

Appendix C – Human Rights Policy (P031) Summary of Changes

Overview

The Human Rights Policy (the Policy) affirms and supports Toronto District School Board's commitment to defend, uphold and promote human rights in all learning and working environments. It applies to all students, employees, and other members of the TDSB community in TDSB environments.

The Policy prohibits discrimination and harassment on the basis of protected grounds and identifies how the Board will meet its obligations under the Ontario *Human Rights Code* (the Code), as well as under the *Occupational Health and Safety Act* (with respect to workplace harassment based on Code protected grounds).

The amended Human Rights Policy:

1. Emphasizes and actions systemic and proactive dimensions of the Board's human rights commitments;
2. Articulate human rights-related responsibilities of employees, directors, supervisory and management personnel, and the Human Rights Office.

Highlights of Changes

Establish a Human Rights Organizational Change Program

The TDSB is shifting its human rights approach from primarily complaints-driven to a positive obligation model that seeks to proactively identify, address, and prevent human rights violations from occurring in the first place. Elements of the organizational change program will include:

- the development and implementation of a Human Rights Impact Assessment framework
- the development and implementation of a performance management framework
- Data collection, analysis and reporting
- Information, learning and awareness

Human Rights Impact Assessment framework

The Policy commits to the development of a Human Rights Impact Assessment framework to identify, remedy and prevent systemic discrimination including as it manifests in policies, practices, or procedures, or the lack thereof. The HRO may initiate a Human Rights Impact Assessment where it believes there may be a significant discriminatory effect.

Performance Management Framework

The Policy commits to the development of a performance management framework that integrates and embeds accountability for human rights across the organization, including in hiring and promotion decisions. Human rights will be required as a competency in staff performance appraisals, hiring, and promotion decisions. Violations would be tracked and taken into account in promotion decisions.

Data Collection and Reporting

The Policy enhances the Board's commitment to monitor human rights compliance and identify systemic trends through data collection, analysis and reporting. This will enable the Board to develop evidence-based remedial or preventative interventions. The Policy also requires the development of an Annual Human Rights Report for the Board of Trustees, that includes de-identified and disaggregated data findings.

Information, Learning, and Awareness

Building TDSB members' capacity is key to creating a human rights culture. Measures will be developed and implemented to ensure members are aware of their rights and responsibilities under this Policy and have the necessary knowledge, skills and competencies to exercise those rights and to fulfill those responsibilities. The policy requires the designation of an Indigenous Human Rights Advocate(s) to support the human rights of Indigenous, First Nations, Métis and Inuit members of the TDSB community, as well as the designation of Student Human Rights Advocate(s) to advise, support and help students whose human rights may have been violated.

Updated and New Definitions, Roles and Responsibilities

The Policy revises existing definitions (e.g. reprisal, poisoned environment, and systemic discrimination) and adds new definitions (e.g. positive obligations, directing minds, person in a position of authority). In combination with setting out human rights-related responsibilities, the definitions to support accountability and to better protect and advance human rights. the Policy also confirms that the Human Rights Office can initiate inquiries, investigations, and environmental scans in the absence of a complaint from an individual.

Community Input

The HRO will implement a mechanism to receive feedback on this Policy, associated procedures, and human rights organizational change initiatives on an ongoing basis. The HRO will specifically invite feedback from: the Urban Indigenous Community Advisory Committee with the guidance of the TDSB Council of Elders; the Urban Indigenous Education Centre; and Indigenous, First Nations, Métis, and Inuit members of the TDSB community.