

**AGENDA: 5:30 p.m.**

1. Call to Order/Roll Call
2. Land Acknowledgment
3. Approval of the Agenda
4. [Consent Items: updates to procedures under the Human Resources and Safety & Well-Being policies](#)
5. Staff Presentation: Policy Consultation

**Policy Review:**

6. [Student Attendance and Safe Arrival \(formerly Arrival Check\)](#)
7. [Accommodation of Staff - Disability](#)
8. [Whistleblower – post-consultation](#)

9. Adjournment

We acknowledge our presence on ancestral Anishinaabe and Haudenosaunee Confederacy land as determined by the Dish with One Spoon treaty.

The intent of this agreement is for all nations sharing this territory to do so responsibly, respectfully and sustainably in perpetuity.

We respect the longstanding relationships with the local Indigenous communities, the Mississaugas of the Credit First Nation and the Six Nations of the Grand River.

Subject: Human Resources Procedures

Executive Council Member Responsible: Jamie Nunn  
Superintendent, Human Resources



The following chart updates Trustees on the changes made to the procedures attached to the policies, under the Human Resources Pillar policy.

The policies and procedures under this pillar include:

**4.1 Accommodation of Staff**

- Accommodation of Staff Procedure
- Employee Medical Records Management – Employee Support and Wellness Procedure

**4.2 Employee Attendance Management**

- Employee Support and Attendance Management Procedure

**4.3 Occupational Health and Safety**

- Promoting Safety Through Student Behaviour Management Procedure

**4.4 Performance Appraisal**

**4.5 Professional Learning**

**4.6 Recruitment and Selection**

- Recruitment and Selection Procedure
- Criminal Background Check Procedure

**4.7 Staff Engagement**

- Right to Disconnect Procedure

**4.8 Staff Progressive Discipline**

- Staff Progressive Discipline Procedure

**4.9 Workplace Violence and Harassment Prevention**

- Workplace Harassment Prevention Procedure
- Workplace Violence Prevention Procedure

**Consent Agenda:** A consent agenda groups the routine, procedural, informational and self-explanatory non-controversial items typically found in an agenda. These items are then presented to the committee allowing anyone to request that a specific item be pulled out for discussion.

Listed below is a summary of the changes to all procedures under the Human Resources Pillar.

#### **4.1 Accommodation of Staff (policy review date: 2022)**

**Last reviewed in 2018**

Procedure Name	Changes Made
Accommodation of Staff Procedure	No changes
Employee Medical Records Management – Employee Support and Wellness Procedure	No changes

#### **4.2 Employee Attendance Management (policy review date: 2023)**

**Last reviewed in 2019**

Procedure Name	Changes Made
Employee Support and Attendance Management Procedure	No changes

#### **4.3 Occupational Health and Safety (policy review date: 2023) \*policy reviewed annually**

**Last reviewed in 2022**

Procedure Name	Changes Made
Promoting Safety Through Behaviour Management Procedure	No changes

**4.4 Performance Appraisal (policy review date: 2025)**

Last reviewed in 2021

Procedure Name	Changes Made
*no procedure exists for this policy	N/A

**4.5 Professional Learning (policy review date: 2025)**

Last reviewed in 2021

Procedure Name	Changes Made
*no procedure exists for this policy	N/A

**4.6 Recruitment and Selection (policy review date: 2025)**

Last reviewed in 2021

Procedure Name	Changes Made
Recruitment and Selection Procedure	No changes
Criminal Background Check	No changes

**4.7 Staff Engagement (policy review date: 2019) \*to be reviewed in Fall 2023\***

Last reviewed in 2015

Procedure Name	Changes Made
Right to Disconnect	NEW: created in accordance with legislation

**4.8 Staff Progressive Discipline (policy review date: 2022)**

Last reviewed in 2018

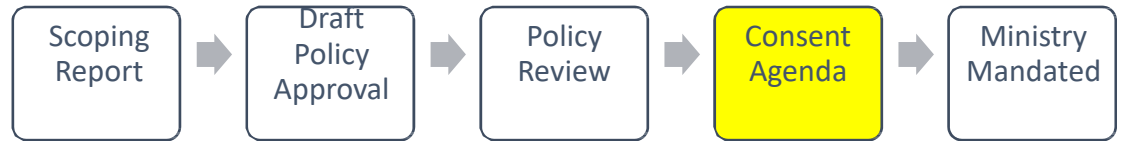
Procedure Name	Changes Made
Staff Progressive Discipline	NEW: created the procedure to provide a consistent and fair process for handling disciplinary issues which protects the legal rights of the employee and the employer

**4.9 Workplace Violence and Harassment Prevention (policy review date: 2023) \*policy reviewed annually****Last reviewed in 2022**

Procedure Name	Changes Made
Workplace Harassment Prevention Procedure	No changes
Workplace Violence Prevention Procedure	Revisions made to update procedure based on annual policy review

Subject: Safety and Well-Being Procedures

Executive Council Member Responsible: Sue Dunlop  
Associate Director, Learning Services



The following chart updates Trustees on the changes made to the procedures attached to the policies, under the Safety and Well-Being Pillar policy.

