



Ministry of
Education

The Road Map to Reporting Workplace Violence in Ontario School Boards

A Training Resource for Principals and Staff

2019

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Introduction

This training resource guide is intended to support Ontario educators and school and school board administrators in applying required processes for reporting incidents of workplace violence, as described in the "Road Map" provided in Appendix H of the Ministry of Labour's document *Workplace Violence in School Boards: A Guide to the Law*.

The Road Map was developed as a practical tool by the Provincial Working Group on Health and Safety in response to the need expressed by educators and administrators for greater clarity about workplace violence reporting processes.

The Road Map focuses on the reporting processes required under the *Occupational Health and Safety Act* (OHSA), the *Education Act*, and the *Workplace Safety and Insurance Act, 1997* (WSIA). These processes are illustrated in a flow chart, referred to throughout this document as the Road Map (PDF, 138 KB).

Each workplace party, as defined in the OHS Act, has an essential role in the reporting processes – the school board, as “the employer”; the principal, as “the supervisor”; and school staff, as board employees and “workers”. The actions taken by staff to report a violent incident to the principal, and the actions taken by the principal to investigate and deal with that incident, provide vital information for the next steps in support of school safety and well-being.

This training resource helps familiarize principals and school staff with the Road Map. It highlights specific reporting requirements under provincial statutes and policies, and sets out reporting duties. The order in which statutes are covered in this resource differs from the order adopted in the Road Map: Here, we start with the OHS Act processes and follow with those required under the *Education Act*. A chart, definitions, and scenarios are provided in the appendices, for discussion and future reference. The appendices also include the legal definition of “critical injury” (as defined in Ontario), a copy of the Safe Schools Incident Reporting Forms, and a list of additional resources. An accompanying PowerPoint presentation supports the use of this training resource in professional development.

This resource will assist school boards in reviewing their board-specific policies and procedures for applying the required workplace violence reporting processes.

Limitations

The Road Map and the training materials provided to support its use do not displace or limit the legal obligations of school boards, employees, or any other person with respect to health and safety. The measures recommended in the Road Map may not be sufficient to meet these obligations in all circumstances. When in doubt, school boards and employees should seek professional advice on the particular situation they are facing.

The Road Map's focus is limited to the reporting requirements for violent incidents under three statutes: the *Education Act*; the *Occupational Health and Safety Act*; and the *Workplace Safety and Insurance Act, 1997*, as well as related policy directives.

School boards must take into account all other relevant legislation, including, but not limited, to: the *Child, Youth and Family Services Act, 2017*; the *Criminal Code*; the *Municipal Freedom of Information and Protection of Privacy Act*; the *Human Rights Code*; the *Provincial Offences Act*; and the *Youth Criminal Justice Act*.

Roles, Responsibilities, and Rights

Roles and responsibilities

The statutes and policies that are referred to in the Road Map use different terms to identify equivalent roles. For example, the OHS Act refers to the employer, the supervisor, and the workers; in the context of the *Education Act* and Ministry of Education policies, the equivalents are the school board, the principal, and the board employees. This training resource adopts the terms used in each of the statutes and policies as they are discussed.

The principal is also a board employee and a worker. Although principals have a leadership role, they are also board employees and workers. If the principal is a victim of

workplace violence, whether involving an injury or not, the reporting requirements for board employees and workers apply. As a worker, the principal has the same rights to occupational health and safety as other workers do.

High school co-op students, teacher candidates, and designated early childhood educator (DECE) candidates are also workers. The OHSa definition of “worker” includes secondary students on unpaid work experience placements, including cooperative education placements; and teacher candidates and DECE candidates who are on placements with school boards. These students have the rights and responsibilities of workers.

Responsibilities for health and safety in schools

Everyone working in the school board has responsibilities in making sure that schools are safe and healthy places to work and to learn. Their combined efforts help to build a strong Internal Responsibility System (IRS) among workplace parties.

The Internal Responsibility System

Simply put, the IRS means that everyone in the workplace has a role to play in keeping workplaces safe and healthy. Workers in the workplace who see a health and safety problem such as a hazard or contravention of the OHSa in the workplace have a statutory duty to report the situation to the employer or a supervisor. Employers and supervisors are, in turn, required to address those situations and acquaint workers with any hazard in the work that they do.

The IRS helps support a safe and healthy workplace. In addition to the workplace parties' compliance with their legal duties, the IRS is further supported by well-defined health and safety policies and programs, including the design, control, monitoring and supervision of the work being performed.

Ministry of Labour, “The Internal Responsibility System” in *Guide to the Occupational Health and Safety Act, 2017*

As the employer, the school board has the overarching responsibility to provide safe and healthy workplaces. The school board has extensive responsibilities with respect to safe schools under the *Education Act* and with respect to worker health and safety under the OHSa. Safe and healthy working and learning conditions are good for everyone in the school community.

Under the *Education Act* and ministry policy, when a board employee becomes aware that a student may have engaged in a serious student incident, the employee must report the matter to the principal. The principal has extensive duties with respect to investigating and dealing with these reports and making decisions about suspension or expulsion (*Education Act*, Part XIII).

All workers must comply with the OHSa and report to their employer or supervisor any contravention of the OHSa and the existence of any hazards they know of (OHSa, s. 28(1)(a) and 28(1)(d)).

Workers' rights to health and safety

Workers have three basic rights under the OHSA:

- the right to participate,
- the right to know about hazards in their workplace, and
- the right to refuse unsafe work.

The worker's right to participate

The worker's right to participate means that they are directly involved in the process of identifying and resolving health and safety concerns. For example, a worker can participate as a member of the Joint Health and Safety Committee (JHSC) that oversees their workplace. The JHSC has the power to, for example, identify situations that may be a source of danger or a hazard to workers and make recommendations to the employer for the improvement of health and safety of workers (OHSA, s. 9(18)).

The worker's right to know

The worker's right to know about any hazards they may be exposed to relates to a number of employer and supervisor duties under the OHSA. These include "general duty" clauses such as the employer's duty to provide information, instruction, and supervision to a worker to protect the health and safety of the worker (OHSA, s. 25(2)(a)), and the supervisor's duty to advise a worker of any potential or actual danger to the health and safety of the worker that the supervisor is aware of (s. 27(2)(a)).

Dangers may include other people. Under the OHSA's specific duties around violence (Part III.0.1), the employer and the supervisor have a duty to provide information to a worker, including personal information, related to a risk of workplace violence from a person with a history of violence. This provision of information is required if the worker can be expected to encounter that person in the course of their work *and* if the risk of workplace violence is likely to expose the worker to physical injury (, s. 32.0.5(3)).

It is important to note that the employer or supervisor must limit the disclosure of personal information about this person to what is reasonably necessary to protect the worker from physical injury (, s. 32.0.5(4)).

The worker's right to refuse unsafe work

The worker's right to refuse unsafe work is set out under Part V of the OHSA. For example, a worker may refuse to work or do particular work if they have reason to believe that workplace violence is likely to endanger them or another worker (OHSA, s. 43(3)).

Note that Regulation 857: Teachers limits a teacher's right to refuse unsafe work where "circumstances are such that the life, health or safety of a pupil is in imminent jeopardy" (Reg. 857, s. 3(3)).

School boards have their own written procedures for work refusal, including the work refusal process for teachers and other workers. Employee unions also offer support and information for workers regarding the work refusal process.

Getting Started with the Road Map

The Road Map (PDF, 138 KB) has three main sections. Each section focuses on a required reporting process under a particular provincial statute.

Ministry of Education

Education Act

The reporting process for serious student incidents under the *Education Act*, related ministry policy directives such as those relating to the Safe Schools Incident Reporting Forms, and the process for police notification.

Ministry of Labour

Occupational Health and Safety Act (OHSA)

The reporting process for workplace violence incidents under the OHSA.

Workplace Safety and Insurance Board

Workplace Safety and Insurance Act, 1997 (WSIA)

The reporting process for work-related injuries under the WSIA and related Workplace Safety and Insurance Board (WSIB) policy.

