

DIocese of Buffalo - Whistleblower Policy

The Whistleblower Policy is intended to encourage Trustees, officers (including administrative officers), committee members, employees, and volunteers to report, without the fear of intimidation, harassment, discrimination, retaliation, or adverse employment consequences, any action or suspected action that is potentially illegal, fraudulent, or is in violation of any adopted policy of the Corporation. This policy also applies to the Diocese's Code of Conduct and the [Diocesan Policy and Procedure for the Protection of Children, Young People and Vulnerable Adults](#), but any complaint regarding abuse in violation of those policies should be directed to the Diocesan Victim Assistance Coordinator at 716-895-3010.

The Diocese has implemented a fraud reporting system which includes a toll-free hotline and a web-site through the independent, third-party company EthicsPoint. This confidential reporting system, available in both English and Spanish, allows employees, volunteers, parishioners, vendors and other interested parties to report concerns regarding a range of suspected unethical behavior by trustees, officers, directors, employees, volunteers, staff, agents or contractors of the Diocese. Reports may be filed confidentially through EthicsPoint by choosing the "Report Fraud" link on the left-hand column of www.buffalodiocese.org, or via one of EthicsPoint's trained specialists at 1-844-573-4177. All reports will be taken seriously, promptly investigated, and when requested, anonymity is provided.

Alternatively, an employee or volunteer should promptly report the suspected or actual violation to his/her supervisor who, in turn, must notify the Vicar General or the Moderator of the Curia. If the employee or volunteer is uncomfortable or otherwise reluctant to report to his/her supervisor, then the suspected or actual violation can be reported to the next highest level of management who, in turn, must notify the Vicar General or the Moderator of the Curia. The individual can always notify the Vicar General or the Moderator of the Curia directly. Trustees and officers should promptly report the suspected or actual violation directly to the Vicar General or the Moderator of the Curia. The individual must report the suspected or actual violation in writing on the Whistleblower Reporting Form. (Appendix D) and should include his/her identity to facilitate proper and prompt investigation allowing the Diocese to obtain any additional information or clarification needed. Alternatively, an individual can elect to submit an anonymous complaint delineating the facts of a suspected violation including the name of the alleged offender(s), date of the incident(s), description of the incident(s), and names of witnesses to the incident(s). Anonymous complaints may not permit as thorough an investigation as would otherwise be permitted by additional follow up.

Appropriate resolution of the complaints and effective remedial action oftentimes is possible only when suspected violations are promptly filed.

In consultation with the chairperson of the Audit and Compliance Committee of the Board of Trustees ("Audit and Compliance Committee"), the Vicar General or the Moderator of the Curia shall promptly conduct an appropriate investigation

of any report. If the investigation establishes that a violation of law, external regulation, or any adopted policy of the Corporation has occurred, then the Audit and Compliance Committee shall determine the appropriate action based upon law and corporate policy, up to and including civil or criminal prosecution. Directors who are employees may not participate in any committee deliberations or voting related to administration of this whistleblower policy.

The subject of a whistleblower complaint shall not be present at or participate in committee deliberations relating to such a complaint. The subject of a whistleblower complaint shall not vote on the matter relating to such complaint. Nothing in this paragraph shall prohibit the committee from requesting that the person who is the subject of the complaint present information as background, or answer questions at a committee or board meeting prior to the commencement of deliberations or voting relating thereto.

Reports will be kept confidential to the extent possible consistent with the need to conduct an adequate investigation and prevent or correct suspected violation(s). The Vicar General or the Moderator of the Curia shall disclose information relating to a report with those who have a need to know so that he can conduct an effective investigation and determine what action to take based on the results of any such investigation. Complaints will be kept as confidential as possible as is consistent with a thorough investigation and applicable laws. To the extent complaints made under this policy implicate criminal conduct the Diocese may be required to contact and cooperate with appropriate law enforcement authorities.

No Trustee, officer (including administrative officers), committee member, employee, or volunteer of the Corporation who in good faith reports any action or suspected action that is illegal, fraudulent, or in violation of any adopted policy of the Corporation shall suffer intimidation, harassment, discrimination, retaliation, or, in the case of employees, adverse employment consequence.

Any individual who files a report concerning a suspected or actual violation must do so in good faith. The Corporation will impose appropriate discipline against any person found to have knowingly made a report in bad faith, up to and including termination of employment, or other legal means, in order to protect the reputation of the Corporation and members of its staff.

Anyone who retaliates against any individual who has made a report in good faith will be subject to disciplinary action up to and including termination of employment or in the case of a non-employee up to and including termination of the existing relationship.

A copy of this policy shall be posted on the Diocese's website or at the Catholic Center in a conspicuous location accessible to employees and volunteers.