The policies and procedures under this pillar include:

#### **5.1 Arrival Check**

- Arrival Check Procedure

#### **5.2 Bullying Prevention and Intervention**

- Bullying Prevention and Intervention Procedure

#### **5.3 Code of Conduct**

- Code of Conduct Procedure

#### **5.4 Equity and Inclusive Education**

- Anti-Classism and Socio-Economic Equity Procedure
- Anti-Racism and Ethnocultural Equity Procedure
- Gender Equity Procedure
- Persons with Disabilities Procedure
- Religious Accommodation Procedure
- Sexual Orientation Procedure

#### **5.5 Medical Health Supports**

- Administration of Oral Prescription Medication Procedure
- Blood Borne Pathogens Procedure
- Catheterization and Suctioning Lifting Positioning and Physical Management Procedure
- Communicable Disease Procedure
- Concussion Procedure

- Pediculosis Management Procedure
- Supporting Students with Prevalent Medical Conditions
- Use of Automated External Defibrillators (AED) Procedure
- Use of Service Dogs in Schools Procedure

## **5.6 Nutrition**

- Nutrition Procedure

## **5.7 Student Behaviour and Discipline**

- Progressive Discipline and Promoting Positive Student Behaviour Procedure
- Suspension, Expulsion and Programs for Long-Term Suspended or Expelled Students Procedure

**Consent Agenda:** A consent agenda groups the routine, procedural, informational and self-explanatory non-controversial items typically found in an agenda. These items are then presented to the committee allowing anyone to request that a specific item be pulled out for discussion.

Listed below is a summary of the changes to all procedures under the Safety and Well-Being Pillar.

### 5.1 Arrival Check (policy review date: 2022)

Currently under review

Procedure Name	Changes Made
Arrival Check Procedure	None

### 5.2 Bullying Prevention and Intervention (policy review date: 2019) \*policy under review\*

Procedure Name	Changes Made
Bullying Prevention and Intervention Procedure	None

### 5.3 Code of Conduct (policy review date: 2023)

Last reviewed in 2019

Procedure Name	Changes Made
Code of Conduct Procedure	None

**5.4 Equity and Inclusion (policy review date: 2023)**

Last reviewed in 2019

Procedure Name	Changes Made
Anti-Classism and Socio-Economic Equity Procedure	None
Anti-Racism and Ethnocultural Equity Procedure	None
Gender Equity Procedure	None
Persons with Disabilities Procedure	None
Religious Accommodation Procedure	None
Sexual Orientation Procedure	None

**5.5 Medical Health Supports (policy review date: 2022)**

Last reviewed in 2018

Procedure Name	Changes Made
Administration of Oral Prescription Medication Procedure	None
Blood Borne Pathogens Procedure	None
Catheterization and Suctioning Lifting Positioning and Physical Management Procedure	None
Communicable Disease Procedure	None

Procedure Name	Changes Made
Concussion Procedure	None
Pediculosis Management Procedure	None
Supporting Students with Prevalent Medical Conditions	None
Use of Automated External Defibrillators (AED) Procedure	None
Student Use of Guide Dogs and Service Animals	None

### 5.6 Nutrition (policy review date: 2022)

Last reviewed in 2018

Procedure Name	Changes Made
Nutrition Procedure	None

### 5.7 Student Behaviour and Discipline (policy review date: 2025)

Last reviewed in 2021

Procedure Name	Changes Made
Progressive Discipline and Promoting Positive Student Behaviour Procedure	None
Suspension, Expulsion and Programs for Long-Term Suspended or Expelled Students Procedure	None

**Subject:** Student Attendance & Safe Arrival Policy  
(formerly Arrival Check)

**Executive Council Member Responsible:** Sue Dunlop  
Associate Director



## BACKGROUND

The Student Attendance & Safe Arrival Policy (formerly Arrival Check) has been reviewed by staff as part of the 4-year policy review. Minor changes to the policy have been made including a title change and updated language throughout the policy.

