

Public Interest Disclosure Act (PIDA) Information for staff and medical staff

May 2023

Effective June 1, 2023, the [Public Interest Disclosure Act \(PIDA\)](#) will apply to all B.C. health authorities, which aligns with VCH's culture of living our shared values - caring for everyone, always learning and striving for better results. It also supports the safety and well-being of our patients, clients, communities and colleagues.

What is PIDA and what does it cover?

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 structured mechanisms for investigating allegations of serious or systemic wrongdoing and for addressing any wrongdoing that may be found. PIDA also provides legal requirements to protect the identity of employees and prohibits any reprisal consequences.

Not all misconduct is wrongdoing under PIDA.

Wrongdoing is defined as:

- A **serious** act or omission that, if proven, would constitute an offence under an enactment 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 (i.e., mismanagement of funding, services or people in a way that is highly inappropriate, irresponsible or reckless, or mismanagement that is broad, longstanding, recurrent or inherent to a public sector organization's culture and practices).
- Knowingly directing or counselling a person to commit any of the wrongdoing described above, whether or not the person commits the act or omission.

You can report wrongdoing that has happened in the past, is currently taking place or is about to happen. (Former employees can only report wrongdoing that they discovered, or that occurred, while they were employed).



You can (and should) report wrongdoing even if you are not sure that it meets the definition of wrongdoing under PIDA. There is no penalty if a report does not qualify as wrongdoing.

Please note that a situation must meet specific criteria to count as serious wrongdoing under PIDA. Our Whistleblower policy is still in effect for allegations that may not meet these criteria. We encourage reports of any wrongdoing. In addition, our other reporting mechanisms are also available for raising issues (please see question on “other options” below). We encourage you to explore these other options and/or speak with your manager if your concern does not constitute wrongdoing under PIDA.

What do I do if I want advice about PIDA?

If you are considering reporting wrongdoing or making a reprisal complaint, you may request advice from:

- Your manager/supervisor (this option does not apply to physicians and resident physicians because they do not have a VCH Supervisor)
- VCH’s Designated Officers (see below)
- VCH’s Director – Corporate Governance (see below)
- The B.C. Ombudsperson (see below)
- Your union or employee association representative
- Your own lawyer (at your own expense)

How do I report wrongdoing under PIDA?

Eligible employees can request advice or make a disclosure by:

- **Report online** from any computer or mobile device. (Reporting available on <https://one.vch.ca/pida>)

If you are not sure whether your complaint falls under PIDA or any other reporting channel:

- **Report online** through the generic disclosure form. (Reporting available on <https://one.vch.ca/pida>)

Reports may also be submitted in writing through:

- Your manager/supervisor
- VCH’s Designated Officer (see below)
- VCH’s Director – Corporate Governance (see below)
- The B.C. Ombudsperson (see below)

Physicians and resident physicians must report Wrongdoing to a VCH Designated Officer, Director – Corporate Governance or the Ombudsperson (because they do not have a VCH Supervisor).



You can request advice or make a report anonymously if you wish.

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

You can read more about making a report in the VCH PIDA Policy (available on <https://one.vch.ca/pida>).

What other options are there for making workplace complaints?

PIDA supplements the Whistleblower/Safe Reporting, Respectful Workplace and other existing reporting options and associated policies at VCH. It will provide an additional, optional channel through which reports relating to serious or systemic wrongdoing can be made. Of note, PIDA expressly imposes legal requirements to protect the identity of employees, as well as prohibit any reprisal consequences.

An individual workplace complaint may not qualify as wrongdoing under PIDA. Harassment, bullying, discrimination, racism, and other forms of disrespectful behaviour are covered by the [VCH Respectful Workplace & Human Right Policy](#). We encourage you to speak with your manager or supervisor if you have a workplace concern. Report a workplace complaint [here](#).

How am I protected under PIDA?

PIDA protects your identity if you ask for advice or report wrongdoing. PIDA also protects you from reprisal, including threats of reprisal, as a result of doing these things.

Reprisal can include demotion, disciplinary measures, termination of employment or any measure that adversely affects your employment or working conditions.

What happens after I make a report of wrongdoing?

VCH's Designated Officer will determine if the report meets the criteria under PIDA for investigation. If you have chosen to disclose your identity, you may be asked for further details about your report.

If the Designated Officer determines that the report meets the PIDA criteria, an investigation will be conducted and, at the conclusion, you will be provided with a summary of the outcome. People who submit anonymous reports may not receive information about the conduct of any investigation into the wrongdoing, including notice of the investigation and results.

What if I experience reprisal as a result of asking for advice or making a report?

Only the B.C. Ombudsperson can investigate reprisal complaints under PIDA. Reprisal complaints can only be made through the B.C. Ombudsperson.



Visit the [How to report reprisal webpage](#) for more information. Alternatively, contact the B.C. Ombudsperson at report@bcombudsperson.ca or 1-800-567-3247.

Additional resources

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

- PIDA policy
- PIDA Frequently Asked Questions

B.C. Ombudsperson:

- [General information](#)
- [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

