

## VIOLENCE PREVENTION

### Policy E.5.F

Frontier School Division is committed to providing, as far as reasonably possible, a safe and secure workplace free from violence for all individuals working, studying in, or visiting Division facilities. The Board of Trustees recognizes the potential for violence and threats against staff, students and/or visitors. Actions are taken to identify possible sources of violence and to implement a violence prevention program to minimize the risk of violence.

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Canada's *Criminal Code* prohibits violence. You have a right to live and work without being subjected to violence. This regulation outlines what to do if you are subjected to threats or violence at work, or if you, as a manager or an employee, become aware of a violent situation.

This regulation is divided into the following sub-sections:

1. Definitions
2. Responsibilities
3. Prevention
4. Incident Reporting and Investigation
5. Discipline
6. Assistance to Employees Subjected to Violence
7. Annual Report

### 1. DEFINITIONS

- a. As defined in Part 10 of *The Workplace Safety and Health Regulation*, M.R. 217/2006:

“Violence” is the attempted or actual exercise of physical force and/or any threatening statement or behaviour that gives a person reason to believe that physical force shall be used against them.

- b. A workplace is defined as any place where individuals perform work or work-related duties or functions for Frontier School Division.

### 2. RESPONSIBILITIES

The Division, its administrators, its principals, supervisors, staff and students are responsible for supporting a safe work working environment that is free from violence.

Any person aware of a violent act occurring on Division property shall immediately bring it to the attention of the principal/supervisor in order that the issue be addressed.

Anyone who gives evidence or information in an investigation, or is involved in the process must keep this information confidential, except when it is necessary to deal effectively with the issue.

a. **Employee Responsibilities**

All employees shall:

- work together in a professional manner and resolve issues in a non-violent manner,
- bring issues to their principal/supervisor if they cannot be mutually resolved,
- report incidents of violence to their principal/supervisor,
- cooperate in the investigation of a violent incident.

b. **Employer Responsibilities**

All principals/supervisors shall:

- ensure, so far as is reasonably possible, that no one is subjected to violence while on Division property,
- take corrective action with anyone under their direction who subjects another person to violent behaviour,
- not disclose the name of a complainant or the circumstances of a complaint to anyone except where disclosure is:
  - necessary to investigate the complaint,
  - required to take corrective action,
  - required by the law.
- ensure any information that is disclosed (as above) will be the minimum required for the purpose,
- ensure affected employees are aware of the risks of violence in the workplace and are provided information, strategies and supports to protect themselves,
- when communicating information to address a risk of violence, comply with *The Personal Health Information Act (PHIA)* and *The Freedom of Information and the Protection of Privacy Act (FIPPA)*,
  - under PHIA the Division may disclose personal health information without the consent of the individual the information is about if the Division reasonably believes that the disclosure is necessary to prevent or lessen a serious or immediate threat to:
    - the health or safety of an individual, or
    - public health or public safety.
  - under FIPPA the Division may disclose personal information where necessary to protect the mental or physical health or the safety of any individual or group of individuals,
  - example – student at a school with a history of violence:
    - FIPPA applies,
    - the Division may disclose some information to staff (teachers, EA's, etc.) who are likely to encounter the student during the course of their work that are unaware of a risk of violence,

- the Division may release situation specific information and precautions (example: The student becomes aggressive, kicks and bites when it is time to come in from recess. Give a two minute warning before the bell rings.),
- do not disclose a student's diagnosis.

### 3. PREVENTION

- a. The Division shall assess the risk for workplace violence in all facilities:
  - once annually,
  - more often if required, or if something in the workplace changes,
  - if a violent incident occurs.
- b. Personal safety and de-escalation skills training shall be provided to all staff working directly with a student where this training is identified as a requirement.
- c. Where employees work with students with diagnosed behavioural issues, behaviour plans shall be developed and staff shall be trained on these plans, and be required to follow these plans to ensure their individual safety.
- d. All employees shall:
  - Have the opportunity to review this policy, as well as the following policies related to employee safety:
    - Policy C.2.F – Risk Management,
    - Policy C.2.G – Workplace Safety and Health,
    - Policy C.2.I – Threat Assessment,
    - Policy E.5.A – Workplace Harassment and Discrimination Prevention, Investigation and Resolution,
    - Policy E.5.E – Employee Health and Safety – Alcohol and Drug Free Workplaces,
    - Policy G.1.A – A Safe Learning and Working Environment.
  - Have working alone procedures reviewed with them, as applicable. Employees must follow these procedures and principals/supervisors must ensure the plan is followed.

