

Toronto French School

Teacher Policy & Documentation Package for ABC Academy of Music Teachers

Effective September 2017

Including:

Code of Conduct

Professional Code of Conduct

Definition of Key Terms

Guidelines for Appropriate Dress for Employees

TFS Harassment Policy

Confidentiality Agreement

Offence Declaration, Confidentiality Agreement, & Consent to Policy Signatory
Form

TFS CODE OF CONDUCT

POLICY

The policy, Professional Code of Conduct, communicates the expectations of Toronto French School (TFS) with respect to the behaviour of all its employees in the workplace. As part of their duties, all employees have responsibilities to students, parents, other employees and the Board of Directors of the School. In accordance with the TFS Mission and Goals, this policy is intended to assist all employees in promoting and maintaining a high standard of professional conduct. All employees are expected to be role models for students, to sustain the confidence and trust of the school community and to preserve the integrity of the school's reputation.

In addition to outlining the TFS Professional Code of Conduct, this policy also describes its Scope of Application and a Complaint and Investigation Procedure to be followed when there are allegations that an employee is not meeting the expected standards of conduct. Included also are statements related to External Communication and Documentation. Definitions of Key Terms and Guidelines for Appropriate Dress for Employees are found in Appendix A and B, respectively.

Introduction

TFS is a school that promotes responsibility, respect, civility and academic excellence in a safe and nurturing learning and teaching environment. All students, parents and employees have the right to be safe, and feel safe, in their school community.

TFS is committed to providing conditions for learning and working where all individuals are treated with respect and dignity, where they have the right to equal treatment and where they work, learn and participate in an environment that is free from discrimination and harassment.

The TFS Mission and Goals states that “moral integrity is a fundamental guiding principle of responsible thought and action”. This belief sets the standard for the delivery of service to students and parents. It also provides a framework for our interactions with the entire school community.

The *Ontario Schools Code of Conduct*, which is a policy of the Ontario Ministry of Education, provides a foundation for the TFS Professional Code of Conduct.

In addition, the following TFS Policies and documents describe expectations for employee conduct: *Standards and Boundaries of Behaviour between Employees and Students*; *Policy on Harassment*; document highlighting *Harassment and Other Forms of Unacceptable Behaviour*; *TFS Child Abuse Policy*; *Performance Management Policy and Procedures for Teachers*; *Performance Management Policy and Procedures for Principals and Vice-principals*, and *Staff Acceptable Use of Technology*.

PROFESSIONAL CODE OF CONDUCT

As employees of Toronto French School, we are expected to:

- fulfill the mission and goals of TFS to the best of our ability;
- act with integrity, respect and responsibility towards students, parents, all employees and others in the school community;
- treat others with dignity and respect at all times regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, sexual orientation, age, marital status, family status or disability;
- respect differences in people, their ideas and opinions and be receptive to other points of view;
- when disagreements arise, resolve conflict with respect and courtesy;

- demonstrate honesty and integrity;
- show proper care and regard for TFS property and for the property of others;
- respect the need of others to work in an environment that is safe, both physically and psychologically;
- acknowledge that our duties require cooperation with and support of colleagues;
- recognize that the administration has responsibilities and authority with respect to supervision of employees, including training, direction, instruction, counselling and discipline;
- maintain confidentiality and privacy with respect to information about students, parents, employees and members of the school community;
- demonstrate a professional attitude in dress and behaviour, and
- communicate with respect, whether verbally or in writing, as a representative of the school.

SCOPE OF APPLICATION

- a) The Professional Code of Conduct applies to all employees of TFS, including non-contract employees.
- b) This Policy applies where activities related to the business of TFS take place, both on and off TFS premises, during regular school hours and at any other time. These activities include, but are not limited to:
 - activities within offices, classrooms, staff rooms, cafeterias/lunch rooms and other TFS property;
 - events pertaining to extra-curricular activities, on and off campus;
 - work-related situations outside of the school premises e.g. field trips, external work assignments, conferences, training sessions, travel or social gatherings; and
 - activities in other locations where inappropriate conduct may have a subsequent impact on the work relationship, performance or environment.

COMPLAINTS

When employees feel that the expectations of the Professional Code of Conduct have not been met, they have access to a complaint procedure, which may be informal or formal.

It should be noted that TFS will not tolerate any form of reprisal, whether actual or threatened, against a person who initiates or contemplates initiating a complaint.

a) Informal Complaint Procedure

Every attempt should first be made to resolve matters through an informal process. The first step is to inform the individual verbally that her/his behaviour is inappropriate or upsetting, and request that it stop immediately. Many complaints can be resolved quickly and effectively using this approach.

b) Formal Complaint Procedure

When an informal process does not result in a satisfactory solution to the complaint, a formal written complaint may be made by an employee to their immediate supervisor. If the immediate supervisor is the alleged perpetrator, the complaint may be made to that person's supervisor.

