

## ADMINISTRATIVE OPERATING PROCEDURE

<b>Violence Prevention</b>	
<b>Procedure ID:</b>	#4-420 OP
<b>Approved by:</b>	Executive Leaders Team
<b>Effective Date:</b>	July 1, 2015
<b>Next Review Date:</b>	June 2018
<b>Monitoring Responsibility:</b>	Manager, Public Safety and Parking
<b>Linked to a College Policy:</b>	<input checked="" type="checkbox"/> Yes # 4-420 <i>Violence Prevention</i> <span style="float: right;"><input type="checkbox"/> No</span>

### Policy Statement

Fleming College is committed to fostering a safe and welcoming working and learning environment that is free from threatening behaviour and all forms of violence as enshrined in established provincial and federal statutes. These include, but are not limited to, the Occupational Health and Safety Act (OHSA), the Criminal Code of Canada, and the Charter of Rights and Freedoms.

To that end, no person shall engage in violent conduct or make threats, implied or directly, on College property or in connection with College business.

### Definitions/Acronyms

No policy can provide a full description and definition of behaviours that fall within the meaning of violence or threats. This policy encompasses violence and threatening behaviours based upon the definitions outlined in the OHSA (Bill 168), the Student Rights and Responsibilities Policy, Sexual Assault & Sexual Violence Policy and the Criminal Code of Canada.

#### ***Threatening Behaviour means:***

Words, acts or gestures directed towards a person that indicate:

1. The recipient will be physically harmed or killed.
2. Someone else will be physically harmed or killed.
3. Personal property will be burned, damaged or destroyed.
4. The pets or animals belonging to any person will be injured or killed.

The above definition can include verbal or written threats and threats made through electronic media such as text messages, email or other social media including but not limited to Facebook, Twitter, My Space and blogs. Refer to the “Information Technology and Communications Appropriate Use Policy” (Policy #6-601) for additional information.

#### ***Violence means:***

1. The exercise of direct or indirect physical force by a person against another person that causes or could cause physical injury.
2. An attempt to exercise direct or indirect physical force against another person that could cause physical injury.
3. A statement or behaviour that it is reasonable for a person to interpret as a threat to exercise direct or indirect physical force against a person that could cause physical injury.
4. The carrying, pointing, brandishing or threat to use a weapon. A weapon includes replicas or any other object that is used as a weapon.

**Domestic Violence means:** violent, threatening or extremely coercive behaviour; perpetrated by one partner in a current or former intimate relationship on the other. It can consist of a pattern of ongoing behaviour lasting years or one single isolated incident.

**Sexual Assault and Sexual Violence:** definitions related to Sexual Assault and Sexual Violence and the procedures related to responding to such incidents are contained in the Sexual Assault and Sexual Violence Policy available at the following link: <https://department.flemingcollege.ca/sexual-assault/>

## Operating Procedure

### 1.0 PREVENTION & EDUCATION

This policy promotes a proactive approach that includes education, prevention and safe resolution to incidents. The College is committed to promoting widespread understanding about what constitutes violent and threatening behaviour and the consequences associated with such behaviour.

**1.1 Awareness of the Policy:** The College will ensure awareness of this policy by:

- Making the policy available to any existing and new member of the College. Locations where the full document can be accessed will be posted in high profile and conspicuous locations on each campus, as well as in electronic format and other formats that are available at the College.
- Providing training to employees, ensuring those persons with leadership responsibilities are aware of their obligations under the policy and legislation. Training will cover what constitutes violence and threatening behaviour, the reporting process and incident response procedures.
- Conducting ongoing awareness events and emergency drills.

**1.2 Risk Assessment:** A workplace violence risk assessment shall be conducted upon the approval of this policy. Further assessments shall be conducted as necessary for the protection of workers, including when there is a significant change in a workplace such as a major renovation or department reorganization. The results of these assessments shall be communicated to affected employees and to the Joint Health & Safety Committees. Upon the completion of the assessment, a program which addresses the risks identified will be developed, which may include procedures, training or increased security protocols.

### 2.0 INCIDENT REPORTING RESPONSIBILITIES

Any member of the Fleming Community that becomes aware of an incident of violence, domestic violence or threatening behaviour has a responsibility to report that behaviour to their Supervisor, College Security and/or the Police as appropriate for the circumstances.

Supervisors who are aware of threatening or violent behaviour are required to take immediate action to minimize the risk to students and employees including summoning College Security and/or Police assistance where appropriate. College employees should not attempt to physically restrain violent persons. Supervisors must report all incidents of violence, domestic violence or threatening behaviour to College Security or via the Online Incident Report Form available at the following link:

<https://mycampus.flemingc.on.ca/group/mycampus/reporting-form>

In order to comply with its legal obligations, the College may, under appropriate circumstances, initiate an investigation without a request to do so from a complainant. As well, where appropriate, the

College may choose to continue with a procedure even after a complainant has decided to terminate the process.

