



# **INVESTIGATION OF INCIDENTS**

## **APPENDIX 5**

**No. of Pages 7**

### **BULLYING AND HARASSMENT APPENDIX**



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## **BULLYING AND HARASSMENT POLICY 4.385**

### **RATIONALE**

The Board of Education is committed to creating and maintaining a learning and working environment where people are treated professionally and respectfully. The Board supports an environment that is free from all forms of bullying and harassment.

In addition to this broad objective, this policy is intended to comply with WorkSafeBC's policies on workplace bullying and harassment.

### **POLICY**

The Board of Education shall consider any act of bullying or harassment by a worker to be a serious threat to the school environment. The Board shall take appropriate action against any individual so involved.

Specific policy information has been provided in Appendix A: Investigations, Reporting and Procedures for the District Bullying and Harassment Policy.



## **BULLYING AND HARASSMENT POLICY 4.385 APPENDIX A**

### **A. PROCEDURES**

In order to provide a workplace that is free of bullying and harassment, the following procedures shall be in effect regarding reporting and investigation of complaints. **Supervisors are to contact the Assistant Superintendent of Schools to report all incidents of Bullying and Harassment upon receiving a complaint.**

#### **1. Workplace conduct**

Bullying and harassment is not acceptable or tolerated in this workplace. All workers will be treated in a fair and respectful manner.

#### **2. Bullying and harassment**

- Includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but
- Excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment

Examples of conduct or comments that might constitute bullying and harassment include verbal aggression or insults, calling someone derogatory names, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumors.

#### **3. Workers must**

- Not engage in the bullying and harassment of other workers
- Report if bullying and harassment is observed or experienced
- Apply and comply with the employer's policies and procedures on bullying and harassment

#### **4. Application**

This policy statement applies to all workers including permanent, temporary, casual, contract, and student workers. It applies to interpersonal and electronic communications, such as email.

### **B. CONFLICT RESOLUTION PROCESS**

The intent of this process is to resolve conflict between people. The process offers the individuals involved in the conflict the opportunity to resolve the conflict directly with the other party, voluntarily through the assistance of Supervisors/Union Facilitators or through a formal complaint.

#### **1. Option 1 ~ Speak with the offending persons directly**

The offended party is encouraged to speak directly with the offending person and try to resolve any conflict. In many cases, the person may not have realized their actions or comments were creating an issue for the individual. Most reasonable people will change their behavior when they discover it is creating issues for others.

WorkSafeBC policy requires an employee to report an incident of bullying or harassment to their Supervisor, Human Resources Representative, or Union Representative. Union Representatives have an obligation under WorkSafeBC regulations to report incidents of bullying and harassment



to the District (via the Human Resources Department). Appendix A-1 attached for reporting purposes.

## **2. Option 2 ~ Formal complaint**

If option 1 is not successful in resolving the conflict, or the parties have decided to not make use of option 1, a formal written complaint can be directed to the Supervisor who has responsibility for the area (e.g. Principal, Director, and Supervisor)

### **C. REPORTING**

#### **3. How to report**

Workers can report incidents or complaints of workplace bullying and harassment verbally or in writing. When submitting a written complaint, the workplace bullying and harassment complaint form (Appendix A-1) should be used. When reporting verbally, the reporting contact, along with the complainant, will fill out the complaint form (Appendix A-1).

#### **4. When to report**

Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

#### **5. Reporting contact**

Report any incidents or complaints to your direct supervisor (designate). If the complainant's supervisor is the person engaging in bullying and harassing behaviour, contact another supervisor within your facility.

#### **6. What to include in a report**

Provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour and/or words led to the complaint.

Attach any supporting documents such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

### **D. INVESTIGATIONS**

#### **1. How and when investigations will be conducted:**

Most investigations will be conducted internally. Appendix A-2 should be used to record the investigation. In complex or sensitive situations, an external investigator may be hired.

Investigations will:

- Be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances. The investigation will be completed within 10 working days unless otherwise agreed to by the parties.
- Be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- Be sensitive to the interests of all parties involved, and maintain confidentiality



- Be focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- Incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process

## **2. What will be included**

Investigations will include interviews with the alleged target, the alleged bully, and any witnesses. If the alleged target and the alleged bully agree on what happened, then the supervisor will not investigate any further, and will determine what corrective action to take, if necessary.

