

Procedure for disclosure to the Code of Conduct Advisor

Attachment 3A to Director and Employee Code of Conduct

The following document has been issued by the Code of Conduct Advisor to provide information to the Directors and Employees of BC Hydro and its subsidiaries on how the Code of Conduct Advisor will, in most cases, address the reporting or disclosure of a breach or possible breach of the Code of Conduct.

In this document,

“Advisor” means the Code of Conduct Advisor;

“BC Hydro” includes each of its subsidiaries;

“Code” means the BC Hydro Director and Employee Code of Conduct;

“disclosing person” means a person who is reporting or disclosing circumstances which the person believes are a breach or possible breach of the Code.

Caution

At the earliest opportunity, the Advisor will advise a disclosing person of the confidentiality/privacy policies set out in this document.

Encouragement to report to management

If the Advisor is of the opinion that the circumstances related are a breach or possible breach of the Code, the Advisor will encourage the disclosing person:

1. who is an Employee, to report the circumstances to his or her manager or another member of management in whom the Employee has confidence, or
2. who is a Director, to report the circumstances to the Chair of the board of directors of which the Director is a member.

If the disclosing person is reluctant to report the circumstances, the Advisor will offer to provide assistance in making this report by attending with the person, by reporting the circumstances on that person's behalf or by any other means the Advisor considers to be appropriate in the circumstances.

Employee concern about reprisals

If the disclosing person is an Employee and is concerned about possible reprisals for reporting the circumstances to management, the Advisor will offer to monitor the circumstances and will report these concerns to the Vice-President, Human Resources on a confidential basis.

Advisor conclusion on potential harm

If the disclosing person has indicated an intention *not* to report the circumstances to management or the Chair, the Advisor:

1. will record the advice and offers of assistance given and provide a copy to the disclosing person, and
2. will assess whether the disclosed circumstances are likely to cause serious harm to a member of the public or to BC Hydro or its Employees.

For these purposes “serious harm” includes physical injury, significant financial loss, significant damage to or loss of property and loss of commercial reputation.

No serious harm

If the Advisor concludes that the disclosed circumstances are not likely to cause serious harm, both the fact of the disclosure and the Advisor’s advice to the disclosing person will be kept confidential.

The Advisor will not take any further steps in respect of the specific disclosure but may refer to the circumstances in a general way in any subsequent reports given to the Chair of BC Hydro or to its Board of Directors.

Serious harm

If the Advisor concludes that the disclosed circumstances are likely to cause serious harm, the Advisor will advise the disclosing person of this conclusion and whether the Advisor intends to discuss the disclosed circumstances with a manager or the Chair.

If the Advisor discusses these disclosed circumstances with a manager and is not satisfied that the disclosure will be or has been dealt with appropriately, the Advisor may make a report to the Chair.

If the Advisor believes that these disclosed circumstances affect more than one operation or business unit of BC Hydro or is a matter of more general concern, the Advisor may make a report to the Chair.

Protection of privacy

If the Advisor discusses these disclosed circumstances with a manager or the Chair, the Advisor, the manager and the Chair will make reasonable efforts to protect the privacy of the disclosing person. However, this privacy may not be protected if:

1. the disclosing person has reported his or her own breach of the Code to the Advisor and, contrary to the specific advice of the Advisor, has refused to report the circumstances to a manager or the Chair, or
2. the disclosing person appears to have deliberately misrepresented the disclosed circumstances.

Investigation

The Advisor may recommend to the Chair that an investigation be conducted into these disclosed circumstances.

Opportunity to respond

If it has been alleged that a person has breached or may have breached the Code and these circumstances have been reported to management, the person, in respect of whom the allegations have been made, should be informed of the allegations and given the opportunity:

1. to respond to them, and
2. where appropriate, to contribute to the discussions on how the breach could be remedied.

Disciplinary action

If these allegations lead to disciplinary action, the procedures currently in place at BC Hydro respecting disputed disciplinary action apply.