

AWARENESS AND TRUST:

Insights from chief executives
and employees of public bodies
covered under the *Public Interest
Disclosure Act*



OMBUDSPERSON
BRITISH COLUMBIA

PIDA Special Report No. 3
August 2025


As an independent officer of the Legislature, the Ombudsperson investigates complaints of unfair or unreasonable treatment by provincial and local public authorities and provides general oversight of the administrative fairness of government processes under the *Ombudsperson Act*. The Ombudsperson conducts three types of investigations: investigations into individual complaints; investigations that are commenced on the Ombudsperson's own initiative; and investigations referred to the Ombudsperson by the Legislative Assembly or one of its committees.

Under the *Public Interest Disclosure Act* (PIDA) the Ombudsperson investigates allegations from current and former public sector employees of wrongdoing in or relating to a public body covered by the Act as well as complaints of reprisal.

The Ombudsperson has a broad mandate to investigate allegations of wrongdoing or complaints of reprisal involving provincial ministries; provincial boards and commissions; Crown corporations; health authorities; schools and school boards; and colleges and universities. A full list of the public bodies covered by PIDA can be found on our office's website. The Office of the Ombudsperson also provides advice to those public bodies and their employees about the Act and the conduct of wrongdoing investigations.

We offer educational webinars, workshops and individual consultation with public bodies to support fairness and continuous improvement across the broader provincial and local public sector.

For more information about the Office of the Ombudsperson and for copies of published reports, visit bcombudsperson.ca.



Our office is located on the traditional lands of the Lək'wəŋən (Lekwungen) People and ancestors and our work extends across the homelands of the First Nations Peoples within what we now call British Columbia. We honour the many territorial keepers of the lands and waters where we work.



OMBUDSPERSON
BRITISH COLUMBIA

August 2025

The Honourable Raj Chouhan
Speaker of the Legislative Assembly
Parliament Buildings
Victoria BC V8V 1X4

Dear Mr. Speaker,

It is my honour to present PIDA Special Report No. 3, *Awareness and trust: Insights from chief executives and employees of public bodies covered under the Public Interest Disclosure Act*.

The report is presented pursuant to section 40 of the *Public Interest Disclosure Act*.

Yours sincerely,

Jay Chalke
Ombudsperson
Province of British Columbia



CONTENTS

Message from the Ombudsperson 2

CHIEF EXECUTIVE INSIGHTS 3

Background 4

Key findings 5

EMPLOYEE SURVEY 8

Background 9

Key findings 9

MESSAGE FROM THE OMBUDSPERSON

This report is one of four reports produced by my office to support the legislative review by the Special Committee to Review the *Public Interest Disclosure Act*. It shares insights from public sector leaders and employees about awareness of the Act and confidence in the systems meant to protect those who speak up.

A core purpose of the *Public Interest Disclosure Act* (PIDA) is to ensure employees feel safe coming forward with their concerns about wrongdoing in their workplace. To support this, chief executives from public bodies covered under PIDA are responsible for informing their staff about the Act, its provisions, and how to use it, including how to make a disclosure.

To understand how well this is working, we conducted a qualitative survey with chief executives from many of the public bodies covered under the Act, and we commissioned a survey of employees within government ministries.

The results show that, while many public bodies are taking steps to inform staff about PIDA, overall awareness and trust in the Act's processes remains a work in progress. When employees understand their rights and protections, they are more likely to come forward – and to do so sooner – giving public bodies the opportunity to address problems before they escalate. Improving awareness of PIDA normalizes speaking up and helps to instill confidence and trust among employees that their employers take reports of wrongdoing seriously.

Over the past five years, my office has proactively supported public bodies to meet their obligations under PIDA. We will continue to be there but, as the legislation matures, it is time for those public bodies to take greater ownership of their role in creating safe and transparent workplace cultures.

Yours sincerely,



Jay Chalke
Ombudsperson
Province of British Columbia



CHIEF EXECUTIVE INSIGHTS

BACKGROUND

Section 4 of PIDA requires chief executives to inform their employees about the Act. To gain insight into the work being done by chief executives to fulfill this obligation in ensuring employee awareness, we asked for feedback. We also asked them to provide relevant training and education materials used to support their role.