For reporting incidents related to Sexual Assault or Sexual Violence please refer to Administrative Operating Procedure 3-343 OP: Sexual Assault & Sexual Violence Protocol.

### **3.0 INFORMATION PROVIDED TO WORKERS**

Under the Ontario Occupational Health & Safety Act, Sections 25(2)(a) Fleming College is required as an employer to provide information to workers to protect their Health and Safety. Under section 27(2)(a), supervisors have a duty to advise employees of potential or actual danger to health and safety.

These obligations apply to the risk of violence in the workplace. Fleming College and its supervisors are required to provide information to their workers about a person with a history of violent behavior, if:

- the worker can be expected to encounter that person in the course of their work; **and**
- the risk of workplace violence is likely to expose the worker to physical injury.

Knowledge of a history of violent behaviour does not reasonably give rise to a risk to workers. The above two pre-conditions must be present in order for disclosure of information to take place. The Threat Assessment Team shall participate in determining the risk of violence, unless there is a reasonable need for an immediate response. Only the amount of information reasonably necessary to protect the worker will be disclosed.

### **4.0 SUPPORT SERVICES**

Fleming College is committed to providing confidential support services to victims of violence, domestic violence or threatening behaviour. Assistance in accessing support can be obtained through the following campus departments:

Students

- Campus Security, 705-749-5530 extension 8000
- Counseling Services: 705-749-5527 (Sutherland) 705-324-9144 extension 3320 (Frost)
- Health Services: 705-749-5504 (Sutherland) 705-878-9304 (Frost)

Employees

- Human Resources 705-749-5530 extension 1982

### **5.0 ACADEMIC FREEDOM**

Fleming College acknowledges the College community's right to academic freedom and to engage in the frank discussion of potentially controversial matters, such as race, sex, sexual orientation, politics, or religion, within the bounds of this policy. Further, the use of legitimate instructional techniques, such as irony, argument, conjecture and refutation, or the assignment of readings which may present a controversial point of view are also acknowledged, but will at all times be subject to this policy.

### **6.0 SANCTIONS, REDRESS, REPRISAL, & COMPLAINTS MADE IN BAD FAITH**

**6.1 Sanction/Redress:** To the extent possible, where a formal complaint has been substantiated, the College's objective is to ensure the safety of the individual(s) that was the victim of the threat or violence and the safety of the College community. A substantiated act of threatening behaviour or violence may be cause for disciplinary action by the College up to and including the possibility of discharge in the case of an employee and expulsion in the case of a student.

Sanctions imposed will be applied with an understanding of the seriousness of the misconduct and follow the general principles of corrective discipline. In the case of an individual who is a

representative of an organization that is in a contractual relationship with the College, the action taken may include the suspension or termination of that relationship.

**6.2 Trivial, Frivolous, Vexatious, or Complaints Made in Bad Faith:** Complaints that upon investigation have been found to be trivial, frivolous, vexatious or made in bad faith shall result in a penalty against the complainant. The severity of the penalty will be determined based on the seriousness and impact of the complaint as outlined in section 5.1.

**6.3 Protection from Reprisal:** Subject to section 5.2, every individual has the right to file a complaint about violence or threaten behaviour, participate or cooperate in an investigation, provide information relevant to the complaint, in any role under the policy and/or procedures, without fear of retaliation or reprisal. Any form of retaliation or reprisals will not be tolerated and will be treated as harassment and/or discrimination.

### Related Documents

- Occupational Health and Safety Act of Ontario
- College Policy #3-311, *Harassment and Discrimination Prevention*
- College Policy #3-343, *Sexual Assault and Sexual Violence*
- College Policy #4-420, *Violence Prevention*
- College Policy #5-506, *Student Rights and Responsibilities*
- College Policy #6-601, *Information Technology and Communications Appropriate Use Policy*
- Residence Community Standards (Student Handbook)
- Academic Collective Agreement
- Support Staff Collective Agreement

### Appendices

- Appendix A – Incident Response Procedures
- Appendix B – Behavioural Assessment and Management Team Terms of Reference

### Summary of Amendments/Reviews:

Section(s)	Date	Comments
Procedures	April 2009	Minor updates
Regular review	June 2015	Language updates, reflects new format

## **Appendix A to Operating Procedure 4-420 OP: Incident Response Procedures**

### **A.1 Hold and Secure Protocol**

The following protocol is designed to provide general guidance in the event of an incident external to the College that may pose a risk of physical harm to persons if they leave the College buildings. These procedures are based on the premise that no procedure can cover all situations.

It is the responsibility of all members of the College community to immediately report any situation that they believe places an individual or the College in an unsafe or potentially unsafe situation.

