

WHISTLEBLOWER POLICY SPCA OF WAKE COUNTY

Statement of Policy

The SPCA of Wake County (“the SPCA”) strives to maintain the highest standards of conduct and ethics. In keeping with that goal, the SPCA may investigate any suspected fraudulent or dishonest conduct or abuse of the SPCA’s resources or property by employees, board or committee members, consultants, or volunteers. This policy sets forth the specific measures that may guide the SPCA in that process.

This policy does not change the at-will status of SPCA employees, nor does it modify the volunteer status of SPCA volunteers or the fiduciary status of members of the board of directors. **Nothing in this policy creates a contract between the SPCA and the signatory, or gives rise to any enforceable legal rights.**

Reportable Conduct

Reportable conduct includes any deliberate act, or failure to act, with the intention of obtaining an unauthorized benefit at the SPCA’s expense. Examples include, but are not limited to, forgery or alteration of documents; unauthorized alteration, deletion, or manipulation of computer files; fraudulent financial reporting; pursuit of a benefit or advantage in violation of the SPCA’s Conflict of Interest Policy; misappropriation or conversion of the SPCA’s resources, including funds, supplies, or other assets; authorizing or receiving compensation for goods not received or services not performed; authorizing or receiving compensation for hours not worked; and mismanaging finances for personal gain or the gain of another.

Reporting

The SPCA encourages every employee, board or committee member and volunteer to report concerns regarding fraudulent or dishonest conduct or abuse of the SPCA’s resources or property by employees, board or committee members, consultants, or volunteers. In order to avoid any conflict of interest, and to facilitate reporting, concerns should be reported as follows:

Employees. Employees should report to their direct supervisors with two exceptions: (1) if the concern relates to the employee’s direct supervisor, or another employee who outranks the direct supervisor, the employee should report to the executive director; and (2) if the concern relates to the executive director, the employee should report to the president of the board of directors.

Volunteers. Volunteers should report to the director of volunteers or the executive director.

Board and committee members. Members of the board of directors or its committees should report to the president of the board of directors, unless the concern relates to the president of the board, in which case the board or committee member should report to the executive director.

Expectations

Privacy. Reporting should be done privately. Privacy serves two important functions: (1) a person who reports a concern may fear that retaliation will result from broad redisclosure of his or her report; and (2) a person may be wrongly suspected of misconduct, and will unfairly suffer negative consequences from broad redisclosure of a report when no investigation has been performed.

Receipt of reports. A supervisor who receives a report under this policy shall, except as provided in this paragraph, report the matter to the executive director. Persons receiving reports under this policy shall report suspected misconduct up the chain of command as necessary, but shall take care to avoid reporting clearly baseless allegations and to avoid providing premature notice to a person suspected of misconduct, as well as to respect the legal rights of all persons involved. Persons receiving reports under this policy shall not take corrective action on their own. Therefore, persons receiving reports should not contact the person suspected to demand restitution for misconduct and should not report the matter outside the SPCA without first reporting the matter up the chain of command.

Investigation and corrective action. It is the SPCA's policy to investigate reports of suspected misconduct as necessary under the circumstances. The person leading an investigation shall document the receipt of a report and retain documentation related to the investigation and any resolution or corrective action.

Good faith. Any person making a report under this policy must do so in good faith and with the honest belief that another person is engaging in reportable conduct. The SPCA acknowledges and understands that a good faith report may turn out to be incorrect by no fault of the reporting party. However, the SPCA will not tolerate abuse of this policy through bad faith reporting of baseless allegations.

No retaliation. The SPCA prohibits retaliation against any person who makes a good faith report under this policy. This policy does not prohibit disciplinary action that may occur in the usual course of employment against an employee who makes a report.