Section 4 of PIDA says:

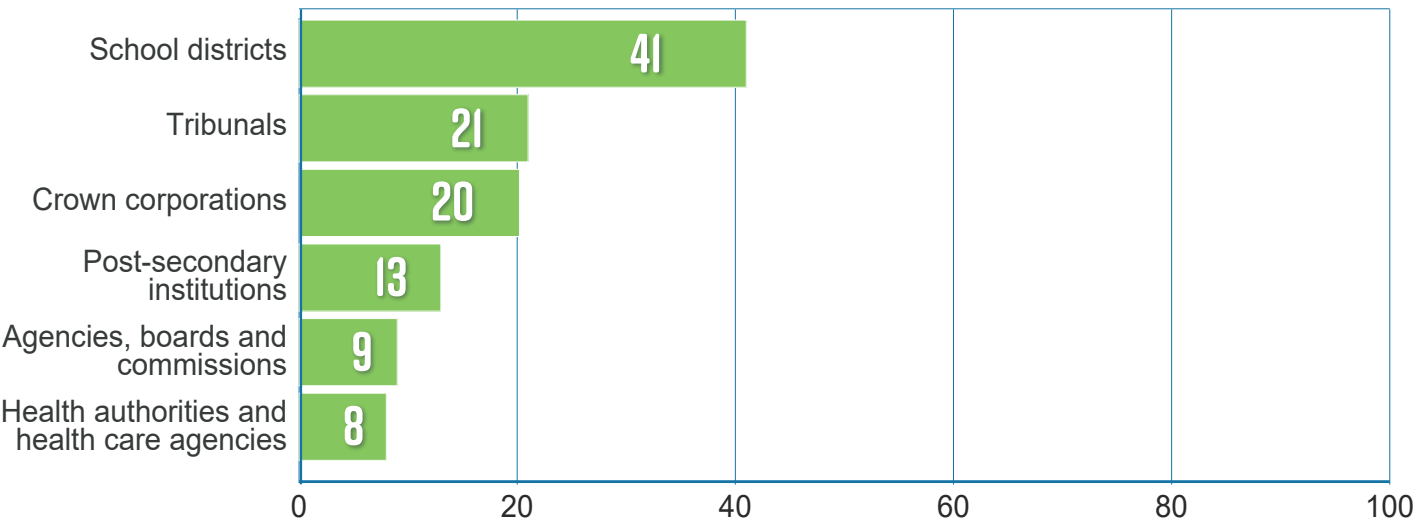
Every chief executive must ensure that the following information is made available to the employees of the ministry, government body or office for which the chief executive is responsible:

- (a) information about this Act;
- (b) information about how to request advice or make a disclosure or a complaint about a reprisal under this Act;
- (c) any other prescribed information.

To gather this information, we contacted 158 chief executives of public bodies under PIDA’s jurisdiction and asked them to describe how they delivered on their obligations under the Act. We heard from 112 chief executives across all sectors (see chart below).

Their feedback provided insight into:

- how information about PIDA is shared with employees
- what training is used (in-house vs. external)
- whether training is mandatory, when it is completed, and how often it is required
- policies and procedures created to guide this work



KEY FINDINGS

Various sources are used to make PIDA information accessible, but gaps remain

Feedback received from chief executives shows that training and information about PIDA is being provided to employees in various ways:

- Some public bodies referenced our office's online training material – like *Speaking Up Safely*, *Supervisor Responsibilities*, and *Designated Officer Fundamentals* – or noted they provide links to our office's online resources.
- Others developed and delivered presentations for their staff, or published PIDA-specific information on their public-facing websites.
- Several made policies and procedures available to employees on either their public-facing websites or on an internal intranet.
- A handful of chief executives developed internal training, but few relied on their training alone. Most mentioned using our training or resources as well.

It appears that a blended approach – offering a combination of our office's training and training developed internally by the public body – is good practice. Our training provides a comprehensive

overview of PIDA but is not specific to each public body or sector. To augment that, tailored training can include information about the public body's specific PIDA procedures and nuances, including who employees can speak with internally to make disclosures or request advice. Importantly, it also shows a strong commitment to fostering a culture where staff feel comfortable raising their concerns.

It is important to note that former employees are also eligible to make disclosures under PIDA if the wrongdoing took place during their time of employment. As such, it is important for public bodies to ensure former staff have access to accessible and clear information about the Act. However, we found gaps in how former employees are being reached. None of the public bodies we received feedback from said they had reached out to former staff and only about half had PIDA content on their public-facing websites.

Public-facing, accessible information helps meet legal obligations and builds trust. A thoughtful mix of general and tailored content supports a stronger speak-up culture – and ensures employees know what their options are.

