

PERSONNEL

Workplace Violence Management Program

1.0 Application

This program applies to 'workplace violence' as defined in Section 1.2. For 'workplace harassment and workplace sexual harassment' refer to:

- DDSB Policy – Workplace Harassment
- DDSB Regulation – Workplace Harassment and Workplace Sexual Harassment
- DDSB Procedure – Workplace Harassment and Workplace Sexual Harassment

1.1 Legislation

Ontario's Occupational Health and Safety Act sets out the rights and duties for occupational health and safety of all parties in the workplace. The requirements for violence in the workplace establish minimum standards and set out the rights and duties of all those who have a role in dealing with workplace violence. Employers, supervisors and workers share the responsibility for occupational health and safety. This concept of an internal responsibility system is based on the principle that workplace parties themselves are in the best position to identify health and safety problems and develop solutions.

In addition to the Ontario Occupational Health and Safety Act, the following legislation also impacts on violence in the workplace –

- Ontario Education Act
- Safe Schools Act/Accepting Schools Act
- Criminal Code of Canada

Some acts of workplace violence and threats of acts of violence may be a criminal matter to be dealt with by the police under Canada's Criminal Code.

Examples of workplace violence include but are not limited to:

- verbally threatening to attack a worker;
- leaving threatening notes at or sending threatening emails to a workplace;
- shaking a fist in worker's face;
- wielding a weapon at work;
- hitting or trying to hit a worker;
- throwing an object at a worker;
- sexual violence against a worker;
- kicking an object the worker is standing on such as a ladder.

Accidental situations - such as an individual tripping over an object and pushing a co-worker as a result – are not meant to be included. (Workplace Violence and Harassment: Understanding the Law, Ontario Ministry of Labour, March 2010)

1.2 Definitions

"Workplace Violence" is defined in Subsection 1(1) of the Occupational Health and Safety Act" as:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,

- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- c) a statement or behaviour that 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.

"Workplace" is defined as any land, premises, location or thing at upon, in or near which a worker works.

2.0 Risk Assessments:

A risk assessment identifies risk factors and problems specific to a workplace. It will determine the potential and degree to which an employee is exposed to violence in the workplace. The general consensus from several school boards who have completed workplace violence risk assessments is that there is a degree of risk for all board employees. The risk ranges from high to low, typically as follows:



High risk ratings require specific control measures which are usually prescribed by regulations, codes and standards. Moderate and low risk ratings are usually controlled by general administrative policy, procedures and training.

The Durham District School Board conducted its initial risk assessment in 2008 that validated these findings. Staff working with students with special needs have a high-risk rating. All other categories were moderate to low.

Since 2008, two further board-wide workplace violence risk assessments have been completed.

2.1 Workplace Violence Risk Assessments – Site Specific

A workplace violence risk assessment is required to be completed at each school at a minimum once per year, or as often as necessary, whenever there are changes or events that may warrant reassessing the risks. The workplace violence risk assessment has a number of components that will produce a snapshot of immediate risks to workers in the workplace. The components include building demographics, nature of the workplace, type of work and conditions of work.

The Principal will be responsible for completing the risk assessment with a team consisting of representation from all educational workgroups in the building (collaborative professional input re: PPM159). The results of the assessment should be shared with all workers in the building.

Upon completion the results will be shared with the Joint Health and Safety Committee.

Electronic copies of the risk assessments will be stored centrally and reviewed by the Safe Schools and Health and Safety Department.

3.0 Duties:

Safety is everyone's responsibility – employer, principal/supervisor and staff. Similarly, preventing violence in the workplace is also everyone's responsibility.

3.1 Employer Duties:

The Durham District School Board is responsible under the Occupational Health and Safety Act and other applicable legislation to develop, implement, and maintain a system wide Workplace Violence Management Program. The Employer's duties include establishing measures and procedures:

- To identify the risk of workplace violence;
- To control the risk identified in the risk assessment;
- For employees to summon immediate assistance;
- For employees to report incidents of workplace violence.

The Board will provide assistance and resources to fulfill this responsibility. The Board will ensure the policy is posted in a conspicuous place in the workplace.

