



Agenda

POLICY DEVELOPMENT COMMITTEE MEETING

Tuesday, February 21, 2017

6:30 – 8:30 P.M.

CATHOLIC EDUCATION CENTRE – BOARDROOM

Chairperson: Linda Ainsworth

Trustees who are unable to attend the meeting are asked to please notify Pam Smith.

A. Call to Order:

1. Opening Prayer, Mr. Dave Bernier.
2. Approval of Agenda.
3. Declarations of Conflicts of Interest.
4. Approval of the Minutes of the Open Meeting of Monday, February 13, 2017. **PG 2**
5. Business Arising from the Minutes.

B. Presentations/Recommended Actions:

1. RA: Safe and Accepting Schools Directional Policy (New # 900) DRAFT. **DP PG 5**
Mr. Tim Moloney, Superintendent of Learning/Student Success **RA PG 10**
2. R.A. Draft AP Workplace Harassment Prevention (New 508/Old 402). **AP PG 11**
Mrs. Joan Carragher, Superintendent of Learning/Leadership and Human Resource Services
Mr. Darren Kahler, Manager of Human Resource Services **Appendix A PG17**
Appendix B PG 20 **RA PG 25**
3. R.A. Draft AP Workplace Violence Prevention (New 509/Old 413).
Mrs. Joan Carragher, Superintendent of Learning/Leadership and Human Resource Services
Mr. Darren Kahler, Manager of Human Resource Services **AP PG 26**
Appendix A PG 39 **Appendix B PG 42** **RA PG 44**

C. Information Items:

D. Next Meeting:

1. Monday, March 6, 2017 6:00 p.m. – 6:30 p.m.
2. Selection of Member for Opening Prayer.
3. Selection of Member for Closing Prayer.

E. Conclusion:

1. Closing Prayer, Mrs. Helen McCarthy.
2. Adjournment.



Minutes

THE MINUTES OF THE POLICY DEVELOPMENT COMMITTEE MEETING held on Monday, February 13, 2017 at 6:00 p.m. in the Boardroom, 1355 Lansdowne Street West, Peterborough

PRESENT

Trustees: Mmes. Linda Ainsworth (Chairperson), Ruth Ciraulo, Christine Dunn, Michelle Griepsma, Helen McCarthy.
Messrs. David Bernier, Daniel Demers, Zachary Smith (Student Trustee).

Administration: Mmes. Joan Carragher, Laurie Corrigan, Anne Marie Duncan, Isabel Grace, Dawn Michie.
Messrs. Michael Nasello, Timothy Moloney.

Regrets:

Recorder: Mrs. Pamela Smith.

A. **Call to Order:**

1. Opening Prayer.
The Committee Chairperson, Mrs. Linda Ainsworth, called the meeting to order at 6:00 p.m. and lead the Opening Prayer.

2. Approval of the Agenda.

MOTION: Moved by Ruth Ciraulo, seconded by Dan Demers,

that the agenda be approved with the amendments that item B2- Student Trustee be received as information only at this time.

Carried.

3. Declarations of Conflicts of Interest.
There were no declarations of conflicts of interest.

4. Approval of the Minutes of the Policy Development Committee Meeting of Tuesday, January 17, 2017.

MOTION: Moved by Ruth Ciraulo, seconded by Helen McCarthy,

that the minutes of the Monday, January 17, 2017 Policy Development Committee Meeting be approved with the amendment that item B2 RA DRAFT Parent and Community Relations Directional Policy New #1000 have changes to wording be bolded and put in parenthesis.

Carried.

5. Business Arising from the Minutes.
There was no business arising from the minutes.

B. Presentations/Recommended Actions:**1. RA: Stewardship of Resources Directional Policy (New #600) DRAFT.**

Mrs. Isabel Grace, Superintendent of Business and Finance/Facility Services shared with Trustees the Draft Stewardship of Resources Directional Policy.

The Trustees reviewed the draft directional policy #600 and requested the below changes:

a) Page One – Policy Section

The Peterborough Victoria Northumberland and Clarington Catholic District School Board will demonstrate fiscal accountability by effectively using the resources entrusted to it for the purposes of delivering ~~effective and appropriate~~ Catholic education in a manner that **upholds public confidence and** is in keeping with **Gospel values and** Catholic **social teachings**. ~~values and upholds public confidence.~~

b) Page One-Purpose

The Board of Trustees is responsible for making strategic fiscal decisions. The purpose of the *Stewardship of Resources* policy is to support the Board's decision making structures and processes, **in order to** maximize its human and operational resources. ~~and make strategic fiscal decisions.~~ **The policy will be supported by** ~~An outcome of the policy is the establishment of administrative procedures that reflect responsive and responsible allocation of resources that adhere to relevant legislation and regulations, and ensures the effective and efficient delivery of services to students, parents, staff and other stakeholders.~~

c) Page Four – The Director of Education is responsible for:

Removal of the two below bullets

- ~~• bringing to the attention of the Board of Trustees any act or omission by the Board of Trustees that in the opinion of the Director may result in, or has resulted in, a contravention of the Act or any policy, guideline, or regulation made under the Act; and~~
- ~~• if the Board of Trustees does not respond in a timely and satisfactory manner to an act or omission brought to its attention, advising the Deputy Minister or Minister of the act or omission.~~

MOTION: Moved by Dave Bernier, seconded by Dan Demers,

that the DRAFT Directional Policy 600 – Stewardship of Resources be distributed to the system for feedback.

AND

that the final DRAFT Directional Policy 600– Stewardship of Resources, reflecting changes if made from the feedback process be brought back to the Board for approval.

Carried.

2. DRAFT Student Trustee Administrative Procedure (New #105/Old #1110).

Mr. Michael Nasello, Director of Education, shared the Draft Student Trustee Administrative Procedure and identified that this is currently for information only. This Draft will be amended and taken back to the Student Council Liaison Committee and Secondary Principals for consultation and then be brought to the March Policy meeting.

Mr. Nasello discussed having two Student Council Liaison Committee Members from each secondary school which would support mentorship and offer an opportunity to experience the role and responsibilities of the Student Liaison Committee and the Student Trustee role.

C. Information Items: No Items.

D. Next Meeting:

1. Tuesday, February 21, 2017 6:30-8:30 p.m.
2. Selection of Member for Opening Prayer – Mr. Dave Bernier
3. Selection of Member for Closing Prayer – Mrs. Helen McCarthy

E. Conclusion:

1. Closing Prayer.

The Committee Chairperson, Mrs. Linda Ainsworth, asked Mrs. Ruth Ciraulo to lead the Closing Prayer.

2. Adjournment.

MOTION: Moved by Dan Demers, seconded by Helen McCarthy,

that the meeting adjourn 6:24 p.m.

Carried.

Linda Ainsworth
Committee Chairperson
pls

Michael Nasello
Director of Education



BOARD DIRECTIONAL POLICY	
DIRECTIONAL POLICY TITLE	DIRECTIONAL POLICY NUMBER
SAFE AND ACCEPTING SCHOOLS	900

TITLE OF DIRECTIONAL POLICY:

Safe and Accepting Schools

DATE APPROVED:

X

PROJECTED REVIEW DATE:

X

POLICY:

Through the Gospel values, Catholic Social Teachings, and the Catholic Graduate Expectations, the Peterborough Victoria Northumberland and Clarington Catholic District School Board believes that every school must create a welcoming, safe, respectful, inclusive and accepting learning and teaching environment. We believe that these attributes are essential for student achievement and well-being.

PURPOSE:

The purpose of the Safe and Accepting Schools Directional Policy is to create a shared understanding and systematic approach to the implementation of Safe and Accepting School procedures and protocols. The Safe and Accepting Schools Directional Policy responds to legislative requirements for school boards in the areas of equity and inclusive education, bullying prevention, progressive discipline and codes of conduct.