Internally developed training is good, but there's room to grow

Some public bodies have developed their own PIDA training, often in the form of PowerPoint presentations. These typically include information like:

- consistent messaging about confidentiality and protection from reprisal
- definitions of wrongdoing under PIDA
- the role and responsibilities of the designated officer
- PIDA's choice model with reference to the Ombudsperson
- the specific people within the organization to go to with a disclosure

While this is a good start, we also noted there were some common issues:

- **Mixing up processes:** Information about PIDA was used interchangeably with other complaint processes. This could result in confusion about the protections available.
- **Incorrect rules:** Sometimes the training was incorrect. For example, in one case the ability to investigate reprisal was incorrectly included in the designated officer's responsibilities.
- **Overemphasis on bad faith:** Several public bodies put significant emphasis on the "good faith" test, and stated disclosures made in "bad faith" would be subject to disciplinary action and/or termination. This is of particular concern because it may discourage employees from speaking up and reporting wrongdoing, if they fear their motives are to be scrutinized by the employer. It is important for public bodies to build a culture that encourages reporting, not one that makes employees fearful or adds barriers. In our experience, people who

come forward under PIDA almost always do so in good faith. We've seen no evidence of employees misusing the Act just to resolve workplace grievances, even where, following our assessment or investigation, their concerns were determined to be unfounded. As such, it seems unnecessary and counterproductive to highlight bad faith disclosures so extensively.

Some sectors were able to take advantage of centralized support to develop internal resources and training. For example, school superintendents mentioned that their employees were provided with training developed by the BC Public School Employers' Association (BCPSEA). This training included a video tutorial and comprehensive information about the core concepts under PIDA. It also included details about eligibility, the choice model, the role of the designated officer, the definition of wrongdoing, and information about key legal protections such as confidentiality, reprisal, and liability.

PIDA training is often part of onboarding, but regular training is lacking

It seems that many public bodies are introducing staff to PIDA during onboarding. Half of chief executives who provided feedback said PIDA training is included as a part of their new employee orientation.

Just over half of chief executives said PIDA training is mandatory. In most of these cases, all employees – regardless of the role or position – were required to complete it. This is a positive step.

However, there appears to be less emphasis on providing regular, ongoing training after onboarding. Only a few chief executives mentioned that they offer refresher training. Even if an employee has no current reason to make a disclosure, they still need to know what the Act says, how it protects them, and where to go for advice if needed – especially as roles and teams change over time.

Most PIDA policies are strong, but some include errors

Most chief executives reported having internal policies or procedures related to PIDA. In reviewing these, we found that most were well constructed. However, we did note the following concerns:

- misleading or unclear details about how PIDA intersects with the *Freedom of Information and Protection of Privacy Act* in relation to disclosures
- overemphasis on “bad faith” disclosures, including statements that could deter employees from speaking up
- incorrectly stating that designated officers can delegate responsibilities (when only chief executives can do so)
- requiring employees to report only to a designated officer – ignoring the choice model that allows reporting to a supervisor, designated officer, or the Ombudsperson
- confusion about the roles and responsibilities of supervisors, designated officers, and the Ombudsperson
- misstatements about who has the authority to investigate reprisal complaints

In addition, some chief executives indicated they were exempt from having to establish internal procedures and appoint a designated officer. Of those, most seemed to suggest they were not providing information to their employees about PIDA.

While the Act allows smaller public bodies, or those where it is impractical, to be exempt from having to establish internal procedures, those chief executives still need to inform their employees about PIDA. The fact that this isn't being done consistently is worrying. It suggests that some of these smaller public bodies need more support to meet their obligations.

It is promising that public bodies are making policies and procedures accessible to staff. This allows employees to familiarize themselves with the specifics of PIDA and the public body's expected management of PIDA-related matters. But more work on ensuring the accuracy of the information provided appears to be required.

EMPLOYEE SURVEY

The background of the slide is composed of four large, overlapping triangles that meet at a central point. The top-left triangle is a dark navy blue. The bottom-left triangle is a bright cyan blue. The bottom-right triangle is a light sky blue. The top-right triangle is a vibrant lime green.

BACKGROUND

In support of the five-year legislative review of PIDA, and after a procurement process commissioned by the Ombudsperson, a market research company was selected to conduct an online survey of provincial government employees to better understand their awareness of the Act and their comfort in using it.

- On March 6, 2025, more than 24,000 randomly selected BC government employees were invited to participate.

- A reminder email was sent on March 14, 2025.
- In total, 2,602 people completed the survey, representing an 11% response rate.