A formal complaint may be made by: individuals who believe that they are the targets of inappropriate conduct, those who have witnessed inappropriate conduct, or have received reports of such conduct or have reasonable grounds to suspect that such conduct is occurring. Third party disclosures should only go forward to the formal stage with the victim's consent.

TFS does not condone frivolous or vexatious complaints. If it is determined as a result of an investigation that a complaint was made maliciously with intent to harm or made in bad faith, formal disciplinary action will be taken against the complainant.

Investigating a complaint

The supervisor or a delegate will undertake a formal investigation according to the following procedures:

- Every employee has the right to report an incident or suspected incident without fear of reprisal.
- Investigations should be timely, thorough, objective and fair to all affected parties.
- Complaints will be treated with discretion and respect for the individuals involved.
- The complainant and the respondent will be informed of the investigation.
- Relevant documentation will be maintained in strict confidence, subject to TFS's ability to conduct a full and thorough investigation.
- Investigative processes will respect the confidentiality and privacy interests of all affected parties to the extent possible and subject to the school's need to protect the parties involved and ensure a thorough investigation.
- Fairness will guide the school's actions with all parties involved, including those against whom a complaint has been made. The use of retaliation or reprisal will be subject to disciplinary action.
- The goal is to ensure an accurate and objective investigation and determination of outcome.
- Alleged victims and alleged perpetrators are entitled to have allegations addressed as discreetly as circumstances permit. When referring or disseminating information pertaining to the allegations, the status of the allegations as allegations only should be stated.
- In the case of an allegation involving serious professional misconduct, the School may temporarily suspend an employee during the investigation.
- During the investigation, disclosures and reports may be made verbally or in writing.
- Records of all investigations will be filed in a confidential file in the Headmaster's office.

Documentation and Follow-up to the complaint

- a) The results of an investigation of a formal complaint will be provided in writing to the complainant and the respondent and will be placed in a confidential file in the Headmaster's office.
- b) Should the complaint not be substantiated, the report on the investigation will be kept in a confidential file in the Headmaster's office.
- c) Where a complaint is substantiated, the written decision will be placed in a confidential file in the Headmaster's office and in the employee's personnel file in the office of Human Resources.
- d) Depending on the results of the investigation, appropriate disciplinary actions may apply ranging from counselling, to suspension up to and including termination of employment.

Review

If a complainant or respondent to a formal complaint has one or both of the specific concerns listed below, a request to convene a review may be made to the Headmaster within fifteen (15) working days of receiving the written report. The Headmaster will appoint a reviewer.

The grounds for review are:

- the investigator did not comply with the procedures outlined above; or
- new evidence has become known after the final decision but before the expiry of the fifteen (15) working days limitation period for requesting a review.

The reviewer will report the findings to the Headmaster who will affirm or amend a final decision or require that a new or further investigation be undertaken.

EXTERNAL COMMUNICATION AND DOCUMENTATION

Under the *Ontario College of Teachers Act*, Part IX.1, in the case where a teacher has been suspended, dismissed or otherwise disciplined for engaging in serious professional misconduct or if it is believed the conduct of a teacher who is or has been employed by TFS should be reviewed, the school will notify the Ontario College of Teachers in writing, if the individual is a member of the College.

In the case where an individual is a non-contract employee of the school, actions must be determined as appropriate for the individual situation and may include such responses as a letter of disapproval and warning, revoking of permits or contracts, issuing a trespass warning or other remedies as provided by the common law and/or the applicable legislation. The involvement of the Human Resources department is recommended in these cases.

RESPONSIBILITY OF ADMINISTRATION

Supervisory personnel have a specific duty to implement this policy. This duty includes preventing and responding to inappropriate and unprofessional conduct, as well as providing education and support to employees.

The normal exercise of supervisory responsibilities such as training, direction, instruction, counselling and discipline is not considered to be harassment.

Failure to take measures to address inappropriate and unprofessional conduct in the learning and working environment may have legal implications for the school.

APPENDIX A – Code of Conduct

DEFINITIONS of KEY TERMS

The following definitions and examples are provided to identify behaviour which is contrary to the behaviour expected in the TFS policy on the “Professional Code of Conduct”.

Harassment

Harassment is defined in the *Ontario Human Rights Code* as “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome”.

Harassment describes behaviour which subjects someone to repeated attacks, questions or demands which are intended to annoy, threaten or intimidate. The behaviour may be verbal (threats or insults), physical (pushing or other unwelcome contact), written or visual (graffiti or display of offensive and hurtful materials designed to exclude or marginalize their target) and includes use of the Internet. A single act or expression can constitute harassment, for example, if it is a serious violation.

Note: The *Ontario Human Rights Code* governs the *TFS Harassment Policy*. Harassment includes but is not limited to unwelcome or unwanted physical or verbal behaviour directed towards members of a particular race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, religion, sex, sexual orientation, age, marital status, family status, or disability.

Intimidation

Intimidation is particularly meant to inspire fear. It describes behaviour which occurs once or repeatedly and constitutes a threat.

It includes, but is not limited to:

- unwanted comments;
- aggressive verbal or physical behaviour;
- emotional abuse;
- application of force or physical assault;
- “bullying” which is an attempt to undermine an individual through cruel or humiliating behaviour; and/or
- “mobbing” which involves a collective effort to psychologically harass a person.

Psychological Harassment

Psychological harassment occurs when a person’s dignity or psychological or physical integrity is affected by any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that result in a harmful work or learning environment for the person.

A single serious incidence of such behaviour that has a lasting harmful effect on a person may also constitute psychological harassment.

The types of behaviour which constitute psychological harassment include, but are not limited to:

- using abusive, inappropriate or aggressive language;
- isolating or ignoring an individual;
- spreading rumours;
- changing substantially the nature or volume of work, in the absence of valid reasons;
- uttering/issuing threats;
- applying disciplinary measures in the absence of valid reasons;
- engaging in constant criticism and/or
- discrediting an individual.

APPENDIX B- Code of Conduct

GUIDELINES FOR APPROPRIATE DRESS FOR EMPLOYEES

The “Guidelines for Appropriate Dress for Employees” clarify the following expectation in the **TFS Professional Code of Conduct**:

“As employees of Toronto French School, we are expected to demonstrate a professional attitude in dress and behaviour.”

As role models for students, employees are expected

- to project a professional appearance to our students, parents, other employees and community.
- to promote safety in the workplace.

TFS seeks to provide a work environment that is professional, comfortable and safe for all employees. All employees are expected to present themselves in a neat, clean and professional manner at all times

To meet the School’s expectations, the following items are never appropriate attire for work:

- Very short skirts
- Halter tops
- Tube tops
- Spandex outfits
- Inappropriate messages on clothing
- Footwear which is unsafe for the required activity
- Jeans (*except for P. D. days and at times when students are not required to wear their school uniforms)
- Shorts and sweat suits (*except for physical education and athletic activities)

Employees who are dressed inappropriately will be reminded of the expectations about dress and of the importance of complying with the **TFS Professional Code of Conduct**. If employees have any questions concerning these guidelines, they should speak with their immediate supervisor.

SCHEDULE "C"

TFS HARASSMENT POLICY

STUDENT AND WORKPLACE HARASSMENT

POLICY

Toronto French School is fully committed to respecting and protecting the personal dignity and human rights of our students and employees. Harassment in any form is against everything for which we stand as an educational institution and it will not be tolerated.

This policy is based on the School’s belief that students and employees have a right to work and study in an atmosphere that is free from any form of harassment or intimidation and that we all share a responsibility for ensuring that such an environment exists at all times.

Background

1. Schools have an ethical and legal obligation to provide an environment where students and employees can carry out their activities in an atmosphere that is fair, safe, humane and responsible. A school environment should support, nurture and reward educational and career progress on the basis of such relevant factors as academic achievement and work performance. Such an environment should be free from all sorts of harassment, abuse and intimidation. Harassment is offensive, degrading and threatening. It is a form of discrimination and is illegal.
2. **Where a complaint of sexual harassment is made by a student or her/his parent(s)/guardian(s) on the student's behalf against an employee of the School and where that sexual harassment is inappropriate touching, and where the student is under the age of 16, the complaint falls within the mandate of the Child Sexual Abuse Protocol and the Child and Family Service Act and MUST be reported to the Children's Aid Society, the Catholic Children's Aid Society or the Jewish Child and Family Services who will do the investigation using procedures established under the Child Sexual Abuse procedure. (See the TFS Safe School Policy and Procedures.)**
3. TFS has implemented a specific policy on Workplace Violence which complements the Harassment policy. This policy can be found in the TFS Policies and Procedures available on the HR Google Drive.

I. POLICY STATEMENT

Toronto French School is fully committed to respecting and protecting the personal dignity and human rights of our students and employees. We will not tolerate harassment in any form. It is against everything our School stands for.

This policy is based on the School's belief that students and employees have a right to work and study in an atmosphere that is free from any form of harassment or intimidation and that we all share a responsibility for ensuring that such an environment exists at all times.

- I.1 This policy applies to all members of the Toronto French School, including students, all employees, volunteers, and agents of the School.
- I.2 The School encourages reporting of all incidents of harassment, regardless of who the offender may be.
- I.3 Notwithstanding the existence of this policy, every person continues to have the right to seek assistance from the Ontario Human Rights Tribunal, even when steps are being taken under this policy.

2. PRINCIPLES

- 2.1 Toronto French School is committed to maintaining an educational environment that is free from harassment.
- 2.2 Toronto French School will promote positive attitudes towards difference in race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, religion, sex, sexual orientation, gender identity, gender expression, age, record of offences (as defined by the *Human Rights Code*) marital/family status or disability in our community.
- 2.3 Offenders can expect disciplinary consequences including but not limited to a letter of warning, a letter of reprimand, and in the case of employees suspension with or without pay, demotion, transfer or termination, or in the case of students suspension or expulsion.
- 2.4 An individual may bring forward a complaint whether or not that person has stated his or her objection to the alleged harasser.
- 2.5 Individuals who are not the specific targets of a discriminatory comment or action or who are not members of the targeted group have the right and are encouraged to bring forward a complaint of harassment.
- 2.6 Each complaint will be dealt with in strict confidence, subject to the School's obligation to conduct a thorough investigation.

3. PURPOSES

The purposes of this policy are to

- 3.1 identify the types of behaviour that may be considered offensive
- 3.2 help members of the School community become aware of behaviour that may offend or intimidate other persons
- 3.3 establish a mechanism for receiving complaints of harassment
- 3.4 provide a procedure by which the School will deal with these complaints.

However, this policy is not intended to constrain social interaction between people in the School.

4. DEFINITIONS

- 4.1 Harassment is defined as:

“engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome”, or “sexual harassment”.

- 4.2 Harassment can occur when an individual perceives that he or she is being treated without dignity or respect by another individual or group. The individual may feel limited in his or her opportunities. Such impact may not have been intended. However, the definition makes it clear that in some situations it should be anticipated that certain comments or conduct would be offensive or unwelcome.

- 4.3 Harassment includes but is not limited to unwelcome or unwanted physical or verbal behaviour directed towards members of a particular race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, religion, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability.

- 4.4 Harassment includes a single or ongoing type of conduct towards an individual or a group with the open or tacit intention of placing that person or group in a disparaging role.

- 4.5 Types of behaviour which constitute harassment include, but are not limited to

- sexist, racist or otherwise improper jokes causing embarrassment or offence, told or carried out after the joker has been advised that they are embarrassing or offensive, or that are by their nature clearly embarrassing or offensive
- degrading words used to describe a person
- written and drawn graffiti
- the display of offensive material
- the composition, production and/or dissemination of hate literature or derogatory material
- verbal abuse or threats
- intimidation
- vandalism
- physical violence

- 4.6 For the purposes of this policy **sexual harassment** is defined as a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or, making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to

the victim, and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Examples of sexual harassment include, but are not limited to:

- verbal or physical conduct of a sexual nature
- requests for sexual favours
- sexually suggestive or obscene comments or gestures
- unwelcome inquiries or comments about a person's sex life
- persistent unwanted contact or attention after the end of a consensual relationship
- unwanted touching, leering, sexual assault

Sexual harassment may also exist when:

- (i) submission to such conduct is made implicitly or explicitly a condition of employment or a condition of scholastic evaluation or
- (ii) submission to or rejection of such conduct is used as a basis for any employment or scholastic decision (including, but not limited to, matters of hiring, promotion, raise in salary, job security and benefits affecting a person or determining a person's scholastic achievement) or
- (iii) such conduct has the purpose or the effect of interfering with a person's work or scholastic performance or creating an intimidating, hostile or offensive School environment.

4.7 For the purposes of this policy, retaliation against an individual

- for having invoked this policy or
- for having participated or cooperated in any investigation under this policy or
- for having been associated with a person who has invoked this policy or participated in these procedures, will be treated as a reprisal, and will not be tolerated.

4.8 Harassment is NOT

- conduct which both parties find acceptable such as an occasional compliment
- reasonable action taken by the School or a supervisor relating to the management or direction of employees or students in the School, including for example, in circumstances of training, counselling and discipline when warranted.

5. RESPONSIBILITY OF MANAGEMENT

(Anyone with a position of Manager, Vice-Principal, Principal, Directors or above and who are directly supervising employees)

5.1 Failure to take measures to address harassment in the work place has legal implications for the employer (School).

5.2 It is the responsibility of all managers to

- a) follow the Harassment Policy and Procedures
- b) take all reasonable steps to protect employees from harassment

- c) address any issues of harassment that they are aware of, whether there is a complaint or not
- d) advise complainants of their right to file a formal complaint and of the process to follow
- e) provide appropriate information and instruction to new and existing employees on this policy and program, and their consequences
- f) ensure that new appointees to managerial positions are aware of their responsibilities under this policy
- g) communicate to the School community, including parents/guardians, that such a policy exists.

5.3 For the purposes of this policy, workplace means

- a) the School property and
- b) anywhere the School's business is conducted as a result of employment responsibilities or employment relationships.

It includes, but is not limited to, harassment

- at the School
- outside the School
- at School-related social functions
- in the course of work assignments outside the School
- at work-related conferences or training sessions
- during work-related travel
- over the telephone during a work-related conversation.

6. PROCEDURE

Students or employees who feel that they have been subjected to harassment, as defined in this policy, should take action promptly. There are several ways to address the issue.

The person making the complaint ("Complainant") has the right to:

- seek a resolution personally,
- to ask for help or advice from a third party in the school, or
- to make a formal written complaint.

Whether informal or formal, these procedures must be conducted in an atmosphere of respect and confidentiality without fear of embarrassment or reprisals. Using the principles of fairness and due process the School will take action which it deems appropriate within its existing policies and procedures, on the basis of information received, in order to protect all members of the school community.

Where the complaint is one of assault or sexual abuse, the Head of the School should be informed immediately. Should the complaint be against the Head of School, the Chair of the Board shall be called immediately.

6.1 INFORMAL PROCEDURE

(Where complainant brings evidence of harassment but does not wish to lay a formal written complaint). In many cases, offending behaviour can be stopped by approaching an individual directly.

- 6.1.1 The complainant is encouraged to speak or write personally informing the alleged harasser of the concern regarding his/her behaviour, stating clearly that the behaviour is unwelcome and unacceptable, is contrary to School policy, and requesting that it stop.
- 6.1.2 Members of the TFS community **may seek advice or help** from a third party if they believe they are experiencing harassment.
- 6.1.3 Students may bring forth a complaint to a harassment facilitator, the Vice-Principal or the Principal. (For role of Facilitator, see section 11)
- 6.1.4 Employees may bring forth a complaint to their immediate supervisor, to another administrator, to the Head of the School, or to the Head of Human Resources Services. Where an employee's direct supervisor, the Principal, or the Head of the School is the alleged harasser, the employee may direct his or her complaint to **[the Head of Human Resources]**. If the Head of Human Resources is the alleged harasser, the employee may direct his or her complaint to the Head of the School **[or the Chair of the Board of Directors]**.
- 6.1.5 All such consultations, and identifying information about individuals involved, will be confidential unless disclosure is necessary for the purposes of investigating or taking corrective action, or is otherwise required by law.
- 6.1.6 In many cases, remarks or gestures may be taken out of context or may not have been intended as harmful, and may not meet the definition of harassment. Understanding on the part of the person who is accused about why his/her behaviour is unacceptable, and an apology where warranted, will often take care of the problem.
- 6.1.7 In the informal procedure the person giving advice may first provide counselling and support to assist the complainant in approaching the alleged offender and informing him or her that the behaviour is unwelcome.
- 6.1.8 In some cases, it may be necessary to speak to the person whose conduct has caused offence. This meeting may take place with the complainant and respondent together or individually in an attempt to achieve a satisfactory resolution.
- 6.1.9 This process may result in a mutually acceptable resolution, withdrawal of the complaint, or an investigation that is appropriate in the circumstances, depending on the allegations and whether, if true, they could meet the definition of harassment. In all cases, the complaint must be reported by the person advising to the Principal, the Head of the School, and/or Head of Human Resources Services (as appropriate), and a record must be kept of the names of the complainant, the respondent, the nature of the complaint, the dates of meetings, course of investigation, and the final outcome. This record is confidential and is submitted to the Principal/Head of Human Resources Services to be kept on file for a period of two years.
- 6.1.10 Where there is a complaint made by a student and there is a resolution, the School may call the parents/guardians. Where there is no resolution, the School must call the parents/guardians.
- 6.1.11 The Principal and/or Head of Human Resources Services will follow up to ensure that there is no recurrence of the harassment.
- 6.1.12 If an investigation is conducted, the complainant and the alleged harasser will be informed of the results of the investigation, and any corrective action taken or to be taken, in writing.

6.2 FORMAL PROCEDURE

(Where a complainant brings evidence of harassment and wishes to lay a formal written complaint).

A number of complaints can be resolved at the informal stage. However, if the complainant wishes to follow a formal procedure, the following steps apply.

