

PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWER PROTECTION) PROCEDURE

Procedure Section:	Office of the President & CEO	Effective Date:	October 7, 2026
Policy Owner:	President & CEO	Last Revised:	August 5, 2026
Policy Administrator:	Executive Director, People & Culture	Review Scheduled:	Every 4 Years
Approver:	President & CEO		
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A. PROCEDURES

1. ACCESS TO ADVICE AND DISCLOSURE CHANNELS

- 1.1 An Employee who is considering a disclosure may request information or advice from the Employee's supervisor, the Designated Officer, the Chief Officer or the Commissioner. A request may be required to be in writing.
- 1.2 An Employee may make a written disclosure directly to the Designated Officer, through ConfidenceLine, or directly to the Commissioner. An Employee may also contact the Commissioner after an internal disclosure has been made or investigated.
- 1.3 ConfidenceLine is a College-authorized, independently administered and confidential intake channel available online and by telephone. It may be used to report suspected wrongdoing, unethical conduct or other misconduct. ConfidenceLine supplements, but does not replace, the statutory roles of the Chief Officer, Designated Officer or Commissioner. Current access information will be maintained on the College website and in employee communications.
- 1.4 Information received through ConfidenceLine will be collected, used, disclosed, and protected in accordance with the *Public Interest Disclosure (Whistleblower Protection) Act* and the *Protection of Privacy Act*, as applicable.
- 1.5 A supervisor who receives a request for advice or a document that may be a statutory disclosure must protect the information and promptly refer the Employee to the Designated Officer.
- 1.6 Anonymous and non-employee reports: ConfidenceLine may receive reports from Employees and from other members of the College community, including students, contractors, vendors and members of the public. A report from a person who is not an Employee, or a report for which the reporter's status cannot be established, is not automatically a statutory Disclosure under the Act. An anonymous report is not excluded from assessment solely because the reporter has withheld their identity. However, it is not automatically classified as a statutory Disclosure because the College may be unable to establish that the reporter is an Employee or obtain the information required by the Act. The Designated Officer will assess the report based on its substance, urgency, available information and any secure means of

communicating with the anonymous reporter. The Designated Officer will document the classification and may refer the matter to an appropriate College process, an authorized external authority or the Commissioner, as appropriate. Statutory protections from reprisal under the Act apply only to person who meet the Act's definition of an "employee".

2. REQUIRED CONTENT AND INTAKE

- 2.1 A disclosure must be in writing and should include, if known: a description of the wrongdoing; the names of persons alleged to have committed or to be about to commit it; relevant dates; whether a previous internal disclosure was made and any response received; supporting documents; and any additional information reasonably required for a fair investigation.
- 2.2 A report submitted through ConfidenceLine will be promptly transmitted, without substantive screening or disposition by the service provider, to the Designated Officer or to the alternate routing authority established for the report. The Designated Officer or properly appointed alternate is responsible for determining whether the report is a statutory Disclosure and how it will be managed. The date on which ConfidenceLine receives the report on the College's behalf will be treated as the date of receipt for the purpose of the statutory timelines where the report constitutes, or may reasonably constitute, a Disclosure under the Act.
- 2.3 On receiving a ConfidenceLine report, the Designated Officer will determine whether:
 - a. the reporter is an Employee for the purpose of the Act;
 - b. the report was made in writing and contains, or can be supplemented with, the information required by section 13 of the Act;
 - c. the subject matter could constitute a Wrongdoing under section 3 of the Act;
 - d. the matter should be managed as a statutory Disclosure, under another College process, or through coordinated processes; and
 - e. a conflict, urgent external referral, immediate protective measure or record-preservation requirement exists.
- 2.4 Where the report constitutes or may reasonably constitute a statutory Disclosure, the Designated Officer will establish a restricted case file, assign a unique case number, record the original date and channel of receipt, and acknowledge receipt in writing not more than 5 business days after the original date of receipt. Where the report was made anonymously and no communication channel is available, the Designated Officer will document the inability to deliver the acknowledgement and will continue the assessment based on the available information.
- 2.5 The Designated Officer will advise the discloser about confidentiality limits, data minimization, non-reprisal protections, the direct Commissioner route and the next procedural step.

