An employee who sees something wrong on the job and raises it with their managers or discloses it to our office should be encouraged and celebrated. It’s an opportunity to improve governance, right a wrong, and ultimately improve transparency and accountability.

That’s been the philosophy employed by the office of the Public Interest Commissioner since our inception in 2013. In our early days, however, not all public entities understood or embraced that concept.

But many did. And three years of investigations, analysis and interaction between our office and one of the larger public sector organizations in the province have shown that to be the case. This year, our investigators, director and the Commissioner met with Covenant Health board members, senior management and front-line employees offering educational presentations and hosting question and answer sessions. The aim was to improve knowledge and understanding of our office and the Public Interest Disclosure (Whistleblower Protection) Act, while improving awareness of the disclosure process as well as rights and obligations under the Act.

Disclosure of wrongdoings is not new for Covenant Health. It had a disclosure policy in place prior to 2013 and amended it to bring it into compliance with PIDA.

Gordon Self, the Vice President of Mission, Ethics and Spirituality at Covenant Health, agrees the relationship has evolved in a positive manner – and the face-to-face educational opportunities are the most recent example of that.

“This education helped reinforce what we also want to get across regarding safe disclosure, with the added leverage of the legislative requirements,” he said. “It’s part of our culture, but it’s also an obligation we have under legislation. So having education and exposure to our staff helped reinforce what we all desire. We have mutual goals. It helps create that desired effect.”

Covenant Health has tried to go past the minimum of compliance with the legislation, he added.
“If it’s only about compliance, then people may not own it. The bare minimum of simple compliance would be inadequate. The reason why the Public Interest Commissioner’s office was set up is to address emerging issues with business practices, with compliance, within a publicly-funded system. These are good things that have evolved over time. So for us, tying in our cultural norms with larger, broader societal shifts or trends in government provides an opportunity to reinforce the message.”

According to Self, Covenant is well aware of the challenge an employee can face by coming forward, and noted the language around the notion of a whistleblower can have, at times, a pejorative tone. The goal is to help employees through the process of disclosing or discussing a concern or complaint – and ultimately work to solve the problem.

“Wherever we can, we try to present the process of coming forward in the most positive light,” explained Self. “It’s not about policing. I’m not the mission cop or the ethics police, it’s about helping people problem-solve. Even if their concern is surrounding a perception that may not be accurate, we still owe it to people to provide a rationale as to why that perception exists.”

Indeed, Self said there is realization that resistance or distrust can occur when employees don’t feel an organization is being transparent. This means doing a solid job of explaining policy or other management decisions upfront, he said.

“Some decisions can create angst in an organization, but often all it takes is an explanation to go along with the decision to mitigate the angst. People may not like a decision, but they’ll be more accepting of it if they understand where we came from, how it was arrived, by which principles, and whether we are approaching like situations in a like manner, or whether it is an arbitrary or reactionary decision driven by favouritism. The goal is to be consistent in how we allocate resources or implement new programs, driven by the same set of values and informed by our strategic plans, rooted within our tradition and ultimately geared toward the people we serve.”

Whistleblower disclosure should not be seen as a failure for an organization, noted Self. At the same time, it’s one of many tools a public entity should use to provide a safe environment for employees, and to ultimately take ownership of and solve problems.

“It’s good we have that recourse, but it shouldn’t be our starting point,” he said. “On a daily basis, we’re always being attuned and aware of issues, and we encourage people to be comfortable bringing those forward. We provide care for a vulnerable population, but we also work closely with staff on issues. It’s a complex environment. No one can have their eyes on everything. So if there’s something that might be or could be leaning towards a wrongdoing, or if a wrongdoing has occurred, we want to know about that. We are stewards of a public trust, and ultimately, it’s about the people we serve: our patients and our residents. Whether there may be a financial issue, or an issue around quality, it’s something we want to know about. Whether it’s willful or a bunch of things adding up and realizing that these things are going to cause harm, as a wrong, we want to learn about it, and create a culture where employees feel safe, where they feel they can be supported and even commended for that.”

The health care sector is complex, and a large organization like Covenant, with 15,000 employees, physicians and volunteers, means there will be complex issues to contend with.

“You will have conflict, disagreement, and error, and there will be matters that require disciplinary action,” Self explained. “That will occur in an organization of our size, but ultimately we have to ensure we are taking corrective action, learning from our mistakes, and putting in place quality improvement to ensure it doesn’t happen again. And we’re only going to be good at that if we know about it. The more that people come forward and we can problem solve and work together, the better. When it comes to working with the Commissioner’s office, it’s been really good. It’s about ensuring there’s good processes in place.”

That sentiment extends to protecting employees from reprisal. In Self’s view, PIDA and the Commissioner’s office provide a very real “fail safe” option for employees.

“If people feel they can’t say anything about a VP or the CEO for fear of reprisal, then knowing there’s a mechanism in place to do that [through the Commissioner’s office] is good for everybody. At the end of the day, it gets to what we all desire: providing excellent care, creating a safe environment, and being good stewards of a public resource.”