

TORONTO SENIORS HOUSING CORPORATION (TSHC) Whistleblower Policy

Policy Owner:	Date Approved:
Type	Approved By:
	Last Reviewed:

Policy Statement

Toronto Seniors Housing Corporation (TSHC) is committed to promoting integrity, ethics, accountability, and transparency in everything we do. TSHC recognizes it is in the best interests of the Corporation to maintain and enhance public confidence by encouraging the reporting of wrongdoing taking place within TSHC to designated individuals at the organization.

The purpose of this policy is to provide guidelines for reporting wrongdoing and to provide reasonable protection from reprisal for those persons who, in good faith and with reasonable belief, report wrongdoing in accordance with this policy.

Scope

This policy applies to all employees of TSHC, whether they work on a full-time or part-time basis. This policy also applies to members of the Board of Directors of TSHC as set out in this policy. This policy provides reasonable protection from reprisal for all employees and Directors of TSHC, who in good faith report wrongdoing under this policy.

Tenants of TSHC are also encouraged to report wrongdoing and are provided reasonable protection from reprisal in accordance with this policy.

This policy covers matters that are in the public interest and for

which there are no existing processes for reporting and investigation. For example, corporate policy and/or the collective agreement (if applicable) are generally available to address individual complaints by employees of workplace discrimination or harassment. These complaints will not be seen as wrongdoing under this policy in the ordinary course. The exception is fraud which employees can report under this policy, but which may be investigated or addressed in accordance with the Fraud Prevention Policy.

Values

All TSHC policies, including this policy, are based on THSC's core values of respect, accountability, community collaboration, integrity and accessibility for persons with disabilities.

TSHC expects employees to use proper judgment and act in a way that reflects these core values and corporate policy. Employees should also support the high standards expected of a corporation established to deliver seniors' social housing in the City of Toronto. TSHC is also committed to maintaining an environment where people can raise concerns about improper behavior without fear of reprisal. The effectiveness of these commitments and TSHC's policies, procedures, and directives are dependent on persons being able to report suspected cases of wrongdoing without fear of reprisal for doing so.

Definitions

- **Director:** Any individual member of the TSHC Board of Directors.
- **Wrongdoing:** Refers collectively to any serious act (or failure to act) that is covered by this policy and which:
 - Constitutes fraud or waste as defined under this policy.
 - Is a violation of TSHC policies, procedures, or

directives.

- Risks the health or safety of residents, employees, or visitors to THSC sites.
 - Is unlawful under any municipal, provincial or federal laws.
 - Knowingly directs or counsels another person to engage in such acts.
 - Is designed or intended to conceal conduct prohibited under this policy.
- **Fraud:** Any dishonest act that results in actual loss or risk of loss, deception, misappropriation of resources or the manipulation of data to the advantage or disadvantage of a person or entity. Fraud includes any misuse, or attempt to misuse:
 - (i) one's position in the company; and/or,
 - (ii) a THSC asset for personal gain or purposes unrelated to company business.

Fraud includes corruption which is defined as the offering, giving or soliciting, or accepting of an inducement or reward that may improperly influence the action of a person or entity.

For more information, including examples of Fraud or Corruption, please see the Fraud Prevention Policy.

- **Reprisal:** Actions taken against another person as a direct result or in retaliation for making a report under this policy, being suspected of making a report under this policy, or participating in an investigation under this policy. Reprisal includes harassment, discrimination, intimidation, dismissal, suspension, demotion, discipline, termination, suspension, coercion, discipline, imposition of another

penalty, or, in the case of an employee, any other action which adversely affects their working conditions. Reprisal includes a threat to take any such actions and knowingly directing or counselling of another person to engage in reprisal.

- **Waste:** Any other gross mismanagement, theft, falsification, misappropriation, or misuse of TSHC facilities, resources, and/or assets, either deliberate or by negligence, which is not covered under the Fraud Prevention Policy.
- **Whistleblower:** An employee, Director, or tenant who, in good faith and with reasonable belief that wrongdoing has occurred, makes a report under this policy.