### 4. INCIDENT REPORTING AND INVESTIGATION

- a. Any employee who observes a violent situation or threat of a violent situation, or any employee who feels they have been subjected to a violent incident or have received a threat of violence shall:
  - i. immediately report the incident to their principal/supervisor of the nature of the situation and where possible, identify the individuals involved,

- ii. in consultation with their principal/supervisor the RCMP/police may be contacted immediately if the situation has or is likely to escalate into an act of physical violence,
  - iii. in situations of immediate threat, staff should contact the RCMP without delay and notify their supervisor as soon as possible,
  - iv. complete a Violent Incident Report form (see E.5.F-EX1).
- b. An appropriate course of action, which shall include the following, shall be determined by the principal/supervisor in consultation with the employee.
- i. Medical attention and/or counselling, if necessary, shall be sought for the employee.
  - ii. If deemed appropriate, the individual posing the threat shall be removed from the premises.
  - iii. Further training shall be provided to staff, if required, and/or the prevention plan shall be modified, if appropriate, to protect the employee(s) from any further violence.
  - iv. Involvement of the local Workplace Safety and Health Committee (or representative) if the incident is considered a “**serious incident**” under the Workplace Safety and Health regulation.
- c. After an incident of violence occurs, the principal/supervisor or designate shall investigate the incident as soon as reasonably possible. The principal/supervisor will also report the violent incident to the Area Superintendent and the Chief Superintendent. The Chief Superintendent will immediately inform Manitoba Workplace Safety and Health. Incidences of violence will be reported by school based administration at the local Workplace Health and Safety meetings.
- d. If the violent incident meets the definition of a “**serious incident**” the principal/supervisor must immediately notify the Manitoba Workplace Safety and Health Division, Workplace Safety and Health Committee Co-chairs (or representative), as well as the Chief Superintendent, A serious incident means an incident:
- i. in which a worker is killed,
  - ii. in which a worker suffers:
    - an injury resulting from electrical contact,
    - unconsciousness as the result of a concussion,
    - a fracture of the skull, spine, pelvis, arm, leg, hand or foot,
    - amputation of an arm, leg, foot, finger or toe,

- third degree burns,
  - permanent or temporary loss of sight,
  - a cut or laceration that requires medical treatment at a hospital as defined in *The Health Services Insurance Act*, or
  - asphyxiation or poisoning; or
- iii. that involves:
- the collapse or structural failure of a building, structure, crane, hoist, lift, temporary support system or excavation,
  - an explosion, fire or flood,
  - an uncontrolled spill or escape of a hazardous substance, or
  - the failure of an atmosphere-supplying respirator.
- e. The site of a serious incident must be secured.
- f. In the event of a serious incident, the principal/supervisor, Workplace Safety and Health Committee Co-chairs (or representative) and any other persons required (Investigation Team) shall conduct an immediate investigation of the incident, establishing fact, questioning witnesses, and informing police if deemed necessary.
- g. All information available and relevant to the serious incident shall be provided to the Investigation Team.
- h. The Investigation Team shall summarize the results of the investigation using the Serious Incident Investigation Summary Report form (see E.5.F-EX2). The report shall include:
- i. The name of any person injured or killed,
  - ii. The date, time and place of the incident, accident or dangerous occurrence,
  - iii. A description of the incident, accident or dangerous occurrence,
  - iv. Any graphics, photographs or other evidence that may assist in determining the cause or causes of the incident, accident or dangerous occurrence,
  - v. An explanation of the cause of the incident, accident or dangerous occurrence, including any factors or events that indirectly contributed to it occurring,
  - vi. Any immediate correction action taken,
  - vii. Any long-term action that will be taken to prevent the occurrence of a similar incident, accident or dangerous occurrence, or the reasons for no action being taken.

A copy of the report shall be provided to the Workplace Safety and Health Committee (or representative). A copy of the report shall also be provided to the Chief Superintendent, Area Superintendent, and Manager of Facilities and Maintenance.

## 5. DISCIPLINE

- a. Students who have been involved in a violent incident towards an employee shall be subject to discipline in accordance with Division Policy G.1.B – Student Suspension and/or Policy G.1.C – Student Expulsion.
- b. Employees involved in a violent incident towards other individuals shall be subject to discipline in accordance with Division Policy E.5.D – Progressive Discipline – Support Staff or the applicable collective agreement.
- c. Individuals who are not students that are involved in a violent incident towards employees shall be dealt with in accordance with this policy, *The Public Schools Act* and/or involvement of the RCMP/police.
- d. The principal/supervisor may refer violent incidents to the RCMP/police or Child and Family Services, dependent upon the nature of, and who is involved in, the incident.
- e. Consequences shall be determined with consideration being given to the following:
  - i. Level of Violence – consequences shall be applied in accordance with Policy E.5.D – Progressive Discipline – Support Staff, the applicable collective agreement and/or employment contracts as appropriate. Consequences may be considered up to and including termination of employment for employees or expulsion for students.  
  
