

## Incident Reporting Policy & Procedures

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### Purpose

This policy presents the requirements for reporting incidents to the CANVAS Board of Directors.

### Definitions

- Complaint: A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the work relating to CANVAS.
- Accident: An unplanned event that causes injury to persons, damage to property, or a combination of both.

### Scope

#### Application

This policy:

- applies at every level of CANVAS, and extends to all employees (including full-time, part-time, temporary, probationary, casual and contract staff), board members, students, and volunteers;
- extends to program participants, clients, vendors, visitors, and the public generally;
- applies to the physical offices of CANVAS during or outside normal working hours; and
- extends outside of the offices of CANVAS during or outside normal working hours provided such acts are committed within the course of employment (such as off-site client interactions and programming, business travel, CANVAS-sanctioned social events, and in CANVAS print and digital communications).

#### Confidentiality

- Everyone involved in the incident reporting process must ensure confidentiality by limiting the exchange of information to those directly involved in the process.
- Confidentiality prevents personal harm and damage to the reputation of either party by innuendo, and encourages people to come forward with their concerns. CANVAS expects that all the parties and witnesses involved abide by this principle.

- Information gathered is subject to the requirement to disclose information in this policy or to give evidence as required by law, such as grievance arbitrations, Ontario Human Rights Commission proceedings, and judicial proceedings.
- All records resulting from a complaint will be kept in a secure filing system with information about individuals dating back no more than five (5) years, with access restricted to those persons who need the record to perform the necessary and proper functions of CANVAS.

## **Complaints Procedure**

CANVAS acknowledges the right of its stakeholders to complain when any organizational policy is not upheld by any member of the CANVAS team at any level of responsibility, or when they are dissatisfied with a CANVAS product or service.

Employees aware of a complaint are required to act according to law.

CANVAS encourages feedback from staff, program participants, clients, and the public generally, and views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organization that has made the complaint.

### **Purpose**

- provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint;
- publicize the existence of our complaints procedure so that people know how to contact us to make a complaint;
- ensure everyone at CANVAS knows what to do if a complaint is received;
- ensure all complaints are investigated fairly and in a timely way;
- ensure that complaints are, wherever possible, resolved and that relationships are repaired; and
- gather information which helps to improve what we do.

Someone with a complaint is encouraged to take the following steps:

- document the case by keeping a written record of the incidents, including but not limited to times, places and witnesses; and
- seek the advice of the CANVAS Executive Director(s).

Complaints about the CANVAS Executive Director(s):

If the complaint is about one or both of the Executive Directors, complaints can be directed to the Board of Directors by contacting the Chair of the Board at [board@canvasprograms.com](mailto:board@canvasprograms.com).

## **Consequences**

Any employee who is found to have violated a CANVAS policy will be disciplined. Discipline ranges from a written warning to termination.

## **Records**

CANVAS will maintain records as required by this policy while maintaining confidentiality throughout any investigative process to the extent practicable and appropriate, and keep all records of complaints including contents of meetings, interviews, results of investigations and other relevant material confidential except where disclosure is required by a disciplinary or other remedial process.

## **Step 1 - Advice and Consultation**

The CANVAS Executive Director(s) will discuss the matter with the Complainant to ascertain the facts of the complaint.

The CANVAS Executive Director(s) will advise the Complainant of their rights under the policy to:

- proceed to a resolution of the situation;
- access support resources provided by CANVAS;
- withdraw the complaint; and/or
- access avenues of recourse outside CANVAS, including but not limited to grievance arbitrations, Ontario Human Rights Commission proceedings, and judicial proceedings.

If the Complainant and the CANVAS Executive Director(s), after discussing the matter, agree that the conduct in question does not constitute a breach of policy, the CANVAS Executive Director(s) will take no further action and make a record. Feedback will be shared with the appropriate parties.