Making the link between the Road Map and real-time reporting decisions

To make the link between the reporting requirements in the Road Map and real-time decision making about reporting an actual incident, consider the following questions:

- Whose behaviour is this?
- What type of incident is this?
- Where and when did this incident happen?
- How will this incident be reported?

Whose behaviour is this?

Is the alleged assailant a student?

If this person is a student, then there may be a dual reporting requirement, where both a workplace violence report and the Safe Schools Incident Reporting Forms for a serious student incident must be completed.

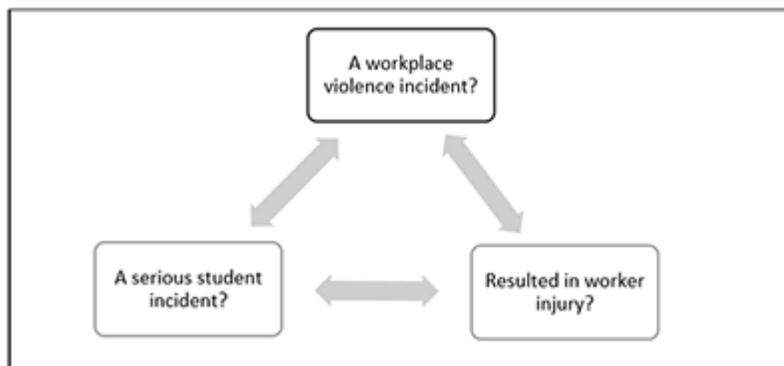
When investigating and dealing with an incident where a student is the alleged assailant, the principal must consider mitigating factors and other factors when:

- making decisions about possible suspension or expulsion (*Education Act, s. 306(2)* and O. Reg. 472/07: Behaviour, Discipline and Safety of Pupils (O. Reg. 472/07, ss. 2 and 3))
- making decisions about whether to call the police in some situations (*Provincial Model for a Local Police/School Board Protocol, 2015*)

What type of incident is this?

- Does this incident meet the definition of workplace violence under the *Occupational Health and Safety Act (OHSA)*? (See Part 1.)
- Could this incident also qualify as a serious student incident under the *Education Act*? (See Part 2.)
- If this incident resulted in an injury to a worker, does the injury meet the *Workplace Safety and Insurance Act, 1997 (WSIA)* criteria for reporting a workplace injury to the Workplace Safety and Insurance Board (WSIB)? (See Part 3.)

Multiple reporting requirements



If this incident meets the criteria for more than one of the above, more than one reporting process is needed.

In some instances, more than one reporting process is required. Here are two examples:

Dual reporting requirement: Both the school board's workplace violence reporting form and the Safe Schools Incident Reporting Forms must be completed if:

- the incident meets the definition of workplace violence (OHSA); and
- the alleged assailant is a student; and
- the student may also have engaged in a serious student incident.

Injury reporting requirement: If a violent incident between students causes an injury to a worker, then the Safe Schools Incident Reporting Forms must be completed and the school board's reporting process for work-related injuries must also be followed, including the use of the school board's WSIB Reporting System where required.

Where and when did this incident happen?

Incidents that happen during the workday and during school-run programs are relatively easy to identify as work- or school-related. However, incidents that originate off school premises or outside school programs can also qualify as workplace violence – for example, a message that threatens to cause injury to a worker.

How will this incident be reported?

The Road Map shows that each of the separate reporting processes for violent incidents has a series of steps that must be followed by the school board, the principal, and the school staff. The next section, “Following the Road Map”, briefly summarizes each reporting process, then details the steps to completion.

The appendices to this resource guide include a chart and scenarios that illustrate the links between the Road Map and the decisions that need to be made when reporting an actual incident, as follows:

- Appendix 1. Reporting requirements for various types of incidents
- Appendix 3. Scenarios about reporting requirements

Following the Road Map

This section provides an overview of the Road Map, summarizing each reporting process and then describing the steps to completion. The steps (boxes) on the Road Map appear as highlighted titles. The section begins with the *Ontario Health and Safety Act (OHSA)*, then proceeds to the *Education Act* and finally the *Workplace Safety and Insurance Act, 1997 (WSIA)*. Please refer to the appendices for summaries of this information, and to the Resources section for links to the source documents.

The Road Map includes two important notes:

In Case of Emergencies – Call 911: The overarching statement “*In case of emergencies – call 911*” applies to any school board employee who may need to respond directly to an emergency situation. School boards should review their own emergency procedures for board-specific information.

Dual Reporting Requirement: If an incident meets the definition of workplace violence (OHSA) and a serious student incident, then both the Employer's Workplace Violence Reporting Form and the Safe Schools Incident Reporting Form (SSIR as per PPM No. 120) are required to be completed as per the school board's workplace violence reporting procedure. These two forms are to be completed by the employee and submitted to the school board.

1. Reporting Workplace Violence Incidents (OHSA)

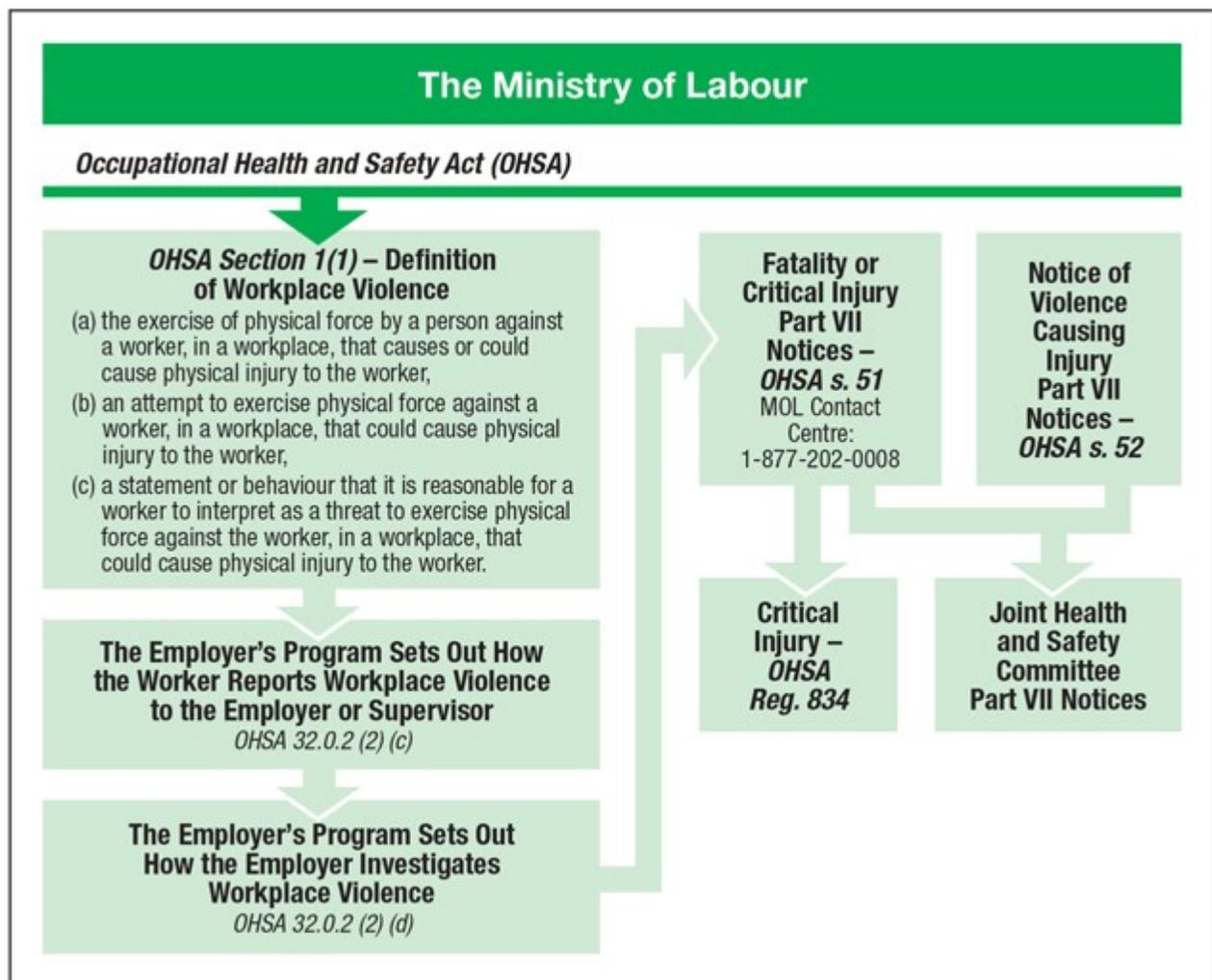
**The Ministry of Labour
Occupational Health and Safety Act (OHSA)**

The Ministry of Labour administers the *Occupational Health and Safety Act* (OHSA).¹

If an incident meets the OHSA definition of workplace violence (see below), there are reporting procedures under the employer's workplace violence program that must be followed. The worker must report the incident to the supervisor or employer. The employer's workplace violence program sets out how the employer will investigate and deal with the incident (s. 32.0.2).

