



**The Corporation of the Municipality of
Grey Highlands**

206 Toronto Street South, Unit 1, Box 409
Markdale, ON N0C 1H0
Tel.: 519-986-1216

Grey Highlands Policy

Policy Name: Trespass and Corrective Action Policy

Policy Number: A09-C-09

Department: Corporate

Authority: By-law 2020-023

Effective Date: March 4, 2020

Supersedes: A09-P-01

1) Purpose

- a) The Corporation of the Municipality of Grey Highlands (The Municipality) is committed to fostering an environment where there is Respect for yourself; Respect for others; and Responsibility for your actions.
- b) The Municipality discourages any form of inappropriate behaviour at all municipal facilities, properties, municipally sponsored events and programs, in written or verbal communications (including email, text or phone), in municipal vehicles, or at any other location where municipal staff or Council are present. Where a meeting is covered under the Procedure By-law, the procedures established under that by-law take precedence.
- c) This policy outlines the measures and enforcement steps to be taken in order to provide for corrective action or to remove persons from municipal premises for a period of time due to complaints of inappropriate behaviour received under this or the Municipality of Grey Highlands Workplace Violence and Harassment Policy.
- d) The goal of this policy is to promote a positive, safe, and supportive environment for all members of the public, staff and Council.

2) Scope

- a) This policy applies to all members of the public, staff and Council at all municipal facilities, properties, municipally sponsored events and programs, in written or verbal communications (including email, text or phone), in municipal vehicles, or at any other location where staff and/or Council are present.
- b) Staff/Council are not expected to put themselves at risk or jeopardize anyone's safety when dealing with any real or perceived situation. If at anytime staff or members of Council feel threatened, they are to call the Ontario Provincial Police (OPP) for assistance.
- c) Inappropriate behaviour or actions for the purpose of this policy includes, but is not limited to, the following real or perceived behaviours:
 - i. Aggressive or intimidating approaches to another individual (verbal assault)
 - ii. Threats
 - iii. Attempts to goad or incite anger in others
 - iv. Throwing of articles in a deliberate or aggressive manner
 - v. Physical striking of property or another individual
 - vi. Theft of property
 - vii. Possession of weapons
 - viii. Illegal consumption of alcohol or drugs
 - ix. Contravention of municipal by-laws, policies, or procedures
 - x. Vandalism: the deliberate destruction, damage, removal or defacing of property owned or leased through the municipality
 - xi. Harassment: "engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome" as defined by the Ontario Human Rights Code and covered by the Municipality of Grey Highlands Workplace Violence and Harassment Policy A09-H-08.
- d) If the nature of an issue is known in advance to be potentially contentious (at a meeting, event, or any other location where municipal staff is present) staff may alert the OPP. Depending on the nature of the issue, staff may request the attendance of the OPP.

3) Policy and Guiding Procedures

- a) **Reporting an Incident – Staff/Council Witness**
 - i. Ensure they are in a safe location, which may include leaving the workplace
 - ii. Without jeopardizing anyone's safety, advise the individual to stop the activity immediately or they will be asked to leave. If at any time, staff feels that their safety could be in danger with issuing a verbal warning to the offending party, they may forego this step.
 - iii. If the individual does not co-operate, inform the individual that they are now trespassing and the OPP will be called.

- iv. If the individual refuses to leave, do not engage in an argument or physical confrontation. Call the OPP and wait for them to arrive while ensuring you and any others in the area remain safe.
- v. If the situation warrants, contact the OPP by dialing 911.
- vi. As soon as possible after the incident, the staff witnessing or involved in the incident shall immediately report the issue to their Senior Manager and complete the appropriate form(s).

b) Reporting an Incident – Staff/Council is receiving inappropriate written or verbal communication

- i. Advise the individual to stop the inappropriate activity immediately or you will end all communication.
- ii. If the individual does not cooperate, inform the individual that you are ending the communication. Do not reply to any further attempts made by the individual to contact you.
- iii. Report activity to Senior Manager and complete appropriate form(s).

c) Reporting an Incident – where Staff/Council has not witnessed an incident being reported to them by others

- i. Report immediately to Senior Manager and complete appropriate form(s).
- ii. If danger to safety is perceived to be imminent, contact OPP.

d) Follow-up Process

- i. Once a form has been submitted:
 - a. Within 2 business days of forms being submitted, the Senior Manager, with consultation from HR and/or CAO as appropriate, shall start an investigation of the incident to determine the merit of the claim. The investigation may or may not include interviews with any individuals affected.
- ii. If the Complaint is substantiated:
 - a. Written notice shall be provided within 7 days of the completion of any investigations to the complainant and the individual against whom the complaint was filed (if known).
 - b. Written notice to the individual against who the complaint has been filed may be supplied by regular mail, in person or email and shall state the date of the incident, general details of the incident, outcome of investigation, and any remedial or corrective action required.
 - c. Written notice to the complainant may be supplied by regular mail, in person or email and shall state only that action has been taken and any further instances should be reported immediately.
- iii. If the complaint is not substantiated:
 - a. The Senior Manager will notify the complainant and individual against whom the complaint has been filed that no further action will be taken.
 - b. If it is determined that the complaint was made in a frivolous or vexatious nature by the complainant, the complainant may be subject to consequence.
- iv. Copies of all complaints and notices will be kept on file for a minimum 3 years from the date of the most recent incident.