## RECOMMENDATION(S)

That the Student Attendance & Safe Arrival Policy be recommended for approval.



# Student Attendance and Safe Arrival

Date Approved: XXXX

Projected Review Date: XXXX

Page 1 of 3

## PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) is committed to the implementation of their obligations for student attendance under the Education Act and the Ministry of Education Policy/Program Memorandum No. 123 guidelines for safe-arrival programs in elementary schools.

## GUIDING PRINCIPLES:

- Safe arrival and regular attendance are essential to the academic success and well-being of all students.
- Safe-arrival programs are developed and implemented by schools with advice and cooperation from school councils, Home and School Associations (where they may exist), parents/guardians, volunteers, and other community members.
- It is the legal responsibility of students and their parent(s)/guardian(s) to ensure attendance and punctuality.
- Parents/guardians have responsibility for ensuring their child's safe arrival at school
- The design of specific procedures will reflect local needs and the particular circumstances of the school and the community.
- All schools have procedures in place that are conducted in conjunction with daily school attendance-taking procedures and that aim to account for any student's unexplained failure to arrive at school through reasonable efforts to make timely contact with parents, guardians, or caregivers

Safe-arrival programs are designed to be flexible, with a view to achieving overall effectiveness, efficiency, and economy

## INTENDED OUTCOMES:

- Safe arrival and attendance taking procedures are developed and implemented with advice from School Council, Home and School Associations (where they may exist), parents, and school staff.
- The roles and responsibilities of parents, guardians, caregivers, students, the school, school council, Home and School Associations (where they may exist), and others are identified, documented and communicated to families no later than the end of the first week of each school year.
- Digital and paper student enrolment and attendance records in accordance with Ministry of Education regulations and HWDSB administrative procedures are maintained and retained.
- Culturally responsive supports, intervention strategies and best practices to encourage regular attendance and punctuality by all students who are enrolled in a school or program operated by the Board are established and implemented.



# Student Attendance and Safe Arrival

Date Approved: XXXX

Projected Review Date: XXXX

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## RESPONSIBILITY:

Director of Education  
Members of Executive Council  
School Principals

## TERMINOLOGY:

*Parent/guardian:* may include parent(s), guardian(s) or any other caregiver legally recognized as acting in place of the parent

*Safe Arrival:* Safe Arrival refers to procedures which are performed together with daily school attendance taking and which are designed to account for any student's unexplained failure to arrive at school or their course-related off-site learning location. By using a system of daily attendance-taking, schools can make reasonable efforts to contact parents, guardians, or caregivers.

If the school has not received notice of lateness or absenteeism, the school will try to contact the parent/guardian, or person(s) whose name has been given to the school as a person to contact in an emergency.

## ACTION REQUIRED:

Schools are required to implement attendance taking and safe arrival procedures . Attendance taking and safe arrival procedures at the school level shall be reviewed annually by the Principal, or when circumstances change that would affect the program, to confirm the effectiveness and to update student information. The school council and Home and School Association (where they exist) shall be invited to review the program.

## PROGRESS INDICATORS:

Intended Outcome	Assessment
Safe arrival and attendance taking procedures are developed and implemented with advice from School Council, Home and School Associations (where they may exist), parents, and school staff.	Principals engage with their school communities in the fall to review the policy and confirm any feedback with school superintendents.



# Student Attendance and Safe Arrival

Date Approved: XXXX

Projected Review Date: XXXX

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<p>The roles and responsibilities of parents, guardians, caregivers, students, the school, school council, Home and School Associations (where they may exist), and others are identified and documented and communicated to families no later than the end of the first week of each school year.</p>	<p>A yearly review of randomly selected schools by school superintendents.</p>
<p>Digital and paper student enrolment and attendance records in accordance with Ministry of Education regulations and HWDSB administrative procedures are maintain and retained.</p>	<p>Regular review through student enrollment and student register procedures.</p>
<p>Culturally responsive supports, intervention strategies and best practices to encourage regular attendance and punctuality by all students who are enrolled in a school or program operated by the Board are established and implemented.</p>	<p>Annual review of attendance supports and intervention strategies by Executive Council.</p>

## REFERENCES:

### Government Documents

Education Act:

Part X111: Safe Schools

Section 265: Duties of a Principal to register students, record attendance, collect information

Section 21: (1) Compulsory Attendance;

(2) Where attendance excused;

(5) Duty of parent to cause child to attend school

Policy/Program Memorandum No. 123 (Safe Arrivals)

Freedom of Information and Protection of Privacy Act (FIPPA)

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Subject: Accommodation of Staff - Disability Policy

Executive Council Member Responsible: Jamie Nunn  
Superintendent, Human Resources

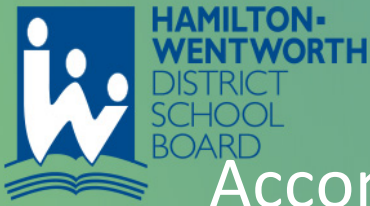


## BACKGROUND

The Accommodation of Staff - Disability Policy has been reviewed by staff as part of the four-year cyclical review. Staff have updated language throughout the policy for consistency and alignment with the recently passed Human Rights policy.