If the incident results in a fatality or a critical injury (as defined in Reg. 834), the employer must meet time-sensitive requirements to give notice to (report to) the Ministry of Labour, the Joint Health and Safety Committee (JHSC), the health and safety representative, and the union (s. 51).

If the incident results in an injury to a worker that requires medical attention or disables the worker so that they are not able to perform their usual work, the employer must meet time-sensitive requirements to give notice to the JHSC, the health and safety representative, and the union (s. 52).



The reporting process for workplace violence (Road Map)

OHSA, s. 1(1) – Definition of workplace violence

Under the OHSA, “workplace violence” is defined 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 it 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.

The OHSA defines “workplace” as “any land, premises, location or thing at, upon, in or near which a worker works.” However, incidents that originate off school premises or outside school programs can also qualify as workplace violence – for example, a message that threatens to cause injury to a worker.

Types of violent incidents that may occur in school boards

The Ministry of Labour's resource guide *Workplace Violence in School Boards* describes the various types of workplace violence that workers may face in practical terms:

Workplace violence against a worker may be a one-time occurrence or involve repeated behaviours over time such as hitting, kicking, and biting a worker that causes or could cause physical injury. Workplace violence may also include an attempt to exercise physical force against a worker, such as an attempt to hit or bite, and may also include a statement or behaviour which is reasonable for a worker to interpret as a threat of violence, such as leaving a worker a threatening note or threatening an act of violence against a worker.

A continuum of inappropriate and/or unacceptable behaviours can occur at the workplace. This can range from offensive remarks to violence. Workplace harassment may escalate over time. Where harassment, including sexual harassment, in the workplace involves threats, attempts or acts of physical force that causes or could cause physical injury, it would be considered to be workplace violence under the OHSA.

A person does not need to have the capacity to understand that their behaviour could cause physical injury to a worker [for their behaviour] to be workplace violence under the OHSA. It is important to identify and manage inappropriate and/or unacceptable behaviours early to minimize the potential for these behaviours to lead to workplace violence.

For more information about the *Occupational Health and Safety Act* definitions for workplace violence and workplace harassment, including sexual harassment, read: OHSA 1(1).

The reporting of violent incidents in school boards falls within the larger context of the required workplace violence policy, the program to implement the policy, and duties around

workplace violence that employers are responsible for under the OHSA. For example, the requirement that school boards have under the OHSA for assessing the risk of workplace violence relies in part on reported information about the number, frequency, or severity of workplace violence incidents for a specific workplace.

To support school boards in meeting their duties, *Workplace Violence in School Boards* includes a workplace violence policy and program sample checklist (Appendix A) and two templates for different types of safety plans (Appendix F and Appendix G) for school boards to take into consideration when developing their own safety plans.

The employer's program sets out how the worker reports workplace violence to the employer or supervisor (OHSA, s. 32.0.2(2)(c))

The OHSA requires that the employer develop and maintain a program to implement their workplace violence policy (s. 32.0.2). The school board's workplace violence reporting form, developed under the program, is the initial written record of the worker's report or complaint about the incident. If an injury resulted from the incident, both the worker and the principal must report it, following the school board's injury reporting procedures.

The employer's program sets out how the employer investigates workplace violence (OHSA, s. 32.0.2(2)(d))

The school board's workplace violence program typically assigns the investigation of the incident or complaint of workplace violence to the principal. The principal may also need to complete a supervisor's incident investigation report.

The reporting process is an integral part of the workplace violence program and related duties under the OHSA. The combined actions of the staff and principal to complete this reporting process provide vital information that enables the school board to offer timely assistance and support; to perform other workplace violence duties including risk assessment; and to develop or improve measures and procedures to make all the school communities within the board safer.

**Fatality or critical injury
Part VII notices (OHSA, s. 51)**

The OHSA sets out notification requirements for the employer in the event of a workplace fatality or critical injury, an injury requiring medical attention, or a worker injury that results in the worker becoming disabled and unable to perform their usual work.

If a person has been critically injured or killed in the workplace, whether they are a worker or not, the employer must immediately notify the Ministry of Labour, the Joint Health and Safety Committee (JHSC), the health and safety representative, and the trade union by telephone or other direct means.

Within 48 hours, the employer must also notify, in writing, a director of the Ministry of Labour, giving the circumstances of the occurrence and any information prescribed in the regulations.

Critical Injury – OHSA, Reg. 834

A critical injury, as defined in Regulation 834 and later clarified by the Ministry of Labour (see Appendix 4), must be reported under the OHSA (s. 51) if there is a connection between the hazard that gave rise to the injury and worker health and safety.

Notice of violence causing injury Part VII Notices (OHSA, s. 52)

If a person is disabled (unable to perform their usual work) or requires medical attention because of an incident of workplace violence, accident, explosion, or fire, but no person dies or sustains a critical injury, then the employer must give written notice to the JHSC, the health and safety representative, and the trade union. This written notice must include information about the incident and must be provided within four days.

Joint Health and Safety Committee Part VII Notices

Under the OHSA (Part VII: Notices), the employer is required to notify the JHSC as part of the notification requirements in the OHSA, sections 51 and 52, as described above. The JHSC has the right to designate one or more worker members of the committee to investigate cases where a worker has been killed or critically injured at a workplace from any cause. As long as key requirements for preserving the scene of the incident are met (s. 51(2)), one of those designated worker members may inspect the place where the critical injury or fatality occurred and any machine, device, or thing that may have been involved, and shall report their findings to a director of the Ministry of Labour and to the JHSC. The school board's Terms of Reference for the JHSC can describe how the requirements for preserving the scene will be met (for more information, see Appendix C of the Ministry of Labour's *Guide for Health and Safety Committees and Representatives*).

