



# Reporting of misconduct and wrongdoing at Veterans Affairs



# Reporting of misconduct and wrongdoing at Veterans Affairs (2024–25)

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#### Introduction

This report is part of our commitment to transparency and continuous improvement in workplace Culture.

#### **Message from the Deputy Minister**

As per the Clerk's taskings, we are pleased to present the 2024-2025 Annual Report on Misconduct and Wrongdoing. This report reflects our ongoing commitment to transparency, accountability, and ethical conduct across the Department.

Veterans Affairs is entrusted with serving those who have served our country. It is imperative that our workplace culture reflects the highest standards of professionalism, integrity, and respect. This report provides an overview of the disclosures, investigations, and outcomes related to misconduct and wrongdoing within our organization. The objective of this report is to reinforce confidence in the Department's

process for accountability, to empower employees to report concerns without fear of reprisal, and to demonstrate the measures undertaken to address any occurrences.

We encourage all staff to review the findings and resources outlined herein and to continue contributing to a culture of trust and ethical excellence. Together, we can foster a psychologically safe and respectful workplace.

Paul Ledwell

**Deputy Minister** 

#### **Departmental Context**

Veterans Affairs (VA) is dedicated to serving those who have served our country. VAC has 4220 employees, with it's head office in Charlottetown, PEI. VAC operates with a commitment to integrity, respect, and professionalism. This report reflects our values and our dedication to maintaining a safe and ethical workplace.

VA's portfolio consists of:

- The Department of Veterans Affairs Canada (VAC);
- The Office of the Veterans Ombud (OVO); and
- The Veterans Review and Appeal Board (VRAB).

This report incorporates reporting for the portfolio of Veterans Affairs.

Every employee and manager at VA contributes to the maintenance of a healthy, respectful, and safe workplace, free from harassment and discrimination. VAC's Code of Conduct and the VRAB Code of Conduct encourage employees to report misconduct or wrongdoing while safeguarding those who come forward.

#### **Definitions**

Misconduct: Willful action or serious neglect that violates workplace policies or standards.

Wrongdoing: Actions such as breaking laws, misusing public funds, or serious breaches of conduct.

Reprisal: Punitive actions taken against someone for reporting misconduct or wrongdoing.

Founded: Allegations that are substantiated through investigation.

Acted on: Allegations that were investigated or analyzed.

# **Reporting wrongdoing at Veterans Affairs**

#### **Public Servants Disclosure Protection Act**

The purpose of the <u>Public Servants Disclosure Protection Act (PSDPA)</u> is to encourage public servants to come forward when they believe that a wrongdoing has been, or is, about to be committed, or if they have been asked to commit a wrongdoing.

If you come forward with information on a wrongdoing, the Act will protect you from reprisal in the workplace.

Wrongdoing is any of the following:

- breaking laws or regulations;
- misusing public funds or assets;
- gross mismanagement;
- an act or omission that endangers the life, health and/or safety of Canadians or the environment, other than a danger that is inherent in the performance of the duties or functions of the public servant;
- a serious breach of the <u>Values and Ethics Code for the Public Sector</u> or organizational code of conduct(s); or
- directing or counselling a person to do any of these things.

VA employees should know that all complaints will be taken seriously, properly assessed and, if proven found, followed up with administrative and/or disciplinary actions in a timely fashion. No one should be afraid of reprisal or punishment for doing what is right, and they should know that their privacy will be respected and protected.

#### Reporting a reprisal

If you made a protected disclosure or participated as a witness in an investigation, you are safeguarded against reprisals. The Office of the Public Service Integrity Commissioner exclusively handles reprisal complaints. According to the *PSDPA*, you

must contact the office within 60 days of becoming aware of the reprisal. The Act allows for the filing of a complaint after this period if the commissioner deems it appropriate based on the circumstances of the complaint.