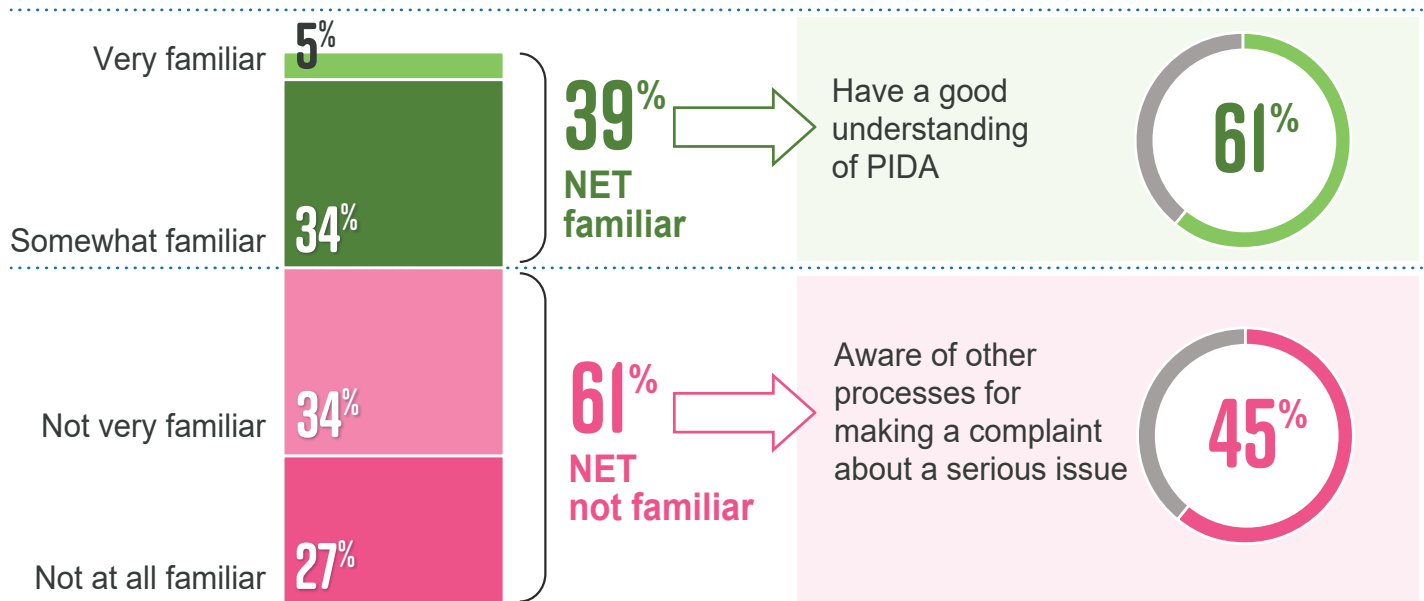
While the results only reflect those who responded, they largely mirror the distribution of provincial government employees and offer valuable insights into employee awareness and confidence in the Act.

KEY FINDINGS

Familiarity with PIDA is low

Slightly more than one-third (39%) of employees surveyed are familiar with PIDA. Positively, among those familiar with the Act, 61% said they have a good understanding of it and know where to find more information.

Among those not familiar with PIDA nearly half (45%) said they are aware of other ways to make a complaint. Unfortunately, this means that about one-third of employees are unfamiliar with PIDA, but also are not aware of other processes to raise a serious workplace concern.



Awareness and trust

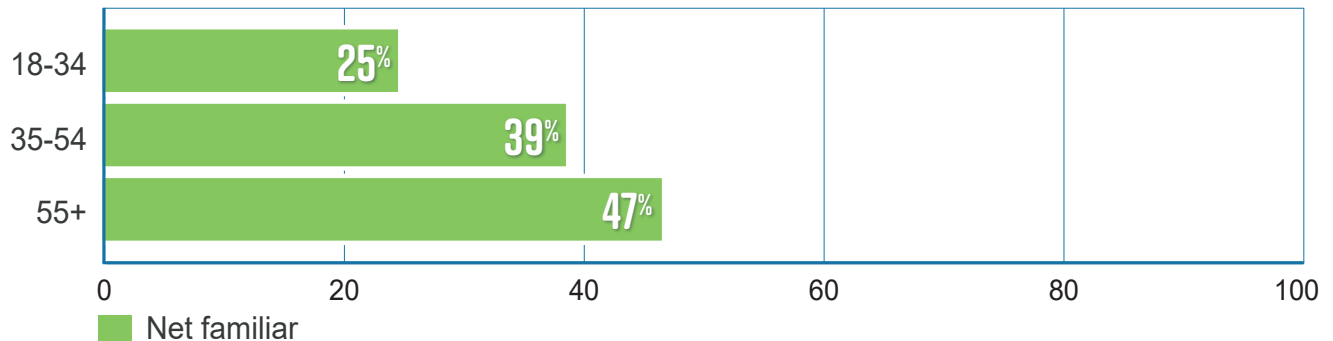
Familiarity increases with an employee's age, tenure and role:

- employees aged 18 – 34 are significantly less aware than those aged 55+
- employees with more than 10 years of service are significantly more familiar than those with less than five years of service

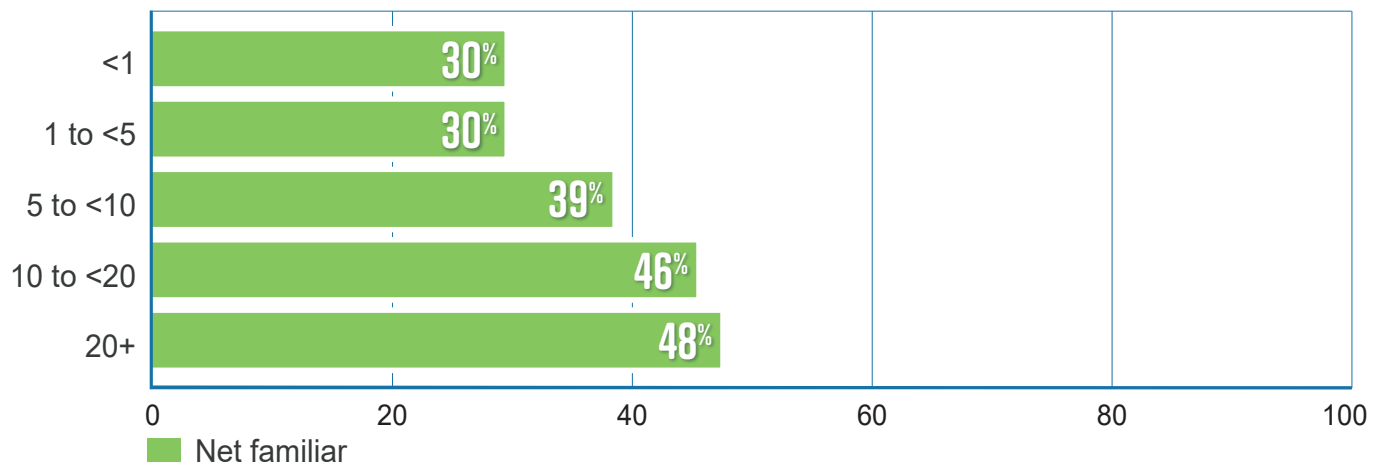
- excluded management is significantly more familiar than included or unionized staff

This highlights the need for regular, accessible PIDA training, reminders for all staff and additional focus on younger, newer and more junior staff.

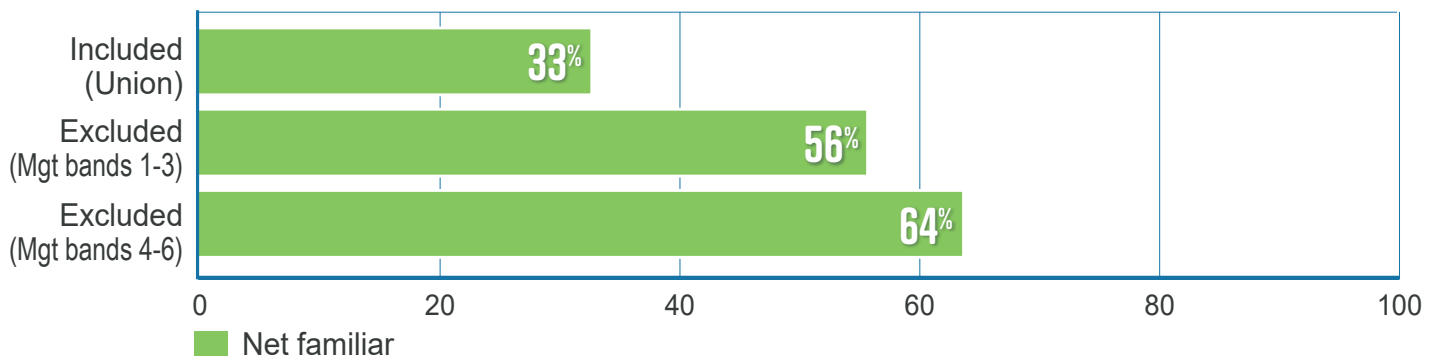
Age



Time working (years)



Classification



PIDA training is preferred but online resources are also useful

Online training is a key method for raising awareness about PIDA among both those familiar and those not familiar with the Act.

