

1. Who is responsible for administering the policy/policy directive?

The Executive Officer, Human Resources is responsible for ensuring that the policy is applied appropriately and that the informal and formal resolution processes are followed as described within the policy directive.

2. What if the Executive Officer, Human Resources has a conflict of interest. Who would be responsible in his/her place?

In the event the Executive Officer, Human Resources is a direct party to a complaint (complainant or respondent), the Director of Education shall assign a designate to fulfill the role of the Executive Officer, Human Resources within the policy directive.

3. Why does the Board need a policy to address objectionable behaviour?

The Board is comprised of a diverse community of staff, students, parents, visitors and others who have varying needs and interests based on their roles, background and experiences. In acknowledgment of those differences the Board is committed to providing a working and learning environment that is free from objectionable behaviour where everyone is treated with respect and dignity.

The Board holds high expectations for the conduct of its employees, its students and any others associated with the school community. This Policy is intended to provide a greater awareness of the value of establishing and maintaining respectful working and learning environments. It also provides procedures for responding promptly to disputes attributed to the damaging effects of objectionable behaviour. In most cases, there is an expectation that these type of disputes will be resolved using an informal resolution process.

4. How is this policy different from the Board's Harassment and Discrimination policy?

Where allegations relate to harassment or discrimination on the basis of a ground prohibited by the Ontario Human Rights Code (www.ohrc.on.ca/en/resources/code), they must be addressed using the Board's Harassment (Staff) Policy.

5. Do I have to try to resolve a complaint through the Informal Resolution Process first?

Where possible it is expected that the individuals involved will try to resolve the complaint through the Informal Resolution Process. However, there may be circumstances when you feel unsafe or uncomfortable in meeting privately with the other individual involved. In these instances you should discuss alternatives with your principal/supervisor first.

6. How do I submit a formal complaint?

All formal complaints must be submitted in writing and signed by the complainant. The Objectionable Behaviour Formal Complaint Form is provided to guide the process and must be completed to initiate the formal complaint process.

7. What is the timeframe for submitting a formal complaint?

All reports should be filed as quickly as possible, but no later than within thirty (30) calendar days of the most recent instance of the alleged objectionable behaviour. The administrator, manager or supervisor who receives the complaint will contact the complainant to confirm next steps in the process. Formal Complaints filed outside this time frame may be considered by contacting the Executive Officer, Human Resources.

8. What do I do if my supervisor is demonstrating objectionable behaviour?

If your supervisor is alleged to be responsible for objectionable behaviour or to condone the objectionable behaviour, your complaint should be reported to the next supervisory level above your supervisor (e.g. a complaint against your immediate manager should be reported to the individual to whom your manager reports).

9. Can I ask anyone to assist me if I need support throughout any part of the process?

All individuals (complainants, respondents and witnesses) involved in a complaint have a right to assistance and support at any time throughout the complaint process. You can ask the following people to provide you with support: a parent, guardian or other caregiver, professional support staff, trained resource person, Union/federation/association representative, employee or colleague, translator/interpreter, principal, vice-principal, supervisor.

10. What should I do if the issue is not resolved informally but neither I nor the other individual involved want to proceed to the formal resolution process?

One or both of you may ask your immediate supervisor to help resolve the outstanding issue. If your immediate supervisor is involved in the issue, the request may be made of a supervisor one level up. The supervisor may, either personally or through a third party, use a variety of alternative dispute resolution techniques to resolve the issue. The goal is to identify practical solutions which will allow both of you to continue to co-exist in a positive and productive atmosphere.

11. How would a parent file a complaint?

Parents should report a complaint to their school vice-principal or principal.

12. How would a student file a complaint?

Students should contact their vice-principal, principal, or, where appropriate, their school superintendent, for clarification on the process to be followed.

13. How would a contractor or other visitor to the Board file a complaint?

Contractors or other visitors to the Board should report a complaint to the appropriate principal/supervisory or managerial individual at the Board who has contracted their service or with whom they are meeting. If it is not clear who this would be the contractor or visitor should contact the Executive Officer, Human Resources for assistance.

14. If I file a formal complaint under this policy will it be confidential?

Everyone (complainants, respondents, witnesses, principals, supervisors, managers) involved in an incident of objectionable behaviour or an ensuing investigation are expected to maintain confidentiality. However, confidentiality does not mean anonymity. It may be necessary to disclose the names of witnesses and statements as appropriate to those involved during the course of an investigation.

15. If I am named as a respondent to a complaint what information can I expect to receive?

Procedural fairness requires that a respondent to a complaint should be apprised of the nature of the complaint process and by whom it has been made so that they have an opportunity to respond to the allegations.

16. Can I decide to withdraw a complaint once it has been submitted formally?

Yes, a complainant has the right to withdraw a complaint at any stage in the process. However, the School Board may be required to continue to act on the issues identified in the complaint in order to comply with its legal obligations and to address its concerns regarding systemic issues. When the Board determines that the safety of an individual or the community is at risk, it will act to the best of its ability to address this situation. This may mean that the procedures outlined in the policy, including confidentiality, will be set aside.

17. Can a respondent appeal a decision that results from the formal complaint process?

Within two (2) calendar weeks after receiving the investigator's final written report, the complainant or respondent may submit a written request to the Executive Officer, Human Resources for a review of the Investigator's conclusions and/or report for one or both of the following reasons:

1. the investigator did not comply with the policy directive and procedures; or
2. new evidence has arisen that was not known to the parties or the Investigator prior to the writing of the report.