



Investigations Protocol

Background

The Superintendent will ensure measures are in place to prevent, detect and respond to fraudulent acts. All employees suspected of irregularities or fraud will be treated fairly and consistently, and in compliance with KTCEA policies and procedures.

Guidelines

1. Anyone who is employed by or represents KTCEA has a responsibility to:
 - Be knowledgeable of and comply with this procedure.
 - Report suspicions of fraud or financial irregularity to the Superintendent.
 - Act with integrity, transparency, and accountability in adherence to the KTCEA Code of Ethics and Code of Conduct and to protect KTCEA's interests at all times.
 - Comply with all financial and human resource policies and procedures in conducting their work.
2. Everyone who encounters fraud or financial irregularities, or suspicious conduct thereof, has a duty to report it without delay. It is the right of every person employed by, or representing KTCEA, to make a report in good faith under this policy without fear of reprisal. Retaliation or reprisals against persons making such reports in good faith will not be tolerated.
3. If there is any question as to whether an action constitutes fraud or financial irregularity, employees should contact the Superintendent for answers to enquiries and guidance on a confidential basis.
4. The Superintendent has the primary responsibility for initiating investigative responses to all suspected fraudulent or irregular acts as defined in this procedure.

#	Procedure	Roles & Responsibilities
1.	<p>Investigation Protocol</p> <p>1.1 Concerns about fraud or financial irregularity can be raised with an immediate supervisor or the Superintendent directly.</p> <p>1.2 In consultation with Human Resources, the Finance Director will conduct an initial assessment to determine who, if anyone, will conduct the investigation (internally or externally) and will make a recommendation to the Superintendent and external Legal Counsel (if required).</p> <p>1.3 All investigations undertaken, externally or internally, will be carried out in accordance with applicable law in the Province of Alberta and pursuant to KTCEA internal policy.</p> <p>1.4 Anyone who suspects dishonest or fraudulent activity will make a report immediately, in one of the ways outlined in this policy, and will not attempt to personally conduct investigations or interviews related to any suspected fraudulent act.</p>	<p>Superintendent</p> <p>Finance</p> <p>Human Resources</p>

	<p>1.5 Law enforcement agencies may be contacted immediately, or after an investigation, as deemed appropriate by the Superintendent. Decisions to prosecute or refer investigative results to the appropriate law enforcement and/or regulatory agencies will be made in conjunction with external Legal Counsel, as will final decisions on disposition of the case.</p> <p>1.6 If the investigation substantiates that fraudulent activities have occurred, the Superintendent will advise the Board. The Superintendent will always notify the Board when external parties or law enforcement agencies have been consulted.</p>	
<p>2.</p>	<p>Confidentiality</p> <p>2.1 The Superintendent will treat all information received confidentially. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know.</p> <p>2.2 Reports will be kept anonymous and confidential unless the reporter provides explicit permission to disclose his/her identity. All anonymous reports will be taken seriously and investigated fully, in accordance with this policy. Anonymity will be maintained within the KTCEA environment but cannot be guaranteed in the event that external legal action flows from the disclosure.</p>	<p>Superintendent</p>
<p>3.</p>	<p>Redress</p> <p>3.1 Anyone who contravenes this policy, may be subject to a range of corrective measures, up to and including dismissal from KTCEA, in accordance with the KTCEA Human Resource Policies.</p> <p>3.2 In all cases where KTCEA has suffered a financial loss, it will seek to recover its losses in full along with all costs incurred to investigate and litigate said loss.</p>	<p>Superintendent</p>

Definitions:

Occupational fraud¹ is often defined as: "The use of one's occupation for personal enrichment through the deliberate misuse or misapplication of the employing organization's resources or assets."

Occupational fraud² is committed by persons internal to an organization.

Fraud is any intentional act or omission designed to deceive others, resulting in the victim suffering a loss and/or the perpetrator achieving a gain.

Irregularities is commonly defined as "An intentional misstatement or omission of information related to financial transactions that violates policy, accounting regulations, and/or is contrary to the best interests or reputation of the organization."

¹ Source: International Association of Certified Fraud Examiners (ACFE)

² Source: Managing the Business Risk of Fraud; A Practical Guide, authored by The International Institute of Internal Auditors (IIA), the American Institute

References:

Policy 16-G: Fraud and Irregularities of the KTCEA Policy Manual.

Procedure Amendments and Updates

The responsibility for updating and amending this procedure rests with the Associate Superintendent Corporate Services.