

Whistleblower Policy

Purpose

The following policy provides internal and external Momentum stakeholders with a mechanism for reporting concerns relating to illegal, fraudulent, or abusive actions at Momentum, without fear of reprisals or consequences.

Scope

This policy applies to all current and former directors, staff members, contractors, subcontractors, agents, volunteers, vendors, donors, partners of Momentum or members of the general public.

To resolve issues that do not involve illegal, fraudulent or abusive actions at Momentum, external stakeholders can use the Feedback and Complaints Policy and Procedure. Momentum staff should follow the internal Problem Resolution policy for issues outside the scope of this Whistleblower policy.

Policy

1.0 Definitions

"Whistleblower" is meant to be any current or former director, staff member, contractor, subcontractor, agent, volunteer, vendor, donor, Momentum partner, or member of the general public who has reported a Whistleblower Incident.

"Whistleblower Incident" is defined as a concern related to illegal, fraudulent, or abusive actions at Momentum.

For greater clarity, Whistleblower Incidents are intended to include, but are not limited to the following:

- Breach of legal obligations, rules, regulations or policy;
- Endangerment of health and safety;
- Gross mismanagement or omission or neglect of duty;
- Harmful abuse of authority;
- Mismanagement in the use or failure to use funds, including, inappropriate recording or reporting of revenues, or lack thereof;
- Inappropriate classification or presentation of assets and/or liabilities;
- Breach of fiduciary duty and/or abuse of trust;
- Harmful or abusive occurrences at a Momentum event; and
- Concealment of any of the above or any other breach of this policy.

2.0 Authority

Overall authority for this policy rests with Momentum's Board of Directors. The Executive Director has specific responsibility to facilitate the communication and operation of this policy, including appropriate training and review. All staff and volunteers are responsible for the success of the policy and should ensure that they take the actions required to make the policy effective and of optimal value to Momentum.

3.0 Process

- 3.1** An individual should report Whistleblower Incidents as soon as possible using an online form on the Momentum website. The [Whistleblower Incident form](#) submission is forwarded immediately and confidentially to Momentum's Treasurer of the Board of Directors.
- 3.2** The Treasurer will assess the Whistleblower incident and determine if it fits the definition of a Whistleblower incident as described above in this policy. If the nature of the incident does not fit with the definition, it will be treated as a complaint and follow the guidelines of the [Feedback and Complaints Policy and Procedure](#). If the incident meets the definition, the Treasurer will make a recommendation on investigation protocol to the Executive Director, if appropriate, and the Chair of the Board. An investigation into the incident will be conducted by a qualified external investigator, and the scope of the investigation will depend on the nature of the Whistleblower Incident.
- 3.3** An investigation report, including recommended actions, will be submitted by the Treasurer to the Finance Committee of the Board of Directors for approval.
- 3.4** The Whistleblower will not be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against as a result of communicating a genuine Whistleblower Incident. Any Momentum staff member found to be in violation of this policy (i.e. continued harassment of the Whistleblower) will be subject to discipline up to and including termination of employment.
- 3.5** Momentum will not protect a Whistleblower who intentionally makes false accusations in reporting of a Whistleblower Incident.
- 3.6** All reported whistleblower incidents will be treated in a confidential and sensitive manner. In addition, the Whistleblower will be provided the opportunity to remain anonymous when submitting the Whistleblower form.
- 3.7** The Whistleblower, if not anonymous, will be contacted within 10 days and will be notified of planned follow-up action. Results of the investigation will also be communicated to the Whistleblower if a name is provided.

4.0 Documentation

Documents shall be held in confidence by all parties and participants under this policy. All relevant documentation including reports, discussions and supporting information shall remain in the control and custody of the Treasurer unless otherwise authorized pursuant to a report of decision issued in accordance with this policy. Records will be maintained for a minimum of 7 years.