

## **REGULATION #5815.1**

### **RISK MANAGEMENT – INCIDENT REPORTS**

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#### **1. PURPOSE**

- 1.1. The purposes of documenting incidents on Incident Reports are to:
- a) Notify the school district’s insurers, the Schools Protection Program or private insurance company, of claims, possible claims and losses, as required by insurance contracts in order for the school district and its trustees, employees, volunteers and Parent Advisory Council members to be eligible for the benefit of insurance coverage.
  - b) Initiate the process for replacement of property losses.
  - c) Collect statistics as the basis for risk management and loss control initiatives including those related to safety and security.
- 1.2. Legal proceeding may commence many years after an incident occurred. It is better to have a contemporary report on file, recorded while everyone’s memories are fresh, than to seek information many years later. The failure to report on a timely basis can jeopardize the district’s entitlement to coverage under the policy.

#### **2. INCIDENTS REPORTED BY OTHER PROCESSES**

- 2.1. Incidents reported through other processes are:
- a) Employee injuries.
  - b) Motor vehicle accidents involving:
    - i. District vehicles –see the Manager, Transportation Services.
    - ii. Employee vehicles – see [Regulation #4410.3](#), section 3.
    - iii. Volunteers’ vehicles – see [Regulation #10313.1](#), section 7.
  - c) Students injured while on work experience.
    - i. During paid work experience, report through the employer for WorkSafeBC.
    - ii. During unpaid work experience, report through Career Education Department for WorkSafeBC.
- 2.2. Where a student is injured as a part of the incidents described in 2.1 above, an Incident Report is also to be completed. Teachers are responsible for the content of all district sponsored teacher web pages (see [Appendix A](#) – Web Content Style Guidelines).

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- 2.3. In addition to completing an incident report:
- Deliberately set fires, vandalism and theft must be reported to the RCMP.
  - All fires must be reported to the Fire Department.

### 3. REPORTABLE INCIDENTS

- 3.1. To access the potential coverage, where applicable, of the Schools Protection Program or Private Insurance Company, incidents of the types described below must be reported.
- 3.2. **Bodily injury** occurring during a school activity (whether it took place on or off school property, during school hours or not) suffered by a student, parent, volunteer, or visitor AND any of the following apply:
- The school provides medical/first aid to the injured person, or recommends that the person obtain medical attention.
  - The injured person obtains medical/first aid attention from someone outside the school system.
  - The injured person suffers loss of class or work time.
  - The injured person, or the person's family, expresses a concern or makes a complaint.
  - There is any indication that the injured person blames the school or a school employee for the injury.
  - There is any indication that the injured person may make a claim against the school or one of its employees.
- 3.3. There are **crime, theft, or burglary** losses of school district property, no matter what the value of the loss. Detailed asset descriptions (i.e. make, model, serial number) will be required.
- 3.4. Incidents result in damage to or loss of school district property in excess of \$200.
- 3.5. There is damage to the property of others (students, employees, neighbours, visitors), and the owner indicates that they will make a claim.
- 3.6. When there are allegations of Human Rights Violations (e.g. discrimination).

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3.7. Incidents or allegations of psychological injury, whether or not there is a clear allegation of personal injury or known disability. (As allegations of matters involving psychological injury likely involve personnel, collective agreement provisions and WCB considerations, these incidents or allegations should be discussed with appropriate personnel in the Human Resources Department to determine a course of action.)

#### **4. COMPLETION OF INCIDENT REPORTS**

4.1. Schools Protection Program Incident Reports are to be completed on-line for all reportable incidents defined in Section 3:

- a) On-line reporting requires use of a PC (does not work on Macs).
- b) Sites should print the report for their records.
- c) The on-line incident reporting information and manual are available on the Risk Management conference.

#### **5. DISTRIBUTION OF INCIDENT REPORTS**

5.1. Electronic Incident Reports are forwarded to Risk Management Services automatically.

5.2. Incident Reports are reviewed and the “School District Copy” is retained until the Limitation Act causes the document to no longer be potentially relevant.