## RECOMMENDATION(S)

That the Accommodation of Staff – Disability Policy be recommended for approval.



# Accommodation of Staff - Disability

Date Approved: XXXX

Projected Review Date: XXXX

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## PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) is committed to providing learning and working environments that are welcoming, respectful, accessible, barrier-free and free from discrimination and harassment. HWDSB believes in supporting all employees with disabilities in the performance of their job duties and to foster the development of trustful and respectful relationships.

## GUIDING PRINCIPLES:

- Through the accommodation process, respecting:
  - The dignity of all employees
  - Individualization of accommodation
  - Integration and full participation
- Protecting the safety of all employees and students.
- Maintaining employees' right to privacy.
- Supporting employees in a flexible and reasonable manner as need arises.
- Responding appropriately to support each employee by providing reasonable and appropriate accommodation in alignment with the Ontario Human Rights Code to the point of undue hardship.

## INTENDED OUTCOMES:

HWDSB will:

- Engage employees in a collaborative and inclusive process to meet their specific accommodation needs;
- Provide employees with reasonable and appropriate accommodations in alignment with the Ontario Human Rights Code to ensure a safe return to work or remain at work plan to the point of undue hardship.

## RESPONSIBILITY:

Director of Education  
 Members of Executive Council  
 Principals and Managers



# Accommodation of Staff - Disability

Date Approved: XXXX

Projected Review Date: XXXX

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## TERMINOLOGY:

*Accommodation:* A means of preventing and removing barriers that impede staff with disabilities from participating fully in their employment through modifications or supports that address the barriers staff are experiencing so they can fully participate in their employment.

*Barrier:* Anything — including anything physical/environmental, architectural, technological, informational, or attitudinal that is based on information or communications or anything that is the result of a policy or a practice — that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairments or a functional limitation (Accessible Canada Act, 2022).

*Disability:* This term “covers a broad range and degree of conditions, some visible and some not visible. A disability may have been present from birth, caused by an accident, or developed over time. There are physical, mental and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, mental health disabilities and addictions, environmental sensitivities, and other conditions.” (Ontario Human Rights Commission).

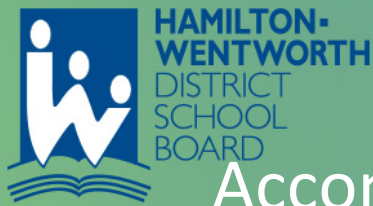
A disability “may be the result of combinations of impairments and environmental barriers, such as attitudinal barriers, inaccessible information, an inaccessible built environment or other barriers that affect people’s full participation in society.” (Ontario Human Rights Commission).

*Staff (Employee):* A person employed by HWDSB who performs work or supplies services for monetary compensation.

*Equity:* A condition or state in which access to opportunities and resources are distributed fairly, justly and equitably. Everyone receives resources and supports based on their needs.

*HWDSB Leadership:* Executive Council, Principals, Vice-Principals, Managers, Supervisors) and any person placed in a position of added responsibility within HWDSB.

*Undue Hardship:* Circumstances involving cost, outside source of funding, or health or safety requirements, that would make it impossible or excessively difficult for an employer or service provider to meet the duty to accommodate. Organizations covered by the *Ontario Human Rights Code* have a duty to accommodate to the point of undue hardship.



# Accommodation of Staff - Disability

Date Approved: XXXX

Projected Review Date: XXXX

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## ACTION REQUIRED:

Meet the Board's duty to accommodate persons based on disability as a protected ground, up to the point of undue hardship, in accordance with the *Code* and other applicable legislations; fostering principles or dignity, independence, inclusion and full participation.

## PROGRESS INDICATORS:

Intended Outcome	Assessment
Engage employees in a collaborative and inclusive process to meet their specific accommodation needs;	Plans are agreed to during return-to-work meetings with employees their immediate supervisor and employee group representative.
Provide employees with reasonable and appropriate accommodations in alignment with the Ontario Human Rights Code to ensure a safe return-to-work or remain-at-work plan to the point of undue hardship.	Employees successfully return- to-work and remain at work. Feedback from accommodated employees and HWDSB leadership about the success of any accommodation. Accommodations meet the restrictions and limitations identified by registered health care provider.

