
PUBLIC INTEREST DISCLOSURES

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

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

This Policy applies to alleged wrongdoing related to the District’s operations or personnel. This Policy does not displace other mechanisms set out in District Policy and Procedures 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.

Definitions

Advice means advice that may be requested in respect of making a Disclosure or a complaint about a Reprisal under this Policy or the PIDA;

Disclosure means a report of Wrongdoing made under this Policy;

Investigation means an investigation undertaken by the District under this Policy or by the Ombudsperson under the PIDA;

Procedure means the 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 a member of Personnel because they made a Disclosure, sought Advice, made a complaint about a Reprisal, or participated in an Investigation;

Wrongdoing refers to:

- a serious act or omission that, if proven, would constitute an offence under an enactment of British Columbia or Canada;

Adopted: May 18, 2022

Reviewed:

Revised:

- 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 systematic mismanagement;
- knowingly directing or counselling a person to commit any act or omission described above.

1. Statement of Principles

- 1.1. The District is committed to supporting ethical conduct in its operations and seeks to foster a culture in which employees and trustees are encouraged to disclose Wrongdoing, including by receiving, investigating, and responding to Disclosures and by providing information and training about the PIDA, this policy and the procedures.
- 1.2. The 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.
- 1.3. The District will not commit or tolerate Reprisals against any Employee or Trustee who, in good faith, makes a request for Advice, makes a Disclosure, participates in an Investigation, or makes a complaint under this policy.
- 1.4. The 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 the PIDA and FIPPA.

2. Privacy and Confidentiality

- 2.1. All Personal Information that the District collects, uses, or shares while 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 this policy, the procedures, the PIDA or as otherwise permitted or required under FIPPA and other applicable laws.

3. Reporting

- 3.1. Each year, the Superintendent shall prepare, in accordance with the requirements of the 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.

Adopted: May 18, 2022

Reviewed:

Revised:

4. Responsibility

- 4.1. The Superintendent is responsible for the administration of this policy and shall ensure that training and instruction is available to all employees and trustees concerning this policy, the procedures and the PIDA.
- 4.2. In the event that the Superintendent is personally involved or named in the disclosure, or is unable or unavailable to perform their duties under this policy, the Board shall delegate this authority in writing to another senior staff member.
- 4.3. The Superintendent must develop an Administrative Procedure to operationalize the *Public Interest Disclosure Act* throughout the District.
 - 4.3.1. The intent of the administrative procedure must reinforce the duty of every staff member to report genuine concerns of any wrongdoings as defined in the Act.
 - 4.3.2. The administrative procedure must provide assurance that any concerns expressed will be investigated thoroughly and that staff members raising concerns reasonably and responsibly will not be penalized in any way.
 - 4.3.3. Further, the administrative procedure must make provision for the reporting of concerns to the Board Chair in the event circumstances prevent a disclosure to the Superintendent.

5. Individual trustees may report Wrongdoing under this policy to the Board Chair if the alleged Wrongdoing occurs while the trustee is holding office.

Legal References: Section 22, 23, 65, 85 School Act
 Freedom of Information and Protection of Privacy Act
 Public Interest Disclosure Act

Adopted: May 18, 2022
Reviewed:
Revised: