



**March 27, 2026**

## **City Council Committee Report**

**To: Mayor & Council**

**Fr: Heather Pihulak, Deputy CAO/City Clerk**

**Re: Whistleblower Policy #HR-2-9**

### **Recommendation:**

That Council adopts a new Whistleblower Policy #HR-2-9 that forms part of the City's Comprehensive Policy Manual; and further

That three readings be given to a bylaw for this purpose.

### **Background:**

The Whistleblower Policy provides City employees with a secure and anonymous method to report waste or misconduct within the Municipality, particularly benefiting those who fear retaliation or are uncomfortable using standard reporting channels. This policy ensures that employees can confidentially report concerns about waste, fraud, or inappropriate conduct at work, with protections in place to prevent reprisals against those who come forward.

It is important to note that all City employees are expected to report workplace misconduct, breaches of City policies, procedures and by-laws, as well as wasteful, fraudulent or inappropriate behaviour in the workplace. The Whistleblower Policy does not replace procedures set out in the Employee Code of Conduct or other City policies.

Reporting procedures outlined in those policies should be adhered to, unless there are circumstances requiring the independence of the Whistleblower Policy. Encouraging safe reporting of unethical practices through the Whistleblower Policy helps prevent fraud and misuse of resources, enhances workplace morale by ensuring a fair environment, and strengthens public trust by demonstrating the City's commitment to ethical governance.

To ensure impartial oversight and prevent bias, staff recommend contracting a third-party to perform all Whistleblower Program Administrator responsibilities in section 7 and follow-up responsibilities in the procedures section of the draft policy.

Additionally, the Occupational Health and Safety Act (OHSA) requires employers to provide third-party reporting mechanisms for workplace harassment when the "alleged harasser" is the employer. The Whistleblower Program Administrator also fulfills this requirement. Should an employee use the reporting form to report an OHSA violation, the Administrator will forward the complaint to the appropriate authority within the City. The Whistleblower Program Administrator does not investigate harassment allegations directly; these allegations are referred back to the employer for investigation.

The draft Whistleblower Policy has been benchmarked against the Town of Blue Mountain, Wasaga Beach and the City of Mississauga's policy and tailored to reflect the

City's governance structure and operational needs. While those policies share core principles, anonymous reporting, confidentiality, and protection from reprisals - the City's version introduces several enhancements to strengthen transparency and accountability.

This policy includes definitions to provide clarity and consistency. These definitions include:

- Good Faith (a sincere, honest intention or belief);
- Frivolous/Vexatious (reports made with malicious intent or without reasonable grounds);
- Misconduct (illegal acts, policy violations, misuse of resources, health and safety risks, harassment, and retaliation);
- Retaliation (any adverse action against a whistleblower); and
- Unsubstantiated (reports lacking sufficient evidence, assessed on a balance of probabilities).

**Budget:** There will be a cost impact to the Human Resources budget for any third party investigations as a result of this policy. As this is a new policy, any costs would be realized in coming years and the Human Resources budget would be amended accordingly to include additional costs towards the program support.

**Risk Analysis:** There is a low to medium risk associated with this report. The intent of the new policy is not to replace employee codes of conduct and other employee policies, but rather is a policy to add the last layer of opportunity for an employee to ensure they can raise concerns without fear of reprisal. The policy will require employee training to ensure they understand the intent of the policy.

**Communication Plan/Notice By-law Requirements:** employee engagement and communication