## REFERENCES:

### Government Documents

Ontario Human Rights Code  
 Workplace Safety and Insurance Act  
 Occupational Health and Safety Act  
 Accessible Canada Act  
 Accessibility for Ontarians with Disabilities Act  
 Canadian Charter of Rights and Freedoms  
 Education Act  
 Collective Agreements and Terms and Conditions of Employment  
 Employment Standards Act

Subject: Whistleblower Policy

Executive Council Member Responsible: Jamie Nunn  
Superintendent, Human Resources



## BACKGROUND

The Whistleblower Policy has completed consultation. Staff have reviewed the feedback provided and updated the policies (please refer to the policy consultation findings and feedback reports attached).

## RECOMMENDATION(S)

That the Whistleblower Policy be recommended for approval.



# Whistleblower Policy

Date Approved: XXXXX

Projected Review Date: XXXXX

Page 1 of 3

## PURPOSE:

Hamilton Wentworth District School Board (HWDSB) is committed to providing learning and working environments that are welcoming, respectful, accessible, and free from discrimination and harassment. The HWDSB commits to building an organizational environment that values openness, integrity, and transparency. HWDSB will provide protections from unfair disciplinary actions or reprisals to those who come forward under the Whistleblower Policy if they have credible information or reasonable concerns with respect to human rights violations, conflicts of interest, child protection, violence, harassment, bullying, alleged illegal practices, questionable financial or operational transactions or any breach of Board policy or procedure.

## GUIDING PRINCIPLES:

HWDSB:

- Conducts operations with openness, integrity and transparency;
- Considers all reliable information it may receive about wrongdoing;
- Protects the identities of whistleblowers. Exceptions will be made if the issue requires investigation by law enforcement or if disclosure is required by law;
- Encourages disclosures of wrongdoing to be made sooner, rather than later, to reduce harm to the HWDSB community;
- Demonstrates commitment to maintaining high professional ethical standards.

## INTENDED OUTCOMES:

- Support HWDSB community members to report suspected wrongdoing by any member of the HWDSB community;
- Ensure that there is no reprisal against an individual reporting a suspected wrongdoing under this policy.

## RESPONSIBILITY:

Director of Education

All members of the HWDSB Community are responsible for exercising diligence in preventing and for reporting in good faith all suspected wrongdoing.



# Whistleblower Policy

Date Approved: XXXXX

Projected Review Date: XXXXX

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## TERMINOLOGY:

*Conflict of Interest:* A potential, apparent, or actual conflict where an employee or trustee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee's responsibility to the Board, or with the participation in any recommendation or decision pertaining to hiring within the Board.

*Conflict of Interest – Relationship:* Relationship means any relationship of the employee to persons of their immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

*Good Faith:* A sincere belief or motive without any malice or the desire to defraud others.

*HWDSB Community:* Students, staff, parents, guardians, caregivers, trustees, community advisory committee members, school council members, permit holders, vendors, service providers, contractors, volunteers, visitors, all other persons who are invited to, access or provide services, or attend Board and school events. It also includes any person or organization who enters into an agreement with HWDSB or uses school board property.

*HWDSB Environment:* Board property, schools, school buses, virtual or digital learning and working environment, social media, school or work-related events or activities, before- and after-school programs, extracurricular activities, co-instructional activities, excursions, and may include any other locations outside HWDSB that may have an impact on the school or work climate.

*Reprisal:* an action or threat that is intended as retaliation or punishment for making a report of wrongdoing.

*Whistleblower:* A person who brings forward information of suspected wrongdoing.

### *Wrongdoing:*

- Violation of laws, Acts, or legislation (e.g., *Ontario Human Rights Code, Criminal Code of Conduct*);
- Serious breach of the HWDSB Code of Conduct or existing HWDSB policies and procedures;
- Misuse of public funds or public assets;
- Mismanagement or abuse of positional power;
- Doing something that creates a significant danger to physical or mental health, safety, or the life of a person or persons;
- Time theft (e.g., An employee collects pay for time not actually worked);
- Knowingly directing, counseling, or pressuring a person to commit wrongdoing.

