



Responsibility:	Superintendent, Business Services & Treasurer of the Board
Legal References:	<u>Insurance Act, R.S.O. 1990, c. I.8</u> <u>Occupational Health and Safety Act, R.S.O. 1990, c. O1</u> <u>Workplace Safety and Insurance Act, R.S.O. 1990, c. O1</u> <u>Education Act, R.S.O. 1990, c. E2</u>
Related References:	<u>Administrative Procedure 1415 – Use of Volunteers</u> <u>Administrative Procedure 1590 – Transportation – Off-Campus</u> <u>Administrative Procedure 3140 – Reporting and Investigation</u> <u>Employee Incidents, Accidents and Safety Concerns</u> <u>Administrative Procedure 4891 – Reporting Student, Parent, Visitor and Volunteer Injuries</u> <u>Board Policy 4021 – Volunteerism</u> <u>Online – Property Incident Report</u> Online Injury Reporting (Student/Parent/Volunteer/Visitor) <u>FS-19-RS1 – Board Vehicle Incident Report</u> <u>FS-19-RS2 – Employee Personal Equipment Used on Board Property</u> <u>FS-19-RS3 – Students Participating in Interscholastic Sports</u> <u>FS-19-RS4 – Volunteer Driver - Authorization to Transport Students</u>
Revisions:	March 2017, March 2019, November 2020, June 2021, January 2024
Reviewed:	July 2016

1. Preamble

- 1.1. The following procedure provides the guidelines and expectations in response to Waterloo Region District School Board (“Board”) property losses or damages. The procedure provides information on the Board’s insurance coverage and the process followed for insurance claims.

2. Insurance Coverage

- 2.1. The Board’s insurance provider is the Ontario School Boards’ Insurance Exchange (OSBIE). The Board’s insurance policy includes coverage for:
- property damage to Board owned/leased assets (e.g. buildings, Board vehicles) subject to a deductible amount
 - liability insurance for damages and/or injuries including approved volunteers, co-op students while engaged in work assignments, and sporting officials while at school events

- boiler and equipment breakdown (i.e. pressure vessels)
 - crime
 - incidental professional and malpractice liability insurance for individuals acting within the scope of their work
3. **Injury to Employees** (to be reported to the Health, Safety and Security Department)
- 3.1. See [Administrative Procedure 3140 – Reporting and Investigation of Employee Incidents, Accidents and Safety Concerns](#).
4. **Injury to Student/Parent/Volunteer/Visitor** (to be reported online directly to OSBIE)
- 4.1. See [Administrative Procedure 4891 – Reporting Student, Parent, Visitor and Volunteer Injuries](#).
5. **Property Incident – Board Property/Items/Equipment – Damaged/Stolen**
- 5.1. **Fire or Flood**
- 5.1.1. Call urgent response at 519-570-0003 Ext. 4123.
- 5.1.2. A [Property-Incident Report Form](#) must be completed and submitted online immediately.
- 5.1.3. Be sure to list all the damaged items/equipment on the report. Include the make, model, serial number, and quantity of the item(s). Risk Services will be in contact after reviewing the report regarding the reimbursement for the replacement/repair of instructional supplies, computer equipment and furniture.
- 5.1.4. Depending on the amount of damage, OSBIE may be contacted and they may assign an adjuster to attend the site. In most cases, the adjuster is called at the time of the incident, usually by Facilities staff.
- 5.2. **Theft, Break-In, Vandalism**
- 5.2.1. Whenever any type of theft, break-in or vandalism occurs, a [Property-Incident Report Form](#) must be completed and submitted on a timely basis.
- 5.2.2. Be sure to list all the damaged/stolen items and/or equipment including the make, model, serial number and quantity of the item(s). List all asset ID numbers for I.T. equipment (e.g. Chromebook). Risk Services will be in contact after reviewing the report, regarding replacement/reimbursement of the stolen or damaged items/equipment.
- 5.2.3. The replacement of equipment must comply with Board policies and procedures.
- 5.2.4. In some instances, Facility Services staff may call in an insurance adjuster once they have visited the site and assessed the amount of damage.
- 5.2.5. The Board does not provide coverage for personal staff or student items. The Board may provide coverage for employee items if the [Employee](#)

Personal Equipment Used on Board Property (FS-19-RS2) form was completed and filed with Risk Services prior to an incident.

