



OTTAWA-CARLETON
DISTRICT SCHOOL BOARD



Committee of the Whole
Report No. 24-008

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**First Annual Report of the Office of the Human Rights and Equity
Advisor**

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PURPOSE:

1. To provide the Board of Trustees with the first report of the Office of the Human Rights and Equity Advisor (O-HREA) and reflect on the progress made to date in advancing the organization's commitment to building and maintaining a culture of respect for human rights, as well as the principles of inclusion, diversity, equity, and accessibility.

CONTEXT:

2. In March 2020, in response to an initiative launched by the Ministry of Education across a number of districts, province-wide, the organization established the role of Human Rights and Equity Advisor (HREA) as a senior leader with expertise in human rights, dispute resolution, and organizational change. This was an important step forward in the District's commitment to build its capacity to: foster a culture of human rights; maintain welcoming, respectful school and work environments; and, meet its legal obligations under Ontario's *Human Rights Code*. Since its inception, the position has been funded through an annual Transfer Payment Agreement (TPA).

Serving as a member of the senior team and reporting directly to the Director of Education, the HREA role has two main objectives:

- building and maintaining a culture of respect for human rights; and,

Through leadership, education and training, relationship-building, and participating in system-level decision-making, the HREA supports the OCDSB to identify and address systemically-based human rights and equity issues and build the OCDSB's capacity to ensure compliance with the Ontario Human Rights Code.

- supporting the resolution of human rights complaints.

Using their expertise and proven experience in human rights investigations, complaint resolution and restorative justice, the HREA oversees the OCDSB's internal human rights complaints procedure.

3. Over the past three plus years, considerable work has been done to establish an arm's-length office (O-HREA) in support of the HREA. The obligations of the O-HREA include:
- advising the District community about their human rights and obligations;
 - investigating, mediating and addressing human rights concerns and complaints independently, impartially, and fairly under this policy and associated human rights procedures;
 - making findings and recommendations to address human rights concerns and complaints;
 - monitoring human rights trends and producing regular public reports on human rights concerns, complaints, and system-level recommendations made within the District;
 - initiating reviews, inquiries, environmental scans, or investigations where it reasonably believes that rights under this policy may have been violated, including in the absence of a complaint; and,
 - advancing organizational change in the District through: identification of systemic issues; professional development, education, and capacity building to ensure compliance with human rights obligations; policy review and development; outreach and engagement; and, research, evaluation, and reporting on the District's human rights record.

There is much work that has been accomplished in the time that the office has been in operation. Most notably, the adoption of the District's Human Rights Policy, [Policy P.147.GOV](#), which creates a framework for the protection of human rights, has taken place. However, it is important to emphasize that there continues to be much work to be done to ensure the elimination of systemic and structural barriers throughout the organization.

Further, the District has invested additional resources to support the work of the O-HREA through the establishment of a 1.0 full-time equivalent (FTE) Human Rights Investigator position, and the redesignation of an existing 0.5 FTE Administrative Assistant position. For the period of November 2021 until August 2022, the O-HREA was also supported by an additional term position of a 1.0 FTE Human Rights Officer.

Of note, while not all school districts have an HREA, those who are operating under a TPA have specific requirements in how the position is fulfilled. Some districts have opted to self-fund the position which provides greater flexibility in how the position and/or office are structured. Some districts have not been able to access TPA funding whatsoever.

KEY CONSIDERATIONS:

4. First Annual Report of the O-HREA

While the following document is the first annual report of its nature for the O-HREA, it covers the period from inception in March 2020 to August 2023. Moving forward, reports will be shared annually. The report outlines the contributions of the HREA to

training and professional development, outreach and awareness building, providing advice on human rights issues and concerns, number of investigations, and a summary of system-level recommendations made to the Director. While the report is comprehensive, it does not reflect the full breadth of work undertaken across the District in support of human rights, as well as inclusivity, diversity, equity and accessibility.

5. Cross-Departmental Collaboration

There is considerable interaction between the work of the O-HREA and other departments/portfolios of the organization, particularly the work of: Indigenous Education; Equity; Labour Relations; People, Culture and Leadership; as well as, School Operations.

The collective work related to the key themes outlined in the Indigenous, Equity and Human Rights Roadmap, for example, links closely to the obligations of the O-HREA noted above. The surveys of students and staff conducted over time, such as the 'Valuing Voices: Identity Matters!' survey of the 2019-2020 school year, for instance, also provides valuable context for the work of the office.

6. Policies and/or Procedures related to Human Rights

In January 2022, the Board of Trustees approved the District's first human rights policy, P.147.GOV Human Rights. The policy enshrines the organization's commitment to upholding and safeguarding Indigenous rights, human rights and, more specifically, children's rights. The policy provides the organization with definitions of key terminology related to human rights, key aspects of the policy itself along with specific directives for implementation, as well as related references.

Since its creation, the O-HREA has been working to bring clarity to complaints, investigations, and reporting processes. In addition to the Human Rights policy, the District has a number of complaint resolution pathways that also address human rights matters through the Complaints Resolution Policy, Respectful Workplace, Alleged Employee Misconduct Toward Students, Safe Schools (Managing Student Behaviour), Equitable Recruitment, Hiring and Promotion, and various mechanisms to review human rights-based accommodations and appeals.

A key goal over the next year will be to bring formal clarification to the process through a human rights procedure.

7. Status of System-Level Recommendations

The report provides an overview of the system-level recommendations that the O-HREA has shared with the Director of Education. There are 17 system-level issues identified. These issues arise out of a series of investigation reports and reviews undertaken by the O-HREA. The reports themselves are not publicly available as, at times, contain detailed personal information about identifiable individuals. When the O-HREA

concludes an investigation, provided to the Director of Education. The Director then tasks appropriate staff to review the report and its associated recommendations, and, determine whether and how system-level changes might be addressed. This work is done in partnership with the HREA, legal counsel, members of senior staff, federation/union partners, and other individuals and/or groups, if/as appropriate. While the O-HREA has broad authority to make recommendations, the Director and designates are responsible for assessing the recommendations for feasibility, and prioritizing and scheduling the work associated with implementation.

RESOURCE IMPLICATIONS:

8. The O-HREA has an annual operating budget of approximately \$372 000, which includes the provincial TPA provided by the Ministry of Education.

COMMUNICATION/CONSULTATION ISSUES:

9. Information about the O-HREA is available on the District website. The O-HREA is regularly engaged in communication issues where a human rights perspective is required. The O-HREA provides advice or guidance at the system level on human rights-related issues.

GUIDING QUESTIONS:

10. The following questions are provided to support the discussion of this item by the Committee:
 - What are the strengths to acknowledge and areas for growth in advancing the organization's commitment to building and maintaining a culture of respect for human rights, as well as the principles of inclusion, diversity, equity, and accessibility?
 - Are there other emerging issues related to human rights to be considered?
 - What are next steps for consideration related to the systemic issues and/or recommendations raised?

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Attachments:

Appendix A - [Office of the Human Rights and Equity Advisor Public Report 2020-2023](#)