



## FAQ's For Employees and Supervisors

### Introduction

Integrity and ethics have always been important to the BC Public Service. The Oath of Employment, Standards of Conduct and Corporate Values are an integral part of the BC Public Service culture. The Standards of Conduct articulate employees' obligation to disclose misconduct and wrongdoing. Implementation of the Public Interest Disclosure Act provides an additional mechanism for disclosure and reprisal protection for cases of serious wrongdoing.

### What is the Public Interest Disclosure Act (PIDA)?

PIDA is B.C. legislation that provides a framework for employees to report specific kinds of serious wrongdoing with legislated protection from reprisal. PIDA is effective for employees of government ministries as of December 1, 2019.

### What is “wrongdoing”?

PIDA deals with the following specific types of wrongdoing:

- 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 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 of public assets;
- Gross or systemic mismanagement; or
- Knowingly directing or counselling a person to commit wrongdoing as described above.

Not all wrongdoing is wrongdoing under PIDA. If the wrongdoing the employee wishes to report doesn't fit on the list, they still need to speak up through another process. Refer to the [Standards of Conduct](#) for guidance.



## Who can report wrongdoing under PIDA?

An employee or former employee of a ministry can report wrongdoing.

## Who can provide advice to employees under PIDA?

An employee can seek advice about making a disclosure or a complaint about a reprisal from their supervisor, union or employee association representative, [ministry ethics advisor](#), the BC Public Service Agency Designated Officer ([PIDA@gov.bc.ca](mailto:PIDA@gov.bc.ca)), a lawyer or the Ombudsperson.

## Who should former employees contact for advice about making a disclosure?

Former employees can seek advice about making a disclosure or a complaint about a reprisal from the BC Public Service Agency Designated Officer by emailing ([PIDA@gov.bc.ca](mailto:PIDA@gov.bc.ca)). They can also contact a lawyer or the Ombudsperson.

## How can an employee make a disclosure of wrongdoing?

An employee or former employee can make a disclosure of wrongdoing to their supervisor, ministry ethics advisor (designated officer), the BC Public Service Agency Designated Officer or the Ombudsperson. It's important to make the disclosure in writing wherever possible, using an [online form](#).

## Can disclosures be anonymous?

PIDA allows employees to make anonymous disclosures. When making an anonymous disclosure it is essential to provide as much detail as possible about the wrongdoing. If insufficient detail is provided, and the Agency Designated Officer or the BC Ombudsperson does not have a way to contact the discloser, an investigation may not be conducted.

If an employee chooses to make a disclosure anonymously, they need to be anonymous from the start when they make the disclosure. An anonymous disclosure cannot contain any information which identifies the person who submitted it (such as their email address, personal address, or name).

If you previously sought advice under PIDA and your identity is known to the person you sought advice from, you cannot ask to make the disclosure anonymously. The legislation provides confidentiality and protections from reprisal to protect you if you make a disclosure.

## If the situation is urgent, how does an employee disclose wrongdoing?

PIDA allows for public disclosures if the employee reasonably believes that a matter constitutes an imminent risk of substantial and specific danger to the life, health or safety of persons or the environment. Please refer the [Public Interest Disclosure Procedures](#) for information about



making an urgent public disclosure.

## What protections does PIDA provide for employees?

PIDA prohibits reprisals against employees who report wrongdoing, ask for advice about reporting wrongdoing, or cooperate in an investigation. Reprisal can include any measure that adversely affects an employee's employment or working conditions.

## What responsibilities do supervisors have under PIDA?

Supervisors are responsible, if requested, for providing advice to employees about making a disclosure; providing advice to employees about making a complaint about a reprisal; and receiving disclosures. This confidential information can only be shared in limited circumstances under the Act. Supervisors are encouraged to seek advice from the BC Public Service Agency Designated Officer or ministry ethics advisor if you are unsure about what to do. Protecting the identity of the employee and maintaining confidentiality is important because it protects the employee from reprisal and protects the privacy of the alleged wrongdoer during the investigation.

## What protections from reprisal are available to employees who seek advice or report wrongdoing under PIDA?

It is an offence to commit reprisal against an employee who reports wrongdoing or seeks advice about reporting wrongdoing (or advice about making a reprisal complaint) under PIDA. If an employee experiences reprisal for seeking advice, making a report or cooperating with an investigation, they can make a complaint to the Ombudsperson who has the authority to investigate reprisals.

## Where to Find Information

See [MyHR](#) to discover more information about PIDA. There are tools and information on MyHR to help employees determine how to seek advice and where to report.