2. Reporting Serious Student Incidents (*Education Act*)

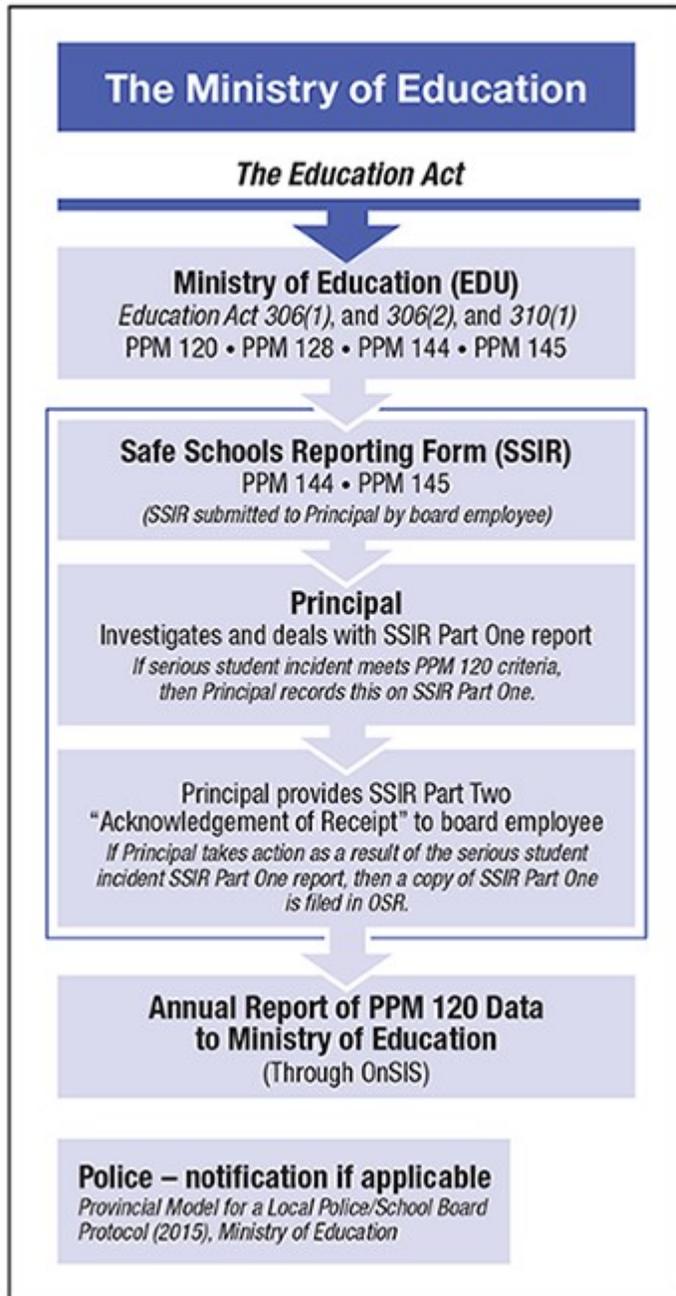
The Ministry of Education The *Education Act*

The Ministry of Education administers the *Education Act*.²

If an activity by a student meets the definition of a serious student incident under the *Education Act*, school board employees and principals are required to follow the reporting process set out in the Act.

Serious student incidents are activities for which suspension or expulsion must be considered by the principal under the *Education Act*. For a list of such activities, see Appendix 5: Safe Schools Incident Reporting Forms.

Employees and principals must also follow Ministry of Education and school board policy regarding codes of conduct, bullying, progressive discipline, the reporting of violent incidents to the Ministry of Education, and local police/school board protocols. The steps for doing so are laid out below.



The reporting process for serious student incidents (Road Map)

Ministry of Education
Education Act 306(1), and 306(2), and 310(1)
PPM 120 • PPM 128 • PPM 144 • PPM 145

Education Act 306(1), and 306(2), and 310(1)

The list of activities defined as serious student incidents is set out under the *Education Act*, Part XIII: Behaviour, Discipline and Safety (ss. 306(1), 306(2), and 310(1)).

The Act also states that a serious student incident is an activity that occurs while the student is at school, at a school-related activity, or in other circumstances where engaging in the activity will have an impact on the school climate (ss. 306(1) and 310(1)).

The Act sets out the duties of school board employees and of the principal with regard to the reporting process for serious student incidents (s. 300.2).

Reporting to the principal

Any school board employee who becomes aware that a student may have engaged in a serious student incident must report the matter to the principal as soon as reasonably possible (ss. 300.2(1) and 300.2(2)).

The principal's duty to investigate

The principal must investigate any such matter reported (s. 300.2(3)).

Informing the reporter

After investigating the matter, the principal is required to communicate the results of the investigation to the reporting teacher. If the matter was reported by an employee who is not a teacher, the principal is also required to communicate the results of the investigation, unless in the principal's opinion it would not be appropriate to do so (s. 300.2(4)).

The principal must not disclose more personal information than is reasonably necessary when communicating the results of an investigation (s. 300.2(5)).

Mitigating factors and other factors

The principal is required under the *Education Act* to consider mitigating factors and other factors in making decisions about suspension or expulsion (ss. 306(2), 306(4), 310(3), 311.1(4), 311.3(7)(b), and 311.4(2)(b)).

Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils sets out the mitigating factors and other factors that must be taken into account in these decisions (O. Reg. 472/07 ss. 2 and 3).

PPM Nos. 120, 128, 144, 145

School board employees and principals are required to adhere to the policy set out in four Ministry of Education policy/program memoranda (PPMs) as well as the policy document *Provincial Model for a Local Police/School Board Protocol*, issued jointly by the Ministry of Education and the Ministry of Community Safety and Correctional Services (for more information on the Protocol, see below).

These policy documents will be addressed below in the following order:

- PPM No.128, "Provincial Code of Conduct and School Board Codes of Conduct"
- PPM No. 144, "Bullying Prevention and Intervention"
- PPM No. 145, "Progressive Discipline and Promoting Positive Student Behaviour"
- PPM No. 120, "Reporting Violent Incidents to the Ministry of Education"
- *Provincial Model for a Local Police/School Board Protocol*, 2015

PPM No. 128, "Provincial Code of Conduct and School Board Codes of Conduct"

The provincial code of conduct (*Education Act*, s. 301) sets a clear provincial standard of behaviour for codes of conduct in school boards and schools. PPM No. 128 provides information about fostering a positive school climate and the required standards of behaviour that apply to all individuals involved in the publicly funded school system, including students, principals, teachers, early childhood educators, other school staff, parents, school bus drivers, volunteers, and community groups.

Safe Schools Incident Reporting Forms (SSIR) PPM 144 • PPM 145 (SSIR submitted to Principal by board employee)

The purpose of reporting serious student incidents is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered and to help ensure a positive school climate (PPM No. 145, "Reporting to the Principal").

PPM No. 144 and PPM No. 145 set out ministry direction for the required reporting process for serious student incidents, including the use of the Safe Schools Incident Reporting Forms (Appendix 5).

Both PPMs have a section titled "Reporting to the Principal" with direction on the reporting process for serious student incidents. PPM No. 145 also includes a discussion of how to handle third-party reporting of serious student incidents; a list of serious student incidents as laid out in the *Education Act*; and excerpts from Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils listing mitigating and other factors that must be taken into account.

The following summary lists key steps in the reporting procedure for serious student incidents, as set out in PPM No. 145. Refer to PPM No. 145 for further information.

Safe Schools Incident Reporting Forms (SSIR), PPM Nos. 144, 145

The Ministry of Education requires the use of the Safe Schools Incident Reporting Forms, as follows:

- All employee reports of serious student incidents, including verbal reports to the principal, must be confirmed in writing to the principal using the Safe Schools Incident Reporting Form – Part One.
- In all cases, the principal must provide the employee who reported the incident with a written acknowledgement using the Safe Schools Incident Reporting Form – Part Two.
- Where the principal is the sole witness to an incident, the principal is also required to complete the Safe Schools Incident Reporting Form – Part One.

The ministry template of the Safe Schools Incident Reporting Form, Part One and Part Two, is provided in Appendix 5, and also appears as an appendix in both PPM No. 144 and PPM No. 145. This form may be modified by school boards but must retain the elements set out in the ministry template.

SSIR submitted to Principal by board employee

A board employee who becomes aware that a student may have engaged in a serious student incident must report the matter to the principal as soon as reasonably possible, and no later than the end of the school day (ss. 300.2(1) and 300.2(2)). PPM No. 144 and PPM No. 145 provide further information about reporting as soon as reasonably possible. The following requirements apply:

- The employee must consider the safety of others and the urgency of the situation.
- In any case, the employee must report the incident to the principal no later than the end of the school day.
- In cases where immediate action is required, the incident may be reported to the principal verbally.
- A written report must be made when it is safe to do so. The written report is the Safe Schools Incident Reporting Form – Part One.
- Boards are expected to provide information to board employees on completing the Safe Schools Incident Reporting Form.

Principal
Investigates and deals with SSIR Part One report.
If serious student incident meets PPM 120 criteria,
then Principal records this on SSIR Part One

Principal investigates and deals with the SSIR Part One report

The principal must investigate all reports of serious student incidents (s. 300.2(3)). The principal is required to consider mitigating factors and other factors (see Education Act 306 (1), and 306(2), and 310(1), above) and to follow the local police/school board protocol (see Police – notification if applicable, below).

