



3103 EMPLOYEE INVESTIGATIONS POLICY

Policy Type :Human Resources
Applies To: All Staff, Students, Visitors
Approved By: LCS Head of Schools
Policy Reviewed: every 2 years
Adopted: 01 2020
Revisions:

1. PURPOSE:

The purpose of these guidelines is to establish fair and equitable practices to ensure all students, parents and staff are protected from allegations of misconduct, and to ensure all serious complaints of unprofessional conduct are investigated. This process also ensures that all employees walk worthy of their calling and uphold the Standards for BC Educators, at all times, both inside and outside of work hours.

2. Employee investigations are necessary to:

- (a) Ensure professionalism and competence of faculty
- (b) Protect privacy and confidentiality
- (c) Ensure due process & fairness
- (d) Walk worthy of our calling as educators
- (e) Cultivate a safe, caring and orderly work environment for everyone
- (f) Ensure we meet minimum standard of mandated requirements

3. LCS policies & procedures are guided by the following:

- (a) BCTC Professional Standards for BC Educators (2019)
- (b) Duty to Report Handbook (2019)
- (c) Independent Schools Act (1996)
- (d) Teachers Act (2011)
- (e) Harassment & Bullying Prevention Order (2016)
- (f) Safe and Caring School Communities Policy (2019)
- (g) LCS Community Standards Policy (HR100.001)

4. Employee investigations are necessary when any of the following is reported to an administrator.
 - (a) professional incompetence
 - (b) serious violation of LCS policies
 - (c) allegation of workplace harassment or violence
 - (d) breach of professional and/or community standards
5. Employees are responsible for all conduct both on duty and off duty.
6. A complaint or report that results in an employee investigation may be filed by anyone and reported to any LCS administrator:
 - (a) Employee complaint against colleague
 - (b) Student complaint against employee
 - (c) Parent complaint against employee
7. A complaint or report does not presume guilt or responsibility.
8. All complaints will be taken seriously and considered, but not all complaints or reports will result in an employee investigation.
9. PROCEDURES:
 - (a) In the event that a serious complaint or report is made that an employee's actions are alleged to have breached school policies (i.e harassment policy) or professional standards, and where there is substantial and credible evidence of a breach of conduct, an administrator is obligated to notify the Head of Schools and HR Manager.
 - (b) A determination is made whether the initial evidence warrants a school-based investigation. The investigation team will include the senior administrator on that campus or a designate, and the HR Manager.
 - (c) If concerns arise regarding student or staff member's health or safety, the principal or designate may require a temporary paid or unpaid leave of absence until the completion of the investigation.
 - (d) Investigations are conducted with strict confidentiality to protect the complainant and faculty.
 - (e) During the investigation, the HR Manager will conduct interviews and guide the administrator in making a decision from the findings if required.
 - (f) The employee's supervisor or designate will make a decision in consultation with the HR Manager based on the findings of the investigation.
 - (g) The HR Manager and Head of School will review all investigations when completed and file a report with the BC Commissioner for Teacher Regulation if required under Duty to Report guidelines as directed by the Independent Schools Act (section 7).

- (h) Appeals by complainant or faculty about process and procedures can be submitted following Policy BD400.001 Procedures for Dealing with Conflict, Concerns, Disputes and Appeals.