



## Procedures for Complaints or Disclosures of Sexual Violence and Misconduct

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Parent Policy Link:	<i>Sexual Violence and Misconduct Policy</i>		
Procedure Reference	SVPR_2206N_AD/VPS		
Procedure Sponsor:	Vice President, Students		
Procedure Contact:	Director, Student Services		
Stakeholders:	Students, Employees, Board of Governors		
Approved by:	Executive Team		
Effective Date:	July 1, 2022		
Last reviewed:	June 2019	Scheduled review date:	June 2023

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### 1. Purpose

This purpose of this document is to establish clear procedures for filing a Complaint under the Sexual Violence and Misconduct Policy (the "Policy").

### 2. Scope and Application

This Procedure applies to everyone who wishes to file a Complaint or make a Disclosure of sexual violence or misconduct that is prohibited under the Policy.

### 3. Procedures

#### ***Complaints and Disclosures***

- 3.1 The College encourages all Students and Employees to report Sexual Violence and Misconduct so that it can be addressed. In cases where there is a safety risk to the workplace, Employees who receive the Disclosure of Sexual Violence and Misconduct are expected to immediately report the incident to the Director of Human Resources. Any such reports will, to the extent possible, be handled in a manner respectful of the wishes and privacy of the individual making the Disclosure.
- 3.2 Those who receive a disclosure, report, or Complaint will refrain from questions or comments that imply judgment or blaming of the Complainant (such as questions or comments about the Complainant's dress, conduct, language, emotional disposition, past sexual history, consumption of alcohol or drugs, or about the timing of the Disclosure).
- 3.3 Complainants and Respondents may request to be accompanied by a support person or Representative who must also always adhere to the confidentiality requirements of the process associated with making Disclosures and/or Complaints.

- 3.4 The College makes the following options available to all Students and Employees who experience or witness Sexual Violence and Misconduct, or have reason to believe that Sexual Violence and Misconduct has occurred or may occur:
- a) **Option 1. Disclosure - with or without a formal Complaint:**
    - i) A person who experiences or witnesses Sexual Violence and Misconduct may choose to make a Disclosure. For these situations, supports are available whether or not the individual chooses to make a Complaint under this Policy. A person who Discloses may choose to make a formal Complaint or a criminal report (see Option 2) at a later date. A Disclosure without a Complaint will not initiate a process to investigate the Sexual Violence and Misconduct incident or engage any resolution process.
    - ii) Students may make a Disclosure to a counsellor in the Counselling Services Office to access available support, academic accommodations and interim measures.
    - iii) Employees can seek assistance through the College's Employee and Family Assistance Program and may seek appropriate accommodations through the medical accommodation process.
  - b) While the College supports the ability of an individual to make informed choices about whether to pursue the filing of a Complaint and the subsequent investigation, in some circumstances the College may be obliged to investigate or respond to a Disclosure when Student and Employee health and/or safety is at risk, and in other legally compelling circumstances per *section 5 – Confidentiality* of the Policy.
  - c) **Option 2. Criminal Reporting:**
    - i) An individual may make their report through the criminal justice system by contacting the RCMP or local police detachment. If an individual chooses this route, the College, through its Counsellors, Regional Deans, and Human Resources Advisors are available to support making contact with the RCMP/police. An individual wishing to make a report to police is not required to involve the College. The College will cooperate fully with any criminal investigation when asked to do so.
  - d) **Option 3. Complaint (formal):**
    - i) A formal Complaint must be in writing, dated, and signed by the Complainant. A Complaint may be made in person or electronically or through *REES*.
    - ii) A Complaint must include the following:
      - the Complainant's name;
      - the Respondent's name (if known); and
      - a description of the particulars of the incidents including but not limited to dates, times, and locations where the incidents occurred.
    - iii) The employees listed below can assist Complainants with the initial Complaint filing process.
    - iv) For a Student - Complaints may be made to:
      - Counsellor in Student Services;
      - Director, Student Services;
      - Regional Dean.

- v) For an Employee, contractor, volunteer or visitor - Complaints may be made to:
    - Human Resources Advisor;
    - Director, Human Resources;
    - Regional Dean.
  - vi) For Board members - Complaint may be made to the Board Chair or Vice-Chair.
- e) **Option 4. Third Party and Anonymous Complaints:**
- i) Individuals, other than the individual who was directly subjected to Sexual Misconduct, may submit a Complaint as outlined above or may anonymously advise the College of allegations of Sexual Misconduct.
  - ii) An online reporting form through *REES* is available for people who have experienced or witnessed sexual violence. Through this platform an allegation of sexual violence may be reported **anonymously** and/or can also be reported by someone other than the Complainant.  
\*Note that the College's ability to investigate anonymous disclosures will be limited by the anonymous nature of the report.

### ***Investigations***

- 3.5 The College will investigate all Complaints through a neutral impartial process. When a Complaint is investigated there will be disclosure of information only to witnesses or the Respondent to the extent necessary to conduct a fair investigation.
- 3.6 The College will ensure that an investigator appointed to investigate Sexual Violence and Misconduct is trained in Trauma-Informed Approaches to sexual violence investigations.
- 3.7 The College will seek to achieve Procedural Fairness in dealing with all Complaints. As such, no sanction and/or disciplinary action will be taken against a person or group without their knowledge where there is an alleged breach of this Policy. Respondents will be given reasonable notice, with full detail of the allegations and provided with an opportunity to answer to the allegations made against them.
- 3.8 The findings of a Sexual Violence and Misconduct investigation may be used for the finding of misconduct under other applicable College policies.

## **4. Related Acts and Regulations**

*College and Institute Act*

## **5. Supporting References, Policies, Procedures and Forms**

*Involuntary Withdrawal and Re-admission Policy*

*Protection of Privacy Policy*

*Sexual Violence and Misconduct Policy*

*Student Non-Academic Misconduct Policy*

*Student Well-being and Support Policy*

*Violent and Threatening Behaviour Policy*

**History / Revisions**

<i>Date</i>	<i>Action</i>
2022-06-29	Approved by Executive Team: Procedures for Complaints or Disclosures of Sexual Violence and Misconduct