Such assistance and resources may include:

- providing training and tools for principals/supervisors and workers to understand and fulfill their duties as legislated;
- providing support for staff through programs such as Employee and Family Assistance Program, "Dealing with Traumatic Events Protocol", Special Education Department;
- providing a secure, healthy and safe environment for all through Facilities Services.

3.2 Principal's/Supervisor's Duties:

Principals/Supervisors also have responsibilities under the Occupational Health and Safety Act and Safe Schools Act. Principals/Supervisors shall:

- Take all reports of workplace violence seriously;
- Provide an opportunity to investigate and debrief with staff following an incident. Provide all follow up actions on the Employee Violent Incident Form;
- Report incidents of workplace violence using the online "Employee Violent Incident Form" located in Employee Self Serve;
- Ensure all workers have access to communication devices that allow them to summon immediate assistance if necessary;
- Review the Workplace Violence Management Program every Fall with staff;
- Implement prevention practices noted in the Workplace Violence Management Program as may be applicable;
- Complete other reports as may be applicable such as the 'Supervisors Accident Investigation Report' and the "Ontario School Board's Insurance Exchange (OSBIE) Accident/Injury Report";
- Have in place a Safe and Accepting Schools Team as per Policy/Program Memorandum No. 144;
- Implement an appropriate response plan (first aid, victim support, etc.) to support the victim(s) of violent incidents;
- Develop a workplace safety plan with employees at risk as a result of domestic violence;
- Review with a staff member his/her working alone or after-hours safety plan;
- Ensure that the risks of workplace violence are communicated to staff, as appropriate (e.g. results of the workplace violence risk assessment, Student Brief);
- Ensure the workplace violence risk assessment is completed at the beginning of the school year and, as needed.

3.3 Staff's Duties:

Staff also have responsibilities under the Occupational Health and Safety Act and Safe Schools Act. Staff shall:

- Report all incidents of workplace violence to your principal/supervisor. Use the online Employee Violent Incident Form located in Employee Self-Serve to document the incident;
- Review and be familiar with the Workplace Violence Management Program;
- Participate in training/awareness as required by your Principal/Supervisor;
- Follow provided processes and safe work procedures (e.g. behaviour safety plans, workplace safety plan);
- Notify the supervisor immediately if communication devices are not functioning or are missing.

3.4 Program Administrator Duties:

The Manager of Health and Safety shall:

- Annually review and update this Program in consultation with the Joint Health and Safety Committee;
- Review and update this Program in accordance with new applicable legislation;
- Review "Employee Violent Incident Forms" and follow up with applicable Board Staff, as needed;
- Review at each Joint Health and Safety Committee meeting the Employee Violent Incident Summary Report;
- Ensure notification of critical injuries and disabling injuries are carried out in accordance to Section 51(1) and 52(1) of the OHSA.

4.0 **Employee Violent Incident Reporting:**

Effective reporting helps to facilitate and identify potential safety issues and helps to determine preventative measures. All staff have a responsibility to report a violent incident to their Principal/Supervisor. The online Employee Violent Incident Form is located in Employee Self-Serve.

The use of an electronic reporting system helps to document, track and analyze incidents for trends. However, submitting an electronic form does not replace the need for an in-person discussion after an incident. Best practice shows that communication and debriefing amongst all involved workplace parties after the incident is key in preventing a reoccurrence of an incident.

The monitoring of employee violent incident reports by Board staff and the action taken by Board staff in response to submitted reports is outlined in Appendix B: Responsive Strategies for Processing and Responding to Incidents.

4.1 Reporting of Serious Student Incident Under the Education Act (PPM 144/145)

When the activity of a student is such that the discipline/actions could reasonably lead to suspension or expulsion, staff must complete a Safe Schools Incident Reporting Form. This form is also submitted electronically through Employee Self Serve.

5.0 **Provision of Information:**

Under the OHSA, the Board is required to provide information, including personal information, to workers regarding a person with a history of violent behaviour, if the worker can be expected to encounter that person in the course of their work and the risk of workplace violence is likely to expose the worker to physical injury.