## Confidentiality

Confidentiality is a cornerstone of the disclosure process, essential for protecting individuals from workplace retaliation. During a disclosure or investigation, all parties involved must safeguard the identities of the individual making the disclosure and any witnesses. The Senior Officer of Disclosure (SOID) and the Office of the Public Sector Integrity Commissioner (PSIC) will keep all files separate and disclosure-related records will not be released under the <u>Access to Information Act</u> or the <u>Privacy Act</u>

In the next section, we outline how employees can report misconduct and wrongdoing.

# Process for reporting a wrongdoing

At VA, employees have three options to report a wrongdoing:

- 1. report it directly to your manager or supervisor; or
- 2. report it to the Senior Officer of Internal Disclosure (SOID) at

Telephone: 1-844-324-2423 (toll free)

Mailing Address: P.O. Box 802 Charlottetown, PE C1A 7L9

Encrypted email at: reportwrongdoing-

denonceractesreprehensibles@veterans.gc.ca.

3. Report it to the Office of the PSIC

Telephone: 613-941-6400 or 1-866-941-6400 (Toll Free)

Mailing Address:

60 Queen Street, 7th Floor Ottawa, Ontario K1P 5Y7

Online form: <a href="http://www.psic-ispc.gc.ca/">http://www.psic-ispc.gc.ca/</a>

You do not have to exhaust internal avenues before approaching the Public Sector Integrity Commissioner.

If there is an investigation, recommendations will be provided to the Deputy Minister or VRAB Chair. Parties will be advised of the results and actions taken.

#### **Misconduct at Veterans Affairs**

Misconduct is a willful action or serious neglect of duties that is contrary to any applicable policy, rule, standard, or code governing conduct, either explicit or implicit.

VA follows the <u>TBS Guidelines for Discipline Treasury Board Secretariat (TBS)</u>
<u>Guidelines for Discipline</u> which set standards for employee conduct and outlines disciplinary measures, including suspension and termination for misconduct. The <u>VAC Disciplinary Guidelines</u> should be read alongside the TBS guidelines. Discipline is intended to uphold ethical behaviour, reinforce that misconduct is unacceptable, correct improper actions, and, in severe cases, result in termination of employment.

#### **Process for reporting misconduct**

If you believe misconduct occurred, it should be reported to the delegated manager of whomever has been alleged to have committed the wrongdoing.

The delegated manager must ensure a preliminary fact-finding inquiry is conducted by the appropriate authority.

If the fact-finding inquiry results in apparent misconduct, the person undertaking the inquiry must:

- Determine the facts of the alleged incident;
- Identify the possible parties involved;
- Identify any witnesses;
- Gather readily available factual documentation; and
- Determine if misconduct is apparent.

If misconduct seems likely, the delegated manager should meet with the employee to review the facts and decide if a formal investigation is needed.

Please review the <u>roles and responsibilities</u> of employees, managers, labour relations strategy advisors, Corporate Labour Relations, and Security in managing misconduct at VA.

# Misconduct and wrongdoing findings

# Findings of wrongdoing

For this report, "disclosure" refers to the information provided by a public servant or group of public servants to their immediate supervisor or SOID about possible

wrongdoing in the public sector, in accordance with section 12 of the PSDPA. A single disclosure may contain multiple allegations.

"Founded" indicates that, based on the evidence reviewed, the allegations were substantiated, and that a wrongdoing did occur.

Fiscal Year	Disclosures received	Allegations	Founded cases
2024–25	2	4	0
*carried forward to 2024–25	3	4	
Total	5	8	0
Carried forward to 2025–26	0	0	0

The four allegations in 2024–25 include:

- Two (2) breaking federal or provincial law or of any regulations made under any such act, other than a contravention of section 19 of the PSDPA;
- One (1) misuse of public funds; and
- One (1) serious breach of a code of conduct established under <u>section 5 or 6</u> of the PSDPA.

The four allegations carried forward include:

- One (1) misuse of public funds; and
- Three (3) serious breaches of a code of conduct established under <u>section 5</u> or 6 of the PSDPA.