- v. It is understood that extenuating circumstances may limit the ability to meet the timelines associated with the policy, however staff will endeavour to meet these timelines to the best of their ability. Any delays due to extenuating circumstances will not be deemed to be a violation of this policy.

e) Remedial or Corrective Action / Consequences of Non-Compliance – Members of the Public

- i. Individuals who engage in any inappropriate behaviour, as defined in this policy, may, depending on the severity, be removed immediately from the premises.
- ii. As per section D. iv. The written notice sent to the individual will advise them of the inappropriate behaviour and any remedial or corrective action that has or will be taking place. This remedial action may include:
 - a. Verbal warning with written letter
 - b. Written warning Letter
 - c. Suspension
 - d. Permits, rentals or leases revoked
 - e. Removal from premises
 - f. Ban from Municipal Premises
 - g. Escalation of consequences if further incidents occur
- iii. Remedial or Corrective Action Enforcement Guidelines have been established (appendix a) to outline standardized consequences for substantiated acts of inappropriate behaviour and may be used to guide the decision making for action to be taken. It is understood that the guidelines do not include all types of behaviour or severity, and the guidelines may be adjusted to reflect the actual actions of the individual.
- iv. An immediate ban from municipal premises may be placed by the Senior Manager in consultation with the CAO, on the individual whom the complaint has been filed, if, in the opinion of the Senior Manager, there may be a threat to the safety or security of the municipal facility or staff. The immediate ban shall be in place until the investigation has completed and formal notice provided to the individual against whom the complaint has been filed.
- v. In addition to any other measures taken, where any damage to municipal property has occurred, the individual(s) responsible will be required to reimburse the municipality for all costs associated with any repairs, an administration fee, as well as any lost revenues that may be incurred.

f) Appeal Process

- i. If an individual wishes to appeal any action or decision taken by the Municipality in relation to this Policy, they may present their case in writing to the Council of the Municipality of Grey Highlands to be discussed in closed session.
- ii. Appeals must be submitted within 14 days of issuance of the written notice as per Section 4.D. iv.
- iii. The Decision of Council shall be deemed final.

g) Appendices

- a) Enforcement Guidelines

- b) Sample Trespass Letter
- c) Sample Written Warning
- d) Sample Incident Reporting Form



**The Corporation of the Municipality of
Grey Highlands**

206 Toronto Street South, Unit 1, Box 409

Markdale, ON N0C 1H0

Tel.: 519-986-1216

Grey Highlands Policy – Appendix A

Policy Name: Trespass and Corrective Action Policy A09-A-##

Appendix Name: Enforcement Guidelines

Incident	1 st Occurrence	2 nd Occurrence	Any Subsequent Occurrences
<ul style="list-style-type: none"> • Aggressive or intimidating approaches to another individual (verbal assault) • Attempts to goad or incite anger in others 	Warning Letter	Minimum 3 month ban and review to determine if additional consequences are warranted	Minimum 1-year ban and review to determine if further consequences are warranted.
<ul style="list-style-type: none"> • Threats • Harassment 	Minimum 3-month ban	Minimum 6 month ban and review to determine if further consequences are warranted.	Minimum 3-year ban and review to determine if further consequences are warranted.
Throwing of articles in a deliberate/aggressive manner <ul style="list-style-type: none"> • Physical striking of another individual • Illegal consumption of alcohol or drugs • Possession of weapons 	Minimum 6-month ban	Minimum 1-year ban and review to determine if further consequences are warranted.	Minimum 3-year ban and review to determine if further consequences are warranted.
Vandalism to building or property/theft	Minimum 3 month ban plus payment of repair costs and 20% admin fee prior to ban removal	Minimum 1 year ban plus payment of repair costs and 20% administration fee and review to determine if further consequences are warranted.	Minimum 3-year ban and review to determine if further consequences are warranted.

** Actual Corrective Actions shall be determined based on the particulars of the investigation.



**The Corporation of the Municipality of
Grey Highlands**

206 Toronto Street South, Unit 1, Box 409
Markdale, ON N0C 1H0
Tel.: 519-986-1216

Grey Highlands Policy – Appendix B

Policy Name: Trespass and Corrective Action Policy A09-A-##

Appendix Name: Sample Warning Letter

Date

Individual's Name

Address

Town/Postal Code

Delivered by ---

Re: Inappropriate Behaviour Incident at Municipality of Grey Highlands

Dear ---,

The Municipality of Grey Highlands is committed to providing a municipal environment in which all employees and members of the public are treated with respect and dignity in a safe environment.