Depending on the content of the complaint, the Complainant may request, or the CANVAS Executive Director(s) may suggest, that the CANVAS Executive Director(s) assist in achieving an informal resolution to the matter instead of, or prior to, filing a formal written complaint. This may involve the CANVAS Executive Director(s) speaking to the CANVAS stakeholder whose conduct has caused offense, or arranging a meeting between the two parties and the CANVAS Executive Director(s) to discuss the matter and find a resolution.

If the Complainant wishes to file a formal complaint, the CANVAS Executive Director(s) will assist them in drafting the complaint, which must be signed by the Complainant, and the matter will proceed to Step 2.

In the event that the Complainant does not wish to file a formal complaint, but the CANVAS Executive Director(s) is/are persuaded that the evidence requires a formal written complaint be laid in order to discharge the employer's legal responsibilities, the CANVAS Executive Director(s) may sign and file the complaint and the matter shall proceed to Step 2.

## **Step 2 - Formal Written Complaints**

Support to the Complainant:

Anyone who is making a complaint should be made aware that they are able to choose a representative - either a designated internal representative, or a representative of their choice who is external to CANVAS - to support them throughout the process. Support may be provided on an individual basis throughout this process that may include access to counselling, temporary reassignment, or other activities.

Support to the Respondent:

Anyone who has a complaint made against them should be made aware that they are able to choose a representative of their choice - internal or external to the organization - to support them throughout the process. Support may be provided on an individual basis throughout this process that may include access to counselling, temporary reassignment, or other activities. In some cases of a serious nature, it may be considered advisable for the Respondent to take a leave of absence, with pay if the Respondent is a salaried employee, pending the outcome of the investigation. If the Respondent is a Casual Hourly Employee, they will be entitled to pay for any scheduled shifts that were to take place over the proceeding 4-week period from the date the leave of absence commenced.

The report should be made using the Incident Report Form ([Appendix I](#)). The report should be specific, outlining the date(s), time(s) and place(s) of the incidents, any witnesses or other person(s) involved and specific details of what happened – including details of the behaviour/action.

Whether the formal written complaint is made by the Complainant or the CANVAS Executive Director(s), copies of the complaint will be forwarded immediately to the Board of Directors for investigation. The Board of Directors will acknowledge the complaint by responding in writing within five (5) working days.

The Board of Directors will investigate the complaint within ten (10) working days of receiving a complaint. The Board of Directors will conduct a review, which will include interviewing the complainant, the respondent, witnesses, and any other persons who may provide information. Information will be received in strict confidence and will be documented.

A report will be completed within thirty (30) working days of receiving the complaint. It will contain a summary of all findings and recommendations for resolving the complaint. The Board of Directors will meet individually with both parties (complainant and respondent) to deliver a decision and recommendations.

### **Disciplinary measures for employees**

If the outcome of the investigation substantiates the breach of policy, the Board of Directors will initiate disciplinary action, normally within thirty (30) working days, and in a manner consistent with the goal of communicating the seriousness of the offence. It may consist of a warning, with a record placed in the employee's personnel file; a requirement to seek counselling, take a course or participate in other educational activity to ensure that the employee understands the nature of behaviour/action and why it is not tolerated; apologies or other actions; temporary suspension to, in some cases, dismissal for cause.

### **False or malicious complaints**

If it is determined that a complaint was fabricated, the Executive Director(s) will initiate disciplinary action, normally within thirty (30) working days, against the Complainant.

### **Outcome report**

The Executive Director(s) will inform the Complainant of the outcome of the investigation and any disciplinary action taken. The outcome report will be in writing and kept on file.

### **Appeal process**

Should either the Complainant or the Respondent wish to appeal the decision of the Board of Directors; they may make a written appeal to the Executive Directors. This appeal must be made within ten (10) working days of receiving the decision. The Executive Director(s) will review all documentation and have the right to interview anyone involved in the investigation necessary to help with their decision-making. The Executive Director(s) will meet with the individual(s) making the appeal and provide a written response outlining their decision within thirty (30) working days of

receipt of the appeal. If the complaint is about one or both of the Executive Directors, a third-party investigator will be hired to review the complaint.