

## **Toronto Seniors Housing Corporation (TSHC) Whistleblower Protection Policy**

**Policy Sponsor:** Director, People and Culture

**Approver:** Board of Directors

**Initial Approval Date:** April 28, 2022

**Date of Last Revision, if applicable:** February 26, 2025

**Effective Date:** February 26, 2025

### **Policy Statement**

Toronto Seniors Housing Corporation (TSHC) is committed to enhancing public confidence in what we do. In performing their duties and responsibilities, employees are expected to promote shared values and observe the highest possible standards of professionalism and service.

### **Our Commitment**

With a focus on the unique needs of seniors, we are committed to being a leader in the delivery of quality, affordable housing for seniors. Our commitment includes engaging and collaborating with our tenants, our staff, and our partners towards providing excellent service for the well-being of our tenants.

### **Our Shared Values**

Toronto Seniors Housing Corporation policies, procedures, and directives, including the Employee Code of Conduct, are based on our shared values. These values inform our decision-making and guide our behaviour in all activities related to our work.

**Respect** – Our culture is built on respect, trust and open and honest communication among tenants, staff, and service providers. We respect each tenant’s independence and privacy. We will assist tenants to find the services they prefer.

**Inclusion** – Quality of life for seniors is enhanced by living in vibrant and diverse communities. We strive for inclusion and equity.

**Accountability** – We are accountable to our tenants, our shareholder (the City of Toronto), and the public. We are committed to transparency. We are clear on our goals. We set targets and report our results. We demonstrate integrity and responsible stewardship of our resources.

**Innovation** – We are creative, innovative, adaptive, and flexible to meet the needs of our current and future tenants. We are a catalyst for positive change, energizing communities, and partners to join us to achieve our mandate.

Toronto Seniors Housing Corporation is also committed to promoting integrity, ethics, accountability, and transparency. We recognize it is in the public interest to ensure that all disclosures are investigated, and to protect from reprisal to the fullest extent possible, those employees who in good faith report wrongdoing.

Toronto Seniors Housing Corporation will not tolerate wrongdoing or reprisals against employees who report wrongdoing, and all employees have a duty to report suspected wrongdoing. Disclosures of wrongdoing will be investigated in accordance with these provisions in order to maintain public confidence in the delivery of Toronto Seniors Housing Corporation services and use of Toronto Seniors Housing Corporation resources.

## **Policy Objective(s)**

The purpose of this Policy is to provide guidelines for reporting wrongdoing and to provide reasonable protection from reprisal for those persons who, in good faith and with reasonable belief, report wrongdoing in accordance with this Policy.

## **Scope**

This Policy applies to all employees of Toronto Seniors Housing Corporation, whether they work on a full-time or temporary basis. This Policy also applies to members of the Board of Directors of Toronto Seniors Housing Corporation as set out in this Policy. This Policy provides reasonable protection from reprisal for all employees and Directors of Toronto Seniors Housing Corporation, who in good faith report wrongdoing under this Policy.

Tenants of Toronto Seniors Housing Corporation and members of the public are also encouraged to report wrongdoing and are provided reasonable protection from reprisal in accordance with this Policy.

## **Out of Scope**

This Policy covers matters that are in the public interest and for which there are no existing processes or mechanisms for reporting and investigation. For example, it is not intended to address matters through existing procedures where corporate policy and/or collective agreements (if applicable) are generally available to address individual complaints by employees of workplace discrimination or harassment. These complaints will not be seen as wrongdoing under this Policy in the ordinary course. The exception is fraud which employees can report under this Policy, but which may be investigated or addressed in accordance with the Fraud Prevention Policy.

## **Definitions**

**Director:** Any individual member of the Toronto Seniors Housing Corporation

Board of Directors.

