

## TMSD INCIDENT REPORT FORM

### Investigating Violent Incidents

1. The violent incident report must be completed for all violent incidents, including situations where there is a reasonable expectation that the incident or threat may become violent in the future.
2. The supervisor will review all incidents that are reasonably expected to become violent. The current procedures will be reviewed and additional steps may be taken to prevent future violence.
3. The supervisor will investigate all reported incidents of actual violence. Investigations may include Workplace, Safety and Health representatives or necessary agencies if the incident is deemed serious in nature.
4. All violent incident reports will be sent to the Superintendent/CEO or designate and may be reviewed with the Workplace, Safety and Health committee.

### How to Start the Investigation

- It is important to try to obtain, if possible, the complainant's allegations in writing. This ensures that you are clear on what she/he is saying happened.
- Determine who should do the investigation.
- Prepare a list of people to interview and revise it as needed.
- Take steps to minimize potential contact between the complainant and the person alleged to have committed the harassment or violence until the issue is investigated and resolved.
- Prepare a general outline of what to ask each individual who will be interviewed.

### Conducting the Interview of the Complainant

- Inform the complainant of the steps the division will be taking in the investigation and confirm that Turtle Mountain School Division takes the complaint seriously.
- Explain that Turtle Mountain School Division will not permit any retaliation against the complainant and that if that occurs, she/he should let the division know right away.
- Get the complainant to tell his/her story and ask for specific details.
- Some of the questions you will likely want to ask include:
  1. When did the incident or conduct occur? Where did it occur?
  2. What was said/done?
  3. Were there previous incidents or similar behavior toward this complainant or another employee?
  4. What did the complainant say or do to indicate to the person alleged to have committed harassment or violence that the conduct was unwelcome?
  5. Did the complainant tell any other workers about what happened?
  6. Did the complainant make any notes about what happened?
  7. Were there any witnesses and if so, who?

### Interviewing the Person Alleged to Have Committed Harassment or Violence

- Explain the allegations in detail.
- Inform the person against whom the allegations were made of the steps Turtle Mountain School Division will be taking in the investigation and confirm that the complaint will be taken seriously.

- Explain that Turtle Mountain School Division will not permit any retaliation against the complainant and that if there are attempts to do so, there will be disciplinary action.
- Ask the person alleged of harassment or violence to reply to the allegations, preferably in writing.
- Determine the nature of the relationship between the complainant and the person against whom the allegations are made (ex: dating, sexual, social, working).
- Determine whether the complainant ever complained about any of the alleged actions and how the person alleged of harassment responded.
- Ask for names of all witnesses the person alleged to have committed harassment or violence thinks should be interviewed as part of the investigation.

### **Conducting Witness Interviews**

- Interview all witnesses identified by the complainant and alleged harasser to ensure the appearance of an unbiased investigation.
- Explain:
  - why the interview is taking place
  - how the information may be used
  - importance of complete and accurate facts
  - importance of the names of all possible witnesses
  - Turtle Mountain School Divisions position on retaliation
- Take detailed notes, including:
  - name of witness
  - date and time of interview
  - who was present
  - questions asked
  - what witness said
  - ask the witnesses to explain what they might have seen or heard. Get the details:
    - ✓ what, when and where did it happen?
    - ✓ who was present?
    - ✓ who did and said what to whom?
    - ✓ was the incident an isolated event or part of a pattern?

### **Concluding the Investigation**

- The investigator should prepare a report of the investigation and determine whether the complainant's allegations were proven.
- If the report finds that harassment or violence has taken place, the employer should determine reasonable steps to be taken to end the harassment or violence and prevent a repeat.
- The employer must meet separately with the complainant and the person who has been alleged of harassment or violence to explain the investigation process, conclusions and any disciplinary action taken or other steps put in place to stop and avoid a repeat of the offensive conduct. If the results of the investigation are inconclusive, the employer should explain that the investigation was unable to determine the events that occurred and that the division will monitor the situation to ensure no further offensive conduct occurs.