- 5.2.6. Risk covers the cost to repair or replace items when it relates to thefts, vandalism, accidents or weather related incidents. Costs to repair or replace items when it relates to regular maintenance or wear and tear is to be covered by the department responsible for that item (i.e. Facilities, ITS).

5.3. Mysterious Disappearances

- 5.3.1. A mysterious disappearance is defined as an item that is missing and there is no sign of forced entry or proof of theft Risk Services will typically not pay for the replacement of items that mysteriously disappeared.

- 5.3.2. In any case, a Property-Incident Report Form should be completed and submitted to Risk Services. When you report that an item has disappeared, include the following information:

- when you discovered that the item was missing;
- if you have proof of forced entry;
- describe the known circumstances surrounding the disappearance.

- 5.3.3. Risk Services will notify you regarding the decision to classify the incident as a mysterious disappearance or if the item required to be replaced will be paid through Risk Services.

5.4. Preventative Maintenance or Theft Prevention Costs

- 5.4.1. A Property-Incident Report Form may be submitted when property maintenance or upgrades to board facilities would prevent future thefts or financial losses from vandalism or future property damage.

- 5.4.2. Risk Services will review the request and notify Facility Services if the cost of the maintenance or upgrade should be covered from the Risk budget.

5.5. Equipment on Loan or Assigned to an Employee

**It is the responsibility of the principal or manager to be aware and track equipment being used off-site.*

- 5.5.1. ON LOAN – Risk Services does not cover the cost of replacement for items or equipment borrowed by employees to use off site. The employee using the items/equipment assumes responsibility for the care, custody, and control of each item.

- 5.5.2. ASSIGNED – If items/equipment assigned to an employee for their position with the Board become lost, stolen or damaged, submit a Property-Incident Report Form to be reviewed by Risk Services to determine if the cost to repair or replace the item is a personal, school or a Board responsibility.

5.6. Equipment on Loan or Assigned to a Student

- 5.6.1. Risk Services does not cover the cost to replace or repair items borrowed or assigned to students. The student using the item (equipment) assumes responsibility for the care, custody, and control of each item.

5.7. Employee Personal Items/Equipment Used on Board Property

- 5.7.1. Occasionally, a Board employee may wish to use personal items or equipment on a Board site for curriculum purposes. An Employee Personal Equipment Used On Board Property form (FS-19-RS2) must be completed for each piece of equipment which is being used on Board premises and for which insurance coverage is requested. The Principal must approve and acknowledge the educational value of the item/equipment.
- 5.7.2. Insurance covers the school year period only (Sept 1st to June 30th).
- 5.7.3. The form is an acknowledgement that the employee is loaning or using his/her own equipment on Board property without fee for curriculum purposes only.
- 5.7.4. Board insurance may cover the replacement of such equipment in the event of damage or loss occurring on Board property, provided the form is on file with Risk Services prior to any incident.

6. **Transportation of Students in a Non-Board Vehicle by a Volunteer Driver**

- 6.1. See Administrative Procedure 1590 – Transportation – Off-Campus for further information.
- 6.2. The Board may provide insurance for Non-Board owned vehicle accidents resulting in damages beyond \$1,000,000 if the Volunteer Driver form (FS-19-RS4) is on file prior to the accident. The first \$1,000,000 must be covered by the vehicle owner's insurance.

7. **Rental Vehicles**

- 7.1. Rented vehicles are covered under the Board's insurance policy if it is not more than an 8-passenger vehicle or more than a 30-day rental.

8. **Board Vehicle – Accident or Break-in**

- 8.1. When a Board-owned vehicle is involved in an accident or break-in/theft:
 - complete a Board Vehicle – Incident Report (FS-19-RS1)
 - be specific and provide as much detail as possible
 - a vehicle content list (i.e. tool list) must be on file in Facility Services prior to an incident for the replacement costs to be covered by Risk Services
- 8.2. Fines for traffic violations (speeding, parking etc.) are the responsibility of the driver. If the Board receives an invoice for a traffic violation as a result of an employee operating a board vehicle, the employee will be required to reimburse the board for the amount of the charge and the violation will be forwarded to Human Resources for follow up. Drivers who operate a board vehicle will not be reimbursed for traffic violations, moving violations or parking tickets they may incur.