- 6.2.1 The complainant puts his/her formal complaint in writing, giving details of the alleged harassment, including where available, dates, times, places, particulars, names of the individuals involved and any witnesses. If the complainant is an employee, he/she completes the *Employee Harassment Report Form*.
- 6.2.2 Students will direct formal complaints to the Principal. If the complaint is against the Principal, students must direct their complaints to the Head of School.
- 6.2.3 Employees will direct formal complaints to the Head of Human Resources Services. If the complaint is against the Head of Human Resources Services, employees must direct their complaints to the Head of School. If the complaint is against either the Principal, or the Head of School, the employee may direct their complaint to either the Head of Human Resources, or the Chair of the School's Board of Directors.
- 6.2.4 In the case of younger complainants or anyone else who may have difficulty putting the complaint in writing, it shall be dictated by the person complaining to the harassment facilitator, Principal or Head of Human Resources Services, who will record the complaint, have the complainant sign the text, and provide a written copy to the complainant.
- 6.2.5 Parents/guardians must be involved if the student is under 18. In the case of sexual abuse or sexual harassment, the Child Sexual Abuse Protocol applies. (See page 3, section 3).
- 6.2.6 The alleged harasser (the Respondent) must receive a copy of this policy, particulars of the complaint, and must be given an opportunity to respond.
- 6.2.7 Both the complainant and the respondent must be advised that he/she can be accompanied at all times by a parent, a friend or Alliance representative. Where the complainant or respondent is a student under the age of 18, he/she must be accompanied by a parent/guardian.
- 6.2.8 Parties to the complaint must be advised that they may go to the appropriate authorities (e.g. Ontario Human Rights Tribunal, or in the case of assault, to the police).
- 6.2.9 Where the complainant consents, the Principal/Head of Human Resources Services may seek a meeting with the respondent with a view to obtaining an apology or such other resolution as will satisfy the complainant.
- 6.2.10 Even if the matter is resolved to the satisfaction of the complainant, the Principal/Head of Human Resources Services is nonetheless obliged under this policy, to pursue the investigation and to take whatever disciplinary action is appropriate.
- 6.2.11 A respondent to a complaint may be removed from the workplace at the time of the complaint and during the investigation where it is determined by the Head of School that it is appropriate to do so considering the seriousness of the allegations, the need for an impartial and fair investigation, or the interests of the safety or welfare of staff or students.
- 6.2.12 A copy of the formal written complaint, along with a description of the resolution of the complaint and any disciplinary action must be filed in the OSR/personnel file of the respondent.

7 THE INVESTIGATION

The investigation plays an important role in reviewing the facts of the complaint and making recommendations to the Head of School or Head of Human Resources Services, as required. It should be initiated and completed as quickly as possible in a sensitive and thorough manner. Investigations will be conducted in a manner that is appropriate in the circumstances, as determined by the investigator and the School. All information obtained about an incident or complaint of harassment, including identifying information of individuals involved, must be kept confidential, unless disclosure is necessary for the purposes of investigating, or taking corrective action at the conclusion of an investigation, or unless disclosure is otherwise required by law.

- 7.1 Two persons responsible for the investigation (the 'Investigators') must be appointed, in the case of students, by the Head of School; in the case of employees, by the Head of Human Resources Services. The Investigators will

be members of management (Vice-Principal, Principal, Directors and above), who are not supervisors of the employees or the students involved and who can speak French or English as needed. External investigators will be retained as appropriate, as determined by the School.

7.2 The investigators must

- gather facts as quickly as possible by meeting with the complainant, the respondent, and any witnesses or others who may have pertinent information, separately
- remind both the complainant and respondent of his/her right to have a support person present at all times including a parent/guardian, a friend or Alliance representative as appropriate. The support person is not permitted to interrupt or interfere with the investigation or participate in individual interviews.
- take notes at each meeting and sign and date the notes
- ask the respondent to provide a written, signed and dated statement regarding the complaint or take notes and have the respondent sign and date the statement as being accurate
- prepare a written report, including factual findings, and when requested by the School, recommendations for resolution of the complaint and disciplinary action, and submit this report to the Head of School or Head of Human Resources Services as required.