Student Briefs have been established to fulfill this obligation and to establish a standardized process of sharing this information with workers, when applicable. *Student Briefs* are developed by the Principal and will contain the minimum amount of information necessary to protect workers from physical injury (e.g. photo, classroom/area of school most frequented, type of behaviour that could lead to injury, known triggers).

Student Brief(s) are shared with all school staff (including occasional staff). The information contained in the *Student Brief* is intended as awareness only. Sharing this information does not replace access to the Behaviour Safety Plan or Individual Education Plan for those who require full knowledge. Specific programs and plans are in place for applicable staff who work directly with these students. These should be the only staff that respond to a situation of student behaviour escalation.

The *Student Brief* binder will be centrally retained in the main office for staff reference. As a minimum, *Student Briefs* will be reviewed and updated if needed by the Principal every September and January.

6.0 Domestic Violence

Under the Occupational Health and Safety Act, an employer must take every precaution reasonable in the circumstances for the protection of workers when they are aware, or ought reasonably to be aware, that domestic violence may occur in the workplace, and that it would likely expose a worker or co-worker to physical injury.

Personal safety is the shared responsibility of the Durham District School Board and all of its employees. When an employee's safety is threatened as a result of domestic violence, the employer and supervisor will assist the employee and take any reasonable precaution for the protection of that employee while the employee is at work.

Refer to Regulation - Domestic Violence for further information including the development of a Workplace Safety Plan.

7.0 Work Refusals:

Under the Occupational Health and Safety Act, a worker can refuse to work if he or she has reason to believe he or she may be endangered by workplace violence. The Act sets out a specific procedure that must be followed in a work refusal. Refer to Procedure – Safety-Related Refusal to Work for these details.

All workplace parties – workers, supervisors and employers need to work together to address workplace violence concerns before they escalate to work refusals.

8.0 Prevention:

The Workplace Violence Management Program requires Principals/Supervisors to implement prevention measures as may be applicable.

8.1 Working Alone/After Hours

Staff who work alone and work after hours and their supervisors should refer to the Working Alone/After Hours Guideline in order to ensure reasonable precautions are taken for their safety. This guideline can be found on the DDSB Portal under Health and Safety.

8.2 Physical Environment:

The Workplace Violence Risk Assessment contains a checklist to evaluate the nature of the workplace, auditing the physical aspects of the building.

In addition, the Workplace Inspection is conducted by the Workplace Inspections Team in order to identify and address safety issues and concerns.

8.3 Students and Curriculum:

The Durham District School Board Regulation: Code of Conduct, and Discipline for Students, provides a framework for standards and expectations for a safe learning and teaching environment. "School climate is the tone or prevailing attitude within the school as well as the behaviour of individuals within that environment. A positive school climate can prevent or reduce discipline problems."

8.4 Staff:

This Management Program requires that staff follow preventative measures aimed at reducing the risk of workplace violence. Such measures may include but are not limited to:

- Completing the DDSB Workplace Violence Awareness on-line training. This training is located on the DDSB Portal under Health and Safety;
- Participating in other applicable training, as required (e.g. BMS);
- Complying with prescribed school/workplace security measures such as visitor sign-in and identification;
- Following personal safety measures such as working alone protocols;
- Reporting workplace violence to your Principal/Supervisor.

8.5 Emergency Response Plan:

All parties – employers, Principals/Supervisors and Staff must be prepared to respond to violent situations in progress. All schools/workplaces must have an Emergency Response Plan. Principals/Supervisors must ensure the ability of all workers to summon assistance immediately.

Administrators will review the plan with staff every Fall. The plan must include:

- "Emergency Procedures" – including lockdown, hold and secure, shelter-in-place and evacuation and school closure/early dismissal;
- Critical Incident Response Kit;
- Command Center and alternate site;
- Regular drills.

Refer to Central File Memorandum-Expectations for Safe and Secure Schools to develop, support and maintain your Emergency Response Plan.

8.6 Threat Assessment Team:

A school cannot ignore any threat of violence. If information is obtained that suggests a student has uttered threats to harm, the in-school Threat Assessment Team will be activated in accordance to the "Durham District School Board Threat Assessment Procedures".