The Board recognizes that creating safe and accepting school environments requires the collective effort and engagement of the entire system: trustees, staff, students, parents, parishes, and the community. As a result, system and school level safe and accepting school strategies will focus on the process of ongoing development and continuous assessment of effectiveness.

Administrative Procedures (indicated in the References section of this directional policy) that specify system-wide practices for Safe and Accepting Schools, operationalize this directional policy.

ALIGNMENT WITH MULTI-YEAR STRATEGIC PLAN:

The Safe and Accepting Schools Directional Policy supports our Vision for Achieving excellence in Catholic Education through Learning, Leadership and Service.

This Vision calls the Board to these Strategic Priorities:

- Ensure our structures, processes, relationships, and actions reflect our Gospel and Catholic Social Teachings.
- Implement the most effective, evidence-based instructional and assessment practices to help all students meet the Catholic School Graduate Expectations.
- Embed technology to support digital literacy, creativity, innovation, collaboration, and the learning needs of all students.
- Develop the intellectual, spiritual, mental, physical, and emotional well-being of students in safe, diverse, respectful, and faith-filled learning environments.
- Implement fair and transparent processes in recruitment, leadership, talent development, and succession planning to ensure our employees have the necessary knowledge, skills, and attributes to support our Vision.

RESPONSIBILITIES:

The Board of Trustees is responsible for:

- defining, articulating and directing the PVNC Catholic District School Board mandate to support student achievement and well-being in a Catholic learning community supported by the Multi-Year Strategic Plan.
- setting direction and policy that governs the PVNC Catholic District School Board.
- reviewing, and considering for approval, the Safe and Accepting Schools Directional Policy recommended for consideration by the Policy Development Committee.
- understanding, and communicating with members of the community, the content of the Safe and Accepting Schools Directional Policy.
- assigning responsibility to the Director of Education for operationalizing and managing the Safe and Accepting Schools Directional Policy.
- monitoring and holding the Director of Education accountable respecting the implementation and operational details of the Safe and Accepting Schools Directional Policy.

The Director of Education is responsible for:

- providing leadership regarding implementation and operational details in the Safe and Accepting Schools Directional Policy.
- providing direction to staff in the development of administrative procedures and practices to ensure implementation of the Safe and Accepting Schools Directional Policy.

Superintendent of Safe Schools is responsible for:

- collaboratively leading the development of administrative procedures and practices aligned with the Safe and Accepting Schools Directional Policy.
- managing and providing leadership in developing the supports and resources to ensure the implementation of the Safe and Accepting Schools Directional Policy.
- working collaboratively with the Director and Superintendents, Managers, Principals and Vice-Principals, Federations, Unions, and non-union groups, to build capacity of all staff in their knowledge and understanding of the Safe and Accepting Schools Directional Policy.
- developing strategies for supporting parents/guardians at both the local and system level in their understanding of the Safe and Accepting Schools Directional Policy.

Superintendents of Schools and System Portfolios are responsible for:

- providing leadership and supports for Principals/Vice-Principals, Managers, Executive/Administrative Assistants and all departmental staff in their knowledge, understanding, and the implementation of the Safe and Accepting Schools Directional Policy.
- working collaboratively with the Superintendent of Safe Schools to develop administrative procedures that align with the Safe and Accepting Schools Directional Policy.

Managers are responsible for:

- providing leadership, management and support for the members of their departments in the knowledge, understanding, and the implementation of the Safe and Accepting Schools Directional Policy.
- working collaboratively with the Superintendent of Safe Schools to develop administrative procedures that align with the Safe and Accepting Schools Directional Policy.

Communications Services is responsible for:

- working collaboratively with the Superintendent of Safe Schools to develop a system-wide communications plan focused on building knowledge and understanding with our various stakeholders on the Safe and Accepting Schools Directional Policy to support its effective implementation.

Principals are responsible for:

- providing leadership, management, and support for the members of their school communities in the knowledge, understanding, and the implementation of the Safe and Accepting Schools Directional Policy.

Staff are responsible for:

- working collaboratively with colleagues to successfully implement Safe and Accepting Schools Directional Policy.
- adhering to the administrative procedures that support the Safe and Accepting Schools Directional Policy.
- being proactive and self-directed in building their knowledge and understanding of the Safe and Accepting Schools Directional Policy.

PROGRESS INDICATORS:

- All employees are aware of, and implement, their roles in the Safe and Accepting Schools Directional Policy and in the related administrative procedures.
- Ongoing review and development of Administrative Procedures for Safe and Accepting Schools responding to system and legislative needs.
- Bi-annual School Climate Survey indicates that students feel safe and welcome in their school environments.

DEFINITIONS:**REFERENCES:**

- [Bill 13 - Safe and Accepting Schools Act](#) – 2012
- [Bill 157 - Keeping Our Kids Safe at School](#) – 2009
- [Bill 212 - Behaviour, Discipline and Safety](#) – 2007
- Ministry of Education Policy/Program Memoranda:
 - 9, "[Reporting of Children in Need of Protection](#)" - 2001
 - 119, "[Developing and Implementing Equity and Inclusive Education Policies In Ontario Schools](#)" - 2013
 - 120, "[Reporting Violent Incidents to the Ministry of Education](#)" - 2011

- 123, "[Safe Arrivals](#)" - 1999
- 128, "[The Provincial Code of Conduct and School Board Codes of Conduct](#)" - 2012
- 141, "[School Board Programs for Students on Long-Term Suspension](#)" - 2012
- 142, "[School Board Programs For Expelled Students](#)" - 2012
- 144, "[Bullying Prevention and Intervention](#)" - 2012
- 145, "[Progressive Discipline and Promoting Positive Student Behaviour](#)" - 2012
- Police Record Checks: [Ontario Regulation 521/01, Collection of Personal information](#)
- [Equity and Inclusive Education in Ontario's Schools, Guidelines for Policy Development and Implementation, 2014](#)
- [Local Police/School Board Protocol](#) - 2016
- Ontario Education Act/Ontario Regulation
 - 265(1) (m) Exclusion
 - 472/07 - [Behaviour, Discipline and Safety of Pupils](#)
- [Caring and Safe Schools in Ontario](#)
- [PVNC Administrative Procedure for Safe Schools: Code of Conduct](#)
- [PVNC Administrative Procedure for Safe Schools: Suspension, Expulsion, and Appeal](#)
- [PVNC Administrative Procedure for Safe Schools: Progressive Discipline and Promoting Positive Student Behaviour](#)
- [PVNC Administrative Procedure for Safe Schools: Bullying Prevention and Intervention](#)
- [PVNC Administrative Procedure for Safe Schools: Delegation of Authority](#)
- [PVNC Administrative Procedure for Safe Schools: Lockdown](#)
- [PVNC Administrative Procedure: Safe Arrivals - Elementary](#)
- [PVNC Directional Policy: Equity and Inclusive Education](#)
- [PVNC Administrative Procedure: Safety and Conduct on School Buses](#)

That the Policy Development Committee recommend to the Board:

R.A.: that the DRAFT Directional Policy #900 – Safe and Accepting Schools be distributed to the system for feedback.

AND

that the final DRAFT Directional Policy #900– Safe and Accepting Schools, reflecting changes if made from the feedback process be brought back to the Board for approval.