7.3 The investigators may also

- where warranted or appropriate, interview others who may have information pertinent to the complaint and have their statements signed and dated
- meet with the complainant and the respondent together or individually in an attempt to achieve a satisfactory resolution. In the case of a mutually acceptable resolution, both parties, following a reasonable period for reflection, will be asked to sign a statement that each accepts the resolution set out in the document and agrees to abide by any conditions which form part of that resolution. This statement will be filed in the OSR/personnel file of the respondent

8 RESOLUTION OF COMPLAINT

- 8.1 Where the investigation results in a finding that the complaint of harassment is substantiated, the outcome of the investigation, and any disciplinary action, will be recorded in the OSR/personnel file of the person against whom the complaint was laid.
- 8.2 Where the investigation results in a finding that the complaint of harassment is not proved, all record of the complaint shall be removed from the OSR/personnel file of the person against whom the complaint was laid.
- 8.3 The complainant and the respondent will be informed of the outcome of the investigation and any disciplinary or corrective action taken or to be taken, in writing. If the complainant or respondent is not satisfied with the outcome of the investigation the complainant or respondent may appeal to the Head of School.
- 8.4 If an investigation determines that an employee engaged in harassment, in breach of this policy, disciplinary action, up to and including termination of employment for cause may be imposed. Disciplinary action, where warranted, will be determined by the Principal in the case of students and by the Head of Human Resources Services after discussion with the employee's supervisor, in the case of employees. Report of the disciplinary action shall be placed in the OSR/personnel file.

9. HARASSMENT FACILITATORS

- 9.1 The School will appoint trained harassment facilitators who are members of the School to provide advice and counselling and to seek resolution under the terms of this policy in respect to complaints made by students. However, students may approach any staff member who will take this concern to the harassment facilitator.
- 9.2 In carrying out their duties under this policy, harassment facilitators will be directly responsible to the Principal of the branch.
- 9.3 The School will arrange for the harassment facilitators to receive appropriate initial and continuing training, as well as other institutional support and assistance in order to carry out their responsibilities under this policy.
- 9.4 The harassment facilitators will advise the complainant of
- i) the right to lay a formal written complaint under this policy when the alleged harasser is a member of the School
 - ii) the availability of counselling and other support services provided by the School
 - iii) the right to withdraw from any further action in connection with the complaint at any stage and the responsibilities of management to pursue the complaint
 - iv) the necessity to inform the Principal of any complaints made by students
 - v) other avenues of recourse such as the right to file a complaint with the Ontario Human Rights Commission or, where appropriate, the right to report to the Police under the Criminal Code
 - vi) the time limits which apply to this policy and which may apply to such other avenues of recourse.

10 PROCEDURE WHERE A PERSON BELIEVES THAT A FELLOW STUDENT/COLLEAGUE HAS BEEN HARASSED

Where a person believes that a colleague/fellow student has experienced or is experiencing harassment (or retaliation for having brought forward a complaint of harassment) and reports this belief to a harassment facilitator or a supervisor, the harassment facilitator or supervisor shall meet with the person who is said to have been subjected to harassment and shall then take action in accordance with the procedure outlined in this policy.

11 HARASSMENT BY PERSONS WHO ARE NOT MEMBERS OF THE SCHOOL

A member of the School who considers that she or he has been subject to harassment by a person who is not a member of the School should seek the advice of a harassment facilitator or a supervisor.

The harassment facilitator or supervisor will take whatever action is necessary to ensure that the School fulfils its responsibility to support, protect and assist the person subjected to harassment.

12 APPEALS

Any decision of the Principal or Head of Human Resources Services may be appealed to the Head of School.

When the penalty is expulsion or dismissal, the decision of the Head of School may be appealed to the Chair of the Board of Directors of TFS.

13 TIME LIMIT FOR FILING A COMPLAINT

Any complaints must be filed within a reasonable time following the occurrence of the event. The School adopts the one-year time frame prescribed by the Ontario Human Rights Code. This means that the School only investigate complaints made more than one year after the alleged harassment in exceptional circumstances.

14 COMMITMENT TO THE POLICY

The School is committed to providing an environment that is free from harassment and will exercise its best efforts to

- a) encourage a School environment free from harassment
- b) ensure that every formal written complaint of harassment is investigated
- c) impose the appropriate disciplinary measures, when a complaint of employment related sexual harassment or other harassment is found to have been substantiated, regardless of the seniority of the offender
- d) assist any member of the School who complains of harassment by a person who is not a member of the School
- e) provide appropriate advice and support to persons who are subjected to harassment
- f) formally acknowledge to a person who has been found to have been harassed that harassment has taken place
- g) regularly review and at least annually, this policy to ensure that they adequately meet the policy objectives and legal requirements
- h) maintain records as required by this policy
- i) post this policy in the School
- j) make all members of the School aware of the need to provide a School environment free from harassment and the existence of the procedures available under this policy
- k) appoint harassment facilitators, and provide the training and resources for them to fulfil their responsibilities under this policy.