Weapons related offences shall automatically result in RCMP/police involvement and where appropriate, the Division shall pursue maximum consequences under the law.
  - ii. Criminal Code of Canada – where appropriate, incidents of violence at a school facility shall be reported to and investigated by the RCMP/police. Criminal charges may potentially be laid against anyone involved in the commission of an unlawful activity as defined by the *Criminal Code of Canada*.
  - iii. Fraudulent Allegations – any individual who has made a false allegation of a violent incident against another individual shall be subject to disciplinary/criminal action.

**6. ASSISTANCE TO EMPLOYEES SUBJECTED TO VIOLENCE**

- a. Employees who have been the victim of a violent incident may be:
  - i. encouraged to seek medical help from their healthcare provider(s) or referrals for post-incident counselling, if required,
  - ii. given the opportunity to be examined by a doctor and transported to a medical facility, if required.
- b. Support staff shall have access to the Employee and Family Assistance Program. Teaching staff have access to an Employee Assistance Program through The Manitoba Teachers' Society.
- c. The violent incident may require the employee (support staff) to file a report of injury with the Workers' Compensation Board.

**7. ANNUAL REPORT**

Each Violent Incident Investigation Summary Report shall be included in the annual workplace violence report. The annual report on violence shall be provided to:

- a. The committee at the workplace,
- b. The representative at the workplace,
- c. When there is no committee or representative, the workers at the workplace.

***This policy is not intended to discourage or prevent the complainant from exercising any other legal rights.***

- Information: [Criminal Code of Canada](#)  
[The Workplace Safety and Health Act](#)  
[The Personal Health Information Act](#)  
[The Freedom of Information and Protection of Privacy Act](#)  
 C.2.F – Risk Management  
 C.2.G – Workplace Safety and Health  
 C.2.I – Threat Assessment  
 E.5.A – Workplace Harassment and Discrimination Prevention, Investigation and Resolution  
 E.5.D – Progressive Discipline  
 E.5.E – Employee Health and Safety – Alcohol and Drug Free Workplaces  
 G.1.A – A Safe Learning and Working Environment  
 G.1.B – Student Suspensions  
 G.1.C – Student Expulsions

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# VIOLENT INCIDENT REPORT

Exhibit E.5.F-EX1

## IDENTIFYING INFORMATION FROM COMPLAINANT (Person who is reporting the incident) (Refer to Regulation 4. a.)

Name \_\_\_\_\_ Position \_\_\_\_\_

School/Office/Department \_\_\_\_\_

Location of Incident \_\_\_\_\_ Date/Time of Incident \_\_\_\_\_

Was First Aid or medical attention obtained? (If so provide explanation) \_\_\_\_\_

Detailed description of incident (Include graphics, photographs, or other evidence such as names of witnesses, if any. Add additional sheets if necessary)

## WHO PERPETUATED THE VIOLENCE?

Name \_\_\_\_\_ Position \_\_\_\_\_

Other (if not employee) \_\_\_\_\_

## GENERAL

Was incident reported to Supervisor Yes\_\_\_ No\_\_ Supervisor Name/Date \_\_\_\_\_

Was incident reported to Police Yes\_\_\_ No \_\_

Was Workplace Safety & Health Committee Notified Yes\_\_\_ No \_\_\_

Signature of Complainant \_\_\_\_\_ Date \_\_\_\_\_

## PRINCIPAL/SUPERVISOR - Acknowledgement of Complaint/Incident (Refer to Regulation 4. b.)

Report received

Supervisor Name/Title \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_

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# SERIOUS INCIDENT INVESTIGATION SUMMARY REPORT

Exhibit E.5.F-EX2

**This form is to be filled out by the Investigation Team in the event of a violent incident. Attach additional sheets if necessary.** (Refer to Regulation Item 4. f.-h.)

Name of Complainant \_\_\_\_\_

School, Office or Department \_\_\_\_\_

Date of Incident \_\_\_\_\_ Time of Incident \_\_\_\_\_

Place of Incident \_\_\_\_\_

**Description of Incident**

(Include graphics, photographs or other evidence such as witness statements that may assist in determining the cause(s) of the incident.)

**Explanation to the cause of the incident**

(Include any factors or events that indirectly contributed to the incident occurring.)

**Immediate Corrective Action Taken**

**Long term action required.** (To prevent of similar incident(s))

**No further action required.** (Provide reasons.)

**INVESTIGATORS**

Name \_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

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Name \_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

—

Name \_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

—

Name \_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

—

Date report completed \_\_\_\_\_

**Forward this report to:** Workplace Safety and Health Committee (or representative), Area Superintendent, Manager of Facilities and Maintenance (Winnipeg office), and the Chief Superintendent.

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