## ACTION REQUIRED:

- Implement a Whistleblower Procedure that is accessible to the HWDSB community. The



# Whistleblower Policy

Date Approved: XXXXX

Projected Review Date: XXXXX

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procedure will establish and maintain a clear process for reporting, receiving and investigating suspected wrongdoing about a member of the HWDSB community;

- Address and remedy wrongdoing, as defined by the policy, appropriately and in an independent, transparent, fair, and timely manner;
- Ensure that a person who, in good faith, reports suspected wrongdoing and anyone associated with the report, including witnesses, are protected from reprisal, including harassment, retaliation, or adverse employment consequences;
- Provide information to all employees to make clear that this policy does not affect or replace any duty to make a report that is required or permitted under legislation.

## PROGRESS INDICATORS:

Intended Outcome	Assessment
Support HWDSB community members to report suspected wrongdoing by any member of the HWDSB community;	The Director of Education or designate will provide an annual report to the Audit Committee on the implementation of this policy and general findings.
Ensure that there is no reprisal against an individual reporting a suspected wrongdoing under this policy.	The Director of Education or designate will review the process regularly to ensure no reprisals have occurred.

## REFERENCES:

### Government Documents

Canadian Criminal Code (R.S., 1985, c. C-46)  
 Child, Youth and Family Services Act  
 Education Act  
 Ministry of Education Expenditure Guidelines  
 Ontario Regulation 361/10: Audit Committees  
 Ontario Human Rights Code  
 The Criminal Code of Canada (RS., 1985, c. C-46)



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## Whistleblower Policy Public Consultation Report

### Background

HWDSB is developing a Whistleblower Policy that aims to encourage employees, parents/families, students, Board Trustees, community members and others to come forward and voice serious concerns without fear of reprisal. Before the policy is finalized and a procedure is outlined, HWDSB engaged in a consultation process to gather input, perspective, and feedback.

### Purpose of the Consultation

The public consultation process had two primary objectives:

1. To gather feedback on the draft policy
2. To gain an understanding of what people need to feel safe to report concerns. This feedback will inform the development of the Whistleblower Procedure to accompany the policy

### Consultation Plan

Given the importance and sensitive nature of this policy, HWDSB staff sought opportunities to consult with various interested parties. In addition to an online survey, which provided opportunity for feedback in both multiple choice and short answer formats, HWDSB staff also identified specific groups to consult with that may have unique insights to share regarding the development of the Whistleblower Policy and Procedure.

### Survey Participant Summary:

The survey garnered a total of 562 respondents with 329 (58.5%) identifying themselves as HWDSB Parents/Guardian/Caregiver. The second highest group represented was HWDSB Staff Members who made up 183 (32.5%) of total survey respondents. Other groups who self-identified as respondents included, HWDSB Students (1.9%), HWDSB Vendor/Contractor/Third Party Service Providers (3.7%), and Community Members or Members of Community Organizations (3.2%). HWDSB Volunteers were not represented in this survey despite being an option of choice within the question.

### Interviews:

With the intention of widening the scope of this policy consultation, a plan was developed to proactively reach out to various interested parties, including but not limited to labour partners, and provide an opportunity for the perspectives of each group to be captured outside of the online survey alone. These interested parties were identified as being able to provide unique insights, because of their positionality

within the system, and therefore, the feedback that they could provide would be valuable in the policy consultation process.

## Policy feedback

Participants in the online survey were asked to provide feedback on the structure and content of the policy. Specifically, the survey sought the level of agreement of participants, ranging from strongly agree to strongly disagree, on the following statements regarding elements of the policy:

- **This policy uses language that is easy to understand**
- **This policy makes it clear what a whistleblower is**
- **This policy makes it clear what kinds of incidents should be reported**
- **This policy would encourage me to come forward with concerns.**

This section of the survey had a maximum of 289 respondents, which accounted for 51% of total survey participants, provide an answer to these questions while 274, 49% of total participants, skipped these questions.

### Results: This policy uses language that is easy to understand

Of the 289 participants who did respond, 220 people shared that they either agree or strongly agree that the policy uses language that is easy to understand. This represents, 38.6% of the total number of survey participants and 76% of those participants who answered this specific question.

### Results: This policy makes clear what a whistleblower is

Of the 279 participants who did respond to this question, 224 people shared that they either agree or strongly agree that the policy makes it clear what a whistleblower is. This represents 39% of the total number of survey participants and 80% of those participants who answered this specific question.

### Results: This policy makes it clear what kinds of incidents should be reported

Of the 278 participants who did provide a response to this question, 190 people shared that they either agree or strongly agree that the policy makes it clear what kind of incidents should be reported. This represents 33.3% of the total number of survey participants and 68% of those participants who answered this specific question.

