

PROTECTION OF STAFF

Background

Employees, students, volunteers, parents and all others who visit Division facilities must conduct themselves in a manner which promotes and protects a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging for students, staff and colleagues.

On occasion, members of staff and volunteers in schools are faced with parents, students, members of the public or colleagues who exhibit anger, express their frustrations or demands in a manner which is demeaning to the well-being of a staff member(s). The Division expects its staff to respond to such challenges with a view to ensuring personal safety, with professionalism and in accordance with expectations provided for in board policy and procedure.

On rare occasions the professional behaviour of staff may be insufficient to defuse offensive behaviour by others. The Division has an obligation to support, assist and educate its staff and volunteers in the schools with respect to issues surrounding abuse, harassment or defamation associated with the carrying out of their duties. The Division expects such situations to be addressed, where possible, through informal resolution processes. These processes may include mediation or conciliation.

The Superintendent or designate will follow this administrative procedure in situations where members of staff or volunteers experience abuse, harassment or defamation.

The Superintendent is responsible for the administration of this administrative procedure.

Definitions

Respect: To show regard or consideration for others.

Harassment: Any behaviour that in effect or intent disparages, humiliates, or harms another person or class of persons. It is behaviour that denies dignity and respect, and is demeaning and/or humiliating to another person or class of persons. Harassment may include, but is not limited to, references related to age, national or ethnic origin, religion, gender, sexual orientation, disability, race and/or sources of income, family status or citizenship. Sexual harassment is any unwelcome behaviour that is sexual in nature. Such behaviour may directly or indirectly affect or threaten to affect in an adverse manner a student's well-being and/or learning environment. The behaviour does not need to be intended as harassing to be considered as harassment. It is sufficient that one knows, or ought reasonably to know, that the behaviour is offensive and unwelcome. Harassment is not a relationship of mutual consent. It is any action including, but not limited to verbal, physical, written and cyber messaging that is unwelcome or intimidating and denies individual dignity and respect.

Discrimination: The denial of individual rights and freedoms in a manner which contravenes the *Canadian Charter of Rights and Freedoms* and/or the *Alberta Human Rights Act*. Discrimination on the basis of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons is prohibited.

Bullying: Bullying means repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear or distress to one or more other individuals in the school community, including psychological harm or harm to an individual's reputation.

Bullying behaviours are a form of aggression and can be:

- Physical – For example: poking, elbowing, hitting
- Verbal – For example: name calling, insults, racist, sexist or homophobic comments, put-downs or threats
- Social – For example: gossiping, spreading rumours, excluding someone from the group, isolating, ganging up
- Cyberbullying – For example: social or verbal bullying through the use of email, text messages, social media including the sharing of intimate images

Safety means freedom from physical harm, mental, emotional or psychological harm or trauma.

Procedures

1. Communicating With Angry Persons

In the performance of their duties, staff may be faced with individuals experiencing serious levels of frustration, concern or anger. Such individuals may initially conduct themselves in an uncivil, rude or threatening manner.

- 1.1 Wherever possible, staff members are to use communication techniques that help defuse frustration or anger and allow problem resolution to occur. In working with angry, concerned persons, the Division expects staff members to:
 - 1.1.1 Conduct themselves in a civil, professional and cordial manner at all times.
 - 1.1.2 Call for support from a colleague or administrator if rude or confrontational behaviour occurs or persists.
 - 1.1.3 Adjourn meetings with angry persons if, in their judgment, there is no possibility, at the time, for civil discourse or meaningful resolution.
 - 1.1.4 Respect the requirements of the *Freedom of Information and Protection of Privacy Act* and avoid discussing unsuccessful meetings except for safety reasons with their immediate supervisor(s), police, union representative, legal counsel, or, if necessary, a superintendent.
- 1.2 To support staff's ability to work with angry persons, the Division:
 - 1.2.1 Authorizes provision of staff learning opportunities in personal communication, conflict resolution and human problem solving.
 - 1.2.2 Authorizes provision of staff learning opportunities to assist staff in dealing with the personal, emotional consequences of dealing with angry persons.

