



## XXX: Public Interest Disclosure Policy (P)

Approved: 23 11 28  
Revised: 25 02 11

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### Purpose

The Board of Education of Pacific Rim School District is committed to honesty, integrity and accountability in its operations, programs and services, and to promoting a culture of openness and transparency. The School District encourages and supports all employees in bringing forward reports of unlawful acts and acts of wrongdoing in a manner consistent with the provisions of the British Columbia *Public Interest Disclosure Act* (“*PIDA*”).

The purpose of this Policy and related Procedures is to establish a process, in compliance with *PIDA*, for employees to report, in good faith, wrongful or unlawful conduct without fear of retaliation or reprisal.

### 1.0 Scope of Policy

This policy applies to alleged wrongdoing related to Pacific Rim School District’s operations or personnel. This policy does not displace other mechanisms set out in School District Policy for addressing and enforcing standards of conduct, disputes, complaints, or grievances, including issues of discrimination, bullying and harassment, occupational health and safety, or disputes over employment matters or under collective agreements.

### 2.0 Definitions

In this Policy and the related Procedures, the following capitalized terms are defined as indicated:

“**Advice**” means advice that may be requested in respect of making a disclosure or a complaint about a Reprisal under this Policy or *PIDA*;

“**Discloser**” means an Employee who makes a Disclosure or seeks Advice or makes a complaint about a Reprisal;

“**Disclosure**” means a report of Wrongdoing made under this Policy and includes allegations of Wrongdoing received by Pacific Rim School District from the Ombudsperson or another government institution for investigation in accordance with *PIDA*;

“**Employee**” refers to a past and present employee of Pacific Rim School District;

“**FIPPA**” means the *Freedom of Information and Protection of Privacy Act* (“*FIPPA*”), and all regulations thereto;

“**Investigations**” means an investigation undertaken by Pacific Rim School District under this Policy or by the Ombudsperson under *PIDA*;



**“Personal Information”** has the same meaning set out in *FIPPA*, namely “recorded information about an identifiable individual”, and includes any information from which the identity of the Discloser or any person who is accused of Wrongdoing or participates in an Investigation can be deduced or inferred;

**“PIDA”** means the *Public Interest Disclosure Act* of British Columbia, and all regulations thereto;

**“Procedure”** means the School District’s Administrative Procedure associated with this policy, as amended;

**“Reprisal”** means the imposition of, and any threat to impose, discipline, demotion, termination or any other act that adversely affects employment or working condition of an Employee because they made a Disclosure, sought Advice, made a complaint about a Reprisal or participated in an Investigation; and

**“Wrongdoing”** refers to:

- a) a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;
- b) 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;
- c) a serious misuse of public funds or public assets;
- d) a gross systematic mismanagement;
- e) knowingly directing or counseling a person to commit any act or omission described in paragraphs (a) to (d) above.

### **3.0 Statement of Principles**

3.1 The Pacific Rim School District is committed to supporting ethical conduct in its operations and seeks to foster a culture in which Employees are encouraged to disclose Wrongdoing, including receiving, investigating, responding to Disclosures and by providing information and training about *PIDA*, the Policy and Procedures.

3.2 Pacific Rim School District will investigate Disclosures that it receives under this Policy. Investigations under this Policy will be carried out in accordance with the principles of procedural fairness and natural justice.

3.3 Pacific Rim School District will not commit or tolerate Reprisals against any Employee who, in good faith, makes a request for Advice, makes a Disclosure, participates in an Investigation or makes a complaint under this Policy.



3.4 Pacific Rim School District is committed to protecting the privacy of Disclosers, persons accused of Wrongdoing and those who participate in Investigations in a manner that is consistent with its obligations under *PIDA* and *FIPPA*.

#### **4.0 Privacy and Confidentiality**

4.1 All Personal Information that the School District collects, uses and shares in the course of receiving or responding to a Disclosure, a request for Advice, a complaint of a Reprisal, or conducting an Investigation will be treated as confidential and will be used and disclosed as described in the Policy, the Procedures, *PIDA* and as otherwise permitted or required under *FIPPA* and other applicable laws.

#### **5.0 Reporting**

5.1 Each year, the Superintendent shall prepare, in accordance with the requirements of *PIDA*, and make available, a report concerning any Disclosures received, Investigations undertaken and findings of Wrongdoing. All reporting under this Policy will be in compliance with the requirements of *FIPPA*.

#### **6.0 Responsibility**

6.1 The Superintendent is responsible for the administration of this Policy and shall ensure that training and instruction is available to all Employees concerning this Policy, the Procedures and *PIDA*.

6.2 In the event that the Superintendent is unable or unavailable to perform their duties under this Policy, the Superintendent may delegate their authority in writing to the Secretary-Treasurer or other senior members of Pacific Rim School District.

#### **Resources And References**

Province of British Columbia Order in Council No. 629  
*Public Interest Disclosure Act*  
BCPSEA's Public Interest Disclosure Policy Toolkit  
XXXX: Public Interest Disclosure (AP)