



POLICY:
SUBJECT:

GBEAA
Violence Prevention (~~Staff Abuse~~)

APPROVAL DATE: May 7, 2012
REVISION DATE:
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1. GENERAL

- 1.1 The Winnipeg School Division is committed to providing a safe work environment free from violence for all individuals working, studying in or visiting Division facilities. The Board of Trustees recognizes the potential for violence or threats against staff, students and/or visitors. Actions have been taken to identify potential sources of violence and a violence prevention program has been implemented.
- 1.2 This Policy applies to trustees, administrators, staff, students, parents, visitors, independent contractors and members of the public while on Division property or while conducting or participating in Division events off premises.
- 1.3 Nothing in this policy precludes the legal right of an individual from exercising any rights, actions or remedies that may be available to the individual under law or collective agreement.

2. DEFINITION OF TERMS

- 2.1 As defined in Part 11 of The Workplace Safety and Health Regulation, M.R. 217/2006:

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

3. RESPONSIBILITIES

- 3.1 The Chief Superintendent shall be responsible for the development and implementation of a protocol to deal with alleged acts of violence.
- 3.2 The Principal/Manager shall be responsible for the implementation of this protocol at each work site.
- 3.3 All Administrative staff shall:
 - ensure this policy and the Division’s “Code of Conduct” is reviewed with staff at their work site on an annual basis;
 - ensure, as much as reasonably practical, 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:
 - o necessary to investigate the complaint;
 - o required to take corrective action;
 - o required by law;
 - any information that is disclosed (as above) shall meet the minimum requirement for that purpose;



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- ensure affected employees are aware of the risks of violence in the workplace and are properly trained to protect themselves.
- be responsible for creating a safe work 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/Manager in order that the issue be addressed.

3.4 All Staff shall:

- work together in a professional manner and resolve issues in a non-violent manner;
- bring issues to their Principal/Manager if they cannot be mutually resolved;
- report incidents of violence to their Principal/Manager;
- cooperate in any investigation of a violent incident;

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

4. DISCIPLINE

- 4.1 Students who have been involved in violent situations toward staff shall be subject to discipline in accordance with Division Policies JGD – Suspension of Students and/or Policy JGE – Expulsion of Students.
- 4.2 Staff involved in acts of violence towards other individuals shall be subject to discipline in accordance with Division Policy GCP – Discipline and Discharge.
- 4.3 Individuals who are not students that are involved in violence toward staff shall be dealt with in accordance with this policy, the Public Schools Act and/or involvement of the appropriate police jurisdiction.
- 4.4 The Principal/Manager may refer incidents of violence to the Winnipeg Police Service or Child and/or Family Services depending on the nature of and who is involved in the incident.

5. CONSEQUENCES

- 5.1 Consequences shall be determined with consideration being given to the following:

a) Level of Violence

Consequences shall be applied in accordance with Policy GCP, Discipline and Discharge, the Code of Conduct or Collective Agreements and/or employment service 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 Winnipeg Police Service involvement and where appropriate the Division shall pursue maximum consequences under the law.



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b) Criminal Code of Canada

Where appropriate, incidents of violence at a school / building shall be reported to and investigated by the Winnipeg Police Service. Criminal charges may potentially be laid against anyone involved in the commission of an unlawful activity as defined by the Criminal Code of Canada.

c) Civil Litigation

Where appropriate, incidents of violence at a school / building may result in civil litigation for the redress of damages and costs to persons, property or reputations associated with Winnipeg School Division staff members.

d) Fraudulent Allegations

Any individual who has made a false allegation of violence against another individual shall be subject to disciplinary/criminal action.

6. PREVENTION

6.1 The Winnipeg School Division shall assess the risk for violence in all facilities:

- once annually, or
- more often if required, or
- if a violent incident occurs.

6.2 All Division buildings shall have a process in place to identify individuals who have demonstrated an increased risk for violent behaviors. Occupants shall be notified of eminent danger via either a public address system (P.A.) or a distress alarm system where a P.A. is not available.

6.3 All students having the potential for violence shall be assessed in accordance with Division's Policy IGBA – Special Education Supports/Programs. Information regarding the assessment, student Individual Education Plan (IEP) and any other pertinent information shall be placed in the student's file. Information shall be shared on a need to know basis with staff likely to work in close proximity to the student.

