

Violent Incident Investigations



Under Manitoba Workplace Safety and Health Legislation, the employer must ensure that all violent incidents are investigated. (**Regulation 217/2006, section 11.6**) The person(s) responsible for carrying out investigations depends on the severity of the injury to the employee involved. See the chart below to determine who should be investigating each type of incident.

Since a principal of a school is considered the supervisor of the school, they may be the person responsible for investigating any violent incidents that are **not** "serious" or potentially "serious", and did not require medical treatment. (**Regulation 217/2006, section 11.6**)

Consult your Division's policy to find out what is expected of Principals regarding investigating violent incidents.

NOTE: Serious Incidents must be reported immediately to the Workplace Safety and Health Branch at: Winnipeg: 204-957-SAFE (7233) or Toll-free: 1-855-957-SAFE (7233).

Type of Violent Incident

Serious Incident

death, injury resulting from electrical contact, fracture, amputation, electrocution, loss of sight, unconsciousness, poisoning, third degree burns, asphyxiation, laceration requiring medical treatment, collapse or structural failing of a building, etc. (*WSH Reg 2.6*)

Serious incidents **MUST** be reported to the Workplace Safety and Health Branch (*WSH Reg 2.7(1) and 2.8*)

Winnipeg: 204-957-SAFE (7233)

or

Toll-free: 1-855-957-SAFE (7233)

Non-Serious Incident with Medical Treatment

eg. concussion requiring medical treatment, but no loss of consciousness

OR

Accident or Dangerous Occurrence with Potential for Serious Incident (near miss)

eg. baseball bat swung at head but missed

WSH Reg 2.9(1)(b)

Non-Serious and no Medical Treatment Required

eg. slap, scratch, bruise, bump, bite, pinch, kick, hit by object, or threats to injure

Investigator(s)

First - Workplace Safety Officers (at their discretion)

Second - Co-Chairs of the Workplace Safety and Health Committee (or their designates)

*No-one should access the site until the WSH Officers release it.

WSH Reg 2.9(2)

Co-Chairs of the Workplace Safety and Health Committee (or their designates)

OR

Employer Rep and Workplace Rep

Principal

OR

Employer Rep

*Check your Division's Policy

The Investigation Process

UPON RECEIVING A REPORT, USE THE FOLLOWING PROCEDURES:

IMMEDIATE ACTIONS TAKEN

The Principals' supportive reaction upon receiving a Violent Incident Report is very important to the worker affected by the violence. Always:

- Ask the employee if they are okay and advise them to seek medical treatment, if needed.
- Ensure the incident is reported on the appropriate form and ensure that the employee receives a copy of the completed form for their own records.
- Assure the employee that you will investigate and report back to them.
- Remove the assailant and report the incident to police, if appropriate.

THE INVESTIGATION

- Ask if the employee is able to remain at work or needs to go home.
- Gather information (name of victim, assailant, and all witnesses).
- Inspect the scene (take photos, measurements or sketch key elements of the scene).
- Ask for written statements and/or conduct interviews (victim and witnesses). Attach these to the report.
- Determine direct and indirect causes (eg. lack of training or knowledge; triggers; situational factors).

CONTROL MEASURES

New and existing measures that will eliminate or control further risk of violence to the worker(s). These must be communicated to the worker after the investigation.

(NOTE THAT THIS IS NOT AN EXHAUSTIVE LIST AND IS INTENDED TO BE USED AS EXAMPLES ONLY).

Examples:

- Provide training on how to work safely in specific situations.
- Provide protective clothing or equipment.
- Different room or furniture arrangements.
- Implement or update student behaviour plan (consult specialists such as OTs, psychologists, social workers, etc.).
- Establish proactive and reactive measures (including when and how to remove a student).
- Provide a copy of the completed Summary Report to the employee who filed the Incident Report.

For more information, contact MTS at **(204) 888-7961** or **1-800-262-8803**

For further information on investigations, **SAFE Work Manitoba** has an excellent online resource called "A Guide to Investigating Workplace Incidents." Follow this link:

<https://www.safemanitoba.com/Page%20Related%20Documents/uploads/investigatingincidentsguide.pdf>