Designated Officer determines that the disclosure is eligible for investigation under this procedure, the Designated Officer will consider whether the disclosure, in whole or in part, would be more appropriately investigated by the Ombudsperson. In assessing whether to refer a disclosure to the Ombudsperson, the Designated Officer will consider:
 - i. the level and position of the alleged wrongdoer(s);
 - ii. potential conflicts of interest or perceptions of conflict;
 - iii. the likelihood of voluntary compliance of witnesses;
 - iv. whether the disclosure involves sensitive political or social issues;
 - v. implications to the public interest;
 - vi. the risk of reprisal to the discloser; and
 - vii. any other relevant factors that arise on the facts of the case.
- b. The Designated Officer will consult with the President prior to referring a disclosure to the Ombudsperson and make the referral at the direction of the President, unless the disclosure is about the President.
- c. The Designated Officer will always refer disclosures involving the President to the Ombudsperson.
- d. The Designated Officer will inform the discloser in writing of a referral to the Ombudsperson.

3.11 Report to Law Enforcement

- a. The Designated Officer may report an alleged offence relating to a request for advice, a disclosure or a reprisal complaint under the Act to a law enforcement agency if they have reason to believe an offence may have been committed. The offence may be reported regardless of whether the disclosure is determined to meet the threshold for wrongdoing or whether the Designated Officer decides to investigate the allegations. In assessing whether to make a report, the Designated Officer will consider the seriousness of the allegations and whether the alleged offence may be a criminal offence.
- b. The victim of any alleged offence will be consulted prior to a report being made, unless consultation poses health and/or safety concerns. Designated Officers may also wish to consider concerns about reporting to law enforcement in cases where persons involved belong to communities or groups that have historically been overpoliced.
- c. The Designated Officer will not report an offence without first consulting the President, unless the President is implicated in the alleged offence.
- d. The Designated Officer will provide no more information to law enforcement than is necessary to make the report.

3.12 Postponing or Suspending an Investigation

- a. The Designated Officer may postpone or suspend an investigation if they:
 - i. report an alleged offence to law enforcement prior to, or during an investigation;
 - ii. consider that investigation may compromise another investigation; or
 - iii. become aware that the alleged wrongdoing being investigated is also being investigated in the prosecution of an offence.
- b. The Designated Officer must consult with the President prior to postponing or suspending an investigation, unless the President is implicated in the wrongdoing.

- c. The discloser must be notified of the decision to postpone or suspend an investigation, unless the Designated Officer considers that the notification would compromise another investigation.

4.0 INVESTIGATION PROCEDURES

4.1 General

If the Designated Officer decides a disclosure warrants investigation under this procedure, the Designated Officer must investigate in accordance with these procedures, and in accordance with the principles of procedural fairness and natural justice.

4.2 Notifying Parties

a. Notice to Discloser

The Designated Officer must notify the discloser of the decision to investigate. The notification may be brief and may be provided orally or in writing. The notification will include the scope of the investigation. If only part of the disclosure will be investigated, the Designated Officer will provide the discloser reasons for their decision not to investigate the remaining portions of the disclosure.

b. Notice to President

- i. Generally, the Designated Officer will provide notice to the President of the decision to investigate. Notice may be delayed until an appropriate time if the Designated Officer considers that notification may compromise the investigation or expose the discloser to reprisal.
- ii. If the President is alleged to be responsible for the wrongdoing, the Designated Officer will notify the chair of the board of directors, or an executive officer or a person occupying a comparable position with respect to Royal Roads University, and the minister responsible, if applicable.

c. Notice to Respondents

The Designated Officer will notify any respondents that their conduct is the subject of an investigation at an appropriate time, taking into account the need to protect the integrity of the investigation and the respondents' rights to procedural fairness. Respondents will in all cases receive notice of the allegations prior to being interviewed.

4.3 Requiring Another Body to Suspend or Postpone an Investigation

- a. PIDA does not limit the authority of a public body to undertake other investigations while a Designated Officer investigates a disclosure of wrongdoing. However, where there is prima facie evidence that a public body undertook an investigation in order to compromise an investigation of a disclosure under this procedure, the Designated Officer may require the public body to suspend or postpone its investigation.
- b. The Designated Officer will not suspend or postpone another investigation without first consulting the President, except in circumstances where the President is implicated in the wrongdoing.

4.4 Maintaining Confidentiality

- a. Designated Officers and supervisors may collect, use and disclose personal information for the purpose of this procedure where the personal information is included in a disclosure or is for the purpose of an investigation or report.