16 CONFIDENTIALITY

- 16.1 The School understands that it is difficult to come forward with a complaint of harassment and recognizes a complainant's and a respondent's interest in keeping the matter confidential.
- 16.2 To protect the interests of the complainant, the respondent and of any other individuals who may report incidents of harassment, confidentiality will be maintained throughout the investigatory process unless disclosure is necessary for the purposes of an investigation or to impose corrective action, or unless otherwise required by law.
- 16.3 All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential by the School, except where disclosure is required by a disciplinary or other remedial process, or the by the law.
- 16.4 Where a complainant does not wish to be identified in an informal complaint, he or she will be informed that every effort will be made to investigate the allegations without disclosing his or her identity. The complainant will also be informed that the School may be required, in its judgment, to pursue the investigation of any particular complaint to a point which may require the School to disclose the identity of the complainant.

17 FRIVOLOUS, MALICIOUS, OR VEXATIOUS COMPLAINTS

The School does not condone frivolous, malicious, or vexatious complaints. A person who makes a frivolous, malicious, or vexatious complaint will be subject to discipline. Victims of such allegations will receive appropriate advice, support and assistance. Records of such complaints will be maintained in the complainant's file for ten years. Complainants will not be disciplined for complaints made in good faith, even if they are not ultimately substantiated.

18. POLICY REVIEW

This policy shall be reviewed annually by the Advisory Group to determine its effectiveness and to make recommendations for any revision.

19. TRAINING

All new employees and current employees are to be trained on the Health and Safety modules including the Harassment and Workplace violence policies during the Annual Orientation/Refresher training. Participation to the Annual Orientation/Refresher training is recorded.

CONFIDENTIALITY AGREEMENT

BETWEEN TFS-CANADA'S INTERNATIONAL SCHOOL (TFS) AND THE EMPLOYEE

In consideration of employment with TFS, all associated compensation, and other good and valuable consideration, the Employee does hereby agree to the following terms and conditions:

The services and obligations the Employee has agreed to perform on behalf of TFS require the Employee to have access to and knowledge of certain confidential information. This confidential information may include, but is not limited to customer information, pricing data, supply sources, techniques, computerized data, maps, methods, product design information, market information, technical information, Company standards and other confidential and/or proprietary information belonging to or licensed to, the Company or its clients or customers, including but is not limited to, trade secrets, inventions, patents, and copyrighted materials hereafter "Confidential Information".

Some of this information may be made confidential by law or by TFS's policies.

Confidential information may be in any form, including, but not limited to, observation, data, written material, record, documents, drawings, photographs, computer programs, software, invention, discovery, improvement, development, tools, machine, apparatus, appliance, design, work of authorship, logo, system, promotional idea, customer list, customer need, practice, pricing information, process, test, concept, formula, method, market information, technique, trade secret, product and/or research related to the actual or anticipated research development, products, organization, marketing, advertising, business or finances of the Company, its affiliates or related entities.

The Employee also understands that access to all confidential information is granted on a need- to-know basis. A need-to-know basis is defined as information access that is required in order to perform my work. By signing this agreement, the Employee affirms that he/she will refrain from disclosing confidential information to any third party including, but not limited to, friends, relatives, co-workers, except as permitted by TFS pursuant to policies and applicable law or as necessary in the performance of my services and obligations as a consultant, contractor or vendor for TFS.

Confidentiality Agreement

By signing this agreement the Employee affirms that he/she will protect all confidential information, while engaged by TFS and after the Employee has completed all services and obligations for TFS. The Employee affirms that all confidential information remains the property of TFS and may not be removed or retained when the Employee has completed services and obligations except as permitted by TFS's policies or specific agreements or arrangements applicable to my services and obligations as a consultant, contractor or vendor for TFS.

If the Employee violates this agreement, the Employee will be subject to adverse action including termination of ability to provide services to TFS.

In addition, under applicable law, the Employee may be subject to criminal or civil penalties.

Toronto French School Sign-Off Form

By signing this form, I acknowledge that I have read, understood, and agreeing to terms laid out in the following policies and procedures for Toronto French School, and certify that all declarations are true, correct and complete to the best of my knowledge:

Code of Conduct

Professional Code of Conduct

Definition of Key Terms

Guidelines for Appropriate Dress for Employees

TFS Harassment Policy

Confidentiality Agreement

I further declare:

I have no convictions under the Criminal Code (Canada) up to and including the date of this declaration for which a pardon has not been issued or granted under the Criminal Records Act (Canada).

I have the following convictions for offences under the Criminal Code (Canada) for which a pardon under the Criminal Records Act (Canada) has not been issued or granted:

Conviction	Date	Court Location
_____	_____	_____
_____	_____	_____
_____	_____	_____

SIGNED

Signature

Print First Name	
Print Last Name	
Dated at TORONTO	

Telephone #

Position	Private Music Lesson Teacher
Location	Senior School, Main Campus