6.4 Personal safety and de-escalation skills training (NVC1) shall be provided to all staff working directly with a student where this training is identified as a requirement of the IEP of that student. Administrators and affected staff shall ensure assistance can immediately be summoned by using an appropriate communication device or other suitable method.

6.5 All staff shall:

- have the opportunity to review the Violence Prevention policy at orientation;
- have the opportunity to review the policy and procedures for working alone;
- be provided with appropriate information, including personal information, within the limitations of the law any time there has been a change in the nature or extent of the risk of violence.



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6.6 All Principals/Managers shall:

- ensure that staff follow plan (s) developed to ensure their individual safety;
- ensure that staff required to have specialized training receive the training prior to their assignment.

7. ANNUAL REPORT

Each Principal/ Building Manager shall prepare an annual report by the end of May detailing all reported incidents of violence in the school/ building. The annual report shall be provided to the appropriate District Superintendent and the Central Safety and Health Committee no later than June 1 of each year.



Regulations governing procedures and operations for violence as determined by the Chief Superintendent

1. PROCEDURES:

- 1.1 Subject to the Public Schools Act and the Regulations, the following procedures shall be followed in the event a staff member is subjected , in relation to his/her duties as an employee, to a violent act by a person from within or outside the school/building, and to ensure that appropriate supports are available to that person.
- 1.2 Any employee observing a violent situation or threat of a violent situation shall:
- a) Immediately inform the Principal/Manager of the nature of the situation and where possible identify the people involved;
 - b) If the situation has, or is likely to escalate into an act of physical violence, contact the police immediately.
 - c) An appropriate course of action, which shall include the following, shall be determined by the Principal/Manager in consultation with the staff member:
 - i. Medical attention and/or counselling, if necessary, shall be sought for the staff member;
 - ii. A decision whether or not to continue working for that day shall be made at that time;
 - iii. The abuser shall be removed from the premises, if deemed appropriate;
 - iv. Measures shall be identified and the prevention plan shall be modified, if required, to protect the staff member(s) from any further violence;
 - v. Involvement of the Workplace Safety and Health Committee member or school representative if the incident is considered a “serious incident” under the Workplace safety and Health regulation.
- 1.3 The Principal/Manager shall notify the Manitoba Workplace Safety and Health Division if the incident meets the definition of a “serious incident” (as outlined under the Section 2.6 of the Workplace Safety and Health Regulations).
- 1.4 The Principal/Manager, Safety and Health Committee Co-chairs (or representative) and any other person(s) required shall conduct an immediate investigation of the incident, establishing fact, questioning witnesses, and informing police, if necessary. The Principal/Manager shall complete a Violence Incident Report form whether the incident involves a threat or act of violence. Appropriate disciplinary action shall be taken based on the information gathered. Recommendations shall be made to the Superintendent/Department Director when necessary.



- 1.5 The Superintendent shall immediately notify the Human Resources Department, Student Support Services and/or Payroll, as required, if there is reason to discipline, suspend or terminate a staff member or suspend or expel a student.
- 1.6 If the Principal/Manager recommends Divisional support, he/she shall inform the Superintendent/Department Director of the occurrence, the actions taken, and shall write a report summarizing the information gathered in the investigation. This report shall include a listing of the supports provided to the staff member, supports which are recommended and the Violence Incident Report form. If the staff member required medical attention, an Employee Accident Report form shall be part of the report submitted to the Division. (See Policy GCBDA exhibit GCBDA-E(6)).
- 1.7 The Principal/Manager shall advise any employee(s) who may be at risk of having another incident occur of all modifications to the prevention plan.
- 1.8 All information available and relevant to the violent incident shall be provided to the investigation team.
- 1.9 The investigation results shall be summarized by the investigation team. A copy of the report shall be provided to the school/building Workplace Safety and Health Committee/School Representative. A copy of the report shall also be given to the District Superintendent and the Co-chairs of the Central Workplace Safety and Health Committee.

2. FOLLOWING AN INCIDENT:

- 2.1 Staff members who have been victims of violence shall be:
 - encouraged to seek medical help from their healthcare providers or referred for post-incident counselling, if required;
 - transported to a medical facility, if required.
- 2.2 The staff member shall receive appropriate support from the School/Division administration as defined within the scope of the policies and procedures of the Division (e.g. counselling, legal rights, etc.)
- 2.3 The staff member shall be informed of the outcome of the investigation and followup recommendations.
- 2.4 If a Principal/Manager is the victim, the appropriate Superintendent/ Department Director shall be informed and shall implement the procedures as outlined above.