



YORK REGION DISTRICT SCHOOL BOARD

Procedure #NP138.0, Insurance: Personal Liability, Property Damage and Student/Visitor Injuries

Application

The Insurance: Personal Liability, Property Damage and Student Injuries procedure is to be followed by staff members when reporting and managing student/visitor injuries and property damage and losses.

Stakeholder Groups with Responsibility Under this Policy

- Principals and Vice-Principals
- Senior Manager of Administrative Services
- Board Staff

Relationship to Board Priorities

This procedure supports the Board in its efforts to provide a safe and caring environment for students and staff members by ensuring procedures are followed in the event of student injury or property loss and damage.

It is the expectation of the York Region District School Board that all employees, students and persons invited to or visiting Board property; or partaking/volunteering in Board or school-sponsored events and activities will respect the policies and procedures of the Board. The term "parents" refers to both biological/adoptive parents and guardians in all Board policies and procedures.



Board Procedure #NP138.0

Insurance: Personal Liability, Property Damage and Student/Visitor Injuries

This procedure outlines the Board's process for handling and reporting student or visitor injuries, property loss or damage and other claims. It also outlines insurance considerations for personal liability and property.

Application

This procedure does not apply to [staff accidents](#) or [student accident insurance](#).

Definitions

Good Faith

Good Faith is any normal performance of duties that does not involve an intention to violate the law or a reckless disregard for the lives or safety of other persons.

Mysterious Disappearance

Mysterious disappearance is when property vanishes in an unexplained manner.

Serious Injury

A serious injury is deemed to be one where the injured party requires hospital admission (excluding minor out-patient treatment).

Responsibilities

The Director of Education shall:

- allocate staff and resources to support the Insurance: Personal Liability, Property Damage and Student/Visitor Injuries procedure.

Senior Manager, Administrative Services shall:

- where applicable, communicate with staff members, legal counsel and insurance adjusters to investigate and facilitate resolution of insurance and liability claims; and
- facilitate the transfer of funds to applicable parties to replace lost or damaged property.

Student/Visitor Injuries

Principals, Managers and Supervisors shall:

- ensure staff members understand the procedure(s) to be followed in the event of an injury to a student or visitor, including provision for;
 - an immediate assessment by the principal of the type of medical treatment required;
 - an attempt to contact the parent(s)/guardian(s), where applicable, to arrange for the student to be picked up or to meet their child at the doctor's office or hospital, where applicable, and
 - arranging for and/or transporting the student or visitor to the doctor's office or hospital;

- within 24 hours of any significant injury to a student or visitor, submit an [accident/injury report form](#) to the Senior Manager, Administrative Services;
- ensure that no copy of the [accident/injury report form](#) is kept on site; all copies are to be retained in Administrative Services;
- in the event that a serious injury or fatality occurs on school property or during an off-site school activity, immediately notify the Senior Manager, Administrative Services and superintendent of schools with the details of the incident and the actions taken; and
- cooperate with Board personnel, insurance adjusters and legal counsel during any investigation.

Personal Liability

All staff members shall:

- be indemnified by the Board against court settlements or other sanctions applied by outside agencies, when performing their duties in good faith;
- comply with the law as well as with Board policies and procedures and standards of practice that are commonly used in their workplace;
- if in a supervisory position, be aware of safety issues inherent in their workplace and exercise reasonable precautions to protect staff, students, contractors and others who occupy the building for which they are responsible; and
- cooperate with Board personnel, insurance adjusters and legal counsel during any investigation.

Personal Property

Principals, Managers and Supervisors shall:

- approve, in advance, in writing the use of personal property to be brought to the school or work by staff members, students or parent(s)/guardian(s) for instructional or business-related purposes;
- ensure individuals approved to bring personal property for instructional or business-related purposes;
 - are aware of the Board's property insurance policy, and
 - understand that there is no protection for mysterious disappearance and/or damage to personal property; and
- inform individuals, who bring personal property to the school for non-instructional purposes, that the Board's property insurance policy does not protect for mysterious disappearance and/or damage to an individuals' personal property.

All staff members shall:

- request approval from their principal, manager or supervisor to bring personal property for instructional or business-related purposes;
- understand that the Board's property insurance policy does not protect against the mysterious disappearance of personal property; and
- understand that approved personal property brought to the school or workplace for instructional or business-related purposes is covered under the owner's homeowner's insurance policy.

Loss or Damage to Board Property

Administrative Services shall:

- administer all matters of loss and damage to Board property;
- budget for losses or damage to Board property to repair or replace equipment and to repair damages to Board property caused through burglary, fire, vandalism, accidental damage or other sudden unexpected event that are less than \$10,000;
- engage the services of an insurance adjuster where loss or damage exceeds \$10,000;

- not provide for the loss of equipment through mysterious disappearance or inventory shortage; and
- be responsible for making arrangements, in cooperation with the principal and Plant Services, for repairs to building and/or replacement of equipment.

Principals, Managers and Supervisors shall:

- immediately report loss or damage to Board property to Administrative Services;
- in instances where burglary is suspected, investigate and/or collect any evidence such as visible signs of forced entry to the building or events captured on school surveillance cameras;
- report the incident to the police, if it is determined that this the appropriate action to take;
- establish a list of stolen/damaged equipment and complete the [Loss or Damage Report](#) form;
- contact Administrative Services to receive approval for a funds transfer for the replacement value of loss or damaged property;
- following approval, purchase replacement items through established purchasing procedures;
- understand that recovery or replacement of equipment lost through mysterious disappearance or inventory shortage is the responsibility of the school/department; and
- immediately notify Administrative Services if equipment previously reported missing or stolen is recovered or compensating restitution is made.

Department

Business Services

Procedure History

Approved January 31, 1985

Replacing Procedure #NP450.0, Loss or Damage to Board Property

Revised October 2008

Working Document June 2014

Revised March 2015

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