February 16, 2017

Administration

**BOARD ADMINISTRATIVE PROCEDURE**

ADMINISTRATIVE PROCEDURE

**Workplace
Harassment
Prevention**

ADMINISTRATIVE PROCEDURE
NUMBER

**AP-402 (old)
AP-508 (new)**

Directional Policy

Employee Relations - 500**TITLE OF ADMINISTRATIVE PROCEDURE:**

Workplace Harassment Prevention

DATE APPROVED:**PROJECTED REVIEW DATE:****DIRECTIONAL POLICY ALIGNMENT:** Employee Relations**ALIGNMENT WITH MULTI-YEAR STRATEGIC PLAN:**

The Workplace Harassment Prevention Administrative Procedure supports our Vision for Achieving Excellence in Catholic Education through Learning, Leadership and Service. The Board is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace and all complaints will be taken seriously. This Vision calls the Board to these Strategic Priorities:

- Ensure our structures, processes, relationships, and actions reflect our Gospel and Catholic Social Teachings.
- Implement the most effective, evidenced-based instructional and assessment practices to help all students meet the Catholic School Graduate Expectations.
- Embed technology to support digital literacy, creativity, innovation, collaboration, and the learning needs of all students.
- Develop the intellectual, spiritual, mental, physical, and emotional well-being of students in safe, diverse, respectful, and faith-filled learning environments.
- Implement fair and transparent processes in recruitment, leadership, talent development, and succession planning to ensure our employees have the necessary knowledge, skills, and attributes to promote our Vision.

ACTION REQUIRED:**1.0 Initiating Complaints:**

- 1.1 Complaints may be initiated on an informal basis (see Appendix A) or by following the Formal Complaint Process (see Appendix B).
- 1.2 It is the expectation of the Board that all complaints will be brought forward in a timely manner and must be reported within one year of the most recent alleged harassing behaviour. A complaint outside this time frame may be considered by consulting the Superintendent of Schools/Human Resource Services.
- 1.3 Anonymous reports will not be entertained for dispute resolution under this Procedure.
- 1.4 The complainant is free to discontinue a complaint at any time. The Board may deem the circumstances worthy of further investigation and initiate its own action.
- 1.5 Subject to the Ontario Human Rights Code, and to ensure the integrity of the Board's Policy, action may be pursued in the absence of a formal complaint.

2.0 Confidentiality:

- 2.1 Procedural fairness requires that the respondent to a complaint be apprised of the nature of the complaint and by whom it has been made so that they have an opportunity to respond to the allegations. A copy of the Workplace Harassment Formal Complaint Form will be shared with employee respondents to a complaint. The disclosure of witness names and statements to the parties may also be necessary.
- 2.2 All correspondence and other documents generated under these Procedures must, subject to the Municipal Freedom of Information and Protection of Privacy Act, be marked "PRIVATE AND CONFIDENTIAL" and be stored in a locked and secure file in Human Resource Services.
- 2.3 The Board may be required to provide information obtained during an investigation to an outside agency such as, but not limited to, police services, court or tribunal that has the right to require information otherwise protected by the Municipal Freedom of Information and Protection of Privacy Act.

3.0 Misuse of Complaint Process and Reprisals:

3.1 If there is a determination on a balance of probabilities that a complaint has been filed in bad faith, the complaint process may discontinue and disciplinary action may occur.

3.2 Reprisals against individuals because they have reported a complaint are strictly forbidden. Alleged reprisals will be investigated as formal complaints and, if substantiated, are subject to the same consequences as complaints of harassment.

4.0 Rights of Complainants, Respondents and Witnesses:

4.1 Nothing in this Procedure denies or limits access to other avenues of redress available under the law or through the filing of a grievance or through progressive discipline. Where there is such an occurrence, this process will cease until the parties and their respective representatives have met with the Superintendent of Schools/Human Resource Services to determine whether a formal investigation will proceed or whether the complainant wishes to proceed under another process. Multiple processes will not be permitted to proceed concurrently, although informal dispute resolution attempts will be permitted at any time with the agreement of the Board and the parties.

4.2 Prior to initiating any complaint and throughout the complaint process, complainants have a right to assistance and support. Individuals who are named as respondents in a complaint, as well as witnesses, also have a right to assistance and support throughout the complaint process. The following people may provide support:

- parent/guardian/family member
- professional support staff
- employee or colleague
- trained resource person
- union/federation/association representative
- religious advisor
- translator/interpreter (if necessary)

4.3 Each employee has the right and is encouraged to contact his or her union/federation for assistance and advice throughout this process. Non-unionized employees are encouraged to consult with the Manager of Human Resource Services, the Superintendent of Schools/Human Resource Services, or the Director of Education.

4.4 'Other user' complainants should report the complaint to the appropriate supervisory or managerial personnel at the Board or, if they require assistance in reporting.

4.5 'Other user' respondents may also want to contact other appropriate personnel; for example, an employee of another organization may want to

seek assistance and support from within that organization. For assistance and representation throughout the complaint process, both other user complainants and other user respondents are referred to the suggested support people listed in section 4.2.

4.6 The complainant is free to commence the complaint procedure at the formal or informal stage outlined herein (see Appendices A and B). The complainant is also free to discontinue a complaint at any time. The Board, however, may deem the circumstances worthy of further investigation and initiate its own action.

RESPONSIBILITIES:

The Board of Trustees is responsible for:

- Ensuring alignment with the Employee Relations Directional Policy.

Director of Education:

- Designating resources for ensuring the implementation of and compliance with this Administrative Procedure.
- Reviewing the Policy with respect to workplace harassment as often as necessary, but at least annually.

Superintendents are responsible for:

- Collecting all pertinent information relating to the behaviours and the reported circumstances.

Human Resource Services is responsible for:

- Ensuring that employees are informed of this Administrative Procedure and how it can be accessed.
- Reviewing this Administrative Procedure at orientations for all employees.

Principals, Vice-Principals, Managers and Supervisors are responsible for:

- Notifying Human Resource Services of workplace violent incident complaints.
- Posting this Administrative Procedure at a conspicuous place in the workplace.
- Addressing and attempting to resolve disputes in a timely fashion.
- Maintaining confidentiality in the complaint process.
- Informing witnesses while obtaining a statement, such statement will be maintained in strict confidence, subject to their ability to conduct a full and thorough investigation.

Board employees are responsible for:

- Initiating complaints if the employee believes he/she is the target of harassment or has witnessed harassment directly, have received reports of harassment incidents, or have reasonable grounds to suspect that harassment is occurring.
- Ensuring all matters are confidential, whether employee is complainant, respondent, or any other way involved with the complaint, unless legally required to report.

PROGRESS INDICATORS:

- PVNCCDSB will continue to provide a work environment in which all workers are treated with respect and dignity.
- Workplace harassment complaints will be addressed and resolved in a timely fashion.

DEFINITIONS:

Other Users - Non PVNCCDSB employees.

Reprisal - any act of retaliation, either direct or indirect.

Supervisory and Managerial Personnel - include principals, vice-principals, managers, supervisors, superintendents, and directors.

Time Limits - set out in the Board's Policy; can be extended if, upon the determination of the Board and/or Superintendent of Human Resource Services, or designate, there is an appropriate reason for doing so, or if both parties agree. The Board adopts the one year time frame prescribed by the Human Rights Code and the Board may, at its discretion, decide not to deal with the complaint when the facts upon which the complaint is based occurred more than six months before the complaint was filed.

Workplace - any place where employees perform work or work-related duties or functions. Schools and school-related activities, such as extra-curricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions fall within the ambit of this Policy.

Workplace Harassment -

- engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- workplace sexual harassment; ("harcèlement au travail")

Reasonable action taken by the Board or Manager relating to the Management and direction of employees or the workplace is not workplace harassment.

