

# **FAR NORTHERN REGIONAL CENTER** **WHISTLEBLOWER PROTECTION POLICY**

(Revised Effective October 1, 2011)

## **POLICY**

Far Northern Regional Center (FNRC) encourages individuals to report suspected or actual illegal or improper regional center and/or vendor/contractor activity, financial or otherwise. FNRC will not condone any activity that is illegal or improper, whether done by an employee, officer, or board member of the regional center or by an employee, officer or board member of a vendor/contractor.

An “improper regional center activity” is defined as an activity by a regional center, or an employee, officer or board member of a regional center, in the conduct of regional center business, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency or inefficiency.

An “improper vendor/contractor activity” means an activity by a vendor/contractor, or an employee, officer or board member of a vendor/contractor, in the provision of State funded services, that is a violation of a state or federal law or regulation; violation of contract provisions, fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.

FNRC and the Department of Developmental Services (DDS) have a variety of complaint and appeal processes available to vendor/contractors, agencies, facilities, parents and consumers. These include Consumer Rights Complaints, Early Start Complaints, Due Process Requests, Mediation Conference Requests, Fair Hearing Requests, Title 17 Complaints, Citizen Complaints and Comments and Vendor Appeals. Each of these complaint and appeal processes has separate and distinct procedures for resolution. This policy relates only to regional center and vendor/contractor whistleblower complaints as described above.

Nothing in this policy shall dissuade or prohibit complaints of alleged improper activity to be made using the other complaint or appeal processes, or other less-formal means to make such complaints known.

If any individual reasonably believes that any of the above improper activities has occurred, the individual may file a written complaint with the Executive Director, any Associate Director, the Human Resources Director, or with the Chairperson of the Board of Directors.

Written complaints will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

## **CONFIDENTIALITY**

The investigating party will make every effort to maintain the confidentiality of an individual making a whistleblower complaint if the individual requests confidentiality. However, under circumstances where FNRC is unable to maintain confidentiality due to its legal obligations (including ensuring the health and safety of consumers and regional center contract compliance), the agency will attempt to inform the complainant of its need to disclose certain information prior to releasing identifying information. Additionally, the identity of the complainant may be revealed to appropriate law enforcement agencies conducting a criminal investigation.

It is FNRC's intent to adhere to all laws and regulations that apply to the agency. The underlying purpose of this policy is to support the agency's goal of legal compliance. The support of all individuals is necessary to achieving compliance with various laws and regulations.

## **NO RETALIATION**

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns about alleged improper regional center and vendor/contractor activities and permit an investigating party the opportunity to investigate and take appropriate action.

No person who reports a violation of this policy shall suffer harassment, retaliation or adverse employment consequences. FNRC's Executive Staff will investigate complaints of retaliation following an established process. An employee who harasses or retaliates against someone who has reported a violation in good faith is subject to disciplinary action up to and including immediate termination of employment.

An individual is protected from retaliation only if the individual brings the alleged unlawful activity, policy or practice to the attention of FNRC and provides FNRC with a reasonable opportunity to investigate and correct the alleged unlawful activity.

## **HOW TO FILE A WHISTLEBLOWER OR RETALIATION COMPLAINT**

### **A complaint may be filed by contacting:**

- Phone
  - Executive Director, Associate Director for Administration, Associate Director for Case Management or Associate Director for Community Services – 530-222-4791
  - Human Resources Director – 530-226-4090

- Fax
  - Executive Director – 530-222-6063, Associate Director for Administration – 530-222-4164, Associate Director for Case Management – 530-222-8908 or Associate Director for Community Services – 530-222-8908
  - Human Resources Director – 530-222-0104
  
- US Regular Mail – Primary Address
  - Whistleblower Complaint  
Far Northern Regional Center  
Attn: Human Resources Director OR Executive Director  
1900 Churn Creek Road, Suite 319  
Redding, CA 96002
  
- US Regular Mail – Alternate Address
  - Whistleblower Complaint  
Far Northern Regional Center  
Attn: Board of Directors  
P.O. Box 492418  
Redding, CA 96049-2418
  
- Email the Board of Directors
  - The Chairperson may be contacted through FNRC’s website (<http://www.farnorthernrc.org>) by going to the Main Site, selecting “Contact” and then selecting “Board of Directors Chair” in the Topic box

FNRC will utilize an established process to investigate and take appropriate action on complaints, including complaints of retaliation. An initial review process will determine the appropriate venue for the complaint which could result in referral to another entity or process as described in the “POLICY” section above.

A Whistleblower Complaint shall contain a clear and concise statement of the alleged improper activity and any evidence to support the allegation. If a name or other information (witness or documents) is not provided that clearly identifies the person alleged to have acted improperly, and the regional center or vendor/contractor where that person works, the investigating party may not have sufficient information to investigate. Original documents should be provided when submitting written information. The submitting party should keep copies of all submitted documents for their records.

Although complaints may be filed anonymously, if insufficient information is provided and the investigating party has no means to contact the complainant, it may not be possible to investigate the allegation.

Individuals with questions about this policy should contact any member of FNRC’s Executive Staff or the Human Resources Director.

**NOTIFICATION/DISTRIBUTION REQUIREMENTS**

This policy will be distributed to FNRC employees, board members, consumers/families and vendors on an annual basis. In addition, the policy will be posted to the FNRC website (<http://www.farnorthemrc.org>).

**DDS WHISTLEBLOWER POLICIES**

DDS whistleblower policies may be found on FNRC’s website, as well as the DDS website (<http://www.dds.ca.gov>).

**ACKNOWLEDGMENT**

I, \_\_\_\_\_, acknowledge that I have received a copy of, read and understand Far Northern Regional Center’s Whistleblower Protection Policy (effective 10/01/2011).

\_\_\_\_\_  
*Employee Signature*

\_\_\_\_\_  
*Date*

(Approved by FNRC’s Board of Directors 9/23/2011)