**Fraud:** A dishonest act that results in actual loss or risk of loss, deception, misappropriation of resources or the manipulation of data to the advantage or disadvantage of a person or entity. Fraud includes any misuse, or attempt to misuse:

- one's position in the company; and/or,
- Toronto Seniors Housing Corporation asset for personal gain or purposes unrelated to company business.

Fraud includes corruption, which is defined as the offering, giving, or soliciting, or accepting of an inducement or reward that may improperly influence the action of a person or entity. For more information, including examples of Fraud or Corruption, please see the Fraud Prevention Policy.

**Reprisal:** Actions taken against another person as a direct result or in retaliation for making a report under this Policy, being suspected of making a report under this Policy, or participating in an investigation under this Policy. Examples of reprisal include but are not limited to:

- coercion
- demotion
- discipline
- discrimination
- dismissal
- harassment
- intimidation
- penalty
- suspension
- termination

In the case of an employee, reprisal could include any other action which adversely affects their working conditions, or a threat to take any such actions and knowingly directing or counselling of another person to engage in reprisal.

**Waste:** Any other gross mismanagement, theft, falsification, misappropriation, or misuse of Toronto Seniors Housing Corporation facilities, resources, and/or assets, either deliberate or by negligence, which is not covered under the Fraud Prevention Policy.

**Whistleblower:** An employee, member of the Board of Directors, or tenant who, in good faith and with reasonable belief that wrongdoing has occurred, makes a report under this Policy.

**Wrongdoing:** Refers collectively to any serious act (or failure to act) that is covered by this Policy and which:

- constitutes fraud or waste of Toronto Seniors Housing Corporation resources or assets as defined under this Policy
- is a violation of Toronto Seniors Housing Corporation policies, procedures, or directives
- risks the health or safety of tenants, employees, or visitors to Toronto Seniors Housing Corporation sites
- is unlawful under any municipal, provincial or federal laws
- knowingly directs or counsels another person to engage in such acts
- is designed or intended to conceal conduct prohibited under this Policy

## Roles and Responsibilities

The Chief Executive Officer is responsible to:

- Lead and advance a culture rooted in the highest ethical standards for Toronto Seniors Housing Corporation employees.
- Ensure Toronto Seniors Housing Corporation employees understand their ethical rights and responsibilities, including their responsibilities under this Policy.
- Investigate or refer responsibility to Toronto Seniors Housing Corporation staff to investigate alleged wrongdoing and ensure these investigations are appropriately conducted.
- Ensure that Toronto Senior Housing Corporation employees who, in good faith, report wrongdoing are protected from reprisal in accordance with this Policy.
- Investigate and resolve allegations of employee misconduct that do not constitute wrongdoing as defined in this Policy.
- Implement corrective actions to strengthen management oversight and make improvements to internal control systems and procedures based on findings.

Mangers/ Department Directors are responsible to:

- Promote ethical conduct and support ethical decision-making in their areas of responsibility.
- Undertake investigations of alleged wrongdoing seriously and appropriately.
- Investigate and resolve allegations of employee misconduct that do not constitute wrongdoing as defined in this Policy.
- Ensure that TSHC employees under their supervision, who in good faith, report wrongdoing are protected from reprisals in accordance with this Policy.
- Establish and maintain a system of internal controls to detect and prevent wrongdoing.
- Be familiar with the types of wrongdoing that could occur within their area of responsibility and be proactive in taking steps to guard against such activities.

## Policy Content

Toronto Seniors Housing Corporation strives to be an employer of choice by

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fostering a culture of innovation that engages, empowers, and supports staff.

We take pride in conducting ourselves with personal integrity, ethics, honesty, and diligence in performing our duties and ensuring we are protecting the public trust and confidence in Toronto Seniors Housing Corporation.

Toronto Seniors Housing Corporation expects employees to use proper judgment and act in a way that reflects our values and corporate policy. Employees should also support the high standards expected of a corporation established to deliver seniors' social housing in the City of Toronto. Toronto Seniors Housing Corporation is also committed to maintaining an environment where people can raise concerns about improper behavior without fear of reprisal. The effectiveness of these commitments and Toronto Seniors Housing Corporation's policies, procedures, and directives are dependent on persons being able to report suspected cases of wrongdoing without fear of reprisal for doing so.

