

# **Transatlantic Council                      Boy Scouts of America**

## **Whistleblower Protection Policy**

### **Updated 5 October 2022**

The whistleblower protection policy is being implemented by the Transatlantic Council, Boy Scouts of America (TAC) to ensure a safe and respectful environment for staff and volunteers.

Any employee or volunteer of the Transatlantic Council, Boy Scouts of America, who reports waste, fraud, abuse, unethical and improper practices, or wrongful conduct will not be terminated or otherwise retaliated against for making the report.

The report will be investigated and even if it is determined not to be waste, fraud, abuse, unethical and improper practices, or wrongful conduct the individual making the report will not be retaliated against. There will be no punishment for reporting problems – including termination of employment or volunteer service, demotion, suspension, harassment, failure to consider the employee or volunteer for promotion, or any other kind of discrimination.

#### **Definitions.**

##### **Improper practice:**

- is any activity that is undertaken in the performance of the employee or volunteer duties, whether or not that action is within the scope of their mandate and
- is in violation of any law or regulation under the laws the employee or volunteer is governed, including but not limited to corruption, malfeasance, bribery, theft of property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of property, or willful omission to perform duty or
- is in violation of the Scouter Code of Conduct
- is economically wasteful or
- involves gross misconduct, incompetence, or inefficiency.

A **whistleblower** is an individual making a disclosure under this policy. The whistleblower's role is as a reporting party. They are not investigators or finders of fact, nor do they determine the appropriate corrective or remedial action that may be warranted.

**There are several ways to make a report of suspected waste, fraud, abuse, unethical and improper practices, or wrongful conduct:**

**Anonymous or Non-Anonymous**

[www.ethicspoint.com](http://www.ethicspoint.com)

866-384-4277

Boy Scouts of America

c/o EthicsPoint, Inc.

P.O. Box 230369

Portland, OR 97223

**Non-Anonymous**

<b>Position</b>	<b>Current Scouter</b>	<b>Email</b>
Scout Executive	Thomas Jansen	<a href="mailto:Thomas.jansen@scouting.org">Thomas.jansen@scouting.org</a>
Council President	Dean Menegas	<a href="mailto:Dean.Menegas@SpinnakerCapital.com">Dean.Menegas@SpinnakerCapital.com</a>
Vice President for Governance	Joshua Dick	<a href="mailto:senatorjsd@aol.com">senatorjsd@aol.com</a>

TAC-BSA, USAG Brussels  
Attn: Scout Executive  
Unit 28100 Box 24  
APO AE 09714

Transatlantic Council, Boy Scouts of America  
Attn: Scout Executive  
Luevensesteenweg 13  
1932 St-Stevens-Woluwe, Belgium

**Here is what we will do to investigate the report:**

The Scout Executive, Council President, or Vice President for Governance will conduct an interview with the reporting party to determine specific facts regarding the report of suspected waste, fraud, abuse, unethical and improper practices, or wrongful conduct. At the discretion of the individual being interviewed, an additional individual may be brought into the interview for support.

The Scout Executive, Council President, or Vice President for Governance will follow-up with an investigation of all parties named in the report to determine if any waste, fraud, abuse, unethical and improper practices, or wrongful conduct has taken place.

The Scout Executive, Council President, or Vice President for Governance will not be involved in the investigation if they are the target of the investigation or if they have a reporting or working relationship with the individual filing the complaint. The investigation will include a summary report of all the interview conversations and who was interviewed by whom.

### **Roles, Rights and Responsibilities of Whistleblowers, Investigation Participants, and Investigation Subjects.**

#### **Whistleblowers:**

- Should make their reports in confidence to the extent possible, within the limitations of the law and policy and the need to conduct a competent investigation.
- Confidentiality of the whistleblowers will be maintained to the extent possible. Whistleblowers are cautioned that their identity may be known for reasons outside the investigating individual.
- All employees and volunteers of the council have a duty to cooperate with investigations initiated under this policy.
- The motivation of the whistleblower is irrelevant for the consideration of the validity of the allegations. The Council recognizes that false or malicious allegations are possible. The intentional filing of a false report is itself considered an improper practice and the council has a right to act upon such action.
- A whistleblower will have a right to protection from retaliation. This does not extend immunity for any complicity in the matters that are the subject of the allegations or an ensuing investigation.

**Investigation Participants:**

- Employees or volunteers who are interviewed, asked to provide information, or otherwise participate in an investigation have a duty to fully cooperate with authorized investigators.
- Participants in an investigation are entitled protection from retaliation from having participated in an investigation.

**Investigation Subjects:**

- An investigation subject is a person who is the focus of an investigative fact-finding either by virtue of allegation made or evidence gathered during the course of an investigation. The decision to conduct an investigation is not an accusation; it is to be treated as a neutral fact-finding process. The outcome of the investigation may or may not support a conclusion that an improper act was committed, and if so, by whom.
- The identity of the subject will be maintained in confidence to the extent possible given the legitimate needs of laws and the investigation.
- Subjects should normally be informed of the allegations at the outset of a formal investigation and have the opportunity for input during the investigation.
- Subjects have a duty to cooperate with the investigation.
- Subjects have the right to be informed of the outcome of the investigation.

**Here is how we will follow up to report on our findings:**

The Council will provide the person filing a report with a summary of findings. The Council will provide the subject the outcome of the investigation.

When and as warranted, the Council will take prompt and appropriate corrective action to deal with the issue addressed, including making operational or personnel changes.

If any situation involves the need to contact law enforcement, the Council will contact the relevant and appropriate law enforcement organizations to deal with any suspected illegal or criminal activities.