Workplace Sexual Harassment -

- engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome; ("harcèlement sexuel au travail")

RELATED DOCUMENTS:

APPENDIX A – Informal Complaint Resolution Process

APPENDIX B – Formal Resolution Process

REFERENCES:

[Canadian Charter of Rights and Freedoms](#)

[Ontario Human Rights Code, R.S.O. 1990, c.H.19](#)

[Ontario Occupational Health and Safety Act, R.S.O. 1990, c.O.1](#)

[Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56](#)

[Teaching Profession Act, R.S.O. 1990, c.T.2](#)

[Ontario College of Teachers Act, S.O. 1996, c.12](#)

[The Early Childhood Educators Act, S.O. 2007, c.7, Schedule 8](#)

Code of Ethics for Catholic School Trustees

[Social Work and Social Service Work Act, S.O. 1998, c.31](#)

[Psychology Act, S.O. 1991, c.38](#)

PVNCCDSB Joint Protocol for Enhancing Positive Relationships in the Workplace

[Bill 132, Sexual Violence and Harassment Action Plan Act \(Supporting Survivors and Challenging Sexual Violence and Harassment\), 2016](#)

[PVNC Catholic District School Board Vision and Strategic Priorities 2014-2017](#)

[Education Act, RSO 1990, c. E.2](#)

DRAFT

APPENDIX A

Workplace Harassment Prevention Administrative Procedure 508

INFORMAL COMPLAINT RESOLUTION PROCESS

The first step is for the complainant to inform the individual that his or her behaviour is unwelcome and must stop immediately. Many disputes can be resolved quickly and effectively using this approach. In some cases, the complainant may not feel comfortable performing this step. The complainant is free to begin the complaint process at the formal or informal stage as outlined herein.

Informal Resolution is a procedure that provides an opportunity for parties to resolve a dispute mutually in a respectful manner. Supervisory and managerial personnel are expected, in consultation with union/ federation representatives, to first engage in Informal Resolution as a means of resolving issues.

Process:

Supervisory and managerial personnel may become aware of workplace harassment in the working or learning environment in different ways. They may observe harassment directly or receive a report from the individual affected. Supervisory and managerial personnel may also receive reports from third parties.

It is important that supervisory and managerial personnel pay attention to symptoms arising out of possible objectionable behaviour such as reduced productivity, changes in behaviour, absenteeism, requests for transfers, or rumours. Without assistance, the targets of objectionable behaviour may be embarrassed or reluctant to report a situation.

A speedy resolution of a complaint can prevent escalation and further negative consequences while promoting restoration of a healthy learning and working environment.

(a) *INFORMAL RESOLUTION STEPS*

In keeping with the Joint Protocol for Enhancing Positive Relationships in the Workplace, supervisory or managerial personnel, in consultation with union/federation representatives, will attempt to facilitate an informal resolution by:

- suggesting that the complainant confront the problem by making it clear to the individual alleged to have engaged in workplace harassment that the behaviour is not acceptable and by obtaining a commitment that the behaviour will stop;
- informing the individual of the complainant's concern regarding the alleged objectionable behaviour and the Board's expectation for appropriate behaviour, providing a copy of the Workplace Harassment Prevention Policy and/or other relevant Board policies, and obtaining a commitment that the behaviour will stop; and

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- following up with the complainant to ensure that the behaviour has stopped. Supervisory and managerial personnel may initiate mediation by a neutral third party.

(b) INFORMAL RESOLUTION FOLLOW-UP

In cases where an informal plan of action is implemented, supervisory and managerial personnel will follow up by monitoring the situation, holding, if necessary, subsequent meetings with the parties, and taking further steps to ensure that the harassment has stopped.

All notes and/or information prepared in the course of the informal complaint process will be forwarded to Human Resource Services for storage in a confidential workplace incident file separate from the personnel file. Only a record of negative consequence, warning, or caution will be placed in the respondent's personnel file.

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APPENDIX B

Workplace Harassment Prevention Administrative Procedure 508

FORMAL RESOLUTION PROCESS

Formal complaints will only be initiated once all reasonable efforts have been made to resolve the conflict informally. A Workplace Harassment Formal complaint Form shall be completed, signed, placed in a sealed envelope marked *private and confidential*, and forwarded to the Superintendent of Schools/Human Resources Services. The Superintendent of Schools/Human Resource Services will have the discretion to refer a formal complaint to the appropriate supervisor and the parties if he or she is not satisfied that reasonable efforts have been made to resolve the dispute informally.

Other user complainants should report the complaint to the appropriate supervisory or managerial personnel at the Board or, if they require assistance in reporting, [If the appropriate supervisory or managerial personnel engaged in the workplace harassment, the employee may contact the Superintendent of Schools/Human Resources Services.](#)

Other user respondents may also want to contact other appropriate personnel; for example, an employee of another organization may want to seek assistance and support from within that organization. For assistance and representation throughout the complaint process, both other user complainants and other user respondents are referred to the suggested support people listed in the procedure.

(a) RESPONDENTS TO A CLAIM

Individuals who are named as respondents in a complaint have a right to know in a timely manner that they are the subject of a complaint, who the complainant is, what the allegations are, and what approach to a resolution is being considered. In particular, a respondent has a right to know the specifics of an allegation, including times, dates, and alleged conduct. Respondents will be given a copy of the complaint and given time to prepare a full and complete response to the allegations.

Teachers are also advised to refer to the statutory requirements when making a report in accordance with Section 18.1 (b) of the *Teaching Profession Act*.

(b) THRESHOLD ASSESSMENTS

All formal reports filed under the Workplace Harassment Prevention Policy will be subject to an immediate threshold assessment to determine whether the alleged conduct would, if proven, meet the definition of workplace harassment.

If the Board, following this threshold assessment, determines that the report filed:

- would not, if true, meet the definition of workplace harassment;

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- does not provide sufficient details of the alleged harassment, provided the complainant is given notice that insufficient details have been provided and given reasonable time to provide sufficient details; or
- is vexatious, frivolous or trivial, has not been made in good faith or would, if investigated, constitute an abuse of the Workplace Harassment Prevention Policy,

the complainant will be so advised and no further action will be taken under the Workplace Harassment Prevention Policy.

Where allegations relate to discrimination on the basis of a ground prohibited by the Ontario *Human Rights Code*, they will be addressed using the appropriate Board policy.

(c) PROCEDURES FOR RESOLVING A FORMAL COMPLAINT

In all cases, where the Superintendent of Schools/Human Resource Services has determined that the parties have made reasonable efforts to resolve the dispute informally, and has conducted a threshold assessment to determine that a formal complaint should proceed, he or she will direct the appropriate supervisory and managerial personnel to take action to resolve the formal complaint under this Policy.

(d) FORMAL INVESTIGATION AND RESOLUTION

Formal complaints require an investigation of the complainant's allegations. Investigators will most often be the supervisory staff of the complainant and/or respondent, unless such person(s) actively participated in the unsuccessful informal resolution process, in which case, an independent investigator will be appointed. Where the complainant and the respondent have different reporting structures, supervisory and managerial personnel involved will determine who the appropriate person is to take responsibility for the investigation.

In a Formal Investigation, supervisory or managerial personnel who conduct the investigation will ensure that the following steps are taken as soon as possible:

- take appropriate measures to ensure the safety of the complainant;
- notify the complainant(s), the respondent(s), and witness(es) that they are entitled to support and assistance throughout the process;
- ensure that the respondent(s) have a copy of the complaint;
- interview the complainant(s) and/or the third party reporting the complaint;
- inform the respondent(s) of the allegations and provide an opportunity for response;
- interview the respondent(s);
- interview witness(es);

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- come to conclusions about whether a specific incident did or did not occur based on a balance of probabilities (The question of whether behaviour is objectionable will be assessed using objective standards.);
- provide a written summary of the findings and conclusions to the complainant and to the respondent and give them an opportunity to respond to same; and
- take appropriate action(s) to resolve the situation.