## **Disclosure of Wrongdoing**

Toronto Seniors Housing staff, tenants and the general public can report suspected fraud or waste matters involving TSHC tenants or staff through our ethics hotline. This hotline is operated by an independent service provider. To make sure reports remain anonymous and confidential, reports through a live agent will not be recorded or traced.

The hotline (ethics reporting/whistleblowing solution) provides a secure, anonymous and confidential way to raise concerns or report unethical behaviour to Toronto Seniors Housing Corporation. There are three ways to submit a report: online, by phone, or by mail. All reports will be sent securely to a TSHC reviewer for further action. Reports involving employees or members of the Board of Directors will be received by the Director, People and Culture.

For complete instructions, please see the Frequently Asked Questions document.

Toronto Seniors Housing Corporation employees who are aware that wrongdoing has occurred may also immediately notify their manager, or Departmental Director. Employees who report wrongdoing in good faith will be protected from reprisal. If the occurrence involves the Departmental Director, the employee shall notify the Chief Executive Officer. If the occurrence involves the Chief Executive Officer, the employee shall notify the Director, People and Culture, who shall confer with the Board Chair.

Allegations of wrongdoing received by Toronto Senior Housing Corporation managers must be immediately reported to their Department Director or the Chief Executive Officer if the Department Director is implicated in the allegation.

Any Toronto Seniors Housing Corporation employee who knowingly makes a false complaint in bad faith or who knowingly makes a false or misleading statement

that is intended to mislead an investigation of a complaint, may be subject to disciplinary action up to and including dismissal.

Any member of the Board of Directors who suspects or has knowledge of any occurrence of Fraud or any other type of wrongdoing shall immediately notify the Board Chair. If the occurrence involves the Board Chair, the Board Director shall report the occurrence to the Vice-Chair of the Board.

## **Implementation**

An employee who believes they are the subject of a Reprisal should notify the Director of People and Culture immediately. Where a manager or supervisor is informed of, or becomes aware of, a reprisal, the manager or supervisor should notify the Director of People and Culture immediately. If the complaint involves the Director of People and Culture or a member of the Board of Directors, the reprisal shall be reported to the Chief Executive Officer. If the Reprisal involves the Chief Executive Officer, the employee, manager or supervisor will notify the Director of People and Culture, who shall confer with the Board Chair.

Any allegation of reprisal will be reviewed and may be the subject of a formal investigation. Toronto Seniors Housing Corporation will determine who will lead the investigation, and the persons to be consulted, based on the subject matter at issue.

Investigations may be conducted by an external investigator if necessary and at the discretion of Toronto Seniors Housing Corporation.

The Director of People and Culture will determine what, if any steps are appropriate to stop, reverse, or remedy a reprisal. For complaints involving the Director of People and Culture, the Chief Executive Officer will determine what, if any steps are appropriate to stop, reverse, or remedy a reprisal. For complaints involving a member of the Board of Directors, the Chief Executive Officer in consultation with the Board Chair (or Vice-Chair if the complaint is against the Chair) will determine what, if any steps are appropriate to stop, reverse, or remedy a reprisal. For complaints involving the Chief Executive Officer, the Board Chair, in consultation with the Director of People and Culture, will determine what, if any steps are appropriate to stop, reverse, or remedy a reprisal. The Board Chair will inform the Board of Directors unless there are extenuating circumstances or where the integrity of the investigation might be compromised during the investigation process.

Once the Toronto Seniors Housing Corporation has provided an assurance of confidentiality to a whistleblower, the individual's identity cannot be revealed without the individual's consent.