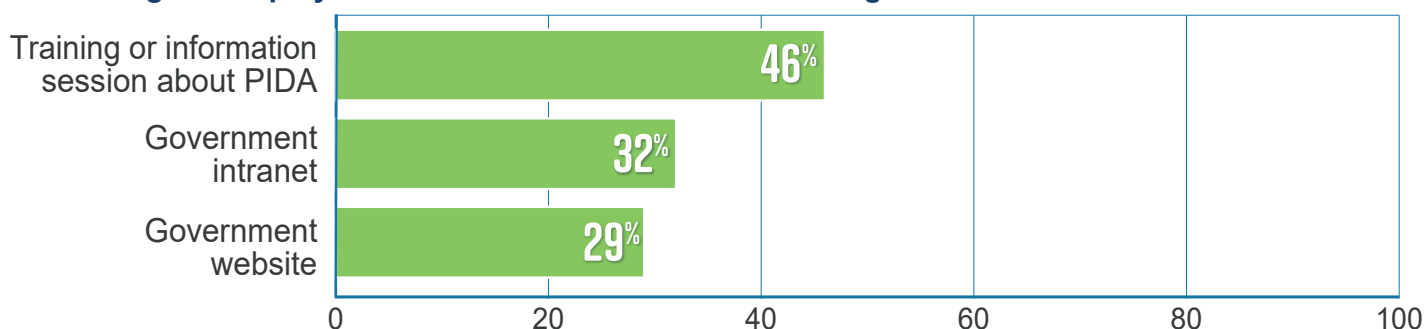
- Among those familiar with PIDA, nearly half (46%) indicate they learned about PIDA through a training or information session offered by their employer.
- Among those not familiar with PIDA, 68% would prefer to learn about it via online training or an eLearning course.

While training is key, a solid secondary source of information about PIDA for employees is the government's intranet.

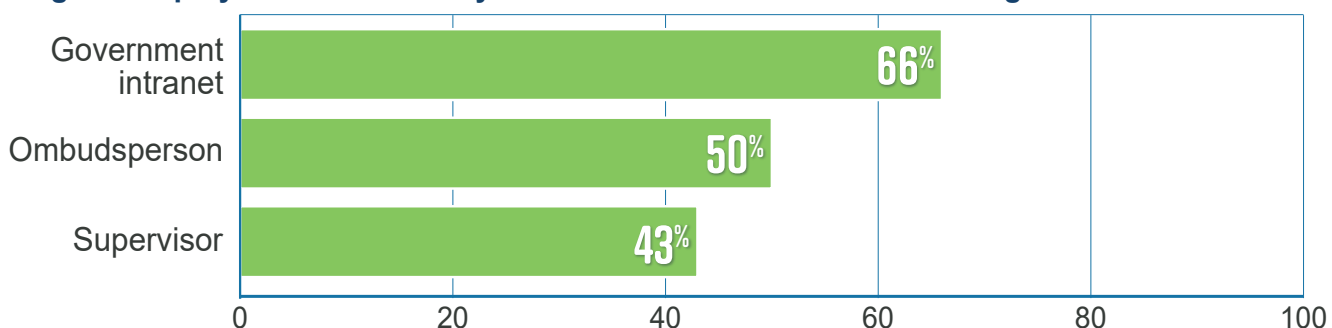
- 32% of employees who are aware of PIDA said they learned about it on the intranet.
- 66% of employees would use the intranet to learn more about the Act.

Sources of PIDA awareness (among employees *familiar* with PIDA)

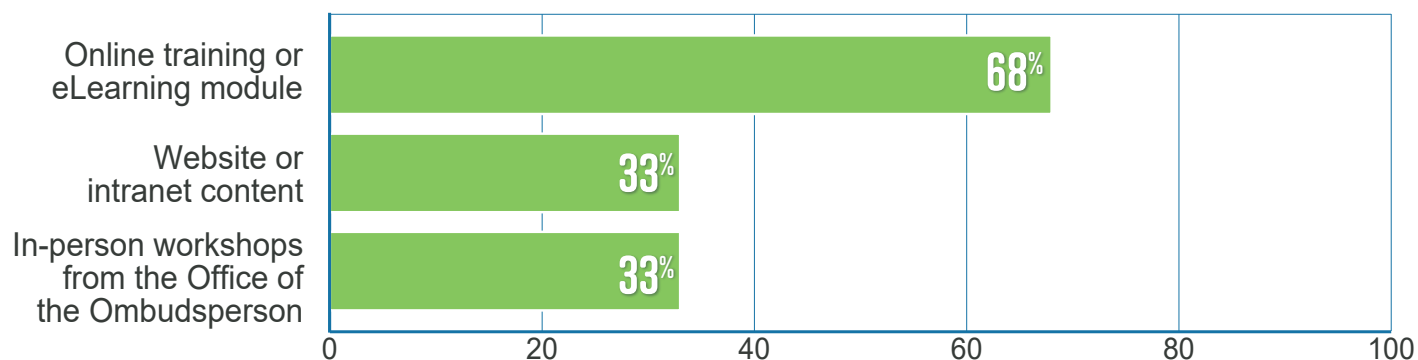
Percentage of employees who became aware of PIDA through...