The Municipality has a zero tolerance of inappropriate behaviour and action, violence and vandalism at all municipal facilities, properties, municipally sponsored events and programs, in written or verbal communications (including email or phone), in municipal vehicles, or any other location where Municipal staff are present.

This is to advise you that your behaviour on YYYY-MM-DD at [Location] is in violation of our Workplace Violence and Harassment Policy and our Trespass and Corrective Action Policy. The violation is specifically in relation to: [provide details of incident].

Any future incidents of this or any other inappropriate nature will not be tolerated.

For your reference, a copy of the policies referenced are enclosed. If you have any questions or require any additional information, please feel free to contact me at the phone number or email listed below.

Yours truly,

Senior Manager – Department

Contact information Appropriate Staff Member(s)



**The Corporation of the Municipality of
Grey Highlands**

206 Toronto Street South, Unit 1, Box 409
Markdale, ON N0C 1H0
Tel.: 519-986-1216

Grey Highlands Policy – Appendix C

Policy Name: Trespass and Corrective Action Policy A09-A-##

Appendix Name: Sample Trespass Letter

Date

Individual's Name

Address

Town/Postal Code

Delivered by ---

Re: Inappropriate Behaviour Incident at Municipality of Grey Highlands

Dear ---,

The Municipality of Grey Highlands is committed to providing a municipal environment in which all employees and members of the public are treated with respect and dignity in a safe environment.

The Municipality has a zero tolerance of inappropriate behaviour and action, violence and vandalism at all municipal facilities, properties, municipally sponsored events and programs, in written or verbal communications (including email or phone), in municipal vehicles, or any other location where Municipal staff are present.

This letter is to advise you that we have reviewed an incident which you were involved in on YYYY-MM-DD at [Location] is in violation of our Workplace Violence and Harassment Policy and our Trespass and Corrective Action Policy. The violation is specifically in relation to: [provide details of incident].

Based on our review of the incident, you are hereby given notice pursuant to the Trespass to Property Act, R.S.O. 1990, C. T.21 that we are issuing you a ## month ban effective YYYY-MM-DD from all municipal facilities, properties, municipally sponsored events and programs, municipal vehicles and any other location where staff are present and working.

If you do enter onto any of these premises it will be considered trespassing and you will be requested to leave the premises. If required, we will involve the Ontario Provincial Police to enforce this trespass notice.

For your reference, a copy of the policies referenced are enclosed. You have 14 days from the date of this letter to appeal this ban in writing to Council.

If you have any questions or require any additional information, please feel free to contact me at the phone number or email listed below.

Yours truly,

Senior Manager – Department

Contact information Appropriate Staff Member(s)



**The Corporation of the Municipality of
Grey Highlands**

206 Toronto Street South, Unit 1, Box 409
Markdale, ON N0C 1H0
Tel.: 519-986-1216

Grey Highlands Policy – Appendix D

Policy Name: Trespass and Corrective Action Policy A09-A-##

Appendix Name: Sample Incident Reporting Form

Individual Reporting Details:

Name of Person Reporting _____

Department _____

Position _____ extension _____

Date incident was reported _____

=====

Incident Information:

Date _____ Time _____

Incident Information _____

Location of Incident _____

=====

Participant(s) Involved:

(a) Complainant

Name _____

Address _____ Postal Code _____

Phone _____

(b) Respondent

Name _____

Address _____ Postal Code _____

Phone _____

If there are more participants involved, please attach extra pages.

=====

Category (please check all that apply)

☐ Verbal assault ☐ Possession of Weapons

☐ Threats ☐ Use of alcohol or drugs

☐ Physical assault/harm ☐ Harassment

☐ Vandalism ☐ Other (please specify in detail)

☐ Theft of property

Other _____

=====

Describe in detail what happened:

=====

Other relevant information:

Who else was made aware of the incident?

Name _____

Address _____ Postal Code _____

Phone _____

If there are more individuals involved, please attach extra pages.

=====

If another individual was made aware of the incident, how were they informed?

☐ In-person

☐ Phone

☐ Email

☐ Other (please specify in detail)

Other _____

Date the individual was informed: _____

=====

Please identify if another individual witnessed the incident.

Name _____

Address _____ Postal Code _____

Phone _____

If there are more individuals who witnessed the incident, please attach extra pages.

=====

For Office Use Only:

Action Taken (please check):

Verbal Warning ____ Date: _____

Letter of Warning ____ Date: _____

Letter of Trespass ____ Date: _____

Appeal: No ____ Yes ____ Date: _____

Outcome: _____

File Closed: ____ Date: _____

Name: _____ Position: _____

Signature: _____

Personal information on this form is collected under the authority of the Municipal Act, 2001, S.O. 2001, c. 25 and will be used for the purpose of complaint investigations. This information will remain confidential. Questions about this collection may be directed to the Municipal Clerk.