If the respondent declines to participate in the formal investigative process, the investigation will still proceed. The respondent should be encouraged to participate in the interest of a balanced and fair process.

(e) The standard of proof to be applied is the balance of probabilities.

(f) In the event a complaint is not substantiated, no further action will be taken, subject to the section on maintaining records. In cases where the complaint is found to be trivial, vexatious, or an abuse of the process, in which case the complainant may be subject to disciplinary action as outlined in section 1.13 (h) below. However, if there is need to restore positive learning or working environment or if the complainant and/or respondent require counselling, appropriate steps will be taken to meet such needs.

Follow-up possibilities:

- counselling for the parties;
- application of strategies to restore a positive learning/working environment;
- mediation;
- specific training for the complainant or respondent;
- workshops for the staff and/or others in the school/workplace regarding their rights and responsibilities;
- permanent separation of respondent and complainant from each other; and/or
- restorative measures.

(g) *DISCIPLINARY ACTIONS*

Employee Respondents

The appropriate supervisor or manager may impose discipline as appropriate and consistent with the circumstances.

The principles of progressive discipline will be applied in dealing with disciplinary actions under this Policy. These would include the following possibilities:

- verbal warning;
- written reprimand;
- suspension with pay;

APPENDIX B

Workplace Harassment Prevention Administrative Procedure 508

- suspension without pay; or
- dismissal from employment with the Board.

Other User Respondents

Actions must be determined as appropriate for the individual situation and may include such responses as a letter of disapproval and caution or warning, a revoking of permits or contracts, an issuing of a trespass warning, or other remedies as provided by the common law and/or the appropriate legislation. The involvement of the Superintendent of Schools/Human Resource Services is recommended in these cases.

(h) MEDIATED RESOLUTION

Mediation involves an unbiased third party acting as a facilitator in direct communication between the parties who voluntarily agree to enter into this process. It is an opportunity to resolve disputes in a respectful manner. It provides the opportunity to generate a variety of options for resolution and contributes to restoring the working relationship between the parties.

Where there is already a formal complaint being investigated under these Procedures, at any time during the investigation the parties may agree to hold the investigation in abeyance and attempt to achieve a mediated resolution.

Mediation is appropriate when all parties agree that a mutually agreeable solution is achievable and desirable. The investigator will request approval to mediate or attain a trained mediator from the Board's list of approved mediators when the parties have expressed an interest in a mediated resolution. (In cases where mediation is sought, the department of the Board responsible for human resources management will provide trained mediators who are acceptable to both parties.)

Meetings required for mediation sessions will be scheduled as soon as possible and, where practical, in a time and place convenient for the complainant, the respondent, and the mediator.

When matters are resolved through mediation, the complainant and the respondent will sign a memorandum of agreement outlining the terms to which they have agreed. Supervisory and managerial personnel will ensure that the terms that the parties have agreed to have been met.

Mediation is voluntary and the complainant or the respondent may choose to withdraw at any time.

(i) REVIEW

APPENDIX B

Workplace Harassment Prevention Administrative Procedure 508

In the event a complainant or respondent to a formal complaint has one or both of the specific concerns listed below, a request may be made to the Director of Education to convene a review within ten working days of the final decision. A reviewer will be appointed by the Director of Education.

The grounds for review are:

- the investigators did not comply with the procedures; or
- new evidence has become known after the final decision but before the expiry of the ten working days limitation period for requesting a review.

No review of the final decision will be undertaken with regard to the claim that the conclusions drawn by the investigator(s) based on findings of fact were incorrect.

The reviewer will report his or her findings to the Director of Education who will affirm or amend a final decision or require that a new investigation be undertaken.

That the Policy Development Committee recommend:

R.A.: that the current Policy and Administrative procedure, *P-402 and AP-402 – Workplace Harassment Prevention* and Appendixes be deleted and the relevant information be captured and incorporated into the new format as Administrative Procedure – 508 Workplace Harassment Prevention and Appendixes and will be under Directional Policy-Employee Relations.

February 16, 2017

Administration


BOARD ADMINISTRATIVE PROCEDURE

ADMINISTRATIVE PROCEDURE

**Workplace Violence
Prevention**
ADMINISTRATIVE PROCEDURE
NUMBER
**AP- 413 (old)
AP- 509 (new)**

Directional Policy

Employee Relations - 500
TITLE OF ADMINISTRATIVE PROCEDURE:

Workplace Violence Prevention

DATE APPROVED:
PROJECTED REVIEW DATE:
DIRECTIONAL POLICY ALIGNMENT: Employee Relations

ALIGNMENT WITH MULTI-YEAR STRATEGIC PLAN:

The Workplace Violence Prevention Administrative Procedure supports our Vision for Achieving Excellence in Catholic Education through Learning, Leadership and Service. The Board is committed to the prevention of workplace violence and is ultimately responsible for worker health and safety. The Board will take whatever steps are reasonable to protect workers from workplace violence. This Vision calls the Board to these Strategic Priorities:

- Ensure our structures, processes, relationships, and actions reflect our Gospel and Catholic Social Teachings.
- Implement the most effective, evidenced-based instructional and assessment practices to help all students meet the Catholic School Graduate Expectations.
- Embed technology to support digital literacy, creativity, innovation, collaboration, and the learning needs of all students.
- Develop the intellectual, spiritual, mental, physical, and emotional well-being of students in safe, diverse, respectful, and faith-filled learning environments.
- Implement fair and transparent processes in recruitment, leadership, talent development, and succession planning to ensure our employees have the necessary knowledge, skills, and attributes to promote our Vision.

ACTION REQUIRED:**1.0 Initiating Complaints:**

- 1.1 Individuals who are victims of workplace violence, including threats of violence, may initiate a complaint. In addition, those who have witnessed workplace violence directly, have received reports of workplace violence, or have reasonable grounds to suspect that workplace violence may occur, can initiate a complaint.
- 1.2 It is the expectation of the Board that all complaints of workplace violence will be brought forward in a timely manner, and all incidents or threats of workplace violence will be investigated in a prompt, fair, consistent, thorough, and confidential manner.
- 1.3 Anonymous reports will not be entertained for dispute resolution under these Procedures. Third party disclosures will only go forward (to the formal stage) after the alleged victim is notified.
- 1.4 When workplace violence occurs or is likely to occur, employees are encouraged to act immediately and summon assistance. For threats of violence, assaults, or other violent incidents, employees should contact their supervisory or managerial personnel, if possible, or, if necessary CALL 9-1-1 immediately.
- 1.5 Where an incident or threat of workplace violence requires employees to summon immediate assistance and/or to implement any of the Emergency Plan, Emergency Response Plan, hold and secure Procedures and/or the Lockdown Plan, the complaint process will be thereafter initiated as soon as possible.
- 1.6 After requesting police involvement, and once the emergency situation is under the proper control, the particulars of the event must be detailed on the Workplace Violent Incident Report Form (Appendix B) and submitted to the principal/supervisor in a timely manner.
- 1.7 Where police have been contacted, the Board may halt its review of the incident until the police investigation is complete. There is a concern that, if the Board persists in reviewing the incident, the supervisor or manager's actions in interviewing certain witnesses or seizing property could hamper or prejudice the police investigation. In these circumstances, the Board will defer to the police and allow them to carry out their investigation before the Board completes its investigation of the incident.