3. CONFLICT SCREENING AND ALTERNATE REFERRAL

- 3.1 Immediately on receipt, the Designated Officer will assess whether the Designated Officer has an actual, potential or perceived conflict of interest, is implicated in the matter, or cannot act impartially.
- 3.2 ConfidenceLine routing instructions must be configured so that a report is not delivered to a person or function implicated in the report. Where a report implicates the Designated Officer or People & Culture, ConfidenceLine must preserve the report and route it in accordance with the alternate process approved by the Chief Officer. The Chief Officer will designate the appropriate alternate in writing. Where a report

implicates the Chief Officer, ConfidenceLine must preserve the report and route it to the Designated Officer and the confidential Board-level contact identified in the approved ConfidenceLine routing protocol, without notifying the Chief Officer. An external legal resource or independent investigator may receive or investigate the matter where properly appointed, but the third-party service provider does not independently appoint or determine the statutory Designated Officer.

- 3.3 Where a conflict or unavailability exists, the Designated Officer will take no investigative step beyond securing the information and will promptly notify the Chief Officer. The Chief Officer will designate an appropriate alternate in writing. The alternate may exercise all powers and must perform all duties of the Designated Officer for the matter.
- 3.4 If the President & CEO is implicated, the Designated Officer will protect and preserve the disclosure, obtain appropriate legal advice on statutory routing, notify the Chair of the Board of Governors on a confidential need-to-know basis where necessary to address governance, conflict or protective measures, and advise the discloser of the right to contact the Commissioner directly. The Designated Officer must not provide the disclosure to the President & CEO unless disclosure is required by law or procedural fairness and is authorized within the investigation process. The College will not create an internal reporting route that restricts or displaces the Commissioner's authority or the special reporting requirements in section 23 of the Act.

4. INITIAL JURISDICTION AND RISK ASSESSMENT

- 4.1 The Designated Officer will determine whether the information, if substantiated, could constitute a Wrongdoing under the Act and whether the disclosure contains sufficient particulars for a fair and effective investigation.
- 4.2 The Designated Officer will determine whether the matter should be handled, referred or coordinated under another enactment, collective agreement, employment process, safety process, privacy process or College procedure. A referral must not impair a statutory disclosure, non-reprisal protection or an external reporting duty.
- 4.3 The Designated Officer will immediately assess whether there is reason to believe that an offence has been committed or that the matter could constitute an imminent substantial and specific danger to life, health, safety or the environment.
- 4.4 If the Chief Officer or Designated Officer has reason to believe that an offence has been committed, the alleged offence must be reported as soon as reasonably practicable to an appropriate law enforcement agency and the Minister of Justice.
- 4.5 If a disclosure concerns an imminent substantial and specific danger to the life, health or safety of individuals or to the environment, the matter must be disclosed to the recipients required by section 30(2) of the Act. These recipients include an appropriate law enforcement agency; the Chief Medical Officer of Health for a health-related matter; any department, public entity, office or prescribed service provider that has responsibility and authority to manage, control or contain the identified risk; and the chair of the Keyano Emergency Advisory Committee (KEAC), senior College official responsible for emergency management, as the person designated to coordinate the College's internal emergency response.
- 4.6 The internal disclosure investigation must be suspended when the matter is reported as a suspected offence or disclosed to law enforcement because of an imminent danger. Other related investigative activity may be suspended where appropriate. A mandatory suspension may be lifted only after any related charge or investigation by law enforcement or the Minister of Justice has been finally disposed of. Suspension of the disclosure investigation does not prevent the College from taking immediate

measures to protect people or the environment, manage or contain the risk, preserve evidence, prevent reprisal or cooperate with the responsible authorities.

5. DECISION WHETHER TO INVESTIGATE

- 5.1 Not more than 20 business days after the original date on which the Disclosure was received, the Designated Officer will decide whether to investigate and will notify the Employee who submitted the Disclosure of that decision in writing. The notice will provide sufficient reasons while protecting confidential information and procedural fairness.
- 5.2 Where no investigation is commenced, the Designated Officer will document the legal and factual basis, any referral to another process, any safety or preservation action, and the Employee's right to contact the Commissioner.

