

Position Statement

Whistleblower

The Canadian Society for Medical Laboratory Science (CSMLS) is committed to the highest possible standards of openness, transparency, integrity and accountability for the sake of the public and the profession it represents. Medical Laboratory Professionals¹ (MLPs) are expected to uphold the Code of Professional Conduct, Code of Ethics and any other relevant document that stipulates that an individual should not participate in and/or should report fraud, misconduct or wrongdoings. To support individuals and organizations to uphold these expectations, CSMLS endorses the creation, implementation and sustained use of a whistleblowing policy for MLPs by regulators, employers² and for medical laboratory science students³ by academic institutions.

Whistleblowing is the disclosure of information in the interest of the public that concerns unsafe, unethical or illegal practices. The disclosure may be related to but not limited to:

- issues concerning quality of service or malpractice,
- questionable financial or audit processes,
- environment related issues,
- violations of human resource policies and legislation, or
- breach of contract and negligence.

Personal or collective grievances (e.g., bullying, harassment, discrimination) is not generally covered by whistleblowing unless a particular case is also in the interest of the public. Such grievances can be referred to as 'raising a concern', which are made and rectified using normal internal accountability structures. The whistleblowing policy provides an alternative internal or external reporting structure that can be used when normal routes fail to successfully investigate an issue or an individual chooses to use this route specifically for predetermined reasons (e.g., person of concern is a part of internal accountability structure or fear of reprimand for reporting issue).

CSMLS will continue to work with relevant stakeholders to foster proactive environments that enable reporting violations. CSMLS pledges to support individuals and organizations by ensuring their concerns are fully investigated and that an independent source can provide legal clarity without suffering any detriment from the employer. While it is not within the

¹ Medical Laboratory Assistants/Technicians and Medical Laboratory Technologists (all certification categories)

² The term 'employers' is not limited to the laboratory but, rather, should be considered as referring to all potential types of employers including, but not limited to, research facilities, academic institutes, and corporate industry.

³ Refers to all MLP related programs in Canada.

CSMLS mandate to become directly involved in individual whistleblowing cases, CSMLS endorses general guidelines for whistleblowing policies.

A Whistleblower Policy shall:

- apply to all individuals within an organization, irrespective of title, seniority, profession or other descriptive indicator,
- provide clear and concise objectives with documented communication channels and steps to report concerns,
- instill a sense of confidence that complaints will be taken seriously and investigated thoroughly through robust measures, and
- allow an individual to circumvent a person(s) the concern relates to, which may include the organization utilizing external reporting structure.

The Whistleblower shall:

- be responsible for raising their concerns, in good faith, at the earliest opportunities to the appropriate authorities, and
- not knowingly make a false claim with or without malicious intent.

The Organization shall:

- be expected to deal with the concern in a timely manner using all resources available as appropriate,
- not subject an individual to actual or threatened discipline (physical or psychological) when reporting a concern in good faith,
- subject an individual who makes a false claim to discipline that may include removal and/or termination,
- subject an individual who retaliates against another individual for reporting in good faith, to discipline that may include removal and/or termination and
- maintain confidentiality as a paramount measure where possible and in compliance with organizational, legal and ethical responsibilities.

References:

Mannion R, & Davies HT (2015). Cultures of silence and cultures of voice: The role of whistleblowing in healthcare organisations. *International Journal of Health Policy and Administration*, 4(8), 503-5.

Pope KS (2015). Steps to strengthen ethics in organizations: Research findings, ethics placebos, and what works. *Journal of Trauma & Dissociation*, 16(2), 139–152.

Saint-Cyr Y (2013). The state of whistle-blowing in Canada. Slaw. Last retrieved on April 13 2016 from <http://www.slaw.ca/2013/06/06/the-state-of-whistleblowing-in-canada/>