**NIQCA Sample (Agency) Inc. Whistleblower Policy.**



**Policy.**

It is the policy of the (Agency) that its Board members, employees and volunteers will comply with all applicable laws and regulations and observe the highest standards of business and personal ethics in the governance, management and operation of the agency. To protect its reputation, service delivery and financial well-being the (Agency) has developed a procedure to solicit and promptly investigate any allegation of *improper conduct* by an agency Board member, employee or volunteer. Anyone found to have engaged in *improper conduct* will be subject to disciplinary action including but not limited to suspension, termination and possible civil and criminal sanctions.

**Definitions.**

*Improper Conduct:* Any activity by a (Agency) Board member, employee or volunteer which is found, following an investigation, to be in violation of any legal, regulatory or agency conduct policy or procedure including but not limited to activities involving corruption, self dealing, bribery, malfeasance, theft, fraud, coercion, conversion or the misuse or misappropriation of agency assets.

*Baseless Allegation:* Any written or verbal allegation of improper conduct made without reasonable cause to believe the allegation is true including allegations not made in good faith with intent to harm or distract attention from wrong doing. Individuals making such allegations will be subject to disciplinary action and may be subject to legal claims by individuals intentionally wrongfully accused of misbehavior.

*Protected Disclosure:* Any written or verbal good faith communication that discloses *improper conduct* by a (Agency) Board member, employee or volunteer.

**Coverage.**

This policy covers all (Agency) Board members, employees and agency volunteers.

**Duty to Disclose**

All individuals involved in the operation of (Agency) are required to become familiar with and abide by this Whistleblower Policy. If you suspect or become aware of *improper conduct* involving a (Agency) Board member, employee or volunteer you are strongly encouraged to promptly report, preferably in writing, this violation to one of the agency’s designated Compliance Officers.

**(Agency) Designated Compliance Officers. – Investigation Protocol.**

*Protected disclosures* of *improper conduct* as defined within this policy should be communicated to the designated primary (Agency) Compliance Officer(s). All reports submitted shall appropriately documented and acknowledged by the Compliance Officer within 48 hours.

The **(Agency’s) Whistleblower Compliance Officer** is xxxxxxxxxxxx

The (Agency’s) Compliance Officer can be contacted as follows:

The (Agency’s) Compliance Officer shall be responsible for reporting, investigating and resolving all reported complaints and allegations concerning allegations of improper conduct by an agency employee, board member or volunteer. violations and, as appropriate, notify The Compliance Officer shall at all times have the authority and access to (Agency) resources and leadership necessary to promptly and effectively respond to all allegations.

As needed or appropriate disclosures of improper conduct may also reported to a alternate Compliance Officer who will follow the documentation and communication protocols cited above. **The (Agency’s) Alternate Compliance Officer is:** (Title of Officer…e.g., Audit Committee Chair, Board Chairman, Legal Counsel, etc) and may be contacted as follows:

Allegations of violations may be submitted on a confidential basis by a (Agency) director, employee or volunteer who chooses to identify themselves or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, subject to the need to conduct an adequate investigation; to comply with applicable legal requirements and to take appropriate corrective action to address the reported *improper conduct.*

**Protection for Whistleblowers**

Individuals submitting *protected disclosures* of *improper conduct* involving a(Agency) Board member, employee or volunteer will be protected from any adverse employment action or harassment for reporting their concerns. Any retaliatory action against a whistleblower for reporting in good faith is strictly prohibited and violators will be subject to disciplinary action up to and including termination or separation from service.

**The Requirement of Good Faith**

This Whistleblower Policy only protects individuals who report violations or suspected violations in good faith. Good faith requires a reasonable belief on the part of the reporter that *improper conduct* by a (Agency) Board member, employee or volunteer has, is or will occur.

If the (Agency) becomes aware that a whistleblower made any allegations of *improper conduct* that were known to be *baseless* at the time that they were reported and/or were reported with malicious intent, (Agency) will treat such allegations as a serious offense that requires disciplinary action up to and including termination. Such false assertions may also result in legal claims by the injured party.

**Request for Anonymity**

Any whistleblower that reports a violation or suspected violation may do so anonymously. Because the merits of anonymous reports are often difficult to assess and/or investigate, anonymous reports should be limited to particularly egregious situations. Any whistleblower has the option to request that their identity remain confidential. (Agency) will honor such a request if and to the extent it concludes that it is able to complete a thorough and proper investigation of the alleged violation and comply with its legal obligations while protecting the identity of the whistleblower reporter.

**Dissemination of Policy.**

This policy will be disseminated to all (Agency) Board members, employees and volunteers with documentation of receipt and will be posted in appropriate areas of the office to assure accessibility.

**Policy Review.**

This policy will be reviewed as needed to assure compliance with applicable legal and best practice management standards as well as administration experience.

**Date of Policy Adoption.**

Policy adopted by the (Agency) Board of Directors on:

My signature below indicates that I have received and read this Whistleblower Policy.

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Signature of Employee/Director/Volunteer Date

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Signature of Compliance Officer/Designee Date