#### **6. REPAIR & REPLACEMENT OF DAMAGED & LOST PROPERTY**

6.1. Incident Reports are utilized to organize replacement and repair of qualifying lost and damaged property pursuant to board [Policy #5810](#) and insurance policies. (Goods lost through mysterious disappearance do not qualify for replacement.)

6.2. Damage to district assets are repaired when the site submits a work order in the following manner:

- a) Buildings & Grounds – to Facilities via School Dude for the related Maintenance Department.
- b) Computers and Printers – to Information Management Services via Self-Serve website at [servicepages.sd36.bc.ca](http://servicepages.sd36.bc.ca) or contacting the Help Desk.
- c) Furniture & Equipment – to Corporate Services via School Dude for corporate services department.
- d) Include the Incident Report number on the work order.

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- 6.3. Where incidents involve the loss of SD36 property or damage beyond repair, the Risk Management Department contacts the Purchasing Department to authorize replacement with items of like kind and quality.
- 6.4. Managers of sites should consider photographing vandalism, graffiti and property damage, before repair, as an aid to investigation by the police, insurance adjusters and the district. The location and date of photographs should be noted thereon.

#### **7. EXPEDITED REPORTING OF INCIDENTS**

- 7.1. Where incidents involve significant bodily injury, death, indications that a claim will be filed or major property losses, please immediately contact the Director, Internal Audit & Risk Management, to arrange expedited support to address the matter. Expedited claims reporting and investigation has resulted in significant savings when litigation has arisen from an incident.
- 7.2. Major property damage is to be reported immediately to the District Facilities Centre.
- 7.3. Some incidents, and in particular personal injury incidents, can result in legal proceedings. Good factual notes recorded at the time can be beneficial. Where a potential claimant has indicated intent to engage in legal proceedings or it appears that such proceedings are probable, solicitor-client privilege may be established over notes by recording at the time of making the notes “Privileged & Confidential – Prepared for my Lawyer.”

#### **8. INSURANCE INVESTIGATIONS**

- 8.1. The Director, Internal Audit & Risk Management, arranges the appointment of insurance investigators to gather factual information and advice on the application of insurance coverage.
- 8.2. Before disclosing information to people representing themselves as insurance investigators, please contact the Director, Internal Audit & Risk Management, to validate their appointment.
- 8.3. Full cooperation must be provided to insurance investigators appointed on behalf of the Schools Protection Program in order to have the benefit of insurance coverage. This access to information includes student information records. (See [Regulation #9705.1](#), Section 3.5.)

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- 8.4. When an incident is investigated, it is helpful to have the following types of documentation available where applicable:
- a) Police Report and / or case number.
  - b) Building Security Report (which the security runner leaves at a site after investigating an alarm)
  - c) Fire Department Report and/or case number.
  - d) Field Study Authorization Forms ([Regulation #8901.1](#))
  - e) Career Education Agreement ([Regulation #8475.1](#))
  - f) Property description (including make, model, serial number where applicable) and documentation, for example an invoice or purchase order for recently purchased goods.
  - g) Other documentation, including photographs, as may be available which assist in describing the incident.

## **9. CONTACTS BY CLAIMANTS & CLAIMANTS' LAWYERS**

- 9.1. When people indicate intent to register a formal claim or lawyers for claimants or potential claimants present themselves, such inquiries are to be directed to the Director, Internal Audit & Risk Management. It is inappropriate to discuss an incident with the claimant or potential claimant.
- 9.2. Incident Reports prepared in anticipation of litigation are subject to solicitor-client privileges and are to be maintained on a confidential basis.

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[Reg. #8475.1](#)  
[Reg. #8901.1](#)  
[Reg. #9410.1](#)  
[Reg. #9615.1](#)  
[Reg. #9705.1](#)  
[Policy #10305](#)  
[Reg. #10310.1](#)  
[Reg. #10313.1](#)