6. INVESTIGATION PLAN AND PROCEDURAL FAIRNESS

- 6.1 For an investigation, the Designated Officer will approve a written plan identifying the allegations, statutory issues, investigator, witnesses, records, milestones, confidentiality safeguards, conflicts, communications, anticipated completion date and reporting route.
- 6.2 The investigator may be an appropriately qualified internal or external person who is independent of the subject matter. The investigator will sign confidentiality and conflict declarations and will receive written terms of reference.
- 6.3 The investigator will conduct the investigation as informally as possible while respecting procedural fairness and natural justice. Persons whose conduct may be adversely assessed will receive sufficient notice of material allegations and a reasonable opportunity to respond before findings are finalized, subject to lawful limits required to protect evidence, safety and confidentiality.
- 6.4 If evidence suggests another Wrongdoing, the Designated Officer will document and address the additional matter in accordance with the Act and this Procedure.

7. TIMELINE MANAGEMENT AND EXTENSIONS

- 7.1 The investigation must be concluded not more than 120 business days after the original date on which the Disclosure was received, unless a permitted extension is authorized under the Regulation.
- 7.2 The Chief Officer may extend an applicable time limit, provided the overall period for investigation and the report is not extended by more than 30 business days. A longer extension requires the Commissioner's permission. The extension decision, authority, reasons and revised dates must be documented.
- 7.3 When a time period is extended, the Employee must be promptly advised in writing when the next procedural step is expected to occur or be completed.

8. CONFIDENTIALITY, PRIVACY, PRIVILEGE AND RECORDS

- 8.1 Access to disclosure information is limited to persons who require it to perform an authorized role. Records must be stored in a restricted repository separate from general personnel files, subject to approved security, retention and legal-hold requirements.
- 8.2 Employees and investigators must take reasonable precautions to disclose no more personal, health or confidential information than necessary. Solicitor-client privileged

information, litigation-privileged information and prescribed quality-assurance records must not be included or disclosed under authority of the Act.

- 8.3 No person may destroy, alter, falsify or conceal a document or thing known to be likely relevant to an investigation. The Designated Officer will issue and monitor a preservation notice when appropriate.
- 8.4 Any notice or communication required by the Act or Regulation will be made in writing and delivered within the applicable time limit by an authorized method, including mail or email.

9. INVESTIGATION REPORT AND CORRECTIVE FOLLOW-UP

- 9.1 The investigator will prepare a written report setting out the mandate, relevant evidence, findings, reasons and recommendations. For an internal administrative investigation, the investigator will determine whether a finding is supported on a balance of probabilities, based on relevant, reliable and sufficiently persuasive information. This standard does not determine criminal, regulatory, professional or other proceedings governed by a different legal standard.
- 9.2 The Designated Officer must provide the investigation report to the Chief Officer in writing no later than the applicable 120-business-day deadline, subject to a permitted extension. If the Commissioner referred the disclosure to the Designated Officer, the report must also be provided to the Commissioner as required.
- 9.3 The Chief Officer will determine or direct appropriate corrective or disciplinary action within the College's authority. Each action will have an accountable owner, target date, status and closure evidence. The Designated Officer will monitor and report overdue or incomplete actions.
- 9.4 The Employee will be advised in writing that the investigation has concluded and will receive information about the outcome that may lawfully and fairly be disclosed.

10. REPRISAL PREVENTION AND RESPONSE

- 10.1 Leaders and People & Culture must not take, direct or counsel a reprisal. When an employment decision may affect a person known to have engaged in protected activity, People & Culture will document the legitimate business basis and, where appropriate, obtain an independent review before implementation.
- 10.2 An Employee alleging reprisal must be advised that the complaint is to be made directly to the Commissioner using the prescribed form. The College will preserve records, protect confidentiality, cooperate with the Commissioner and implement any resulting remedial order or corrective direction.
- 10.3 A good-faith and reasonable human resources management decision is not prohibited merely because it affects an Employee who engaged in protected activity. The decision must not be motivated by the protected activity.