If serious student incident meets PPM No. 120 criteria

PPM No. 120, "Reporting Violent Incidents to the Ministry of Education" identifies seven types of violent incidents. For the purposes of PPM No. 120, the term *violent incident* is defined as the occurrence of any one of the following *or* the occurrence of a combination of any of the following:

- possessing a weapon, including possessing a firearm
- physical assault causing bodily harm requiring medical attention
- sexual assault
- robbery
- using a weapon to cause or to threaten bodily harm to another person
- extortion
- hate and/or bias-motivated occurrences

If the principal identifies the serious student incident as one of the above, the principal is required to complete the last section of the Safe Schools Incident Reporting Form – Part One (item 6, "For Principal's Use Only"). (See "Annual Report of PPM 120 Data", below.)

Principal provides SSIR Part Two "Acknowledgement of Receipt" to board employee.

If Principal takes action as a result of the serious student incident SSIR Part One report, then a copy of SSIR Part One is filed in the Ontario Student Record

Principal provides SSIR Part Two "Acknowledgement of Receipt" to board employee

The principal must provide the employee who reported the incident with a written acknowledgement, using the Safe Schools Incident Reporting Form – Part Two: Acknowledgement of Receipt of Report.

As required under the *Education Act* (s. 300.2(4)), if a teacher made the report, the principal communicates the results of the completed investigation to that employee. If a board employee who is not a teacher made the report, then the principal may communicate the results of the investigation to that employee, if the principal considers it appropriate to do so. Information must be provided in a timely manner to help facilitate positive outcomes. The principal must not disclose more information than is reasonably necessary when communicating the results of an investigation (s. 300.2(5)).

If Principal takes action as a result of the serious student incident SSIR Part One report, then a copy of SSIR Part One is filed in the Ontario Student Record

If the principal takes action as a result of a serious student incident, a copy of the reporting form with documentation of actions taken must be filed in the Ontario Student Record (OSR) of the student whose behaviour was inappropriate. The names of all other students that appear on the form must be removed before the form is filed. If more than one student was involved, these actions must be repeated for each student. Refer to PPM No. 145 for

further important details about OSR filing requirements when a principal takes action as a result of a serious student incident report.

**Annual Report of PPM 120 Data
to Ministry of Education
(through OnSIS)**

PPM No. 120 identifies seven types of violent incidents that school boards must report on an annual basis to the Ministry of Education. This reporting process is completed through the Ontario School Information System (OnSIS).

PPM No. 120 states: "All violent incidents that occur on school premises during school-run programs must be reported to the ministry, whether the violent incident was committed by a student of the school or whether it was committed by any other person."

The principal assists the school board in its collection of this data by using the Safe Schools Incident Reporting Form – Part One (see item 6, "For Principal's Use Only") to indicate with a check mark that a serious student incident also meets the PPM No. 120 definition of a "violent incident".

PPM No. 120 includes two reminders for reporting requirements:

- Boards must follow the direction in *Provincial Model for a Local Police/School Board Protocol* regarding police notification if any violent incidents occur.
- In circumstances where board employees have reason to believe that a student may be in need of protection, they are required to call a children's aid society, in accordance with the requirements of the *Child, Youth and Family Services Act, 2017*.

**Police – notification if applicable
*Provincial Model for a Local Police/School Board Protocol (2015),
Ministry of Education***

The *Provincial Model for a Local Police/School Board Protocol* (referred to henceforth as the Protocol) outlines the 22 key elements that must be included in local police/school board protocols across the province. It also includes provincial policies for lockdown procedures and bomb threat procedures in elementary and secondary schools. The Protocol was established jointly by the Ministry of Education and the Ministry of Community Safety and Correctional Services.

In section 8, "Occurrences Requiring Police Response", the Protocol indicates the types of incidents for which reporting to the police is mandatory and those for which reporting to the police is discretionary. These types of incidents include occurrences that happen at school, during school-related activities in or outside school, and in other circumstances if the incident has a negative impact on school climate.

Note that Protocol directions for police notification do not replace school board procedures for a board employee to call 911 in case of emergencies.

Occurrences Requiring Police Response

Here is the relevant excerpt from the Protocol (pp. 12–13), listing the types of incidents for which mandatory and discretionary reporting to the police are indicated.

Mandatory Notification of Police: At a minimum, the police must be notified of the following types of incidents:

- all deaths;
- physical assault causing bodily harm requiring treatment by a medical practitioner;
- sexual assault;
- robbery;
- criminal harassment;
- relationship-based violence;
- possessing a weapon, including possessing a firearm;
- using a weapon to cause or to threaten bodily harm to another person;
- trafficking in weapons or in illegal drugs;
- possessing an illegal drug;
- hate and/or bias-motivated occurrences;
- gang-related occurrences;
- extortion;
- non-consensual sharing of intimate images; and
- bomb threats.

Discretionary Notification of Police: Police response may also be needed in connection with the following types of incidents:

- giving alcohol to a minor;
- being under the influence of alcohol or illegal drugs;
- threats of serious physical injury, including threats made on social networking sites or through instant messaging, text messaging, email, and so on;
- incidents of vandalism; and
- incidents of trespassing.

Decision Making by the Principal

The Protocol notes: "Principals should consider mitigating and other factors when deciding whether to call the police in ... discretionary situations. It is expected that all other school-related occurrences not specified in the protocol will be dealt with by the principal on a case-by-case basis, and that police will be notified at the principal's discretion."

The Protocol includes a number of sections that provide direction for decision making by the principal regarding police notification and any resulting investigation, for example:

- Occurrences Requiring Police Response (section 8)
- School Procedures for Reporting to Police (section 10)
- School and Police Investigations of Incidents (section 12)
- Investigations Involving Students with Special Education Needs (section 15)
- Occurrences Involving Students Under Age 12 (section 16)

Refer to both the Protocol and the school board's local police/school board protocol for further information.

3. Reporting Workplace Injuries (WSIA)

Workplace Safety and Insurance Board *Workplace Safety and Insurance Act, 1997 (WSIA)*

The Workplace Safety and Insurance Board (WSIB) administers the *Workplace Safety and Insurance Act, 1997 (WSIA)*.³

The WSIB plays an important role in the province's occupational health and safety system. It is funded by employers, including school boards. The WSIB provides insurance for workplace injuries and illnesses that are covered under the WSIA and supports early and safe return to work for injured workers.

If a workplace violence incident results in an injury to a worker, the injury should be reported to the supervisor or employer as soon as possible. First aid and/or medical attention should be administered promptly if necessary. Under some circumstances (see below), the injury must also be reported to the WSIB, as required under the WSIA.

School board procedures for reporting workplace injuries help to ensure that injured workers get the help they need; that steps can be taken for future prevention of injury and control of risk; and that requirements for reporting to the WSIB, if applicable, are met.

Refer to the school board's procedures for injury reporting, including the school board's WSIB reporting system (see below).



The process for reporting work-related injuries to the WSIB (Road Map)

Workplace Violence Resulting in Injury to a Worker

When a workplace injury occurs, it is important for the worker to report the injury to their supervisor as soon as possible. First aid and medical attention may be required. If more serious treatment is required, the employer has a responsibility to transport the injured worker to the appropriate medical facility at the time of the injury (s. 38). It may be necessary to engage emergency procedures and call 911 for an ambulance.

Sometimes workplace injuries may become apparent, or more severe, hours or days after they occur. Such injuries are referred to as “delayed-onset” injuries. These should also be reported to the supervisor as soon as possible. When previously reported injuries worsen, or health care is sought after a report is made, existing reports should be updated or revised.

Note that a worker who is the victim of workplace violence, whether or not they sustain a physical injury, may also suffer mental stress. This mental stress can be reported as an injury resulting from workplace violence. A medical professional can determine if this mental stress qualifies as traumatic mental stress. Under the WSIA, a worker is entitled to benefits for traumatic mental stress arising out of and in the course of the worker's employment (s. 13(4); WSIB Policy 15-03-02: Traumatic Mental Stress).