- 1.8 In the event a complaint is not substantiated, no further action will be taken, subject to the section on maintaining records. In cases where the complaint is found to be trivial, vexatious, or an abuse of the process, the complainant may be subject to disciplinary action.
- 1.9 The Superintendent of Schools/Human Resource Services will have the discretion to refer a complaint to the appropriate supervisor if he or she is of the belief that reasonable efforts may be made to resolve the dispute informally.
- 1.10 If there is need to restore a positive learning or working environment, or if the complainant and/or respondent require counselling, appropriate steps will be taken to meet such needs.
- 1.11 If the supervisor is the party alleged to be responsible for the objectionable behaviour or alleged to condone the objectionable behaviour, the complaint should be reported to the appropriate manager above the supervisor.
- 1.12 In all cases, where the Superintendent of Schools/Human Resource Services has determined that the parties have made reasonable efforts to resolve the dispute informally, and has conducted a threshold assessment to determine that a complaint should proceed, he or she will direct the appropriate supervisory and managerial personnel to take action to resolve the complaint under this Policy.

2.0 Confidentiality:

- 2.1 All complainants, respondents, and other persons involved with the complaint processes under these procedures will ensure that all matters remain confidential. Witnesses should be informed that supervisory and managerial personnel, in obtaining a statement, will maintain such statement in strict confidence, subject to their ability to conduct a full and thorough investigation.
- 2.2 Notwithstanding, procedural fairness requires that the respondent to a complaint be apprised of the nature of the complaint and by whom it has been made so that they have an opportunity to respond to the allegations. This may require the disclosure of witness names and statements to the parties. Employees who are named as respondents in a complaint have a right to know in a timely manner that they are the subject of a complaint, who the complainant is, what the allegations are, and what approach to a resolution is being considered. In particular, an employee respondent has a right to know the specifics of an allegation, including times, dates, and alleged conduct. Employee respondents will be given a copy of the complaint and given time to prepare a full and complete response to the allegations.

2.3 The Board may be required to provide information obtained during an investigation to an outside agency, such as police services, court, or tribunal that has the right to require information otherwise protected by the Municipal Freedom of Information and Protection of Privacy Act.

2.4 All correspondence and other documents generated under these Procedures must be marked "PRIVATE AND CONFIDENTIAL" and be stored in a locked and secure file in Human Resource Services. These files will be retained for a minimum of three years.

3.0 Misuse of Complaint Process and Reprisals:

3.1 If there is a determination on a balance of probabilities that a complaint has been filed in bad faith, the complaint process may discontinue and disciplinary action may occur.

3.2 Reprisals against individuals because they have reported a complaint in good faith are strictly forbidden. Alleged reprisals will be investigated as formal complaints and, if substantiated, are subject to the same consequences as complaints of harassment.

4.0 Rights of Complainants, Respondents and Witnesses:

4.1 Nothing in these Procedures denies or limits access to other avenues of redress available under the law or the filing of a grievance. Where there is such an occurrence, this process and the procedures will cease until the parties and their respective representatives have met with the Superintendent of Schools/Human Resource Services to determine whether a formal investigation will proceed or whether the complainant wishes to proceed under another process. Multiple processes will not be permitted to proceed concurrently, although informal dispute resolution attempts will be permitted at any time with the agreement of the Board and the parties.

4.2 The complainant is free to commence the complaint procedure at any stage outlined herein. The complainant is also free to discontinue a complaint at any time. The Board, however, may deem the circumstances worthy of further investigation and initiate its own action. Subject to the Ontario Human Rights Code, and to ensure the integrity of the Board's Policy, action may be pursued in the absence of a formal complaint received from employees.

4.3 Each employee has the right and is encouraged to contact his or her union/federation for assistance and advice throughout this process. Non-unionized employees are encouraged to consult with the Manager of Human Resource Services, the Superintendent of Schools/Human Resource Services, or the Director of Education.

4.4 Prior to initiating any complaint and throughout the complaint process, complainants have a right to assistance and support. Individuals who are named as respondents in a complaint, as well as witnesses, also have a right to assistance and support throughout the complaint process. The following people may provide support:

- parent/guardian/family member
- professional support staff
- trained resource person
- union/federation/association representative
- translator/interpreter (if necessary).

4.5 In the event that an employee requires assistance in completing the Workplace Violent Incident Report Form, another individual such as a union, federation, or association representative may assist in completing the Workplace Violent Incident Report Form. In such instances, the employee complainant shall sign the form to indicate their agreement with the statements made.

5.0 Domestic Violence:

If the Board becomes aware or ought reasonably to be aware that domestic violence is likely to expose an employee to physical injury in the workplace, the Board will take every reasonable precaution to protect the employee.

6.0 Formal Investigation and Resolution:

6.1 Formal complaints require an investigation of the complainant's allegations. Investigators will most often be the supervisory staff of the complainant and/or respondent unless such person(s) have a conflict of interest or require additional assistance, in which case the Superintendent of Schools/Human Resource Services, third party, or designate may be involved. Where the complainant and the respondent have different reporting structures, supervisory and managerial personnel involved will determine who the appropriate person is to take responsibility for the investigation.

6.2 In a Formal Investigation, supervisory or managerial personnel who conduct the investigation will ensure that the following steps are taken as soon as possible:

- take appropriate measures to ensure the safety of the complainant;
- notify the complainant(s), the respondent(s), and witness(es) that they are entitled to support and assistance throughout the process;
- ensure that the respondent(s) have a copy of the complaint;

- interview the complainant(s) and/or the third party reporting the complaint;
- inform the respondent(s) of the allegations and provide an opportunity for response;
- interview the respondent(s);
- interview witness(es);
- come to conclusions about whether a specific incident did or did not occur based on a balance of probabilities (The question of whether behaviour is objectionable will be assessed using objective standards.);
- provide a written summary of the findings and conclusions to the complainant and to the respondent and give them an opportunity to respond to same; and
- take appropriate action(s) to resolve the situation.
- If the respondent declines to participate in the formal investigative process, the investigation will still proceed. The respondent should be encouraged to participate in the interest of a balanced and fair process.

6.3 All formal reports filed under the Workplace Violence Prevention Policy will be subject to an immediate threshold assessment to be conducted by the Superintendent of Schools/Human Resource Services, or designate. This assessment will determine whether the alleged conduct would, if proven, meet the definition of workplace violence.

6.4 The complainant will be advised and no further action will be taken, if the Board, following this threshold assessment, determines that the report filed:

- would not, if true, meet the definition of workplace violence;
- does not provide sufficient details of the alleged incident or threat of workplace violence, provided the complainant is given notice that insufficient details have been provided and given reasonable time to provide sufficient details; or
- is vexatious, frivolous, or trivial, has not been made in good faith or would, if investigated, constitute an abuse of the Workplace Violence Prevention Policy.

7.0 Mediated Resolution:

7.1 Mediation involves an unbiased third party acting as a facilitator in direct communication between the parties who voluntarily agrees to enter into this process. It is an opportunity to resolve disputes in a respectful manner. It provides the opportunity to generate a variety of options for resolution and contributes to restoring the working relationship between the parties.

7.2 Where there is already a formal complaint being investigated under these procedures, at any time during the investigation, the parties may agree to

hold the investigation in abeyance and attempt to achieve a mediated resolution.

7.3 Mediation is appropriate when all parties agree that a mutually agreeable solution is achievable and desirable. The investigator will request approval to mediate or attain a mediator when the parties have expressed an interest in a mediated resolution. (In cases where mediation is sought, Human Resource Services will provide trained mediators who are acceptable to both parties.)

7.4 Meetings required for mediation sessions will be scheduled as soon as possible and, where practical, in a time and place convenient for the complainant, the respondent, and the mediator.

7.5 When matters are resolved through mediation, the complainant and the respondent will sign a memorandum of agreement outlining the terms to which they have agreed. Supervisory and managerial personnel will ensure that the terms that the parties have agreed to have been met.

