



## **Violence Procedure**

### **Introduction:**

It is the intent of the Park West School Division that the working and learning environment should be a safe and secure place that supports intellectual and emotional growth. Therefore, the school environment should be free from violence or threats of violence.

It is the position of the Board that employees shall have the responsibility and authority to take appropriate action, so that as much as possible, an environment that is free from aggression or violence is maintained. The Public Schools' Act (Section 96 C) states that teachers and administrators "*shall maintain order and discipline in the school*".

### **Definition:**

Violence – is the attempted or actual exercise of physical force against a person and any threatening statement or behavior that gives a person reasonable cause to believe that physical force will be used against the person.

Complainant(s): The person who is reporting an occurrence of potential workplace violence.

Respondent(s): The person(s) alleged to have committed a violent act towards a co-worker.

### **Employees Responsibilities**

- Employees are responsible for working together in a professional manner and resolving issues in a non-violent manner.
- Employees are to bring issues to their supervisor, if they cannot be mutually resolved.
- Employees must report incidents of violence to their supervisor. They must also cooperate in the investigation of a violent incident. Anyone who gives evidence or information in an investigation or is involved in the process must keep this information confidential, unless otherwise directed by their supervisor.
- Employees should take all reasonable steps to protect their personal safety and remove themselves from a violent situation.
- Employees should summon help by calling out/making noise during school hours. After school hours the crisis response plan shall be initiated.
- Provide an overview of the violence program to all employees.
- Provide nonviolent crisis intervention training to all teaching staff.

### **Employers' Responsibilities**

Park West School Division must ensure;

- as much as reasonably practical, that no employees are subjected to violence in the workplace.
- assess any Park West School division work sites for the risk of violence. SM 249A Workplace Safety Inspection / Security Checklist. Security Risks are specific to the final page.



- supervisors will ensure employees are aware of the potential risk of violence in their workplace. This potentially personal information will be the minimum amount necessary to accomplish the task of identifying potential risk of violence.
- all employees aware of violence in their workplace must bring it to the attention of their direct supervisor so that the issue can be addressed immediately.
- supervisors will take corrective action with anyone under their direction who subjects an employee to violence.
- all employees are required to receive training regarding the violence program and sign the Check list acknowledgement form SM - 238A.
- all employees comply with the violence program. Any employees who do not comply with the violence program may be subject to disciplinary action.
- treat all claims seriously,
- investigate any claims in a timely fashion.
- keep the investigations confidential. Information that is necessary to protect employees during the investigation will be shared with those affected employees.
- Provide an annual report to the school/department Workplace Safety and Health Committee or Representative that compiles;
  - records of incidents of violence at the workplace, if any;
  - results of any investigation into an incident of violence at the workplace, including a copy of any recommendations for control measures or for changes to the violence prevention program and a copy of any report.
  - description of control measures put in place following investigation into an incident.

### **Notification of Workers at Risk**

When an actual incident of violence has occurred or there is a known potential risk of violence, the Park West School Division will take the following steps to ensure the safety of all employees:

1. The supervisor will advise the employees who are at risk. They will discuss and document control measures to minimize the risk.
2. The Division shall provide any information in the division's possession, including personal information, related to the risk of violence from persons who have a history of violent behavior and whom employees are likely to encounter.

### **How to Report Serious Incidents of Violence**

- Report all incidents or threats, and attempted or actual violence, to your immediate supervisor.
- The employee and the supervisor will assess the risk associated with the situation and complete the Violence Investigation Form SM:206A when applicable. The form must be completed for all incidents, whether they are actual violence or a threatening situation where there is a reasonable expectation that it may become violent.



- The supervisor will report all incidents of violence (including situations where there is a reasonable expectation that the threat may become violent), to the CEO / Superintendent or designate as soon as possible.

### **Recommendation to Get Help**

- Employees who have been the victim of violence will be encouraged and given the opportunity to seek medical aid.
- If the violence occurs after normal business hours, the School or Department Crisis Response Plan shall be initiated.
- Teaching employees can obtain crisis counseling through the EAP program
- If a non-teaching employee obtains medical help or misses work, both the employer and worker must file a report of injury with the Workers Compensation Board.

All acts of violence shall be investigated as per the Incident Reporting and Accident Investigation Procedure.

### **Process of Violence Investigation regarding Staff against Staff violence:**

- The CEO/Superintendent shall appoint an investigator.
- The Investigator shall inform the Complainant and the Respondent of the Division's commitment to ensuring a working environment free of violence and that the Division takes the complaint seriously.
- The Investigator shall obtain either an official complaint from the Complainant or may rely on the Incident Report to initiate the investigation.
- The Investigator shall take steps to ensure, as much as reasonably practicable, that the complainant and respondent have minimal contact during the investigation process.
- The Investigator shall interview all potential witnesses to the violent act including the Respondent.
- The Investigator shall inform the Respondent that the Division will not permit any retaliation against the complainant and that if there are attempts to do so, there will be disciplinary action taken.

### **Complainant's have the right to:**

- File a complaint of violence to their immediate supervisor, and to obtain a review of their complaint without fear of embarrassment or reprisals if the complaint is made in good faith;
- Be accompanied by a person of their choice (including respective union representation) during interviews related to their complaint;
- Obtain information about the review of their complaint, subject to the Freedom of Information and Protection of Privacy Act (FIPPA);
- Subject to the provisions of FIPPA, be informed of the corrective action, including disciplinary measures implemented as a result of a founded complaint;



**Respondents have the right to:**

- Be informed that a complaint has been filed;
- Be provided with a written statement of the allegations, and be given the opportunity to respond to them in person;
- Be accompanied by a person of their choice during interviews (including respective union representation) related to the complaint;
- Receive information related to the review, subject to the FIPPA;

**Concluding the Investigation**

- The investigator should prepare a report of the investigation and determine whether the complainant's allegations were proven.
- This report will be submitted to the CEO/Superintendent. Follow up to the report will be directed by the CEO/Superintendent.
- If the report finds that violence has taken place, the Division shall determine reasonable steps to be taken to end the violence and prevent a repeat.
- The investigator will meet separately with the complainant and the respondent to explain the investigation process, conclusions and any disciplinary action taken or other steps put in place to stop and avoid a repeat of the offensive conduct.
- If the results of the investigation are inconclusive, the employer shall explain that the investigation was unable to determine the events that occurred and that the Division will monitor the situation to ensure no potential offensive conduct occurs in the future.

**Violence Program Evaluation**

The Divisional Workplace Safety & Health committee will formally review the Workplace Violence Program annually. A review of any part of the Division workplace safety and health program will commence if there are changes in the workplace that may affect the safety and health of the employees.