

B.3

MOTION ON NOTICE

3. Increasing Whistleblower Protection for Vancouver City Staff

MOVER: Councillor Adriane Carr

SECONDER: Councillor George Affleck

WHEREAS:

1. Recent investigative stories by journalists regarding the City's waiving of development cost levies (DCLS) or possibly undervaluing its land are raising public concern of possible wrongdoings by the City of Vancouver that may favor real estate developers at the expense of the public interest;
2. The investigation of Madame Justice Charbonneau of corruption by City officials in Montreal and nearby municipalities ([recently released in English](#)) recommends several key measures to reduce the possibility of corruption: specifically to prohibit corporate financing of local political parties (which the City of Vancouver has requested of the Province of BC but the Province has not enabled), and to provide strong whistleblower protection for City staff;
3. A comparison of the City of Vancouver's Whistleblowing - Reporting, Investigation and Protection Policy (2008) and the City of Toronto's Municipal Code Disclosure of Wrongdoing and Reprisal Protection Provisions (2014) reveals that:
 - i. the purpose of the Toronto by-law "is to facilitate the disclosure of wrongdoing that is contrary to the public interest" whereas the Vancouver policy contains no reference to the public interest but instead on staff acting "in a way that enhances public confidence in the City";
 - ii. oversight of investigations into alleged wrongdoings is by an independent outside authority, the Auditor General, in Toronto whereas such investigations are the responsibility of internal authorities, the City Manager and General Manager of Human Resources, in Vancouver;
 - iii. employees may remain anonymous when reporting suspected wrongdoing in Toronto, whereas the Vancouver policy discourages whistleblowers from remaining anonymous;
 - iv. Toronto's by-law requires the City Manager to "take appropriate actions to stop, reverse or remedy a reprisal against an employee" whereas Vancouver's policy does not call for action to reverse or remedy a reprisal.

THEREFORE BE IT RESOLVED THAT City Council direct staff to review the City of Vancouver's Corporate Policy: "Whistleblowing - Reporting, Investigation and Protection" and report back with recommendations to modify the policy to:

1. Include protection of the public interest as the primary purpose of whistleblower protection for city staff;
2. Provide independent oversight and investigation of alleged wrongdoings;
3. Enable and protect anonymity if a whistleblower so chooses to be anonymous;
4. Ensure City staff who in good faith report wrongdoing are protected from reprisal to the fullest extent possible including actions to reverse or remedy a reprisal.

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