The investigator will also review any evidence such as emails, handwritten notes, photographs, or physical evidence like vandalized objects.

## **3. Roles and responsibilities**

The supervisor is responsible for ensuring workplace investigation procedures are followed as well as BVTU and CUPE (28.02) Collective Agreement language.

Workers are expected to cooperate with investigators and provide any details of incidents they have experienced or witnessed.

The supervisor will conduct investigations and provide a written report with conclusions to the superintendent or designate.

If external investigators are hired, they will conduct investigations and provide a written report with conclusions to the superintendent or designate.

## **4. Follow-up**

The alleged bully and alleged target will be advised of the investigation findings by the supervisor or district staff involved. Appropriate corrective actions will be taken within a reasonable time frame.

The Superintendent or designate will review workplace procedures annually and make revisions to the Workplace Bullying and Harassment Policy and Appendix as necessary.

In appropriate circumstances, workers may be referred to the employee assistance program or be encouraged to seek medical advice.

## **5. Record-keeping requirements**

The Board of Education expects that workers will keep written accounts of incidents to submit with any complaints (Appendix A-1). The Board of Education will keep a written record of investigations, including the findings (Appendix A-2).



**ANNUAL REVIEW:**

<b>CREATED FEB. 2014</b>	<b>DISTRICT COMMITTEE</b>	
Assistant Superintendent SD54 M. McDiarmid	June 27, 2016	Reviewed
Assistant Superintendent SD54 M. McDiarmid	December 14, 2017	Amended
Assistant Superintendent SD54 M. McDiarmid	December 2017 to March, 2021	Reviewed
Assistant Superintendent SD54 M. Monkman	March 22, 2021	Reviewed
Assistant Superintendent SD54 M. Monkman		



### BULLYING AND HARASSMENT APPENDIX "A-1"

*\*EMPLOYEE REPORTING FORM – MUST BE FILLED OUT BY COMPLAINANT*

People involved (include witnesses)	Describe the situation (words, tone, actions, etc.) and the impact (humiliated, intimidated, etc.)	
Last name:		
First name:		
Date(s):		
Time(s):		
Location (s) (site)  Area(s):		
Union:	Submitted to Supervisor (required) Name:	
	Title:	Date:

*\* ATTACH ADDITIONAL INFORMATION AS NECESSARY*



## BULLYING AND HARASSMENT APPENDIX “A-2”

### \*INVESTIGATION FORM

<b>Name of complainant:</b>	<b>Location:</b>
<b>Name of respondent/alleged bully:</b>	<b>Date:</b>
<b>Name of investigator:</b>	<b>Appendix A-1 attached (required) <input type="checkbox"/></b>

Person Interviewed Alleged bully <input type="checkbox"/> Witness <input type="checkbox"/> Other:	Other people involved (e.g., alleged bully, witnesses)	Description of the situation (dates, words, actions, etc.) and impact (e.g., humiliated, intimidated)
		Alleged bully <input type="checkbox"/> Witness <input type="checkbox"/> Other
<b>Last name:</b>	<b>Name:</b>	
<b>First name:</b>	<b>Name:</b>	
<b>Date:</b>	<b>Name:</b>	
<b>Time:</b>  a.m./p.m.	<b>Name:</b>	
<b>Location (site):</b>	<b>Name:</b>	
<b>Based on the investigation, did workplace bullying and harassment occur?      Yes <input type="checkbox"/>    No <input type="checkbox"/></b>		
<b>Reason(s) for this conclusion:</b>		
<b>Corrective Action:</b>		
<b>Submitted to Assist. Superintendent (required) <input type="checkbox"/></b>	required reporting out to	
<b>Date:</b>	<b>Investigation finding complainant(s) <input type="checkbox"/> Date</b>	
	<b>Investigation findings respondent(s) <input type="checkbox"/> Date</b>	
<b>Submitted by:</b>	<b>Investigation findings reported out by:</b>	

*\* USE ADDITIONAL FORMS AS REQUIRED*