### Results: This policy would encourage me to come forward with concerns

Of the 284 participants who did provide a response to this question, 155 people shared that they either agree or strongly agree that the policy would encourage them to come forward with concerns. This

represents 27% of the total number of survey participants and 54.5% of those participants who answered this specific question.

## Safety to report:

The online survey provided participants opportunities to respond to open response questions where they were able to express their perspectives and provide detailed feedback more fully. The following question was directly connected to the second overall objective of this consultation which was to determine what elements would need to be in place for people to come forward. The question asked:

### **“What would make you feel safe to make a whistleblower complaint?”**

This question had 180 responses, representing 32% of the total survey participants. Parent/Guardian/Caregiver represented 94 (52%) of the question respondents while HWDSB Staff accounted for 70 (39%) question respondents.

The most frequent responses were:

- Anonymity and the assurance that identities would be protected to ensure that neither they (the whistleblower) or their family members would face any reprisal by coming forward.
- Using an **external**, third party to oversee the complaint process (separate from HWDSB)
- Clearly defined processes and guidelines that assure the whistleblower that their privacy will be protected

## Overall themes from consultations

This process provided opportunity for people, to offer their perspective and suggestion on the proposed Whistleblower Policy. In addition to providing answers to the questions laid out in the consultation plan, other common themes were evident as priorities of respondents such as:

- Bullying, Human Rights violations, and criminal or illegal activities were the main reasons that people suggested would constitute a whistleblower complaint
- Responses indicated that the biggest barrier to filling a whistleblower complaint lack of anonymity and fear of reprisal
- Survey participants indicated a preference for whistleblower reports to be handled by an external party
- Questions regarding the scope of the Whistleblower Policy and why it names groups outside of the “employee – employer” relationship
- A keen interest in reviewing the accompanying procedure to this policy to provide answers to specific operational question of respondents



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### Suggested Next Steps:

Based on the themes evident in the participant responses, it is suggested that HWDSB offer communication to the public and those interested groups who engaged in interviews to provide information on how their feedback was utilized in updating the Whistleblower Policy.

Further, the HWDSB will launch a new and interactive platform, titled Engage HWDSB, to deliver on its commitment to community participation, collaboration and involvement in support of student success and well-being. Engage HWDSB is built on the EngagementHQ platform used by public institutions around the world to facilitate, centralize, and analyze two-way conversations between organizations and communities. Once this platform is launched, we will share back with the public the feedback we heard from the HWDSB community and identify where their questions and feedback will be captured. As a next step, we created the attached document that summarizes what we heard during this phase of the consultation process in relation to items that will rest within the Whistleblower Policy and what will rest within the Whistleblower Procedure.

## Policy Consultation Feedback and Response Chart

### **POLICY: Whistleblower Policy**

Feedback was gathered through public consultation, which included an online survey, email submissions and conversations with HWDSB community. Feedback that was gathered in the consultation assisted in the revisions to the policy. Further detailed feedback collected through the consultation will inform the development of the Whistleblower procedure that will accompany this policy.

In addition, on October 3 2022, the Board of Trustees approved two important new policies, the Human Rights Policy and Anti-Black Racism Policy. In alignment to Human Rights Policy and Anti-Black Racism Policy, the purpose, guiding principles and definitions were revised within the draft Whistleblower policy to align to these policies.

<b>Categories</b>	<b>Comment/ Feedback</b>	<b>Response</b>
<b>Purpose</b>	The policy did not reference human rights.	In accordance with the Human Rights Policy and Anti-Black Racism Policy, the guiding principles, definitions, identified actions and references within the Whistleblower Policy were revised to reflect our commitment to human rights.
<b>Guiding Principles</b>	Questions regarding the scope of the Whistleblower Policy and why it names groups outside of the “employee – employer” relationship?	The Board is accountable to our HWDSB community. As such, this policy is developed in support and service to our entire HWDSB community. Revisions were made to our intended outcome to ensure community see the Board conducting operations with openness, integrity and transparency. Further defined the HWDSB community and HWDSB environment.