11. COMMISSIONER COOPERATION AND SPECIAL ESCALATION

- 11.1 The College and present and former Employees must provide the Commissioner with access, records, information, explanations, accommodation, equipment and materials required under the Act. Legal/Privacy and Records Management will coordinate secure, complete and timely production without obstructing the Commissioner.
- 11.2 When a Commissioner report concerns the Chief Officer or Designated Officer, the President's Office and Board Office will support the statutory reporting route, Board

consideration and response to recommendations, while maintaining confidentiality and conflict safeguards.

12. ANNUAL REPORTING AND RECONCILIATION

- 12.1 The Designated Officer will maintain a confidential register of disclosures received or referred, matters acted on and not acted on, investigations commenced, findings, recommendations and corrective measures. The register will not be used to publicly identify protected individuals and only designated individuals may have access to the register.
- 12.2 For each College annual reporting period, the Designated Officer will reconcile the disclosure register to all authorized intake channels and prepare the information required by section 32 of the Act in sufficient time for review and approval by the Chief Officer and inclusion in the College's publicly available annual report.
- 12.3 The Chief Officer's report will be included in the College's publicly available annual report. Where wrongdoing was found, the report will describe the wrongdoing, recommendations and corrective measures, including reasons where corrective measures were not taken, without publicly identifying protected individuals.

13. MONITORING, TRAINING AND REVIEW

- 13.1 The Designated Officer will ensure that information about the Act, Policy, Procedure, ConfidenceLine, the direct Designated Officer route, the direct Commissioner route and non-reprisal protection is widely communicated at onboarding and through periodic awareness activities.
- 13.2 The Designated Officer will review the case-management checklist and disclosure register at least annually for completeness and will report material control concerns to the Chief Officer. This monitoring is not an investigation of Employees who did not make a disclosure.
- 13.3 This Procedure will be formally reviewed every 4 years and earlier when legislation, statutory guidance, organizational structure, designated roles or material control requirements change, or when experience indicates that the Procedure should be improved.

B. DEFINITIONS

- (1) **Business Day:** means a day other than Saturday, Sunday or a holiday recognized under applicable Alberta law.
- (2) **Chief Officer:** means the President & CEO of Keyano College, who is prescribed as the College's chief officer under the Regulation.
- (3) **College:** means Keyano College.
- (4) **Commissioner:** means the Public Interest Commissioner appointed under the Act (sometimes referred as PIC).

- (5) **Designated Officer:** means the Executive Director, People & Culture, designated under the Policy by the Chief Officer to manage and investigate disclosures under the Act.
- (6) **Disclosure:** means a good-faith disclosure of Wrongdoing made by an Employee in accordance with the Act.
- (7) **Employee:** means an individual treated as an employee under the Act and Regulation, including a former employee who alleges reprisal where the statutory definition applies.
- (8) **Reprisal:** means a prohibited employment-related measure or threat taken, directed or counselled because an Employee engaged in conduct protected by the Act.
- (9) **Wrongdoing:** means a wrongdoing described in section 3 of the Act, including a statutory contravention, substantial and specific danger, gross mismanagement, or knowingly directing or counselling such conduct.

C. RELATED LEGISLATION

- *Public Interest Disclosure (Whistleblower Protection) Act & Regulation*

D. RELATED DOCUMENTS

- Government of Alberta Factsheet ([link](#))
- Public Interest Disclosure (Whistleblower Protection) Policy
- ConfidenceLine reporting information and current access instructions- [Confidence Line | Keyano College](#)

E. REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)
4/3/2018	New Procedure.	AI	Executive Planning Officer	President & CEO
11/15/2024	Procedure content move to a new template & update of Procedure administrator position. No content updates.	N/A	Legislative Compliance/Policy & Procedure Coordinator Executive Assistant to President & CEO	Interim President & CEO
08/05/2026	Full revision of Procedure and its name; major updates across all sections to ensure	All	Executive Director, People & Culture	President & CEO

	alignment with Public Disclosure Act. New effective date was set. Previous Safe Disclosure Procedure will be rescinded.			
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