

Public Interest Disclosure Act (PIDA) Managers/supervisor responsibilities

May 2023

Effective June 1, 2023, [the Public Interest Disclosure Act \(PIDA\)](#) will apply to all B.C. health authorities. Under this legislation, managers and supervisors with direct reports have specific responsibilities.

What is PIDA?

PIDA is B.C.'s whistleblower protection legislation for current and former employees (including medical staff) of public sector organizations, which include health authorities. PIDA provides mechanisms for investigating allegations of serious or systemic wrongdoing and for addressing any wrongdoing that may be found.

PIDA also provides legal protections relating to the identity of the reporting employee, as well as protections against reprisal for any employees who speak up about wrongdoing. Reprisal can include demotion, disciplinary measures, termination of employment or any measure that adversely affects an employee's employment or working conditions.

Note that our Whistleblower policy is still in place and can be used for wrongdoing that does not meet the criteria of a report under PIDA. We always encourage staff to report any wrongdoing.

Please refer to the Frequently Asked Questions document (available on <https://one.vch.ca/pida>) for additional information.

The role of managers/supervisors

You have specific legal duties under PIDA in your role as manager/supervisor.

Under PIDA, your employees can come to you to:

- request advice relating to PIDA
- report wrongdoing (also called "making a disclosure")

The guidelines below outline what to do when an employee seeks assistance.

If you are unsure of what to do, please contact Vancouver Coastal Health's Designated Officer (see Contacts section below).



Guidelines

General:

- An employee can choose to remain anonymous with respect to their PIDA discussions.
- Where the employee chooses to share their identity for the purposes of the discussion, keep the identity confidential (see below).
- Hold conversations about PIDA matters with the employee in a private area. Keep written and electronic files in a secure place where only you are able to access them.
- Provide the employee with information about the different options available to them for reporting wrongdoings (e.g., report directly to VCH's Designated Officer, Director – Corporate Governance, or the B.C. Ombudsperson, or through other channels available to VCH staff such as the Whistleblower/Safe Reporting and Respectful Workplace policies).
- Remind the employee about the legal protections they have if they choose to report the wrongdoing under PIDA (e.g., their identity is protected and they can file a complaint with the B.C. Ombudsperson if they experience or are threatened with any reprisal).
- Do not share any PIDA reports or discussions from your employees with your own manager/supervisor.

Requests for advice:

- Keep the identity of the employee confidential (including from the Designated Officer or Director – Corporate Governance).
- Document all requests for advice and maintain a record of the response given to the employee. Keep these records secure and separate from the employee's personnel file.
- Where relevant, provide general information about what constitutes wrongdoing (see Frequently Asked Questions document on <https://one.vch.ca/pida>).
- If an employee is considering making a report of wrongdoing publicly, advise the employee that there are specific protocols that must be followed prior to taking such action and that the employee may not be protected by PIDA if such protocols are not followed. Seek advice from the Designated Officer or Director – Corporate Governance on the protocols that need to be followed.
- When asked about requests for advice about reprisal complaints, advise that only the B.C. Ombudsperson can investigate these and provide contact details (see Contacts section below).

Reports of wrongdoing:



- Make the employee aware that reports of wrongdoing will be immediately sent to the Designated Officer or VCH's Director – Corporate Governance (and no one else).
- **If an employee who reports wrongdoing consents to sharing their identity**, only share the identity with the Designated Officer or Director – Corporate Governance. Do not share with anyone else.
- PIDA allows for anonymous reports. Even if you are unsure whether an anonymous report is from a current or former employee, provide it to the Designated Officer or Director – Corporate Governance.
- Assure the employee that their concerns will be taken seriously but **do not give an opinion on whether the concerns constitute wrongdoing or promise that the wrongdoing will be investigated** (it is the job of the Designated Officer to assess the wrongdoing against PIDA's criteria and whether an investigation will be conducted).
- Even if you feel a report of wrongdoing is incomplete, still provide it to the Designated Officer or Director – Corporate Governance (the Designated Officer will gather further information if needed).

Additional resources

Visit <https://one.vch.ca/pida> for more resources, including:

- PIDA policy
- PIDA procedures
- PIDA Frequently Asked Questions
- PIDA information for all staff

B.C. Ombudsperson:

- [Public Interest Disclosure Resources](#)
- [Online Training and Webinars](#)

Contacts

Designated Officers at VCH

VCH has appointed the following two (2) Designated Officer(s) under PIDA to receive requests for advice, and receive and investigate reports of wrongdoing.

- **Jennifer Jackson**
Title: General Counsel
Email: jennifer.jackson1@vch.ca



Work contact number: (604) 790-5274

- **Nitin Khare**
Title: Executive Director Internal Audit & Enterprise Risk
Email: nitin.khare@vch.ca
Work contact number: (604) 875-4448

Director – Corporate Governance

VCH has appointed the above role to receive request for advice and disclosures.

- Email: PIDA@vch.ca

B.C. Ombudsperson

- Email: report@bcombudsperson.ca
- Phone: 1-800-567-3247

