

NANAIMO LADYSMITH PUBLIC SCHOOLS

BUSINESS COMMITTEE PUBLIC MEETING

ACTION SHEET

DATE: September 13, 2023
TO: Business Committee
FROM: Shawn Johnston, Executive Director of HR
SUBJECT: Public Interest Disclosure Policy

Recommendation:

The Business Committee recommends that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) receive the Draft Policy – Public Interest Disclosure Policy and circulate as a notice of motion for 30 days, utilizing the consultation process as per Board Governance, Section 1, 2.7 – Policy Development.

Background:

This Information Sheet provides the Board with an update on NLPS' Public Interest Disclosure Policy and accompanying Procedures and reporting forms, in advance of our December 1, 2023, deadline for implementation.

Discussion:

School districts have received updated and final guidance from BCPSEA regarding Public Interest Disclosure obligations, and we have incorporated this guidance into the attached draft policy, procedures, and forms.

The *Public Interest Disclosure Act* [SCB 2018] C 22 ("PIDA") came into effect in 2018 and has applied to some public sector institutions, such as Government Ministries, for some time. The Act applies to School Districts starting December 1, 2023. This requires us to have in place by December 1, 2023:

- Public Interest Disclosure Policy;
- Public Interest Disclosure Policy – Administrative Procedure; and
- Public Interest Disclosure Policy – Disclosure Form.

Additionally, the District is required to ensure employees have training about PIDA and how to make a disclosure, and the District must submit an annual report to the Ministry of all disclosures. BCPSEA has provided a 10 minute training video, and the Office of the Ombudsperson provides a free online course, which takes about one hour to complete.

Knowing that this legislation would eventually apply to our sector, BCPSEA and NLPS staff have done substantial work to prepare, and only slight modifications were required following BCPSEA's recent guidance. This policy was not brought to Policy Committee due to the timing of BCPSEA's final guidance, which was provided on June 21, 2023, and the deadline to implement, December 1, 2023.

This policy, the procedures, and reporting forms are drafted to mirror the templates provided by BCPSEA, as there is no need for local variation. Additionally, it is beneficial to the operations and goals of PIDA to have consistency of policies, procedures, and reporting across the province. It should be noted that while the recommended motion aligns with the requirements of Policy 1 2.7, the consultation should be clear that it is focused on “informing” rather than seeking broad changes.

Our next steps are to implement the policy and the accompanying procedures and reporting forms and provide training to all employees. We have everything in place to proceed and meet our deadline.

Appendices:

- Appendix A: Draft Policy – Public Interest Disclosure Policy
- Appendix B: Draft Administrative Procedure – Public Interest Disclosure
- Appendix C: Public Interest Disclosure Policy – Disclosure Form
- Appendix D: Public Interest Disclosure Annual Report

