

## Whistleblower Policy

### **Purpose & Scope**

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The leading role that Persephone Theatre (the Theatre) plays in the community demands that it maintain a high degree of ethical practice and good management. Accordingly, it requires that all artists, staff, contractors, volunteers and Board members (collectively referred to as Personnel) observe the same high standard of ethics, both personally and operationally, as they carry out their duties. All Personnel must practice honesty and integrity in fulfilling their responsibilities and strive to comply with all Theatre policies, codes of conduct, applicable laws and regulations.

As such, the purpose of this Policy is to

- deter and detect Improper Activity within the Theatre in order to positively enhance the reputation and business practices of the Theatre, as well as the working environment for the Theatre's personnel;
- provide clear guidance for the safe disclosure of any alleged Improper Activity occurring within the Theatre; and
- protect from retaliatory action any Personnel or other individuals who, in good faith, discloses Improper Activity occurring within the Theatre.

The HR Committee of the Board has the responsibility for ensuring that the Theatre responds appropriately to allegations regarding Improper Activity.

The procedures in this Policy ensure that reported allegations are investigated and result in action appropriate to each case including the possibility of censure and civil, or criminal, procedures. This Policy applies to all Personnel (as defined in paragraph 1 above).

### **Definitions**

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**Baseless Allegations** means allegations made with disregard for their truth, or falsity, and for which there is little or no evidence to support them.

**Confidential** means authorized for access by only those persons who have a need to know. Ordinarily, a need to know arises from an obligation to investigate or to take remedial or disciplinary action.

**Executive Committee** means the Executive Committee determined in accordance with the Persephone Theatre Bylaws (e.g. President, Vice-President, and Chairs of Standing Committees: Finance, Human Resources, Building, Nominations and Governance).

**HR Committee** means the Human Resources Committee of the Theatre's Board of Directors.

**Improper Activity** means any act in breach of the Theatre's policies and codes, as well as any applicable laws and regulations, and includes, but is not limited to

- forgery, manipulation or alteration of records;
- fraudulent or deliberately deceptive reporting;
- pursuit of a benefit or advantage in violation a conflict of interest, whether personal or financials;
- misappropriation or misuse of the Theatre's resources, including funds, supplies, or other assets;
- authorizing or paying compensation for goods or services not received, or authorizing or receiving compensation for hours not worked;
- an act or omission that endangers the life or safety of others or endangers the environment;
- breach of the Theatre's Code of Conduct, and any laws of Saskatchewan or of Canada;
- unethical conduct; and
- harassment, bullying, or abuse of power.

**Respondent** means the Personnel against whom an allegation of Improper Activity has been made.

**Submission** means any information regarding a suspected Improper Activity, provided to the HR Committee, in writing, as envisaged in this Policy.

**Submitter** is a member of the public or Personnel, who informs a Supervisor, member of the Executive Leadership, or Chair of the HR Committee about an Improper Activity.

**Supervisor** means the individual the Personnel directly reports to.

### **Reporting Responsibility**

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Personnel are encouraged to report Improper Activity, or suspected Improper Activity, following the Communication Ladder (posted throughout the Theatre). If Personnel fear reprisal and/or are not comfortable using the Communication Ladder, they are encouraged to send a written copy of their concerns to the Chair of the HR Committee and/or the Chair of the Board. The Submission should include a description of the Improper Activity, including relevant dates and particulars sufficient to identify the alleged Improper Activity and Respondent, and any evidence or third-party witnesses. The Submission should also indicate if the Improper Activity or suspected Improper Activity has been reported, and if so, to whom.

Submitters reporting a violation should note the following:

- All submissions should be marked “Private and Confidential.”
- All email submissions should have a subject line of “Private and Confidential.”
- Timely reporting is essential. The earlier a concern is expressed, the easier it may be to take action.
- Although the Submitter is not expected to prove the truth of an allegation, they need to be in a position to demonstrate that there are sufficient grounds for concern.

Submitters are encouraged, but are not required, to provide the following information (see Anonymous Allegations below):

- name
- telephone number
- email address
- mail address

#### **Actions to be Taken on Receiving a Submission**

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1. Upon receiving a Submission, the Chair of the HR Committee or Chair of the Board shall, no more than 5 business days following delivery, acknowledge receipt in writing.
2. The Chair of the HR Committee or Chair of the Board shall determine whether an investigation is warranted and advise the Submitter in writing no more than 10 business days following acknowledgement of receipt whether an investigation will be made. Any investigation conducted may involve both internal and external resources in order to determine whether an Improper Activity has occurred and what corrective action may be required. The Respondent shall be interviewed as part of any investigation conducted relative to the Improper Activity or suspected Improper Activity.
3. The Chair of the HR Committee or Chair of the Board will lead or appoint a lead for the investigation. The lead of the investigation shall be responsible for documenting any findings and actions taken, and preparing a written report. The Chair of the HR Committee or Chair of the Board shall determine who needs to receive a copy of the written report.
4. An investigation should be concluded within 90 business days of the decision to conduct an investigation, unless an extension is granted by the Executive Committee of the Board.
5. The Submitter and Respondent shall be advised of the results of the investigation in writing.

## Safeguards

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### Harassment

No Submitter, who in good faith brings forward a concern shall suffer harassment, retaliation or adverse employment consequence as a result of making such concern known. Any form of reprisal against a Submitter constitutes Improper Activity and should be reported to the Chair of the HR Committee or Chair of the Board. Any Personnel who retaliates against a Submitter is subject to discipline, up to and including termination of employment, work, or volunteer contract. This Policy is intended to encourage and enable Personnel to raise concerns and see them satisfactorily dealt with within the Theatre.

### Confidentiality

All Submissions will be treated seriously. Confidentiality of the Submitter, the Respondent, and the details of any investigation shall be maintained, to the extent possible, consistent with the need to conduct an adequate investigation, ensure fairness and justice, and implement any corrective action.

All individuals involved in an investigation will be advised of their obligations regarding Confidentiality, including their obligations to at all times keep confidential

- the identity of individuals involved in the investigation;
- the identity of individuals alleged to have committed the Improper Activity;
- the identity of witnesses;
- the information collected in relation to the investigation; and
- the details and results of the investigation.

All records created under this Policy shall be Confidential except as required to be disclosed by applicable laws. Access to such records will be restricted to those who need to know in order to carry out their duties.

### Anonymous Allegations

All submitters are encouraged to include their name in their submissions because appropriate follow-up questions, witness interviews and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously will be investigated and consideration will be given to the apparent

- seriousness of the issue raised;
- credibility of the concern; and
- likelihood of confirming the allegation from anonymous sources.

## Baseless Allegations

If a Submission is founded on Baseless Allegations, the Supervisor together with the Chair of the HR Committee and Chair of the Board shall decide on appropriate action.

Every whistleblower report will be treated seriously and investigated. However, if upon investigation a report is found to be frivolous, inconsequential, or immaterial, the submitter may be subject to appropriate consequential actions.

## Contacts

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### **Contact Information for the Board of Directors (Board Chair):**

Email: [bod@persephonetheatre.org](mailto:bod@persephonetheatre.org)

### **Contact Information for Chair of the HR Committee:**

Sherry Peters, Chair, Human Resources Committee

Email: [sherry.peters317@gmail.com](mailto:sherry.peters317@gmail.com)

### **Contact Information for Chair of the Board:**

Nikki Hipkin, Chair of the Board of Directors

Email: [bod@persephonetheatre.org](mailto:bod@persephonetheatre.org)

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