Percentage of employees who said they would learn more about PIDA through...



Preferred channels for PIDA information & training (among employees *not familiar* with PIDA)



Employees know who they would make disclosures to*

Among those familiar with PIDA, fully one-third (33%) would make a disclosure under PIDA to their designated officer, 29% to their supervisor and 28% to the Ombudsperson.

Of those not familiar with PIDA, 43% would turn to their supervisor to make a disclosure, with a similar percentage likely to turn to their designated officer (22%) and the Ombudsperson (20%).

Who to make a disclosure to	Familiar with PIDA	Not familiar with PIDA
Designated officer	33%	22%
Supervisor	29%	43%
Ombudsperson	28%	20%

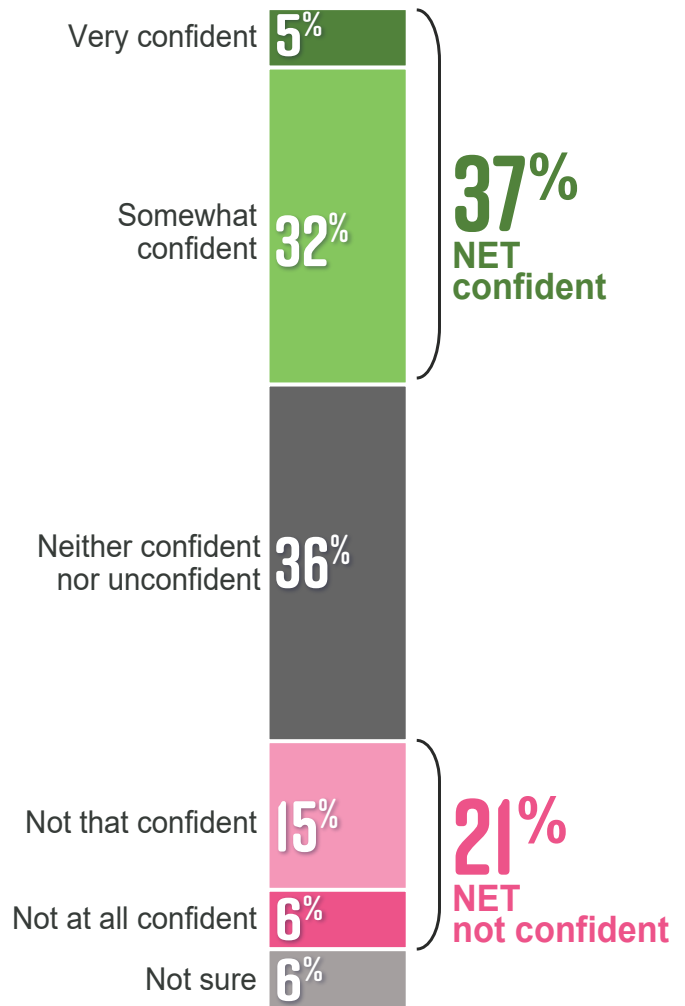
Trust in PIDA is linked to awareness

Encouragingly, the more familiar employees are with PIDA and its provisions, the more likely they are to trust or have confidence in the Act.

Among those familiar, 61% trust their identity will be protected, 60% trust their employer to deal with disclosures professionally, 59% believe the legislation provides adequate reprisal protection, and 54% believe they will not be retaliated against. However, only 37% are confident in an effective resolution.