7.6 Mediation is voluntary and the complainant or the respondent may choose to withdraw at any time.

8.0 Disciplinary Actions for Employee Respondents:

8.1 The appropriate supervisor or manager may impose discipline as appropriate and consistent with the circumstances.

8.2 The principles of progressive discipline will be applied in dealing with disciplinary actions under this Policy. These would include the following possibilities:

- verbal warning;
- written reprimand;
- suspension with pay;
- suspension without pay; or
- dismissal from employment with the Board.

9.0 Disciplinary Actions for Other User Respondents:

Actions must be determined as appropriate for the individual situation and may include such responses as a letter of disapproval and caution or warning, a revoking of permits or contracts, an issuing of a trespass warning, or other remedies as provided by the common law and/or the appropriate legislation. The involvement of the Superintendent of Schools/Human Resource Services is recommended in these cases.

10.0 Review:

10.1 A request may be made to the Director of Education to convene a Review if a complainant or respondent has one or both of the following concerns:

- the investigators did not comply with the procedures; or
- new evidence has become known after the final decision but before the expiry of a ten working days limitation period for requesting a review,

10.2 The reviewer will be appointed by the Director of Education.

10.3 No review of the final decision will be undertaken with regard to the claim that the conclusions drawn by the investigator(s) based on findings of fact were incorrect.

10.4 The reviewer will report his or her findings to the Director of Education who will affirm or amend a final decision or require that a new investigation be undertaken.

11.0 Measures and Procedures to Protect Employees from Workplace Violence:

11.1 For matters arising from the Workplace Violence Prevention Policy, where possible, supervisory and managerial personnel will convene an emergency meeting.

11.2 Supervisory and managerial personnel will liaise with the Superintendent of Schools/Human Resource Services. The Superintendent of Schools/Human Resource Services will collect all pertinent information relating to the behaviours and the reported circumstances. If required, the specific employees may be contacted.

11.3 Supervisory and managerial personnel will evaluate the circumstances of a person's history of violent behaviour. Factors to consider include:

- Was the history of violence associated with the workplace or work?
- Was the history of violence directed at a particular worker or workers in general?
- How long ago did the incident(s) of violence occur?
- What measures and procedures are in place in the existing workplace violence program?

11.4 Supervisory and managerial personnel and the Superintendent of Schools/Human Resource Services will ensure that the relevant employees have been provided with sufficient information, which may include personal information related to a risk of workplace violence, if:

- (i) the employee can be expected to encounter that person in the course of his or her work; and
- (ii) the risk of workplace violence is likely to expose the employee to physical injury.

The supervisor will not disclose more personal information than is necessary to protect the employee from physical injury.

11.5 Measures and procedures that the Board may implement to protect employees from workplace violence include:

- contacting the police;
- encouraging employees to work and travel in groups;
- rescheduling work hours to avoid working late nights or very early mornings;
- training employees in conflict resolution and mediation strategies;
- developing a safety plan for an individual employee;
- separation of individuals in the workplace;
- monitoring a person's behaviour in the workplace; and/or
- reporting the violent incident or risk of violence and undertaking an investigation.

11.6 Incidents that involve violence or the imminent threat to the safety or security of a person will require a police response. Occurrences that require a police response include:

- physical assault causing bodily harm;
- sexual assault;
- robbery;
- extortion;
- criminal harassment;
- drug offences, including possession and trafficking in drugs;
- weapons offences;
- explosive substance;
- hate-motivated incidents; and
- threats of serious physical injury.

11.7 Where police have been contacted, the Board may halt its review of the incident until the police investigation is complete. There is a concern that, if the Board persists in reviewing the incident, the supervisor or manager's actions in interviewing certain witnesses or seizing property could hamper or prejudice the police investigation. In these circumstances, the Board will

defer to the police and allow them to carry out their investigation before the Board completes its investigation of the incident.

12.0 Risk Assessment:

12.1 On a periodic basis, through an employee survey, the Board will conduct a risk assessment and determine the degree of risk for all Board employees for the following groupings:

- Staff on staff
- General Public (including parents) on staff
- Domestic Violence in the workplace

12.2 In an effort to mitigate these identifiable risks, the Board will maintain and implement the following measures and procedures:

- Emergency Response Manual
- Emergency Preparedness Policy and Administrative Procedure

RESPONSIBILITIES:

The Board of Trustees is responsible for:

- Ensuring alignment with the Employee Relations Directional Policy.
- Reviewing risk assessment reports.

The Director of Education is responsible for:

- Designating resources for ensuring the implementation of and compliance with this Administrative Procedure.
- Reviewing the Policy with respect to workplace violence as often as necessary, but at least annually.
- Appointing a reviewer where required and affirm or amend a final decision or require that a new investigation be undertaken.

Superintendents are responsible for:

- Conducting immediate threshold assessment for all formal reports.
- Collecting all pertinent information relating to the behaviours and the reported circumstances.
- Ensuring that the relevant employees have been provided with sufficient information, which may include personal information related to a risk of workplace violence, if:
 - the employee can be expected to encounter that person in the course of his or her work; and
 - the risk of workplace violence is likely to expose the employee to physical injury.

Principals, Vice-Principals, Managers and Supervisors are responsible for:

- Notifying Human Resource Services of workplace violent incident complaints.

- Posting this Administrative Procedure at a conspicuous place in the workplace.
- Addressing and attempting to resolve disputes in a timely fashion.
- Maintaining confidentiality in the complaint process.
- Imposing discipline as appropriate and consistent with the circumstances.

Joint Health and Safety Committee is responsible for:

- Completing periodic risk assessments, reviewing the results and provide input to administration to support mitigation of risks.
- Submitting a summary report of risk assessments to the Board of Trustees.

All Board employees are responsible for:

- Initiating a complaint if they are victims of workplace violence, including threats of violence.
- Initiating a complaint if they have witnessed workplace violence directly, have received reports of workplace violence, or have reasonable grounds to suspect that workplace violence may occur.

PROGRESS INDICATORS:

- PVNCCDSB will continue to provide a respectful working and learning environment, free from violence or threats of violence.
- Workplace violence complaints will be addressed and resolved in a timely fashion.

DEFINITIONS:

Other Users – Non PVNCCDSB employees.

Reprisal - any act of retaliation, either direct or indirect.

Supervisory And Managerial Personnel - include principals, vice-principals, managers, supervisors, superintendents, and directors.

Time Limits - set out in the Board's Policy. Can be extended if, upon the determination of the Board and/or Superintendent of Human Resource Services, or designate, there is an appropriate reason for doing so, or if both parties agree.

Timely - acting in an expeditious manner as soon as is possible following the occurrence of the event in question.

Violent or Threatening Behaviours - the following are examples of violent or threatening behaviour, or warning signs of such behaviour:

- a) oral, written, or non-verbal threats – or intimidation, explicit or subtle;
- b) fascination with weaponry and/or acts of violence;
- c) disrupting or obstructing any Board activities or other authorized activities;
- d) expression of a plan to hurt self/others;

- e) extreme feelings of persecution, expressed distrust, especially with those in authority;
- f) expression of extreme desperation over family, financial or personal problems;
- g) frequent and unusual interpersonal conflicts;
- h) unusual reaction to criticism of work performance;
- i) displays of unwarranted anger;
- j) violence toward inanimate objects;
- k) sabotaging projects, computer programs or equipment;
- l) holding a grudge against a specific person; verbalizing a hope that something negative will happen to him or her;
- m) knowingly (which includes when one should reasonably have known) creating a condition that endangers the health, safety, or well-being of any person;
- n) coercing, enticing, or inciting a person to commit an act that is humiliating or demeaning to that person or to others;
- o) distribution of hate material and/or hate-motivated violence;
- p) any physical assault, including physical assault causing bodily harm;
- q) misappropriation, damage, defacement, and/or destruction of premises or property of the Board, or the property of others; and/or
- r) storage, possession, or use of a firearm, explosive substance, or other weapon, flammable solvents, bio-hazardous, volatile, or poisonous materials.