A workplace injury resulting from a violent incident should be recorded on the school board's workplace violence report (see The employer's program sets out how the worker

reports workplace violence to the employer or supervisor) and reported on the school board's incident/injury report (see next section). The principal may also need to complete the school board's supervisor's incident investigation report. If the injured worker seeks medical attention, the school board may provide the worker with a package of information (known as the "WSIB Employee Injury Reporting Kit") to take with them to the medical provider.

WSIB Reporting

As the employer, the school board must report a work-related injury to the WSIB if the injury causes the worker to:

- obtain health care;
- be absent from their regular work beyond the date of the accident;
- require modified duties at less than regular pay;
- earn less than regular pay at their regular work; or
- require modified work at regular pay for more than seven calendar days.

The employer has a duty to report this work-related injury to the WSIB within three days of learning about the injury. A copy of the employer's report must be provided to the injured worker.

The WSIB provides injury reporting forms (see Resources) for the worker, the employer, and the health professional, as follows:

- Worker's Report of Injury/Disease (Form 6)
- Employer's Report of Injury/Disease (Form 7), and
- Health Professional's Report (Form 8).

The WSIB also provides reference guides, online tools, and telephone support to assist with the completion of these reports.

The WSIB recommends that when in doubt about whether an injury or illness is work-related, it should still be reported to the WSIB. The decision about whether an injury is work-related can only be made by the WSIB.

The WSIB policy document "Employer's Initial Accident-Reporting Obligations, 15-01-02" and the WSIB resource guide "Injury or illness reporting at WSIB" set out the criteria and the process for employers and workers for reporting an injury to the WSIB (see Resources).

First Aid Regulation

When a workplace injury occurs and only first-aid treatment is needed, and there is no lost time, there is no requirement to contact the WSIB. However, Regulation 1101: First Aid Requirements under the WSIA requires the employer to keep a detailed record of all first-aid treatments provided to injured workers (Reg. 1101 s. 5). Each school board has procedures for reporting and record keeping of first-aid treatments.

School Board WSIB Reporting System

Each school board's WSIB reporting system is structured to meet the legal requirements of the WSIA and the policy requirements of the WSIB. This reporting system helps to ensure that the necessary WSIB reporting requirements are followed in a timely and complete manner. The system also helps to ensure that workers are supported in reporting injuries or illnesses to the WSIB (see "Injury or illness reporting at WSIB").

Appendix 1. Reporting requirements for various types of incidents

Note: These are examples only, and are not intended to replace board-specific guidelines. PPM No. 120 and the Provincial Model for a Local Police/School Board Protocol (2015) are not included in the examples.

What type of incident is this?	Safe Schools Incident Reporting Forms (SSIR)	School board's reporting form for workplace violence	School board's reporting form for worker injury	Employer's workplace injury report to WSIB
Serious student incident Workplace violence incident No worker injury	Yes	Yes	No	No
Serious student incident Workplace violence incident Worker injury Criteria for injury report to WSIB <i>not</i> met	Yes	Yes	Yes	No
Serious student incident Workplace violence incident Worker injury Criteria for injury report to WSIB <i>are</i> met	Yes	Yes	Yes	Yes
Assailant is not a student Workplace	No	Yes	No	No

violence incident
No worker injury

Assailant is not
a student
Workplace
violence incident
Worker injury
Criteria for
injury report to
WSIB *not* met

No	Yes	Yes	No
----	-----	-----	----

Assailant is not
a student
Workplace
violence incident
Worker injury
Criteria for
injury report to
WSIB *are* met

No	Yes	Yes	Yes
----	-----	-----	-----

The criteria for injury reporting to the WSIB are set out in the WSIB document "Employer's Initial Accident-Reporting Obligations", 15-01-02 (www.wsib.on.ca).

Appendix 2. Definitions related to reporting violent incidents

Workplace violence, Ontario Health and Safety Act (OHSA)⁴

"Workplace violence" means:

- (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 it 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.

Serious student incidents, as laid out in the *Education Act* and PPM No. 145, "Progressive Discipline and Promoting Positive Student Behaviour" (October 17, 2018)⁵

Suspension

Activities for which suspension must be considered under subsection 306(1) of the *Education Act*:

- Uttering a threat to inflict serious bodily harm on another person.
- Possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis.
- Being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis.
- Swearing at a teacher or at another person in a position of authority.
- Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.
- Bullying.
- Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.

Expulsion

Activities for which expulsion must be considered under subsection 310(1) of the *Education Act*:

- Possessing a weapon, including possessing a firearm.
- Using a weapon to cause or to threaten bodily harm to another person.
- Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner.
- Committing sexual assault.
- Trafficking in weapons or in illegal drugs.
- Committing robbery.
- Bullying (if the student has previously been suspended for engaging in bullying, and the student's continuing presence in the school creates an unacceptable risk to the safety of another person).
- Any activity listed in subsection 306(1) that is motivated by bias, prejudice or hate.
- Giving alcohol or cannabis to a minor.
- Any other activity for which a student may be expelled under board policy.

Violent Incidents, PPM No. 120, "Reporting Violent Incidents to the Ministry of Education" (May 16, 2011)

For the purposes of PPM No. 120, the term *violent incident* is defined as the occurrence of any one of the following *or* the occurrence of a combination of any of the following:

- possessing a weapon, including possessing a firearm
- physical assault causing bodily harm requiring medical attention
- sexual assault
- robbery
- using a weapon to cause or to threaten bodily harm to another person
- extortion
- hate and/or bias-motivated occurrences

Occurrences requiring police response, *Provincial Model for a Local Police/School Board Protocol, 2015*

Mandatory Notification of Police

At a minimum, police must be notified of the following types of incidents:

- all deaths;
- physical assault causing bodily harm requiring treatment by a medical practitioner;
- sexual assault;
- robbery;
- criminal harassment;
- relationship-based violence;
- possessing a weapon, including possessing a firearm;
- using a weapon to cause or to threaten bodily harm to another person;
- trafficking in weapons or in illegal drugs;
- possessing an illegal drug;
- hate and/or bias-motivated occurrences;
- gang-related occurrences;
- extortion;
- non-consensual sharing of intimate images; and
- bomb threats.

Discretionary Notification of Police

Police response may be needed in connection with the following types of incidents:

- giving alcohol to a minor;
- being under the influence of alcohol or illegal drugs;
- threats of serious physical injury, including threats made on social networking sites or through instant messaging, text messaging, email, and so on;
- incidents of vandalism; and
- incidents of trespassing.

Adapted from the Elementary Teachers' Federation of Ontario, *ETFO Placemat: Workplace Violence and Serious Student Incidents, connecting legislation and policy* (2016)

Appendix 3. Scenarios about reporting requirements

- Appendix 3 provides four scenarios that involve decision making about the reporting requirements for violent incidents. The scenarios are designed to provoke discussion about how the Road Map is used.
- Each scenario includes a completed checklist of reporting requirements, along with the Road Map (flow chart) with the required reporting actions flagged. At the end of the appendix is a master template of the checklist, which could be used to create new scenarios or adapted for practical use.

The PowerPoint that accompanies this training resource includes a copy of the first scenario.

Scenario 1: Dealing with a social media threat

A Grade 8 student posts on a social networking site that they intend to cause serious physical injury to a teacher. The student has a history of violent behaviour. The teacher is a member of a religious group. The student's online threat also includes statements and images that express hatred towards the teacher's religious group; identifies the teacher by name; and includes a link to a website that also expresses hate towards the religious group. Upon learning of the incident, the principal contacts the police and informs the targeted teacher. The school board and local police conduct coordinated investigations.