Toronto Seniors Housing Corporation's commitment to provide reasonable protection for whistleblowers will include:



- Taking all reasonable efforts to protect the identity of all individuals involved in an investigation, including the identity of an individual alleging wrongdoing and the identity of an individual alleged to have committed wrongdoing, to the fullest extent possible. All information collected under this Policy or through subsequent investigations shall be held in confidence, except where disclosure may be necessary to further the investigation, or as required by law.
- Taking all reasonable efforts to protect the identities of whistleblowers by not sharing a whistleblower's identity, or information that could reasonably be expected to reveal the whistleblower's identity, with others, including a law enforcement agency without the whistleblower's explicit consent.
- Respecting the decision of the whistleblower as to how much personal information will be provided.
- Adhering to Canada's Criminal Code which means Toronto Seniors Housing Corporation cannot dismiss, suspend, demote, discipline, harass, or otherwise disadvantage whistleblowers, or deny them a benefit of employment when the information provided was given in good faith and that was reasonably believed to be true and accurate.

## **Compliance and Monitoring**

Toronto Seniors Housing Corporation will not tolerate wrongdoing or reprisals against anyone who reports wrongdoing, and all employees have a duty to report suspected wrongdoing. No employee or member of the Board of Directors will take any action in reprisal against a Whistleblower for making, or being suspected of making, a report of wrongdoing under this Policy. No employee or member of the Board of Directors will take any action in reprisal against any person who participates in an investigation under this Policy.

An employee who is found to have engaged in reprisal prohibited by this Policy shall be the subject of discipline, up to and including dismissal for cause.

Reprisal by a member of the Board of Directors shall be treated in the same manner as a violation of the Code of Ethics and Conduct for the Board of Directors. Conduct prohibited by this Policy, which is contrary to legislation, including that of a criminal nature, may be addressed or reported accordingly.

An employee who knowingly makes a false or misleading report under this Policy, or who knowingly makes a false or misleading statement in an investigation under this Policy, may be the subject of discipline, up to and including dismissal for cause.

Employees and other persons are expected to co-operate fully in an investigation under this Policy.

Employees who improperly breach confidentiality will be subject to legal action or disciplinary action up to and including dismissal as determined by the Chief

Executive Officer.

Employees who are contacted by the media regarding an investigation under this Policy must refer all inquiries to the Communications team. For further information, please see the Media and Issues Protocol.

The Chair and members of the Audit, Finance and Risk Management Committee (AFRC), as well as the Finance Team, shall be informed of any allegation of fraud involving an employee or member of the Board of Directors of the Toronto Seniors Housing Corporation in order to satisfy audit requirements.

**Related Legislation, Regulations, and TSHC Policies:**

- *Ontario Employment Standards Act*
- *Ontario Human Rights Code*
- *Occupational Health and Safety Act*
- *Criminal Code of Canada*
- TSHC Employee Code of Conduct
- TSHC Employee Conflict of Interest Policy
- TSHC Fraud Prevention Policy
- TSHC Board of Directors Code of Ethics and Conduct
- TSHC Board of Directors Reimbursement Policy
- TSHC Finance Policies

**Amendments (Revision History):**

Initial policy approved by Board of Directors on April 28, 2022.

Policy reviewed on January 30, 2025, with the following revisions, and approved by the Board of Directors on February 26, 2025:

- conversion to standard TSHC policy format
- title change from “Whistleblower Policy” to “Whistleblower Protection Policy”
- addition of the ethics reporting/whistleblowing solution that is currently in place for Toronto Community Housing Corporation and TSHC
- addition of TSHC commitment and shared values sections
- minor revisions to clarify roles and responsibilities of employees and managers
- expanded reporting requirements to inform members of AFRC
- assignment of next review cycle (three years)

**Next Scheduled Review Date: 2028**

This Policy will be reviewed once every three years.



## **Policy Contact**

Director, People and Culture

## **Appendices**

- Frequently Asked Questions (under review)
- TSHC Media and Issues Protocol