

 Confederation COLLEGE COLLEGE POLICY	Number: 4-4-20	# of Pages: 5
	Originator:	Human Resources Services
	Approved By:	College Planning Committee
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CAMPUS SAFETY AND SECURITY		

1.0 RATIONALE

Confederation College recognizes that the success of each member of the College community is dependent on both an individual and a collective sense of safety and security. To the extent that incidents of campus violence undermine that sense of safety and security, and thus affect the success of members of the College community, the College is strategically committed to addressing the issue of campus violence.

Moreover, the College has legal obligations further to the *Occupational Health and Safety Act* and the *Occupiers' Liability Act*, to take every precaution reasonable in the circumstances to identify, assess and control the risk of campus violence, and to respond quickly and effectively when such incidents occur.

2.0 DEFINITIONS

- a. Assault (including assault causing bodily harm): any hostile physical act by applying intentional force, such as striking, hitting, pushing or pulling, with or without a weapon by an individual, or individuals, against another person, with the intent to wound, maim or disfigure any person; or to endanger the life of any person; or to cause hurt or injury to a person that interferes with the health, safety or comfort of that person.

Any act or gesture, that implies harm to an individual, causing them to believe, upon reasonable grounds, that the other person has the present ability to effect his or her purpose.

- b. Campus Violence: any act, gesture or comment that occurs on a college campus, in a college workplace or in association with a college-sanctioned activity that would constitute violence as defined in the *Criminal Code of Canada* or that would constitute workplace violence as defined by the *Occupational Health and Safety Act*.
- c. Criminal Harassment: any act made by an individual that causes another individual to fear for their safety or the safety of anyone known to them. Conduct such as following a person from place to place; repeatedly communicating, either directly or indirectly with another person; besetting or watching a person or persons where they work, study, reside or carry on business; and / or engaging in threatening conduct directed at the person.
- d. Policy Coordinator: the manager responsible for the administration of either the *Human Rights Policy* or the *Acceptable Use Policy*.

- e. Sexual Assault: an assault that is committed in circumstances of a sexual nature such that the sexual integrity of the victim is violated.
- f. Threat of Assault: any hostile gesture with the intent of threatening assault, verbally or with gesture that threatens or endangers the safety, health, life or freedom of any person.
- g. Uttering Threats of Death or Damage: an act committed by a person who knowingly utters, conveys or causes any person to receive a threat to cause death or bodily harm to any person; to burn, destroy or damage real or personal property; or to kill, poison or injure an animal belonging to that person.
- h. Violence: any hostile act, gesture and / or comment that harms or has the intent to harm another individual within the meaning of the *Criminal Code of Canada*, including, but not limited to, assault, sexual assault, assault causing bodily harm, threat of assault, uttering threats of death or damage, criminal harassment.
- i. Workplace Violence: within the meaning of the *Ontario Occupational Health and Safety Act*, workplace violence means (1) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker, (2) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker, or (3) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

3.0 THE POLICY

It is the policy of Confederation College that all members of the College community have a right to an environment that is free of campus violence, including the threat of violence, while on College property or while participating in any College-sanctioned academic or employment-related activities off-campus, including social functions, work placements and travel.

In order to achieve this objective, Confederation College will investigate and resolve all reported incidents of campus violence, including threats of campus violence however conveyed (e.g. in person; by telephone; electronically; etc.), and will work proactively to prevent incidents of campus violence.

Every member of the College community, who has been subjected to campus violence, has witnessed an incident of campus violence, or who otherwise has knowledge of an incident of campus violence, has the responsibility to report such circumstances to the College.

It is understood that this policy shall complement existing reporting, investigation and resolution procedures further to the *Student Code of Conduct* and the *Complaints Process (Non-Academic)*; the *Workplace Discipline Policy*; the *Human Rights Policy*; the *Acceptable Use Policy*; and prevailing collective agreements.

This policy is supplemental to any other legal right or remedy that the College may have in conducting its affairs, whether as an educator, employer, owner of property or pursuant to any contractual arrangements. This policy is not intended to be a substitute for the normal exercise of management

rights by the College nor is it intended to deny the rights of individuals to exercise their legal rights without recourse to this policy.

3.1 Coverage.

- 3.1.1 This policy applies to all members of the College community, including, but not limited to: employees, students, contractors, volunteers, lessees, clients, and patrons. This policy also applies to members of the public attending at a facility that is owned, leased or rented by Confederation College.