Reporting Requirement	Yes/No	Comments
Safe Schools Incident Reporting Forms – Part One and Part Two	Yes	Serious student incident: <ul style="list-style-type: none"> • Uttering a threat to inflict serious bodily harm on another person: possible suspension. • Any activity listed in the <i>Education Act</i>, s. 306(1), that is motivated by bias, prejudice or hate: possible expulsion.
Requirements under PPM No. 120 for reporting violent incidents to the Ministry of Education	Yes	A violent incident for the purpose of PPM No. 120: <ul style="list-style-type: none"> • Hate and/or bias-motivated occurrences.
Requirements for notifying police (<i>Provincial Model for a Local Police/School Board Protocol</i> , section 8)	Yes	Notification of police: <ul style="list-style-type: none"> • Hate and/or bias-motivated occurrences: mandatory notification of police. • Threats of serious physical injury: discretionary notification of police.
School board's reporting form for workplace violence	Yes	Workplace violence incident: <ul style="list-style-type: none"> • A statement or behaviour that it 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.
School board's reporting form for worker injury	No	N/A

OHSA requirements for reporting a fatality or critical injury (s. 51)	No	N/A
OHSA requirements for reporting violence causing injury (s. 52)	No	N/A
Record of first-aid treatment	No	N/A
School board's WSIB reporting system	No	N/A

Scenario 1 PDF (92 KB)

Scenario 2: Dealing with a physical assault by a student

An educational assistant (EA) is assaulted by a Grade 4 student during morning recess. The incident causes injuries to the EA's head and shoulder, and the EA reports the incident to the principal. First aid is provided. Workplace violence and injury reports are completed. The principal prepares to conduct an investigation and informs the EA. Later that day, while still at work, the EA develops a headache, nausea, and dizziness, seemingly as a result of the head injury. The principal activates emergency procedures and calls 911 for an ambulance. At the hospital, the EA is diagnosed with a concussion and referred for further assessment. The principal is informed that the EA will be unable to work for at least a few days.

Reporting Requirement	Yes/No	Comments
Safe Schools Incident Reporting Forms – Part One and Part Two	Yes	<p>Serious student incident:</p> <ul style="list-style-type: none"> Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner: possible expulsion.
Requirements under PPM No. 120 for reporting violent incidents to the Ministry of Education	Yes	<p>A violent incident for the purpose of PPM 120:</p> <ul style="list-style-type: none"> Physical assault causing bodily harm requiring medical attention.
Requirements for notifying police (<i>Provincial Model for a Local Police/School Board Protocol</i> , section 8)	Yes	<p>Notification of police:</p> <ul style="list-style-type: none"> Physical assault causing bodily harm requiring treatment by a medical practitioner: mandatory notification of police.

Note: The Protocol also states that school boards are expected to use their discretion in applying the rules for reporting incidents to the police where children under the age of 12 are involved.

Workplace violence incident:

School board's reporting form for workplace violence	Yes	<ul style="list-style-type: none"> The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
School board's reporting form for worker injury	Yes	The report will require updating as new information becomes available.
OHSA requirements for reporting a fatality or critical injury (s. 51)	No	N/A
OHSA requirements for reporting violence causing injury (s. 52)	Yes	The EA was disabled (could not perform their usual work) and required medical attention because of an incident of workplace violence.
Record of first-aid treatment	Yes	First aid was provided.
School board's WSIB reporting system	Yes	The incident caused injury requiring health care and resulting in lost time.

Scenario 2 PDF (94 KB)

Scenario 3: Dealing with a physical assault by a parent

In the high school gym, a parent angrily confronts the teacher who is the senior boys' basketball coach about the fact that his son did not make the team. The parent threatens the teacher with physical violence. The principal is alerted and attempts to defuse the situation. The parent pushes the principal against the gym wall and leaves the school. The police are called. No first-aid treatment is necessary, but the principal later seeks medical attention for a back injury resulting from the incident. Over the next few days, the teacher experiences increasing mental stress as a result of the incident, including fearing for their personal safety at work and in the community. The teacher then seeks medical attention for this mental stress. The school board and local police conduct coordinated investigations.

Reporting Requirement	Yes/No	Comments
	No	The assailant is not a student.

Safe Schools Incident Reporting
Forms –
Part One and Part Two

Requirements under PPM No. 120
for reporting violent incidents to
the Ministry of Education

Yes

A violent incident for the purpose of
PPM 120:

- Physical assault causing bodily harm requiring medical attention.

Requirements for notifying police
(*Provincial Model for a Local
Police/School Board Protocol*,
section 8)

Yes

Notification of police:

- Physical assault causing bodily harm requiring treatment by a medical practitioner: mandatory notification of police.

Each victim makes a separate report.

Workplace violence incidents:

School board's reporting form for
workplace violence

Yes

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- A statement or behaviour that it 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.

School board's reporting form for
worker injury

Yes

The principal reports physical injury as a result of the incident. The teacher reports mental stress as an injury resulting from the incident.

OHSA requirements for reporting a
fatality or critical injury (s. 51)

No

N/A

OHSA requirements for reporting
violence causing injury (s. 52)

Yes

The principal required medical attention because of an incident of workplace violence.

Record of first-aid treatment

No

N/A

School board's WSIB reporting system	Yes	The principal was injured as a result of the incident and required health care. The teacher makes a WSIB claim for traumatic mental stress as result of the incident.
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Scenario 3 PDF (87 KB)

Scenario 4: Dealing with a threat of violence with a weapon

A high school student is overheard telling a classmate that he has a BB gun in his backpack and intends to use it to hurt staff and students. The principal is informed. Emergency procedures are activated and police are called. The police arrive on the scene, locate the firearm, and arrest the student. The student will be charged with carrying a concealed weapon, possession of a weapon for a dangerous purpose, and uttering threats to cause death or bodily harm. The school board and local police conduct coordinated investigations.

Reporting Requirement	Yes/No	Comments
		Serious student incidents:
Safe Schools Incident Reporting Forms – Part One and Part Two	Yes	<ul style="list-style-type: none"> Uttering a threat to inflict serious bodily harm on another person: possible suspension. Possessing a weapon, including possessing a firearm: possible expulsion. Using a weapon to cause or to threaten bodily harm to another person: possible expulsion.
		A violent incident for the purpose of PPM 120:
Requirements under PPM No. 120 for reporting violent incidents to the Ministry of Education	Yes	<ul style="list-style-type: none"> Possessing a weapon, including possessing a firearm. Using a weapon to cause or to threaten bodily harm to another person.
Requirements for notifying police (<i>Provincial Model for a Local Police/School Board Protocol</i> , section 8)	Yes	Notification of police: <ul style="list-style-type: none"> Possessing a weapon, including possessing a firearm: mandatory notification of police. Using a weapon to cause or to threaten bodily harm to another

person: mandatory notification of police.

- Threats of serious physical injury: discretionary notification of police.

Workplace violence incidents:

- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to a worker.
- A statement or behaviour that it 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.

School board's reporting form for workplace violence Yes

School board's reporting form for worker injury No

N/A

OHSA requirements for reporting a fatality or critical injury (s. 51) No

N/A

OHSA requirements for reporting violence causing injury (s. 52) No

N/A

Record of first-aid treatment No

N/A

School board's WSIB reporting system No

N/A

Scenario 4 PDF (88 KB)

Master template

Scenario description:

Reporting Requirement

Yes/No

Comments

Safe Schools Incident Reporting Forms – Part One and Part Two

Requirements under PPM No. 120 for reporting violent incidents to the Ministry of Education

Requirements for notifying police (*Provincial Model for a Local Police/School Board Protocol*, section 8)

School board's reporting form for workplace violence

School board's reporting form for worker injury

OHSA requirements for reporting a fatality or critical injury (s. 51)

OHSA requirements for reporting violence causing injury (s. 52)

Record of first-aid treatment

School board's WSIB reporting system

Appendix 4. R.R.O. 1990, Regulation 834: Critical Injury – Defined

Occupational Health and Safety Act

Regulation 834: Critical Injury – Defined

1. For the purposes of the Act and the Regulations,

“critically injured” means an injury of a serious nature that,

- (a) places life in jeopardy,
- (b) produces unconsciousness,
- (c) results in substantial loss of blood,
- (d) involves the fracture of a leg or arm but not a finger or toe,
- (e) involves the amputation of a leg, arm, hand or foot but not a finger or toe,
- (f) consists of burns to a major portion of the body, or
- (g) causes the loss of sight in an eye.