8.7 Training:

Based on the risk assessment, the following training program has been established:

- a) All employees will be required to complete Workplace Violence Awareness on-line training. This course will cover the basics of workplace violence and strategies to deal with the issues.
- b) All employees will be made aware of the Workplace Violence Management Program.
- c) Specialized training will be provided to staff who support students with special needs. See section 8.1. As part of the annual program audit and review described in section 11.0, training needs will be continually assessed and updated.

9.0 Students Identified with Special Needs – Symptomatic Behaviours Presenting Risk of Injury:

It is the goal of the Durham District School Board to provide a secure, healthy and safe environment for its staff and students.

It is recognized that enhanced measures may be required while Special Education Services are being delivered.

Many of the incidents involving students with special needs represent symptomatic not intentional behaviour but are still considered as workplace violence as defined in section 3.1. and therefore, must be reported. For further reporting requirements and procedures refer to Procedure: *Management Process For Risk-Of-Injury (Ri) Behaviours*.

9.1 Training:

Staff who support students with special needs require training in addition to the Durham District School Board Workplace Violence on-line training. Inclusive Student Services offer a wide selection of courses reflective of the needs of the staff who support students with special needs. Contact the Special Education Department for information about training.

9.2 Personal Protective Equipment:

Although personal protective equipment (PPE) is always utilized as the last resource to protect staff who support students with special needs, in some situations Individual Behaviour Safety Plans may mandate the use of PPE.

When PPE is mandated in the Student's Behaviour Safety Plan it must be worn at all times as outlined in the Plan. This shall be supervised and monitored by the Principal/Supervisor.

10.0 Record Keeping:

A copy of the Ministry of Education Safe Schools Reporting Form and any applicable suspension forms must be kept and included in the student's O.S.R. for one calendar year after the incident. Any information and forms related to an expulsion must be kept in the student's O.S.R. for five years.

If a student transfers or is transferred to another school within the DDSB, the information in the O.S.R. relating to the serious violent incident will remain in the O.S.R."

11.0 Program Audit and Review:

The Manager of Health and Safety shall ensure that the Workplace Violence Management Program is reviewed annually in consultation with the Joint Health and Safety Committee.

Appendix:

Appendix A – Applicable Board Policies, Procedures, Guidelines and Resources

Appendix B – Responsive Strategies for Processing and Responding to Incidents

Effective Date

2008-06-20

Amended/Reviewed

2011-01-26

2014-11-04

2016-07-04

2019-10-07

APPLICABLE BOARD POLICIES, PROCEDURES, GUIDELINES AND RESOURCES

The Durham District School Board has adopted policy, procedure, guidelines and produced resources to manage violence in the workplace. They incorporate both prevention/mitigation and reporting mechanisms.

This list should be considered an evergreen document as it is constantly evolving. The documents are arranged by subject category:

Note: The Safe Schools icon on the DDSB Portal has many of these documents (Administrator Access)

CODE OF CONDUCT/SAFE SCHOOLS

Policy, Procedure and Regulation: Code of Conduct, and Discipline for Students

Policy, Procedure and Regulation: Positive School Climate

Procedure: Police/School Board Protocol

Procedure: Acceptable and Safe Use Procedure for Computing Technology and Cyber Safety

Procedure: The Professional and Personal Use of Social Networking, Digital Communication Applications, and Web Sites by Durham District School Board Staff

Bullying Prevention and Intervention Policy/Program Memorandum No. 144 (2007) Ontario Ministry of Education

EMERGENCY MANAGEMENT/RESPONSE

Policy & Regulation: School System Procedures for Emergency Closing Procedure

Procedure: 9-1-1 Emergency Response Guideline

Procedure: Emergency Notification – Central Monitoring Station

9-1-1- Emergency Flip Chart

PERSONNEL

Policy, Procedure and Regulation: Workplace Harassment & Workplace Sexual Harassment

Policy: Criminal Background Checks

Procedure: Guidelines for the Collection of Criminal Background Checks

Procedure: Traumatic Response

DDSB Dealing with Traumatic Events: Crisis and Loss (administrator resource)

