

# Reading Public Library

## Whistleblower Policy

Reviewed and Approved 11/20/2023

### **ARTICLE 1: INTRODUCTION AND PURPOSE**

The Reading Public Library (the "RPL") requires its trustees, directors, officers, employees and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. The purpose of this policy is to encourage and enable employees and volunteers of the RPL to report any action or suspected action taken within the RPL that is illegal, fraudulent or in violation of any adopted policy of the RPL, to a source within the RPL before turning to outside parties for resolution. This policy applies to any matter which is related to the RPL's business and does not relate to private acts of an individual not connected to the business of the RPL. This policy is intended to supplement but not replace the RPL's unlawful harassment and discrimination policy, "open door policy" and/or any other grievance procedure, and any applicable state and federal laws governing whistleblowing applicable to nonprofit and charitable organizations.

### **ARTICLE 2: VIOLATIONS; REPORTING IN GOOD FAITH**

All employees and volunteers of the RPL are encouraged to report any action or suspected action taken within the RPL that is illegal, fraudulent or in violation of any adopted policy of the RPL (each, a "Violation"). Anyone reporting a Violation must act in good faith, without malice to the RPL or any individual working within the RPL, and have reasonable grounds for believing that the information shared in the report indicates that a Violation has occurred. Any report which the complainant has made maliciously or any report which the complainant has good reason to believe is false will be viewed as a serious disciplinary offense.

### **ARTICLE 3: NO RETALIATION**

No employee or volunteer who in good faith reports a Violation or cooperates in the investigation of a Violation shall suffer harassment, retaliation or adverse employment or volunteer consequences. Any individual within the RPL who retaliates against another individual who in good faith has reported a Violation or has cooperated in the investigation of a Violation is subject to discipline, including termination of employment or volunteer status.

If an individual believes that someone who has made a report of a Violation or who has cooperated in the investigation of a Violation is suffering from harassment, retaliation or other adverse employment or volunteer consequences, the individual should contact the Compliance Officer.

Any individual who reasonably believes he or she has been retaliated against in violation of this policy shall follow the same procedures as for filing a complaint (outlined in Article 4 below).

### **ARTICLE 4: REPORTING PROCESS**

If an individual reasonably believes that a Violation has occurred, the individual is encouraged to share his or her questions, concerns, suggestions or complaints with any person within the RPL who may be able to address them properly.

In most cases, the direct supervisor of an individual is the person best suited to address a concern. However, if an individual is not comfortable speaking with his or her supervisor or if he or she is not satisfied with the supervisor's response, the individual is encouraged to speak directly to the Compliance Officer appointed by the Board, or anyone in management he or she feels comfortable approaching. Unless otherwise designated by the Board of Trustees, the Secretary of the Board of Trustees shall be the Compliance Officer.

**ARTICLE 5: CONFIDENTIALITY**

The RPL encourages anyone reporting a Violation to identify himself or herself when making a report in order to facilitate the investigation of the Violation. However, reports may be submitted on a confidential basis by the complainant or may be submitted anonymously by leaving a written report with the Compliance Officer. Reports of Violations or suspected Violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, to comply with all applicable laws, and to cooperate with law enforcement authorities. Furthermore, the RPL will explore anonymous allegations to the extent possible, but will weigh the prudence of continuing such investigations against the likelihood of confirming the alleged facts or circumstances from attributable sources.

**ARTICLE 6: COMPLIANCE OFFICER; HANDLING REPORTED VIOLATIONS**

The supervisor, manager or board member who receives a report of a Violation from the complainant is required to notify the Compliance Officer of that report, except as provided below with respect to a report relating to the Compliance Officer. The Compliance Officer will notify the complainant and acknowledge receipt of a report of Violation within ten business days, but only to the extent that the complainant’s identity is disclosed or a return address is provided.

The Compliance Officer, or his or her designee, is responsible for promptly investigating all reported Violations and for causing appropriate corrective action to be taken if warranted by the investigation. The process of investigating complaints received by the RPL shall be conducted in accordance with the Complaint Review Policy, a copy of which is attached hereto and marked as Appendix A. The complainant will be notified about what actions will be taken, to the extent reasonably possible and consistent with any privacy or confidentiality limitations. If no further action or investigation is to follow, an explanation for the decision will be given to the complainant.