9. **Staff/Parent/Visitor/Student Vehicle Accident**

- 9.1. The Board does not provide insurance coverage for damages done to any personally owned/leased vehicle. The cost to repair the damages to a personally owned/leased vehicle is the responsibility of the vehicle owner or the vehicle owner's personal insurance.
- 9.2. The principal (or designate) should enter an online Property-Incident Report Form for vehicle accidents that occur on Board property.

10. **Employee Personal Vehicle – for Board Assigned Work Related Use**

- 10.1. Based on current roles and responsibilities, an employee may be required to use their own vehicle for Board assigned work.
- 10.2. The employee is responsible for maintaining the vehicle.
- 10.3. The Board's automobile insurance policy does not cover the employee vehicle.
- 10.4. If personal injury occurs while carrying out assigned work duties, the Workplace Safety and Insurance Act would apply.
- 10.5. The Board provides compensation based on a 'per kilometer rate', see Administrative Procedure 4380 – Travel, Meals and Hospitality Expenditures.
- 10.6. Fines for traffic violations, moving violations or parking tickets while an employee is performing board assigned work are the responsibility of the employee. An employee will not be reimbursed for the cost of a traffic violation, moving violation or parking ticket.

11. **Certificates of Insurance/Additional Insurers**

- 11.1. An owner of a property that students and staff may visit on a field trip or other Board sanctioned events may request to be added to the Board's insurance policy because they wish to be protected for liability arising out of the use of their premises and facilities for school activities and functions by the Board. OSBIE may extend coverage if appropriate through the issuance of a Certificate of Insurance.
- 11.2. To request a **Certificate of Insurance naming a third party**, complete the Certificate Request Form and submit to risk@wrdsb.ca. Attach a copy of the fully executed agreement or contract in the name of the Board with the request.
- 11.3. If a third party is asking for the Boards "**Evidence/Proof of Insurance**" visit the Risk Services website to obtain a copy of the Board certificate.

12. **Volunteers**

- 12.1. See Administrative Procedure 1415 – Use of Volunteers for information on the use of volunteers.
- 12.2. The Board's Excess Automobile Liability insurance coverage only applies when the volunteer is carrying out duties assigned by the principal (i.e. Board sanctioned).
- 12.3. An approved volunteer is not covered by the Workplace Safety and Insurance Act through the Board.
- 12.4. Volunteers are required to hold a current Criminal Reference Check (Level 3) if supervising students that are not in direct proximity of a board staff member or if deemed necessary by the Principal. Volunteer drivers are required to hold a current Criminal Reference Check (Level 3).

13. **Lawsuit, Potential Lawsuit, or Statement of Claims**

- 13.1. The Education Centre as well as school sites may receive litigation documents naming the Board or persons employed by the Board in a lawsuit or potential lawsuit. This may cause stress for all involved and may require a timely response by the Board to adhere to often short timelines.
- 13.2. These official documents may be sent via mail, courier, fax or email, often from a law firm representing an applicant or claimant or from various levels of court.
- 13.3. If such a package or document arrives at your site, promptly contact the Manager of Risk and Review Services, or the Superintendent, Business Services & Treasurer of the Board, to make them aware of the delivery. Based on the urgency of the response, they will determine the best manner to deliver the package to the Education Centre. The Superintendent, Business Services & Treasurer of the Board and the Manager of Risk and Review Services will determine the appropriate Board response, including but not limited to contacting OSBIE and a third-party claims adjuster.

Brief Process

Once the Board is in receipt of the litigation document(s) the following process occurs:

- The package is reviewed by the Manager of Risk and Review Services.
- Risk Services alerts and forwards a copy to OSBIE for review to determine if the matter falls under the OSBIE policy.
- Acting on behalf of the Board and Board employee(s), OSBIE opens a file for investigation and responds to the Claimant(s) representative on behalf of the Board and named staff.

- OSBIE may assign a third party insurance adjuster (i.e. usually Crawford Canada to the file to perform interviews, collect staff notes, documents, photos, Board policy and procedures, for the purpose of investigation and preparation for litigation. The Board and/or Board employee(s) may be contacted directly by OSBIE or the adjuster to carry out these activities.
- As the case moves forward, OSBIE may assign Legal Counsel to further support the Board and/or the employee through the litigation process.
- Legal Counsel may require further information from the Board and/or Board employee(s) and therefore, may contact other parties as well.
- The assigned Legal Counsel will guide and support the Board and/or employees through the process up to and including court proceedings, if necessary.