- b. Information about the identity of the discloser is confidential. No person may share personal information about a discloser that could enable the identification of the discloser as the person who made the disclosure, unless
 - i. the provision or use of the information is for the purposes of the Act, including as necessary to effectively manage the disclosure in accordance with this procedure and the principles of natural justice and procedural fairness;
 - ii. the provision or use of the information is in connection with another lawful purpose;
 - iii. the discloser has given express consent, in writing, to the release or use of the personal information; or
 - iv. the personal information has previously been lawfully published.
- c. Where necessary to effectively carry out an investigation, a Designated Officer may share that the employee who made the disclosure was a witness and a source of evidence. Wherever possible, the Designated Officer will not share or confirm that the employee made the disclosure.
- d. The Designated Officer will explain the confidentiality provisions in the Act to the discloser.
- e. Information and documents obtained in the disclosure process will be stored in a safe and secure manner and must be protected from unauthorized access, use and disclosure.

4.5 Obtaining Documentary and Written Evidence

The Designated Officer will seek to obtain information in the order, format and fashion that they determine is most appropriate and effective. They may contact whomever is most appropriate to obtain records related to the allegations.

4.6 Conducting Interviews

- a. General
 - i. Interviews of disclosers, respondents and witnesses will be conducted in the order and format (i.e., in-person, telephone or video) appropriate for the circumstances. Efforts should be made to accommodate the individual's preferences and accessibility needs.
 - ii. Interviewees will be provided notice of an interview date, time and place along with the general nature of the interview. Interviews may be held outside the workplace as necessary to maintain confidentiality and the integrity of the investigation.
 - iii. In some cases, it may be necessary for the Designated Officer to provide the interviewee with copies of documents in advance of the interview, including where doing so will enhance the effectiveness of the interview and/or to accommodate the interviewee's needs.
 - iv. The Designated Officer will remind each witness of the prohibition in [Section 6\(3\)](#) of the Act and explain the prohibition against reprisal in [Section 31\(1\)](#) of PIDA.
- b. Respondent Interviews
 - i. Respondents are afforded a high level of procedural fairness. They must be provided notice that they are under investigation and the opportunity to respond to the allegations against them. If documents will be discussed in an interview with a respondent, the Designated Officer will consider providing advance opportunity for the respondent to review the documents unless they have reason to believe that doing so could compromise the investigation.
 - ii. If, during an interview of a witness, the Designated Officer receives information that raises concerns that the witness may be implicated in a wrongdoing, they must stop the

interview and inform the person of this concern. The person will then be treated as a respondent and provided the same level of procedural fairness provided to all respondents. The interview will be rescheduled to allow sufficient time for the person to prepare for the interview and seek advice should they choose.

c. **Presence of Third Parties**

- i. Interviewees are permitted to have a support person present during the interview, such as a family member or friend. Requests for the attendance of a union representative or lawyer will be considered on a case-by-case basis.
- ii. Interviewees must obtain permission for any third party to attend at least 5 days in advance of the scheduled interview. Third parties may not be permitted in an interview in the following circumstances:
 - they are a witness or respondent in the investigation,
 - they were not requested by the interviewee to attend,
 - they did not receive permission to attend, or
 - their presence would present a conflict of interest or jeopardize the integrity of the investigation.

4.7 Investigating Other Wrongoings

If, during an investigation, the Designated Officer reasonably believes that another wrongdoing has been committed, the Designated Officer may investigate that wrongdoing. The same policies and procedures that apply to disclosures, with necessary modifications, will apply to other potential wrongoings identified during the course of an investigation.

4.8 Discontinuing an Investigation

At any time after an investigation has commenced, the Designated Officer may discontinue an investigation for the reasons set out in paragraphs 19.1 above. If the Designated Officer decides not to complete an investigation after it has begun, the discloser must be notified of the decision to discontinue the investigation. Notice will be provided in writing, setting out the reasons for discontinuing the investigation.

4.9 Timelines

Investigations will be completed and a draft report prepared within four months from the decision to investigate. If the Designated Officer concludes that the investigation will require more than four months to complete, they must notify the President of the delay, reasons for the delay, and the expected date on which the investigation will be completed.

5.0 REPORTING PROCEDURES

5.1 Draft Investigation Report

- a. Upon conclusion of gathering, reviewing and analyzing evidence, the Designated Officer will prepare a draft investigation report. The report will include the allegations, applicable laws and policies, evidence, analysis, findings and any recommendations to address findings of wrongdoing, as applicable.
- b. Recommendations may be developed through a consultative process between the Designated Officer and the President.

5.2 Draft Report to Person(s) Adversely Affected

- a. In accordance with the principles of procedural fairness, the Designated Officer will provide all those who may be adversely affected by any findings or recommendations in the investigation report with the opportunity to make representations before it is finalized. Representations may be provided orally or in writing.
- b. Generally, the President, any respondents and other individuals who may be adversely impacted by the investigation report will be provided the opportunity to make representations. The Designated Officer may provide a copy of the draft report, excerpts of the report, or a summary of evidence and findings as the context requires.
- c. The Designated Officer will review and consider all representations received before finalizing the investigation report.