Workplace - any place where employees perform work or work-related duties or functions. Schools and school-related activities, such as extra-curricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions fall within the ambit of this Policy.

Workplace Violence - as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and/or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

RELATED DOCUMENTS:

APPENDIX A: Workplace Violence Prevention Flow Chart
APPENDIX B - Workplace Violent Incident Report Form

REFERENCES:

[Canadian Charter of Rights and Freedoms](#)
[Ontario Human Rights Code, R.S.O. 1990, c.H.19](#)
[Ontario Occupational Health and Safety Act, R.S.O. 1990, c.O.1](#)
[Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56](#)
[Teaching Profession Act, R.S.O. 1990, c.T.2](#)
[Ontario College of Teachers Act, S.O. 1996, c.12](#)

[The Early Childhood Educators Act, S.O. 2007, c.7, Schedule 8](#)

Code of Ethics for Catholic School Trustees

[Social Work and Social Service Work Act, S.O. 1998, c.31](#)

[Psychology Act, S.O. 1991, c.38](#)

PVNCCDSB Joint Protocol for Enhancing Positive Relationships in the Workplace

[Bill 132, Sexual Violence and Harassment Action Plan Act \(Supporting Survivors and Challenging Sexual Violence and Harassment\), 2016](#)

[PVNC Catholic District School Board Vision and Strategic Priorities 2014-2017](#)

[Education Act, RSO 1990, c. E.2](#)

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APPENDIX A

**Workplace Violence Prevention
Administrative Procedure - 509**
Workplace Violent Incidence Process Flow-chart

This flow-chart provides an overview of major steps in the workplace violence resolution process. Persons seeking further information regarding the resolution process are advised to refer to Workplace Violence Prevention Administrative Procedure 509.

INCIDENT	A person exercises physical force against a worker, in a workplace, that causes or could cause physical injury to the worker; and/ or a person attempts to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and/or a statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker is made.
↓	
RECORD THE INCIDENT	Complete the Workplace Violence Report Form, documenting the details of the incident, any witnesses, and any pertinent dates or times.
↓	
THE COMPLAINANT IS FREE TO DISCONTINUE A COMPLAINT AT ANY TIME.	
↓	
COMPLAINT RESOLUTION - Immediate Response	Where workplace violence occurs or is likely to occur, employees are encouraged to act immediately and summon assistance in the form of supervisory or managerial personnel, or police involvement. The situation may also require initiation of the Emergency Plan, Emergency Response Plan, Hold and Secure Procedures and / or the Lockdown Plan. Following immediate assistance, and once the emergency situation is under control, the Complaint will be documented.
↓	
COMPLAINT RESOLUTION - Documentation and Notification	File a written complaint outlining the particulars of the allegation and any initial attempted resolutions. The written complaint is recorded on the Workplace Violent Incident Report Form and is submitted to the principal/supervisor in a timely manner. Supervisory and managerial personnel will, where possible, convene an emergency meeting. Supervisory and managerial personnel will liaise with the Superintendent of Schools/Human Resource Services and all pertinent information relating to the behaviours and circumstances reported will be collected. The Superintendent of Schools/Human Resource Services may refer a complaint to the appropriate

	<p>supervisor and the parties if she or he is of the belief that reasonable efforts may be made to resolve the dispute informally.</p> <p>Copies of the Workplace Violent Incident Report Form will be provided to the complainant, respondent, their supervisory officer(s), and the Superintendent of Schools/Human Resource Services.</p> <p>In some situations an informal resolution may be identified and enacted by the supervisory/managerial personnel at this stage of the reporting process through discussions with the complainant. In such a case the resolution would be documented and forwarded to the Superintendent of Schools/Human Resource Services.</p>
↓	
FORMAL COMPLAINT RESOLUTION - Threshold Assessment	The Superintendent of Schools/Human Resource Services will conduct a Threshold Assessment to ensure that the alleged conduct, if proven, would meet the definition of workplace violence.
↓	
FORMAL COMPLAINT RESOLUTION - Investigation	<p>An investigator(s) will be assigned. An investigation of the complainant's allegations will be completed.</p> <p>The respondent will be given an opportunity to respond to the allegations.</p> <p>Interviews may be conducted and conclusions will be drawn based on the balance of probabilities.</p>
↓	
FORMAL COMPLAINT RESOLUTION - Report and Conclusion	<p>A written summary of the findings and conclusions will be provided to the complainant and the respondent. They will be given an opportunity to respond.</p> <p>Appropriate actions will be taken to resolve the issue.</p> <p>ALL CORRESPONDENCE AND OTHER DOCUMENTS GENERATED UNDER THESE PROCEDURES MUST BE MARKED "PRIVATE AND CONFIDENTIAL" AND BE STORED IN A LOCKED AND SECURE FILE IN HUMAN RESOURCE SERVICES.</p>
↓	
FORMAL COMPLAINT RESOLUTION - Review	<p>If within ten working days of the final decision a complainant or respondent to a formal complaint has grounds for review, a reviewer will be appointed by the Director of Education.</p> <p>The findings of the review will be reported to the Director of Education who will affirm or amend the final decision or require that a new investigation be undertaken.</p>

* MEDIATED RESOLUTION	<p>At any time during the formal complaint investigation, and at the request of both the complainant and respondent, an unbiased third party may be requested to act as a facilitator of communication between the parties.</p> <p>Any formal investigation into the allegations will be held in abeyance while mediation is ongoing. Mediation is voluntary and the complainant or respondent may choose to withdraw at any time.</p>



WORKPLACE VIOLENT INCIDENT REPORT FORM

INCIDENT INFORMATION

School/Location Name:

Date of Incident:

Time of Incident:

Location of the Incident:

VICTIM INFORMATION

Name of the Victim:

Victim Gender: ☐ Male ☐ Female

Identify the Victim: Employee/Student/Student's Parent/Visitor/Intruder/Other

INITIATOR INFORMATION

Name of Person Making the Report (if different from above):

Job Title:

ALLEGED AGRESSOR INFORMATION

If possible, name the person(s) who is(are) alleged to have engaged in the violent behaviour:

Identify the Aggressor(s): Employee/Student/Student's Parent/Visitor/Intruder/Other

Aggressor(s) Gender: ☐ Male ☐ Female

*If the aggressor could not be identified please indicate any identifying information
(ex. height, gender, hair/eye colour, colour of clothes worn etc.)*

WITNESS INFORMATION

Witness Name:

Witness Phone Number:

Witness Name:

Witness Phone Number:

This image shows a full page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, providing a template for handwriting practice or general writing. There are no margins, text, or other markings on the page.

Signature of the person making this report: _____ Date: _____

**PLACE THIS FORM IN A SEALED ENVELOPE MARKED "PRIVATE AND CONFIDENTIAL" AND FORWARD TO THE PRINCIPAL/SUPERVISOR INVOLVED.
RETAIN A COPY FOR YOUR OWN RECORDS.**

COPIES:

1. Superintendent of Human Resource Services 2. Employee's Supervisor 3. Complainant 4. Respondent 5. Initiator

That the Policy Development Committee recommend:

R.A.: that the current Policy and Administrative procedure, *P-509 and AP-509 – Workplace Violence Prevention and Appendixes* be deleted and the relevant information be captured and incorporated into the new format as Administrative Procedure – 509 Workplace Violence Prevention and Appendixes and will be under Directional Policy-Employee Relations.

February 16, 2017

Administration