61%	I trust that my identity will be protected if I seek advice or make a disclosure
60%	I trust my employer to deal with disclosures in a professional manner and protect my anonymity
59%	PIDA adequately protects me from reprisal if I make a disclosure
54%	I trust that I will not be retaliated against if I make a disclosure

Confidence in PIDA leading to effective resolution



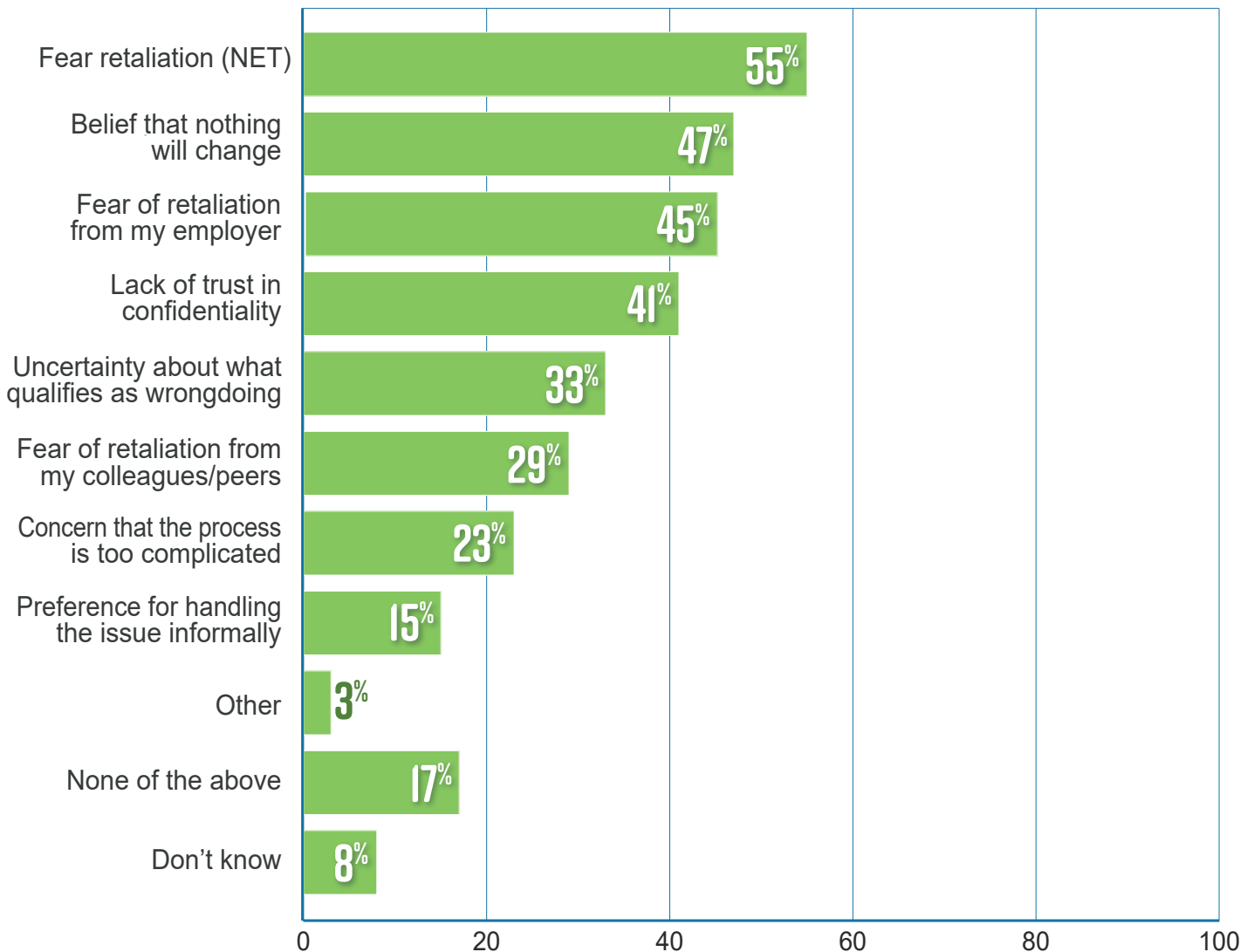
*Base size is less than 100n

Key barriers to reporting wrongdoing are evident

The overarching barrier to reporting wrongdoing is a fear of retaliation from either the employer or colleagues with more than half (55%) of employees indicating any fear of retaliation would discourage them from coming forward. Some employees identified multiple barriers to disclosing wrongdoing.

Nearly half (47%) believe that nothing would change if they reported wrongdoing, and 41% lack trust in the confidentiality provisions of the Act.

Even among those aware and with a good understanding of the Act, fear of retaliation and lack of trust are significant concerns.



Office of the Ombudsperson

PO Box 9039 Stn Prov Govt
Victoria BC V8W 9A5

General Inquiries:

1 800 567-3247

Fax: 250 387-0198

www.bcombudsperson.ca



OMBUDSPERSON
BRITISH COLUMBIA