2. General

- 2.1 When a staff member or school volunteer believes they have been subjected to physical abuse or harassment, the individual is to report the incident(s) immediately to their direct supervisor and can seek the support of the Police.
- 2.2 When an individual believes that they have been subjected to criminal or civil abuse, harassment or defamation, they are to keep records, where possible, of the experience(s). The incident(s) is to be reported to the immediate supervisor who may inform a superintendent of the incident or can be reported directly to the Assistant Superintendent Employee Services. Occupational Health and Safety reporting requirements must be completed by the employee or immediate supervisor as soon as practicable.
- 2.3 If the matter brought to the attention of a supervisor is not resolved through the intervention of the supervisor, the matter will be reported to a superintendent. Individuals are advised to contact their association or union for advice and support.

3. Dealing with Harassment

- 3.1 When an employee believes that another employee of the Division has harassed them, the affected individual will follow procedures outlined in Administrative Procedure 403 – Harassment in the Workplace.
- 3.2 When an employee or school volunteer believes that a student has harassed them, the affected individual will report the matter to the principal of the school and follow procedures outlined in Administrative Procedure 350 – *Student Code of Conduct*. The procedures outlined in section 2 above may be taken at any time.
- 3.3 When an employee or school volunteer believes that a parent, volunteer, or visitor to a school or other Division property has harassed them, the following steps can be taken.
 - 3.3.1 The complainant can seek the assistance of an immediate supervisor (principal, manager, etc.) or Assistant Superintendent Employee Services in drafting a response or plan to address the issue.
 - 3.3.2 If appropriate, the complainant can make reasonable attempts to meet with the parent, volunteer or visitor with a supervisor present.
 - 3.3.3 The supervisor shall require that the allegations associated with the harassment be set out in sufficient detail.
 - 3.3.4 If a meeting occurs, all parties shall listen and share respectfully, with the goal of trying to understand the other person's perspective, and work collaboratively to resolve concerns.
 - 3.3.5 As the goal is to resolve the problem to the mutual satisfaction of both parties, the supervisor shall try to elicit the complainant's help to reach a satisfactory resolution.
 - 3.3.6 The supervisor and the complainant should document the process, keeping an accurate written record of events, times, places and any potential witnesses.
 - 3.3.7 The complainant can report harassing or bullying behaviours to a superintendent at any time either verbally or in writing.

- 3.4 Where a principal, supervisor, or a superintendent believes that the presence of an individual disturbs or disrupts the proceedings of a school, a ban in accordance with s. 256 of the *Education Act* can be issued subject to the approval of the Superintendent or delegate. If an individual loiters or trespasses on property owned by the Division, a supervisor can also consider issuing a no trespass letter in accordance with the Petty Trespass Act also subject to the approval of Superintendent or delegate.

4. Systemic Investigations

- 4.1 When the Superintendent has reason to believe that harassment or abuse of an employee(s) has occurred even in the absence of a complaint, the Superintendent can direct a systemic investigation for any reason including when:
- 4.1.1 There is a focused pattern of inquiries, resignations, staff changes, complaints, or behaviour over time that suggest the existence of a problem;
 - 4.1.2 There is reason to believe a broader or systemic problem exists in the learning or work environment that causes, contributes to or encourages harassment;
 - 4.1.3 As a result of an investigation, a complaint is not supported but there is reasonable basis to believe that a broader systemic problem exists; or
 - 4.1.4 Where the Superintendent authorizes a systemic investigation to address concerns as a result of information received.

5. False Allegations

- 5.1 If an investigation determines that a complaint by an employee made was intentionally false, frivolous, vexatious, malicious or vindictive, the employee shall be subject to disciplinary action up to and including dismissal as the circumstances warrant.

Reference: Relevant Legislation & Guidelines