3.2 Responsibility.

- 3.2.1 All members of the College community are responsible for maintaining and promoting an environment that is free of campus violence.
- 3.2.2 All members of the College community are responsible for promptly reporting incidents of campus violence. A complainant, a witness or any person having knowledge of an incident of campus violence, is responsible for immediately reporting to a manager, Campus Security Partners, and / or the Police.
- 3.2.3 The College recognizes its responsibility to deal quickly, fairly, and effectively in situations of alleged, perceived or actual acts of campus violence should they arise. All reports of campus violence will be investigated and resolved by the College. In some cases, these reports may be referred by the manager to a policy coordinator for resolution further to other prevailing College policies (i.e. the *Human Rights Policy* or the *Acceptable Use Policy*).
- 3.2.4 All members of the College community are required to participate in College proceedings related to this policy and are encouraged to participate in any criminal investigations or proceedings. This policy does not preclude the right of the College or an individual to seek other legal options.
- 3.2.5 Substantiated incidents of campus violence may result in discipline of an employee further to the *Workplace Discipline Policy*, up to and including dismissal; and academic discipline of a student further to the *Student Code of Conduct*, up to and including expulsion from the College. In addition, the College may implement a range of additional sanctions and actions, including, but not limited to: written or verbal warnings; temporary dismissal, suspension or termination of contracts of service; suspension or termination of privileges; behavioural contracts; restitution orders; issuance of Notices of Trespass further to the *Trespass to Property Act*; and initiation of civil and/or criminal proceedings.
- 3.2.6 The College may implement personal safety plans for complainants, witnesses or persons having knowledge of an incident of campus violence. Personal safety plans may include the issuance of Notices of Trespass, further to the *Trespass to Property Act*, to an alleged offender or offender. Personal safety plans may continue after the investigation and resolution of an incident of campus violence.
- 3.2.7 The Manager, Health and Safety and the Co-Chairs of the Threat Assessment Team will be advised of all incidents of campus violence. In cases involving employees, the Manager, Health and Safety, will provide reports to the Joint Health and Safety Committees, per the requirements of the *Occupational Health and Safety Act*. As required further to the *Workplace Safety and Insurance Act*, the College will report injuries to employees to the Workplace Safety and Insurance Board. When a person is critically injured or killed, the Manager, Health and Safety will immediately notify the Ministry of Labour, the Joint Health and Safety Committee and the applicable union or employee group, per the requirements of the

Occupational Health and Safety Act, and will furnish a written report to the Ministry within forty-eight hours of the occurrence.

- 3.2.8 Notwithstanding the prohibition on reprisals against employees further to Part VI of the *Occupational Health and Safety Act*, when an incident of campus violence is not substantiated, the College may take corrective or disciplinary actions and/or sanctions against a complainant, a witness or a person having knowledge who has not acted in good faith.

3.3 Confidentiality.

- 3.3.1 When incidents involve personal information about a member of the College community, it is understood that the reporting of information shall not violate a person's confidentiality and that the reporting of information shall ensure an individual's right to privacy. Release of personal information shall be subject to the requirements of the *Freedom of Information and Protection of Privacy Act*, and, when applicable, to the *Personal Health Information and Protection of Privacy Act*.

3.4 Prevention and Education.

- 3.4.1 Further to the requirements of Part III.0.1 of the *Occupational Health and Safety Act*, the *Health and Safety Policy* and the *Health and Safety Management System*, Confederation College will develop a *Workplace Violence Prevention Program*. The program will include the following elements: (1) a workplace violence risk assessment tool; (2) the measures and procedures to control the risks identified in the assessment; (3) the measures and procedures for summoning immediate assistance when campus violence occurs or is likely to occur; (4) the measures and procedures for reporting incidents of campus violence; and (5) the process for investigating and resolving complaints of campus violence.
- 3.4.2 The workplace violence risk assessment tool will assess the risks of campus violence that may arise from the physical nature of the workplace, and from the type of work or the conditions of work. The College will reassess the risk of campus violence as often as necessary to ensure continued protection of all members of the College community.
- 3.4.2 The College is responsible for communicating with all members of the College community, including employees, students, contractors, volunteers, lessees, clients, patrons and members of the public that campus violence will not be tolerated. This responsibility includes the development and delivery of on-going education and prevention campaigns.
- 3.4.3 Further to Part III.0.1 of the *Occupational Health and Safety Act*, the College will provide all employees with information and instruction on the contents of this policy and the *Workplace Violence Prevention Program*.
- 3.4.4 Further to Part III.0.1 of the *Occupational Health and Safety Act*, copies of this policy will be posted at conspicuous places in the workplace. This policy will also be posted to the Public Safety area of the College's website.

3.5 Review and Reporting Requirements.

- 3.5.1 The College is responsible for monitoring, implementing and enforcing all aspects of this policy.

- 3.5.2 The Manager of Health and Safety shall prepare an annual report with respect to this policy, containing aggregate data, for distribution to the Senior Team, the College Planning Committee, the Joint Health and Safety Committees, and the Board of Governors (as part of the Annual Board of Governors Health and Safety Report).
- 3.5.3 Further to the requirements of the *Occupational Health and Safety Act*, this policy shall be reviewed by the Manager, Health and Safety “as often as required, but at least annually”.

Cross Reference - Policy:

Health and Safety Management System
Health and Safety Policy
Human Rights Policy
Information Technology Acceptable Use Policy
Student Code of Conduct
Workplace Discipline

Cross Reference – Procedure:

Reporting and Investigation of Campus Violence
Workplace Violence Prevention Program

Cross Reference – Legislation:

Criminal Code of Canada
Freedom of Information and Protection of Privacy Act
Occupational Health and Safety Act
Occupiers’ Liability Act
Personal Health Information and Protection of Privacy Act
Trespass to Property Act
Workplace Safety and Insurance Act

Reviewed by _____