Clarification on the definition of Regulation 834: Critical Injury

The Ministry of Labour issued a notice of clarification on the definition of Regulation 834 (January 2017) as follows:

Clause 1(d) of Regulation 834 stipulates that an injury of a serious nature is a "critical injury" if it involves the fracture of a leg or arm but not a finger or toe. The Ministry of Labour interprets this provision as including the fracture of a wrist, hand, ankle or foot – i.e. any such fracture would constitute a critical injury if it is of a serious nature. While the fracture of a single finger or single toe does not constitute a critical injury, the ministry takes the position that the fracture of more than one finger or more than one toe *does* constitute a critical injury if it is an injury of a serious nature.

Clause 1(e) of Regulation 834 stipulates that an injury of a serious nature is a "critical injury" if it involves the amputation of a leg, arm, hand or foot but not a finger or toe. While the amputation of a single finger or single toe does not constitute a critical injury, the

ministry takes the position that the amputation of more than one finger or more than one toe *does* constitute a critical injury if it is an injury of a serious nature.

A critical injury must be reported under s. 51 of the Occupational Health and Safety Act if there is a connection between the hazard that gave rise to the injury and worker health and safety.

This notice is intended to provide clarity around the application of clauses (d) and (e) of the critical injury definition. The legal definition of a critical injury set out in Regulation 834 has not changed.

Appendix 5. Safe Schools Incident Reporting Forms

Excerpt from PPM No. 145, "Progressive Discipline and Promoting Positive Student Behaviour", 2018

APPENDIX 2: Safe Schools Incident Reporting Forms

Report No: _____	<i>Confidential</i> SAFE SCHOOLS INCIDENT REPORTING FORM – PART I
Name of School _____	
1. Name of Student(s) Involved (if known) _____	
2. Location of Incident (check one)	<input type="checkbox"/> At a location in the school or on school property (please specify) _____ <input type="checkbox"/> At a school-related activity (please specify) _____ <input type="checkbox"/> On a school bus (please specify route number) _____ <input type="checkbox"/> Other (please specify) _____
3. Time of Incident	Date: _____ Time: _____
4. Type of Incident (check all that apply)	<p>Activities for which suspension must be considered under subsection 306(1) of the Education Act</p> <input type="checkbox"/> Uttering a threat to inflict serious bodily harm on another person <input type="checkbox"/> Possessing alcohol, illegal drugs or, unless the student is a medical cannabis user,* cannabis <input type="checkbox"/> Being under the influence of alcohol or, unless the student is a medical cannabis user, cannabis <input type="checkbox"/> Swearing at a teacher or at another person in a position of authority <input type="checkbox"/> Committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school <input type="checkbox"/> Bullying <input type="checkbox"/> Any other activity for which a student may be suspended under board policy <i>[Note: Boards must specify on this form any other activities for which the principal may suspend according to board policy.]</i> <p>Activities for which expulsion must be considered under subsection 310(1) of the Education Act</p> <input type="checkbox"/> Possessing a weapon, including possessing a firearm <input type="checkbox"/> Using a weapon to cause or to threaten bodily harm to another person <input type="checkbox"/> Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner <input type="checkbox"/> Committing sexual assault <input type="checkbox"/> Trafficking in weapons or in illegal drugs <input type="checkbox"/> Committing robbery <input type="checkbox"/> Bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person) <input type="checkbox"/> Any activity listed in subsection 306(1) that is motivated by bias, prejudice, or hate <input type="checkbox"/> Giving alcohol or cannabis to a minor <input type="checkbox"/> Any other activity for which a student may be expelled under board policy <i>[Note: Boards must specify on this form any other activities for which the board may expel according to board policy.]</i>
5. Report Submitted By: Name: _____	
Role in School Community: _____	
Signature: _____ Date: _____	
Contact Information: Location: _____ Telephone: _____	
<p>6. FOR PRINCIPAL'S USE ONLY: Check if incident was a violent incident, as defined in Policy/Program Memorandum No. 120.</p> <input type="checkbox"/> Violent Incident <small>Information is collected under the authority of Part XIII of the Education Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act, and shall be used for the purpose of student discipline. Questions about information collected on this form shall be directed to the school principal. * As defined in the Education Act, a medical cannabis user is a person who is authorized to possess cannabis for the person's own medical purposes in accordance with applicable federal law.</small>	

<p><i>Confidential</i></p> <p>SAFE SCHOOLS INCIDENT REPORTING FORM – PART II</p> <p><i>Acknowledgement of receipt of report</i></p>
<p>Report No: _____</p>
<p>Report Submitted By:</p>
<p>Name: _____ Date: _____</p>
<p><input type="checkbox"/> Investigation completed</p> <ul style="list-style-type: none"><input type="checkbox"/> Principal to communicate results to the teacher at a mutually convenient time*<input type="checkbox"/> Principal to communicate results to other board employee at a mutually convenient time, as appropriate*
<p><input type="checkbox"/> Investigation in progress</p> <ul style="list-style-type: none"><input type="checkbox"/> Once investigation is completed, principal to communicate results to the teacher at a mutually convenient time*<input type="checkbox"/> Once investigation is completed, principal to communicate results to other board employee at a mutually convenient time, as appropriate*
<p>Name of Principal: _____</p>
<p>Signature: _____ Date: _____</p>
<p><small>Note: Only Part II is to be given to the person who submitted the report.</small></p> <p><small>* In accordance with s.300.2 of the Education Act, after investigating a matter reported by an employee, the principal shall communicate the results of the investigation to the teacher or other board employee who is not a teacher, as appropriate. In accordance with the Municipal Freedom of Information and Protection and Privacy Act and the Education Act, when reporting the results of the investigation, the principal shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.</small></p>

Resources

Ministry of Education

Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs Through Progressive Discipline, Kindergarten to Grade 12 (2010)

PPM No. 120, "Reporting Violent Incidents to the Ministry of Education" (May 16, 2011)

PPM No. 128, "The Provincial Code of Conduct and School Board Codes of Conduct" (October 17, 2018)

PPM No. 144, "Bullying Prevention and Intervention" (October 17, 2018)

PPM No. 145, "Progressive Discipline and Promoting Positive Student Behaviour" (October 17, 2018)

Provincial Model for a Local Police School Board Protocol (2015)

Ministry of Labour

"Clarification on the definition of Regulation 834: Critical Injury" (January 2017)

Guide for Health and Safety Committees and Representatives (February 6, 2018)

Guide to the Occupational Health and Safety Act (April 26, 2018)

Understand the Law on Workplace Violence and Harassment (September 7, 2017)

Workplace Violence in School Boards: A Guide to the Law (December 14, 2018)

Workplace Safety and Insurance Board

"Always Report. Injured at Work? A Guide to Reporting for Injured Workers and Employers"

Employers' Initial Accident-Reporting Obligations, WSIB Operational Policy 15-01-02

Form 6 Worker's Report of Injury/Disease: Reference Guide for Workers

Form 7 Employer's Report of Injury/Disease: Reference Guide for Employers

Form 8 Health Professional's Report

"Injury or Illness Reporting at WSIB"

Traumatic Mental Stress, WSIB Operational Policy 15-03-02

Ontario Statutes and Regulations

Education Act

Occupational Health and Safety Act

Ontario Regulation 472/07: Behaviour, Discipline and Safety of Pupils

Revised Regulations of Ontario 1990, Regulation 834: Critical Injury – Defined

R.R.O. 1990, Regulation 857: Teachers

R.R.O. 1990, Regulation 1101: First Aid Requirements

Workplace Safety and Insurance Act, 1997

1 In this section, all citations in parentheses are to the OHSA, unless otherwise stated.

2 In this section, all parenthetical citations are to the *Education Act*, unless otherwise stated.

3 In this section, all parenthetical citations are to the *Workplace Safety and Insurance Act*, unless otherwise stated.

4 Note: Incidents not listed under “Workplace Violence, OHS definition” may still qualify as workplace violence incidents under the *Occupational Health and Safety Act* (OHS). Refer to the OHS for additional information.

5 See the Safe Schools Incident Reporting Forms (SSIR) in the appendix to PPM No. 145.

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