

DST POLICIES AND PROCEDURES

DST Reference:	OST-POL-5018-ALL
Title:	Ethics and Conduct Policy (Tier 1 Policy)
Chapter:	Legal
Current Effective Date:	January 26, 2022
Original Effective Date:	November 15, 2019

Ethics and Conduct Policy (Tier 1) FAQs

1. What is meant by an appearance of a Conflict of Interest?

An appearance of a Conflict of Interest exists if a reasonable person could conclude from the circumstances that the Employee's ability to protect the public interest, or perform public duties in an impartial and objective manner, is compromised by a personal interest.

2. What is meant by a potential Conflict of Interest?

A potential Conflict of Interest arises when there is a reasonable possibility of an Employee's personal or familial interest directly or indirectly influencing the DST Employee's performance of their public or fiduciary duties.

3. When should a report be made to the Ethics and Conduct Hotline?

A report should be made to the Hotline when an Employee reasonably believes improper governmental activity has occurred or is occurring within the Department and under the circumstances, reporting that belief to the Employee's supervisor or other appropriate administrator is not a viable option.

Improper activities within the Department, whether by an Employee or other individual, include:

- Violation of State or federal law, rule, or regulation;
- Violation of DST or other applicable policy;
- Fraud, waste, or abuse;
- Misappropriation or misuse of State property and resources;
- Performance of a job-related act that is a substantial and specific danger to the public health and safety; or
- Gross mismanagement, gross waste of monies, or gross abuse of authority.

4. What should be reported to the Ethics and Conduct Hotline?

Employees should provide as much information as they can when reporting to the Hotline. This includes, if known, the names of Employees or persons involved, a description of the conduct and circumstances being reported, dates of occurrence, divisions impacted, the location of any supporting information, and the names of staff who may have additional information.

The reporting Employee shall act in good faith to report concerns that the Employee believes to be true. No report should contain allegations that are unfounded or made recklessly, maliciously, or with the foreknowledge that the allegations are false.

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5. How do I make a report?

A report can be filed by:

- (i) Calling the Hotline phone number at 919-431-1600 (may remain anonymous);
- (ii) Submitting an electronic report using the [Ethics and Conduct Hotline Report Form](#) online (may remain anonymous);
- (iii) Submitting written information directly to the Compliance Officer or Director of Internal Audit electronically or by hard copy; or
- (iv) Meeting with the Compliance Officer or Director of Internal Audit.

6. Do I have to give my name and contact information to file a report?

No, reports to the Hotline may be made anonymously without providing your name or contact information. Phone calls to the Hotline do not show a name or phone number and cannot be traced to the caller, whether the call is placed internally or externally. Remember that making a report anonymously will limit our ability to contact you for additional information if necessary, as part of the investigation.

7. Will my name be kept confidential if I provide it with a report?

Information provided with reports and information obtained during the investigation will be kept confidential to the extent permitted by applicable law. Information will be shared with other DST Employees only on a “need to know basis.”

8. What constitutes “evidence” of improper conduct?

Information that could lead to improper conduct being uncovered. Having tangible evidence (e.g., supporting documents) is not necessary before making a report. You do not have to be certain that improper conduct is occurring; rather, you must act in good faith in reporting concerns that you believe to be true.

9. What if I’m not sure there has been a violation?

You do not have to be certain that improper conduct is occurring or has occurred. Rather, you must act in good faith in reporting concerns you believe to be true based upon information you have received. No report should contain allegations that are unfounded or made recklessly, maliciously, or with the foreknowledge that the allegations were false.

10. Should violations of DST policies be reported (even if not necessarily violations of state or federal law, rule, or regulation)?

Yes, if you believe violations of DST policies are occurring, you are encouraged to report this information to the Hotline for further investigation.

11. Will I be notified if a report alleges I have committed improper conduct?

No, you will not be formally notified that a report has been filed alleging improper conduct by you. As part of the investigation, however, the Compliance Officer may speak to you to get additional information.

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12. Will other DST personnel receive information about a report that is filed?

Certain types of reports may be assigned to specific DST division subject matter experts, as appropriate, for review because they may be in a better position to address the matter. Report types that may be assigned include:

- Personnel or employment-related matters (assigned to HR Director)
- Safety issues (assigned to Building and Facilities Coordinator)
- Inappropriate release of protected health information (“PHI”) (assigned to SHP HIPAA Privacy Officer)
- Information technology breaches or cyberattack (assigned to IT Information Security Officer)

As part of the investigation, the Compliance Officer may enlist the assistance of other appropriate parties based on their oversight, responsibility, or expertise.

If a report is substantiated, the Compliance Officer will work with other appropriate personnel, including the General Counsel, the Director of Human Resources, and Director of Internal Audit and the appropriate supervisor, to determine any appropriate corrective action.

13. Will my supervisor be notified if a report is filed against me or by me?

No, your supervisor will not be notified regarding reports filed against you or by you. If the investigation substantiates a report of improper conduct by you, the Compliance Officer will work with other appropriate personnel, which may include your supervisor, to determine the appropriate corrective action. To the extent permitted or required by law, all reports of alleged improper activities will be handled in a confidential manner.

14. Will I be a protected whistleblower if I make a report to the Hotline?

North Carolina has whistleblower provisions found within the N.C. Human Resources Act (N.C. Gen. Stat. §§ 126-84 to 126-87). That Act outlines when whistleblower protection may attach. Some Hotline reports may fall within those provisions and some may not.

15. What if I’m retaliated against for filing a report?

The Policy prohibits retaliation and provides that “Employees shall be free from intimidation and harassment . . . [and] shall be protected from discrimination and retaliation when taking action under this Policy.” After making a report to the Hotline, if you believe retaliatory actions are occurring against you, please report this conduct to the Hotline or to another responsible party for further investigation.

16. What happens if a report is substantiated?

If a report is substantiated, responsive action shall be taken in the form of enhanced controls, additional education, or other appropriate measures, including notification to outside authorities. An Employee found to have violated any laws, regulations, or policies shall face appropriate, case-specific disciplinary action.