	<p><b><u>Staff Responsibilities under Whistleblower Policy</u></b></p> <ul style="list-style-type: none"> <li>• Will employees [staff] receive training to recognize?</li> <li>• What happens if the employer [Board] perceives the employee as not fulfilling this responsibility?</li> <li>• Will employees [staff] face discipline for not fulfilling their duty under the policy?</li> <li>• Will the procedure provide an operational definition for what constitutes a violation?</li> <li>• How will the reliability and validity of that operational definition (see above question) be established or determined?</li> <li>• What is the obligation to report a Whistleblower concern?</li> <li>• How far back [in time] can reports be brought forward?</li> <li>• What are the ramifications of not reporting?</li> </ul>	<p>This will be included in the Whistleblower Procedure.</p>
<p><b>Intended Outcomes</b></p>	<p>Responses indicated that the biggest barrier to filling a whistleblower complaint lack of anonymity and fear of reprisal</p>	<p>Revised the intended outcomes to strengthen the commitment to provide protection against reprisal related to reporting of suspected wrongdoing. Staff will further detail what would occur if a reprisal occurred in the procedure.</p>

	<p><b><u>Privacy &amp; Protection</u></b></p> <ul style="list-style-type: none"> <li>• How will this process protect all parties involved and specifically, how will privacy be maintained so that there is no “pathway back” to be able to identify any employee involved in this process?</li> <li>• What happens to the records and the information that is collected during this process?</li> <li>• What is the guarantee of confidentiality that can be provided to the Whistleblower?</li> <li>• What happens if the Whistleblower doesn’t want to remain anonymous and specifically wants to be named as the Whistleblower?</li> <li>• Will there be a public reporting mechanism to support transparency and accountability?</li> <li>• If there is information shared publicly, what factors of the incident will be shared and in how much detail?</li> <li>• How can the identification of those involved be protected (beyond redacting of names)?</li> </ul>	<p>This will be included in the Whistleblower Procedure.</p>
<p><b>Terminology</b></p>	<p>Bullying, Human Rights violations, and criminal or illegal activities were the main reasons that people suggested would constitute a whistleblower complaint.</p>	<p>Definitions have been added and revised in accordance with other board policies. (e.g., Human Rights).</p>

		Revised the term ‘ Suspected Irregularity’ to ‘Wrongdoing’ to simplify the language and align the action of the Whistleblower. Further simplified the examples provided for the understanding of the reader.
<b>Action Required</b>	<p><b><u>Reporting &amp; Investigation Process</u></b></p> <ul style="list-style-type: none"> <li>• How will the process treat the parties involved?</li> <li>• What information will be shared with the parties involved?</li> <li>• Why does this policy explicitly include roles such as volunteers, students, parents, and other who are outside of the employee – employer relationship?</li> <li>• What types of reports would HWDSB expect to come from people outside of the employee – employer relationship?</li> <li>• Who is going to be conducting the investigation and specifically, from start to finish, who is in contact with the whistleblower report?</li> <li>• How will this investigation unfold and what will the role of Unions and/or advocates be in the process?</li> <li>• What happens to an employee if they refuse to participate in an investigation?</li> </ul>	This will be included in the Whistleblower Procedure.

<b>References</b>	Not all appropriate government documents and Board policies and procedures are referenced.	A review was conducted of all appropriate government documents and board policies. A more detailed list of government documents has been added. It's not necessary to reference other HWDSB policies as they must also be implemented and followed.
<b>Progress Indicators</b>	Will an annual report be made available?	In the Progress Indicators the Director of Education will provide an annual report to the Audit Committee on the implementation of this policy and general findings which will act as an assessment.
<b>Overall Readability Understandability</b>	<p>The policy has a low "readability" score</p> <p>The policy is vague and does not provide specific details on the process.</p>	<p>The policy document was revised with "readability" as a primary focus. Definitions were revised for clarity.</p> <p>Process and steps for implementation will be included in the Whistleblower Procedure.</p>
<b>Other</b>	Who will handle Whistleblower Reports? Survey participants indicated a preference for whistleblower reports to be handled by an external party	<p>All of these items will be referenced in the Whistleblower Procedure.</p> <p>A third-party company will receive and assess whistleblower reports. These reports will be shared with the Privacy Office. In turn, the Privacy Office will review to determine how best to investigate the complaint (whether by the Human</p>

	<p>Can a Whistleblower make an “anonymous” Report?</p>	<p>Rights Office, Human Resource Services or an external third party).</p> <p>Yes. The purpose of the policy to provide a safe way for those who have evidence of a wrongdoing to come forward and seek a resolution.</p> <p>To accomplish this, the Whistleblower Procedure will establish processes to ensure:</p> <ul style="list-style-type: none"><li>• The identities of whistleblowers are protected.</li><li>• The process for addressing wrongdoing maintains the confidentiality of the parties involved, at all stages of the investigation.</li></ul> <p>We heard from respondents that the main reason for wanting to file a report anonymously was fear of reprisal. HWDSB commits to putting in place processes to prevent or deter reprisal in any form being directed towards a whistleblower complainant.</p>
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