In the event the Compliance Officer is suspected of having committed a Violation, then the Violation will be reported to President and the Violation will be investigated by the President under the close supervision of the Board of Trustees.

Compliance Officer: Sherry Cameron, Board Secretary (2019)

**ARTICLE 7: ACCOUNTING AND AUDITING MATTERS; REPORTS**

The Compliance Officer is responsible for addressing all reported concerns or complaints of Violations relating to corporate accounting practices, internal controls or auditing. Therefore, the Compliance Officer must immediately notify the Board of Trustees of any such concerns or complaints.

In addition, the Compliance Officer will advise the President of any other reported Violations, the current status of the investigation, and the outcome or corrective action taken at the conclusion of the investigation.

My signature below indicates my receipt and understanding of this policy. I also verify that I have been provided with the opportunity to ask questions about the policy.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# APPENDIX A: WHISTLEBLOWER POLICY

## Reading Public Library Complaint Review Policy

### Section 1. Introduction.

In accordance with RPL's Whistleblower Policy (the "Policy"), this Complaint Review Policy sets forth procedures to be followed by the RPL upon receipt of a complaint covered under the Policy.

### Section 2. Compliance Officer

Except as provided in Section 6 herein, the Compliance Officer is responsible for promptly investigating all complaints. If warranted by the investigation, the Compliance Officer will, in consultation with the Board of Trustees and, if necessary, legal counsel, cause appropriate corrective action to be taken. In the event that a complaint alleges misdeeds of the Compliance Officer, the complaint shall be investigated by the President or his or her designee, who shall report directly to the Board.

### Section 3. Complaint Review Procedure

The Compliance Officer or the person appointed to investigate the complaint (the "Investigator") will notify the complainant and acknowledge receipt of a complaint within ten business days, but only to the extent that the complainant's identity is disclosed and a return address is provided.

The Investigator will make initial inquiries in consultation with legal counsel, if necessary, to determine whether further investigation is necessary or appropriate. The Investigator will manage any subsequent investigation, and may request the assistance of legal counsel or other parties as he or she deems necessary or appropriate.

The Investigator will fully investigate the complaint, meeting separately with the complainant and with others who either are named in the complaint or may have knowledge of the facts set forth in the complaint. The Investigator will explore anonymous complaints to the extent possible, but will weigh the prudence of continuing such investigations against the likelihood of confirming the alleged facts or circumstances from attributable sources.

Upon completion of the investigation, the complainant will be notified about what actions will be taken, to the extent reasonably possible and consistent with any privacy or confidentiality limitations. If no further action or investigation is to follow, an explanation for the decision will be given to the complainant.

### Section 4. Confidentiality

Complaints and their investigation will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, to comply with all applicable laws, and to cooperate with law enforcement authorities.

### Section 5. Report to the President and the Board of Trustees

Within ten business days of receiving a complaint, the Investigator shall cause a report to be sent to the President and the Board of Trustees containing the following information:

1. The allegations made by the complainant and how they were reported to the RPL.
2. All relevant facts related to the allegations.
3. The current status of the investigation and how it was or will be conducted, including witnesses interviewed and documents reviewed.

4. The outcome or corrective action taken or to be taken at the conclusion of the investigation. If no further action or investigation is to follow, an explanation for the decision will be included.

Thereafter, and until the allegations have been resolved, the Investigator shall submit updated reports at least every ten business days, or sooner if requested by the President and the Board of Trustees.

#### **Section 6. Accounting and Auditing Matters**

The Investigator and the Board of Trustee are responsible for addressing all reported concerns or complaints relating to corporate accounting practices, internal controls or auditing. Therefore, the Investigator must immediately notify the Board of Trustees of any such concern or complaint and work under the close supervision of the Board of Trustees until the allegations are resolved.

#### Policy History

Adopted 4/15/2019

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