5.3 Final Reports

- a. The final investigation report will be provided to the President, unless the President is implicated in founded wrongdoing. If the President is implicated in founded wrongdoing, the report will be provided to the chair of the board of directors, an executive officer or a person occupying a comparable position with respect to Royal Roads University.
- b. The final investigation report must include:
 - i. the findings;
 - ii. the reasons to support the findings; and
 - iii. any recommendations.
- c. The President will consider the findings and recommendations and take corrective measures to remedy the wrongdoing and any other deficiencies identified in the report. Where the President declines to take corrective measures, they will set out the reasons for declining to do so in the annual report.
- d. The Designated Officer will provide a summary of the investigation report to the discloser. Where practicable, the Designated Officer will also provide a summary of the report to any person alleged or found to be responsible for wrongdoing. The kind of information and level of detail contained in the summary will be decided by the Designated Officer in consultation with the President, on a case-by-case basis.

5.4 Annual Reporting

- a. The President, or delegate, will report annually on all disclosures of wrongdoing received and investigated with respect to the University. The annual report must include:
 - i. the number of disclosures received, including referrals of disclosures, and the number acted on and not acted on;
 - ii. the number of investigations commenced as a result of a disclosure;
 - iii. in the case of an investigation that results in a finding of wrongdoing,
 - a description of the wrongdoing,
 - any recommendations, including those made by the Ombudsperson, and
 - any corrective action taken in relation to the wrongdoing or the reasons why no corrective action was taken; and
 - iv. any other information prescribed by regulation.
- b. The annual report must not include any information that would
 - i. identify the discloser;
 - ii. identify a respondent; or
 - iii. unreasonably invade a person's privacy.

- c. The annual report will be made publicly available on the Royal Roads University website.

6.0 ROLES AND RESPONSIBILITIES

6.1 President's Office

The President's Office is responsible for receiving Disclosures as set out in this Procedure and as such, for:

- a. undertaking a review following receipt of a Disclosure to determine the appropriate action;
- b. maintaining all communications with parties to a Disclosure; and
- c. coordinating investigations and all report preparation.

6.2 Designated Officer

The President designates the Executive Officer and AVP, People and Culture for receiving requests for advice, receiving disclosures and investigating disclosures under this procedure.

6.3 Responsible Office

People and Culture will align implementation of this Procedure with the Safe Disclosure Policy including, but not limited to:

- a. identifying roles and responsibilities for receiving and acting on Disclosures in accordance with the direction of this Procedure;
- b. receiving Disclosures as set out in this Procedure;
- c. undertaking a review following receipt of a Disclosure to determine the appropriate action;
- d. maintaining all communications with parties to a Disclosure;
- e. setting criteria for decisions to request further information, to proceed to investigation, to refer to another body for action, to dismiss the matter if found without merit, and to close;
- f. coordinating investigations and all report preparation;
- g. identifying investigation processes and responsibilities;
- h. maintaining records necessary to ensure confidentiality and the effective management of the Disclosure process; and
- i. reporting monthly to the Executive and annually to the Executive and Board of Governors on Safe Disclosure activities within the University, including recommendations on any policy updates or other process improvement considerations

6.4 Managers and Supervisors

Per this Procedure, managers and supervisors are responsible for forwarding Disclosures they receive to the Responsible Office within twenty-four (24) hours of receiving.

6.5 Employees

It is the responsibility of employees to immediately report any serious wrongdoing.

6.6 Ombudsperson

BC's independent voice for fairness and accountability, working to make sure public sector organizations are treating people fairly and following the rules. They listen to and investigate complaints about local and provincial public sector organizations as well as investigating reports of serious wrongdoing in the provincial government.

7.0 DEFINITIONS

Act or **PIDA** means the *Public Interest Disclosure Act*.

Designated Officer means the Executive Office & AVP, People & Culture or Associate Director, Human Rights and Accessibility.

Discloser means an employee or former employee of Royal Roads University who makes a disclosure of wrongdoing or seeks advice about making a disclosure under the Act.

Disclosure means a disclosure made by a discloser in accordance with the Act.

Employee means an employee of Royal Roads University and includes former employees.

Public Body means a ministry, office or government body as defined in the Act.

Reprisal means reprisal as defined in section 31(1) of the Act.

Respondent means a person alleged or found to have committed wrongdoing.

Wrongdoing means wrongdoing as defined in section 7(1) of the Act.

8.0 INTERPRETATION

Questions of interpretation or application of this procedure will be referred to the Responsible Office.

9.0 RELATED DOCUMENTS

Royal Roads University Documents and Information

- Safe Disclosure Policy
- Privacy and Protection of Information
- Public Interest Disclosure Policy

Legislation and Other Information

- [Public Interest Disclosure Act](#)

Review, Revision and Approval History

Date	Action
2024-Dec-17	Approved by President; effective date is December 1, 2024 to coincide with BC Government direction; first implementation.

2025-Dec-17	Next Review (one year post-implementation)
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