



Public Interest Disclosure Act - Frequently Asked Questions (FAQs)

1. What is PIDA?

- PIDA is [B.C.'s Public Interest Disclosure Act](#), whistleblower protection legislation which applies to health authorities (including Providence Health Care) effective June 1, 2023. It provides legal confidentiality and reprisal protections to current and former employees (including medical staff) of public sector organizations who speak up about serious or systemic wrongdoing within their organization.

2. What is wrongdoing under PIDA?

- Wrongdoing is defined specifically under PIDA to mean:
 - A **serious** act or omission that, if proven, would constitute an offence under the laws of B.C. or Canada;
 - An act or omission that creates a **substantial and specific danger** to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee's duties or functions;
 - A **serious** misuse of public funds or public assets;
 - **Gross or systemic** mismanagement; or
 - Knowingly directing or counselling a person to commit any of the wrongdoing described above.

3. What specific confidentiality and reprisal legal protections does PIDA provide?

- It requires the identity of an employee who reports wrongdoing or seeks advice about PIDA to be kept confidential.
- It prohibits reprisal against an employee who reports wrongdoing, asks for advice about reporting wrongdoing or making a reprisal complaint, or cooperates with an investigation.
- Contractors who cooperate with a PIDA investigation are also protected from reprisal.

4. Who can report wrongdoing under PIDA?

- Current and former employees (including medical staff) of PHC, regardless of whether they are (or were) permanent, temporary, casual, part-time or full-time.
- Former employees can only report wrongdoing that they discovered, or that occurred, while they were employed by PHC.
- If you are not captured under PIDA, or your concern does not reach the threshold of "public interest", consider making the report under your PHC's Whistleblower/Safe Reporting, Respectful Workplace, or other available complaints processes.

5. Who can provide advice to employees under PIDA?

- An employee who is considering reporting wrongdoing or making a reprisal complaint may request and receive advice from:
 - Their leader/supervisor;
 - A PHC Designated Officer(s);
 - The B.C. Ombudsperson;
 - Their union or employee association representative; or
 - Their lawyer (at their own expense).



6. What are some examples in PHC that likely constitute wrongdoing under PIDA?

- Sizable theft of PHC assets or property
- Financial or other fraud
- Ongoing use of faulty medical equipment
- Ongoing mistreatment of patients or clients
- Awarding contracts for personal financial gain
- Practices causing ongoing health and safety violations
- Approval of dangerous medicines or procedures in exchange for funding.

7. What are some examples in PHC that likely do not constitute wrongdoing under PIDA?

- A medical error
- A single discriminatory comment
- An isolated incident of an employee stealing an asset that is worth an insignificant amount from PHC
- Concerns about the quality of patient care provided to an individual
- A single act of rude or abrasive behavior.

Note: There are other established processes within PHC to address these issues (e.g. Respect at Work, Patient Care Quality Office, Safe Reporting).

8. How can reports of wrongdoing be made under PIDA?

- All reports of wrongdoing must be in writing and may be submitted by employees to:
 - Their immediate leader/supervisor; or
 - PHC's Designated Officer; or
 - The B.C. Ombudsperson.

If a report cannot be made in writing, contact the above noted persons for further assistance.

- Reports of wrongdoing must be in writing and can be submitted confidentially using [PHC's online reporting form](#). You can also contact your leader/supervisor or PHC's Designated Officer to make a report of wrongdoing, or contact the B.C. Ombudsperson.

9. Can wrongdoing under PIDA be reported anonymously?

- Yes, wrongdoing can be reported anonymously. However, the anonymous reporter may be asked to provide certain information to determine if they are an employee or former employee.
- People who submit anonymous reports may not receive information about the conduct of any investigation into the wrongdoing, including notice of the investigation or results.

10. What responsibilities do leaders/supervisors have under PIDA?

- Leaders/supervisors are responsible for:
 - Reviewing [PHC's PIDA policy](#) and procedures;
 - Providing and documenting advice to employees about reporting wrongdoing or making a complaint about a reprisal;
 - Receiving reports of wrongdoing; and



- Providing reports of wrongdoing to the PHC Designated Officer as soon as they are received.
- Leaders/supervisors must also maintain confidentiality by protecting the identity of employees who report wrongdoing or seek advice and must only share personal (identifiable) information in the limited circumstances set out in PHC's PIDA policy and procedures.

11. What happens after a wrongdoing is reported?

- The PHC Designated Officer will assess:
 - the report of wrongdoing to determine whether it is eligible for investigation under PIDA, and, if so, whether an investigation should proceed; and
 - the reprisal risk against the employee and any necessary action to be taken to protect the employee.
- The employee will be notified of whether the reported wrongdoing will be investigated and may be contacted to provide further details to ensure that sufficient information is available for the investigation.
- At the conclusion of any investigation, the employee will be notified of the outcome.

12. In urgent situations, how can employees disclose wrongdoing under PIDA?

- Under PIDA, where there is an *imminent* risk of a substantial and specific danger to the life, health, or safety of persons, or to the environment, an employee may make a public report (e.g., to the media) if they have **first** obtained the consent of (depending on the nature of the wrongdoing) the Provincial Health Officer, Emergency Management B.C. or the police.
- After making such a public report, the employee must also report the wrongdoing through the regular process (i.e. to their leader/supervisor, PHC Designated Officer, or the B.C. Ombudsperson).

13. What do you do if you feel you are being treated differently after seeking advice, reporting a wrongdoing or cooperating with an investigation under PIDA?

- Reprisal is when you experience retaliation or repercussions for seeking advice about making a report, reporting wrongdoing or cooperating with an investigation under PIDA.
- Reprisal complaints related to PIDA can only be made through [the B.C. Ombudsperson](#).
- All reprisal complaints are handled independently by the B.C. Ombudsperson.

14. How does PIDA relate to other reporting mechanisms in PHC?

- PIDA is one of many mechanisms for reporting wrongdoing, and does not replace any other established processes, such as [Safe Reporting](#) or [Respect at Work](#).
- PIDA is an additional, optional pathway for employees to report **serious** or **systemic** wrongdoing within PHC that is in the public interest. Of note, PIDA expressly imposes *legal* requirements to protect the identity of employees, as well as prohibit any reprisal consequences.

15. What other education or training is available on PIDA?

- The B.C. Ombudsperson offers a range of education and training resources on its website relating to PIDA ([PIDA Resources](#)) including tip sheets, checklists, toolkits and the training set out below:
 - For employees: the [Speaking up Safely](#) online course.



- For leaders/supervisors: the [PIDA: Supervisor Responsibilities](#) webinar.