## **Outcomes for wrongdoing**

For the purpose of this report, "acted on" refers to taking any action to determine whether a wrongdoing has occurred, including preliminary analysis (fact-finding) or an initial investigation. It also means that the conclusion of the disclosure was made during the reporting period.

"Not acted on" refers to any rejection of the allegations of a wrongdoing after the disclosure is received because there are more appropriate recourse mechanisms to deal with them, because they did not meet the definition of "wrongdoing" in **section 8** of the PSDPA, or for any other reason.

The outcomes for 2024–25 (including four allegations that were carried forward from 2023–24):

- One allegation of possible wrongdoing was analyzed. After reviewing the facts, it was found that no wrongdoing had occurred.
- Seven (7) allegations were not acted on, but the outcomes are reported below:
  - Three (3) allegations were referred to the grievance process, provided for under the Federal Public Service Labour Relations Act:
  - Two (2) allegations did not meet the definition of wrongdoing and were not referred to an official recourse process. Instead, recommendations were made which included speaking to management and stakeholders and utilizing the Informal Conflict Management System;
  - One (1) allegation resulted in an internal fact-finding with a report to senior management. Training/coaching was recommended; and
  - One (1) allegation resulted in discussion with management, and the issue was resolved informally.

#### **Findings of misconduct**

**Disciplinary measures** ensure ethical behaviours and good conduct; to highlight that misconduct is unacceptable; to correct any unacceptable behaviour; and, in very serious cases, to terminate employment.

**Administrative measures** may include placing an employee on administrative leave without pay, training, review of security status, temporarily removing human resources and/or financial delegation, or other measures as appropriate and depending on the situation

You can learn more about disciplinary guidelines on VAC@work.

Fiscal year	Number of	Decision**				
	Disciplinary processes initiated	None	Administrative measure	Written reprimand	Suspensions	Termination
2024–25	43*	3	10	10	13	2
carried	5**					
forward to 2025–26						

<sup>\*</sup>Four of the 43 disciplinary processes in 2024-2025 were carried over from 2023-2024

For anonymity, the nature of the allegations dealt with in these disciplinary processes is described generically. The allegations include:

- Misuse of a government travel card;
- Fraudulent activities such as falsifying an email, attendance management\* and inappropriate use of work time;
- Breach of the Values and Ethics Code of Conduct;
- Insubordination and not following management direction; and
- Inappropriate behavior such as neglect of duties, client complaints, and disconnecting/avoiding phone calls.

#### **Outcomes for misconduct**

The outcomes include:

- Three (3) allegations that were unsubstantiated;
- Ten (10) allegations required administrative measures;
- Ten (10) written reprimands;
- Thirteen (13) suspensions; and
- Two (2) terminations for misconduct.

# **Lessons learned and next steps**

VAC continues to refine its processes for handling misconduct and wrongdoing. Key lessons include the importance of timely investigations, clear communication, and

<sup>\*\*</sup>When both an administrative measure and a disciplinary sanction is given, the case is counted under both categories.

<sup>\*</sup> any file where absenteeism is a discipline (so within the powers of the employee to change behaviour) such as late arrivals, patterns of absences and so forth.

support for employees. Next steps include enhancing training, improving reporting mechanisms, and increasing awareness of available resources.

#### Conclusion

VA's priority will continue to be awareness and prevention.

Every employee plays a role in fostering accountability. If you witness wrongdoing and/or misconduct, speak up through the proper channels. Together, we can build trust and create an ethical work culture.

# Annex A- Resources for employees and managers overview

The following resources are available to employees and managers:

- Employee Assistance Program (EAP): 24/7 mental health support.
- Informal Conflict Management Services (ICMS): Conflict resolution and mediation.
- Specialized Operational Services (SOS): Organizational problem-solving support.
- Safe Workplace Centre of Expertise: Serves as a confidential resource for employees seeking guidance on workplace issues, including misconduct and wrongdoing. It complements formal reporting mechanisms and promotes early resolution.
- Office of the Public Sector Integrity Commissioner (PSIC): Independent oversight and reprisal protection.
- Bargaining Agents: Advice and representation for employees.