Policy Details

Reporting Wrongdoing

Any employee who suspects or has knowledge of any occurrence of Fraud, shall immediately notify his/her manager or the General Counsel and Corporate Secretary, or report to the ethics hotline. An employee who suspects or has knowledge of any other type of wrongdoing will immediately notify his/her manager or report to the ethics hotline. A tenant who suspects or has knowledge of wrongdoing shall notify the General Counsel and Corporate Secretary. If the occurrence involves the General Counsel and Corporate Secretary, the employee or tenant shall notify the Chief Executive Officer.

Any Director who suspects or has knowledge of any occurrence of Fraud or any other type of wrongdoing shall immediately notify the Board Chair who will consult with the General Counsel and Corporate Secretary on the appropriate actions to take. If the occurrence involves the Board Chair, the Director shall report the occurrence to the Chair of GHRC who will consult with the General Counsel and Corporate Secretary on the appropriate actions to take.

Implementation

An employee who believes they are the subject of a Reprisal will notify the Vice- President of Human Resources immediately. Where a manager or supervisor is informed of, or becomes aware of, a reprisal, the manager or supervisor will notify the Director of Human Resources immediately. If the complaint involves the Director of Human Resources or a Director of the organization, the reprisal should be reported to the Chief Executive Officer.

Any allegation of a reprisal will be reviewed and may be the subject of a formal investigation. TSHC will determine who will lead the investigation, and the divisions/persons to be consulted, based on the subject matter at issue.

Investigations may be conducted by an external investigator if necessary and at the discretion of TSHC.

The Director of Human Resources will determine what, if any steps are appropriate to stop, reverse, or remedy a reprisal. For complaints involving the Vice- President of Human Resources, the President Chief Executive Officer will determine what, if any steps are appropriate to stop, reverse, or remedy a reprisal. For complaints involving a Director, the Chief Executive Officer in consultation with the Board Chair (or Vice-Chair if the complaint is against the Chair) will determine what, if any steps are appropriate to stop, reverse, or remedy a reprisal.

Once the TSHC has provided an assurance of confidentiality to a whistleblower, the individual's identity cannot be revealed without the individual's consent.

With respect to TSHC's commitment to provide reasonable protection for whistleblowers, this will include:

- Making all reasonable efforts to protect the identities of whistleblowers by not sharing a whistleblower's identity, or information that could reasonably be expected to reveal the

whistleblower's identity, with others, including a law enforcement agency without the whistleblower's explicit consent.

- Respecting the decision of the whistleblower as to how much personal information will be provided; and,
- Adhering to Canada's Criminal Code which means TSHC cannot dismiss, suspend, demote, discipline, harass, or otherwise disadvantage whistleblowers, or deny you a benefit of employment when the information provided was given in good faith and that reasonably believed to be true and accurate.

Compliance and Monitoring

TSHC will not tolerate wrongdoing or reprisals against anyone who reports wrongdoing, and all employees have a duty to report suspected wrongdoing. No employee or Director will take any action in reprisal against a Whistleblower for making, or being suspected of making, a report of wrongdoing under this policy. No employee or Director will take any action in reprisal against any person who participates in an investigation under this policy.

An employee who is found to have engaged in reprisal prohibited by this policy shall be the subject of discipline, up to and including dismissal for cause.

Reprisal by a Director shall be treated in the same manner as a violation of the Code of Conduct for Directors. Conduct prohibited by this policy which is contrary to legislation, including that of a criminal nature, may be addressed or reported accordingly.

An employee who knowingly makes a false or misleading report under this policy, or who knowingly makes a false or misleading statement in an investigation under this policy, may be the subject of discipline, up to and including dismissal for cause.

Employees and other persons are expected to co-operate fully in an investigation under this policy. Employees who are contacted

by the media regarding an investigation under this policy must refer all inquiries to the media relations team in the Strategic Communications Unit. Please see the Media and Issues Protocol.

Governing and Applicable Legislation

- Employment Standards Act
- Ontario Human Rights Code
- Occupational Health and Safety Act
- Criminal Code

Related Policies and Procedures

- Conflict of Interest Policy
- Code of Conduct
- Fraud Prevention Policy
- Board of Directors Reimbursement Policy
- Finance Policies

Commencement and Review

Revision	Date	Description of changes	Approval
First approval:			
Revision 1			

Next Scheduled Review Date: