

Whistleblower Policy

A Policy of The Christian and Missionary Alliance in Canada

Preamble

The Christian and Missionary Alliance (the “C&MA”) is committed to the highest standards of ethics, integrity, and accountability. In line with that commitment, the Whistleblower Policy (the “Policy”) is intended to encourage and enable employees and others to disclose serious concerns of wrongdoing internally so that the C&MA can address and correct inappropriate conduct and actions. The Policy provides assurance that such a concern made in good faith may be submitted in confidence, without fear of reprisal, victimization, recrimination, disadvantage, or subsequent discrimination.

Article 1 - Definitions

- 1.1. “Whistleblower” is defined as any person who reports a concern, such as illegal or harmful activity or gross mismanagement occurring in a C&MA church, congregation, district, institution, agency, organization, or other body that operates under its name to someone in authority. Such wrongdoing may include, but is not limited to, an egregious violation of a law, policy, or regulation, or a direct threat to public interest such as fraud, health/safety violations, sexual misconduct, or corruption.
- 1.2. “Reprisal” is defined as a retaliatory act. In situations such as the following:
 - a) A disclosure of wrongdoing made in good faith;
 - b) Advice sought about making a disclosure of wrongdoing;
 - c) When a person has cooperated in an investigation; or
 - d) When a person has declined participation in an act of wrongdoing,

Reprisal is defined as taking or directing any of the following measures, including but is not limited to:

- a) Dismissal, layoff, suspension, demotion, transfer, discontinuation, or elimination of a job, change of job location, reduction of wage, change of hours, or reprimand;
- b) Any measure that adversely affects the employment or working terms or conditions of the C&MA worker; or
- c) A threat to take any of the above measures.

Article 2 - Scope of Policy

- 2.1. The governing authority of the C&MA church, congregation, district, institution, agency, organization, or other body that operates under the C&MA name (the “C&MA Governing Authority”) has responsibility to abide by all of the provisions of the Policy. The C&MA Governing Authority will maintain a record of concerns raised and the outcomes and will report as required by policy.
- 2.2. This Policy does not replace or limit other means by which individuals may seek redress, including but not limited to reporting to law enforcement or regulatory bodies, criminal or civil proceedings, or alternative dispute resolution.

- 2.3. All current and former licensed workers, (non-licensed) employees, contract workers, and volunteers, in the course of their work with C&MA churches, congregations, districts, institutions, agencies, organizations, or other bodies that operate under the C&MA name (“Relevant Persons”) are subject to this Policy.
- 2.4. This Policy is to provide clear guidance for the safe disclosure of and response to any alleged wrongdoing or reprisal occurring within the C&MA, and to provide protection from reprisal for C&MA members who disclose, in good faith, wrongdoing or reprisal occurring within the C&MA.
- 2.5. This policy facilitates the disclosure and investigation of significant and serious matters and wrongdoings that meet the definition of wrongdoing outlined in Article 1 and not already addressed by, the Policy and Procedures on Sexual Misconduct for Official Workers and Churches, the Policy on Discipline, Restoration, and Appeal for Official Workers, the Discipline and Restoration Policy for Members of Local Churches of The Christian and Missionary Alliance in Canada, or the Policy on Process for Mediation and Arbitration for Official Workers of the Christian and Missionary Alliance in Canada.

Article 3 – Roles and Responsibilities

- 3.1. The National Advisor will be responsible to do the following:
 - 3.1.1. Ensure a safe environment that encourages and enables Relevant Persons to disclose wrongdoing and reprisals.
 - 3.1.2. Direct concerns to the ecclesiastical authority to manage processes for inquiring, investigating, and reporting wrongdoing and reprisal.
 - 3.1.3. Ensure concerns under this Policy are dealt with appropriately.
 - 3.1.4. Ensure confidentiality and discretion are followed.
 - 3.1.5. Ensure sufficient resources are provided to achieve the objectives of this Policy.
 - 3.1.6. Review, apply, or delegate the application of appropriate disciplinary actions pursuant to this policy, and follow up on corrective measures taken or directed pursuant to this Policy.
 - 3.1.7. Direct procedures respecting other matters specified under legislative regulations and C&MA policy.
 - 3.1.8. Report the outcome of the evaluation and any recommended actions and referrals to the whistleblower, subject to legal constraints.
 - 3.1.9. Report all concerns, regardless of their nature to the C&MA Board of Directors on a biannual basis.
 - 3.1.10. Perform a thorough review of this policy with input from ecclesiastical authorities and the Review Committee, at least once every two years, and present any recommendations to the Board of Directors.
- 3.2. The designated ecclesiastical authority shall:
 - 3.2.1. Receive and oversee the investigation of disclosures under this Policy.
 - 3.2.2. Determine referrals for concerns that are more appropriately handled by another party.
 - 3.2.3. Prepare relevant reports required by the National Advisor.
 - 3.2.4. Liaise with the National Advisor.

- 3.2.5. After a determination is made, prepare a report for the National Advisor, including any appropriate recommendations for actions or policies.
- 3.3. If it is determined that the designated ecclesiastical authority is in a conflict of interest regarding a concern of wrongdoing or reprisal, the National Advisor shall designate an alternate officer with sufficient objectivity to review and oversee the concern.

Article 4 – National Advisor and Review Committee

- 4.1. The National Advisor shall be responsible for implementing and ensuring adherence to this Policy.
- 4.2. The National Advisor shall lead a Review Committee (the “Committee”). The Committee shall include 3 additional members nominated by the National Advisor and appointed by the Board of Directors for terms of 2 years, subject to reappointment without limit. Members shall be selected based on qualifications and experience in human resources and related disciplines.
- 4.3. The Committee shall support the National Advisor in the implementation of this Policy.
- 4.4. The Committee shall monitor adherence to this Policy through periodic reviews, spot-checking and other compliance measures as it may deem necessary from time to time.

Article 5 - Confidentiality

Information about any concern subject to this Policy shall be kept confidential to the extent possible. Information obtained related to the concern, including identifying information about any individual(s) involved, will not be disclosed unless disclosure is necessary to investigate the incident, take corrective action, or otherwise required by law.

Article 6 - Submission of a Concern

Concerns of wrongdoing and reprisals shall be reported online at: [https:// thealliancecanada.ca/whistle-blowing/](https://thealliancecanada.ca/whistle-blowing/)

Or by e-mail to: whistleblower@cmacan.org

6.1. Anonymous Complaints

Concerns submitted anonymously must be submitted in writing. The Committee, after consultation with the appropriate C&MA Governing Authority, shall decide whether the concern has merit. Such a decision shall be made by considering the seriousness of the concern(s) raised, the credibility of the concern(s); and the likelihood of confirming the concern(s) from attributable sources.

Article 7 – Procedural Fairness

- 7.1. The whistleblower shall be provided opportunity to disclose in a safe environment his/her concerns of any alleged wrongdoing or reprisal occurring within C&MA.
- 7.2. Every effort shall be made to minimize bias in the investigators chosen to conduct the investigation.
- 7.3. The respondent shall receive reasonable notice of any investigation against them as well as sufficient specifics to understand the alleged wrongdoing.

- 7.4. The respondent shall be provided with a reasonable opportunity to respond to the alleged wrongdoing and provide their account of the matter/incidents/report under investigation.
- 7.5. Subject to privacy legislation and policies, the whistleblower and respondent shall be provided with:
 - a) The outcome of any investigation in response to the disclosure; and
 - b) Recommendations for corrective action that may flow from the investigation, as appropriate.

Article 8 – Response to Disclosure and Decision to Investigate

- 8.1. The National Advisor holds the authority to determine whether an inquiry will proceed under the Whistleblower Policy and/or another appropriate C&MA policy.
- 8.2. An initial response from the National Advisor will be provided to the whistleblower within 15 business days of receiving the concern.
- 8.3. The National Advisor may refer a concern elsewhere for assessment and investigation if it is more appropriately dealt with by law enforcement agencies, professional regulatory bodies or an external party.
- 8.4. When making a decision of whether or not an investigation is warranted under this Policy, the National Advisor will consider whether:
 - a) The subject matter of disclosure meets the definition in Article 1 of wrongdoing;
 - b) The C&MA has jurisdiction regarding the subject matter of disclosure;
 - c) The disclosure relates to a matter that is the subject of ongoing or threatened legal or tribunal proceedings, or an external investigation;
 - d) The disclosure is more appropriately dealt with elsewhere;
 - e) Legislation, bylaws, collective agreements, other terms and conditions of employment, or policies may be impacted;
 - f) The disclosure is frivolous, or vexatious; and
 - g) Any other factors the National Advisor may determine relevant.
- 8.5. The National Advisor may direct that a single investigation proceeds if multiple disclosures of the same matter are received.
- 8.6. If additional wrongdoing is identified in the course of an investigation under this Policy, the investigator shall report any additional wrongdoing to the designated ecclesiastical authority, who will seek the advice of the National Advisor to determine the most appropriate process to address the additional wrongdoing, including, but not limited to:
 - a) Continuing to investigate as part of the original disclosure;
 - b) Initiating a separate investigation under this Policy; and/or
 - c) Referring the matter to another external party.
- 8.7. If reprisal is identified in the course of an investigation under this Policy, the investigator shall report the reprisal to the designated ecclesiastical authority and the National Advisor. The National Advisor will engage with the Review Committee as soon as practical for determination of additional handling.

- 8.7.1. The National Advisor will suspend the investigation of matters noted in 8.6 and 8.7. The National Advisor may resume a suspended investigation only after consultation with the Review Committee and the President, and/or any legal or law entity that would apply, where the reprisal has been finally disposed or completed.

Article 9 - Good Faith

- 9.1. Anyone submitting a concern must act in good faith. A whistleblower who reports a concern in good faith will not be subject to reprisal.
- 9.2. Any concern found by the National Advisor to have been made frivolously, maliciously, or for personal gain, renders the individual submitting such a concern subject to disciplinary action, which may result in termination of employment. In the case of a concern found to be made frivolously, maliciously, or for personal gain, every attempt will be made to give any person(s) unjustly accused the benefit of any necessary remedies.
- 9.3. Protection from reprisal is not intended to be used by Relevant Persons as a tool to circumvent or halt ongoing performance management nor an investigation under any C&MA policies.

Article 10 - Protection from Reprisal

- 10.1. The C&MA is committed to empowering and encouraging Relevant Persons and any other persons to raise any concerns that they may hold about wrongdoing. In order to alleviate any apprehension of possible repercussions of making a report, the C&MA shall take all reasonable steps to support whistleblowers and protect them from intimidation, retribution, or other adverse consequences as a result of raising a genuine concern in good faith.
- 10.2. In the event that a whistleblower claims to be subject to any adverse consequences as a result of making a report, they should immediately notify the National Advisor.
- 10.3. The C&MA does not tolerate any form of intimidation, retribution, or any other form of harm directed against whistleblowers. Any Relevant Person who retaliates against someone who has reported a concern in good faith will be subject to disciplinary action, which may result in termination of employment.

Article 11 - Amendments

Amendments to this Policy may be made by the Board of Directors.

Adopted – Board of Directors – November 2022
Amended – Board of Directors – November 2023
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