PHYSICAL ENVIRONMENT

Procedure: Video Surveillance Systems

SAFETY

Regulation and Procedure: - Security & Safety

Procedure: Safety-Related Refusal to Work

DDSB Workplace Violence Awareness Training (found on the DDSB Portal under Health and Safety)

Working Alone Guideline (found on the DDSB Portal under Health and Safety)

Ministry of Education: The Road Map to Reporting Workplace Violence in Ontario School Boards

Ministry of Labour: Workplace Violence in School Boards – A Guide to the Law

INCLUSIVE STUDENT SERVICES

Procedure: Management Process for Risk-of-Injury (RI) Behaviours

Procedure: Calming Room for Students

RESOURCES FOR STAFF

Imagine Bully Free Schools Resource

Academic Curriculum Documents and Support Resources - Safe Schools Portal (Teacher Resources)

Responsive Strategies for Processing and Responding to Incidents

INCIDENT REPORTING PROCESS

Immediate Response – First Aid/Safety

Part A: Employee Report

Assessment by

- Special Education Officer
- Safe Schools Education Officer
- FOS Education Officer

Incident is Level 1 unless these Level 2 conditions are met:

- Multiple staff are injured
- Incident generates a report to CAS and/or DRPS
- Incident requires medical attention
- Incident is of a sexualized nature (if not already covered by CAS/DRPS condition)
- The report is about a Parent/Guardian
- There are multiple reports from the same school over a short period of time

Response to Level 1 Incident

- Monitor for further incidents from school

Response to Level 2 Incident

- Special Education Officer/FOS Education Officer/Safe Schools Education Officer consult with principal to determine supports/interventions

INFORM (as required)

- Superintendent of Family of Schools
- Superintendent of Inclusive Services
- Superintendent of Safe Schools
- Consult with other school and Board team members as required

FOLLOW UP

- Review incident
- Develop strategies
- Allocate support/resources
- Determine Next Steps including support for all students and staff

MONITOR SITUATION

Part B: Principal Report

Reviewed by

Health and Safety Officer

NOTE: On-going monitoring of incident reporting directs response. The time interval between an employee's submission (Part A) and the supervisor's follow up (Part B) should be completed within five days. This process is monitored with appropriate follow up when interval extends beyond this range.

DATA MONITORING

- Regular and ongoing monitoring of data will occur using the data dashboard by internal staff (Safe Schools, Health & Safety, Assessment /Accountability and Inclusive Student Services)
- Significant trends reported to Family of Schools Superintendents immediately
- Updates provided regularly to Administrative Council

Responsive Strategies for Processing and Responding to Incidents

INCIDENT ACTION PLAN

Immediate Response
First Aid/Safety

Assessment by

- Special Education Officer
- FOS Education Officer
- Safe Schools Education Officer

Student without Special Needs

(No Individual Education Plan/
Behaviour Safety Plan)

FOS Education Officer connects with the
Principal to provide immediate support

Debrief

- Principal organizes incident debrief and who will attend
- Gather information regarding incident:
 - Possible triggering event
 - Nature of student behaviour
 - Staff response and effectiveness

Action Plan

Principal develops Action Plan:

- Progressive Discipline considerations
- Student support plan
- Student Brief (if applicable)
- Transition plan (if required)

Follow Up

- If Behaviour Safety Plan required – Consult with Special Education Officer
- Ongoing support to Principal and school team

Student with Special Needs

(Individual Education Plan/
Behaviour Safety Plan)

FOS Education Officer connects with the
Principal to provide immediate support

Debrief

- Principal organizes incident debrief and who will attend
- Gather information regarding incident:
 - Possible triggering event
 - Nature of student behaviour
 - Behaviour Safety Plan
 - Programming effectiveness
 - Staff response and effectiveness

Programming Supports

- Instructional Facilitator
- Social Work/ Psych Services
- Short Term Assistance Response Team
- Autism Resource Team

Action Plan

Principal develops Action Plan:

- Progressive Discipline considerations
- Student support plan
- Student Brief (if applicable)
- Transition plan (if required)

Follow Up

- Ongoing support to Principal and school teamschool team

Ongoing Monitoring
and Support