There are a wide variety of incidents that may result in the activation of the Hold & Secure Protocol. Some examples include but are not limited to:

- Police searching the nearby area for violent suspect.
- A fire in the adjacent neighbourhood that may pose an air quality risk.
- Gas leak in the local area that may result in evacuation of the campus.
- Traffic accident involving the release of a toxic substance near the College.

#### **A.1.1 Hold and Secure Announced**

In the event of a Hold and Secure announcement each member of the College community should:

1. Remain inside the building
2. Stay away from exterior windows & doors
3. Do not use cell phones, laptops or other devices
4. Await further instructions from Campus Security Staff

#### **A.1.2 Investigation and Follow-Up**

All incidents involving the activation of the Hold & Secure Protocol will be investigated by the Manager, Public Safety & Parking or designate in consultation with other departments or agencies including the police.

In cases involving students the Student Rights and Responsibilities Administrators and/or Residence Managers shall be responsible for issuing sanctions. In cases involving employees the appropriate Department Manager and Vice-President Human Resources and Strategic Development shall be responsible for issuing sanctions.

The Behavioural Assessment & Management Team may, as per their mandate, investigate, evaluate, make recommendation to Executive Leadership or take action, in relation to all reports of serious threats.

#### **A.1.3 Note to Supervisors/Managers**

Once made aware of an incident that may endanger the physical well-being of a worker the Occupational Health and Safety Act requires you to take all reasonable steps to ensure the safety of workers. For additional advice or guidance contact the Manager, Public Safety & Parking.

### **A.2 Threatening Behaviour Response Procedures**

It is the responsibility of all members of the College community to immediately report any situation that they believe to be an act of violence or a threat of violence that places an individual or the College in an unsafe or potentially unsafe situation.

All threats are to be taken seriously. The procedures outlined below are designed as a guide when deciding what immediate actions to take. Every situation is different and, when in doubt, contacting 911 to request police assistance is always an option.

#### **A.2.1 Threatening Behaviour – In Progress**

1. Remain Calm
2. Use verbal de-escalation techniques to maintain control of the situation.
3. If unable to de-escalate the situation, move to a safe location.
4. Request assistance from your immediate Supervisor.
5. Contact Camps Security at extension 4444 (where Security Service is available)
6. Take steps to limit risk to others by:
  - a) closing office doors;
  - b) inform other staff to move to a safe location;
  - c) do not leave a person being threatened alone with the threat maker.

#### **A.2.2 Threatening Behaviour – After The Fact**

1. Inform your immediate supervisor of the incident if they are available.
2. If supervisor is unavailable contact and time is a concern College Security at extension 4444
3. If time is not an immediate concern, complete the Online Incident Report Form available at the following link: <https://mycampus.flemingc.on.ca/group/mycampus/reporting-form>

#### **A.2.3 Investigation and Follow-Up**

All incidents involving threatening behaviour will be investigated and documented by the Manager, Public Safety & Parking or designate in consultation with other departments or agencies including the police.

In cases involving students the Student Rights and Responsibilities Administrators and/or Residence Managers shall be responsible for issuing sanctions. In cases involving employees the appropriate Department Manager and Vice-President Human Resources and Strategic Development shall be responsible for issuing sanctions.

The Behavioural Assessment & Management Team may, as per their mandate, investigate, evaluate, make recommendation to Executive Leadership or take action, in relation to all reports of serious threats.

#### **A.2.4 Note to Supervisors/Managers**

Once made aware of a threat or violent incident the Occupational Health and Safety Act requires you to take all reasonable steps to ensure the safety of workers. For additional advice or guidance contact the Manager, Public Safety & Parking.

### **A.3 Violent Incident Response Procedures**

It is the responsibility of all members of the College community to immediately report any situation that they believe to be an act of violence or a threat of violence that places an individual or the College in an unsafe or potentially unsafe situation.

During a violent incident the safety of all members of the College community is the first priority of the College. The procedures outlined below are designed as a guide when deciding what immediate actions to take. Every situation is different and, when in doubt, contacting 911 to request police assistance is always an option.

### **A.3.1 Active Shooter Protocol**

In the event of an incident involving a person actively engaged in using a firearm to attack the College each member of the College community should:

- Assess their situation
- Consider their options
- Take action to protect themselves.

The following options are recommended depending on your assessment of your situation:

**GET OUT** – Exiting the room/area/building may be your best option:

- Choose a safe exit and leave immediately
- Notify anyone you encounter to get out
- Once in a safe place call 911
- Follow directions of police or security if you encounter them as you exit

**HIDE** – If you can't safely get out then hiding is your next best option

- Close and lock the door. If it can't be locked, tie or barricade it shut
- Stay out of the line of fire and remain quiet
- Silence all cell phones and other devices
- Do not answer the door

**FIGHT** – As a last resort you may have to defend yourself

- Quietly develop a plan to subdue the attacker(s)
- Improvise weapons from objects in the room
- Commit to an aggressive attack
- Stop the threat

While the chances of an Active Shooter coming the campus is extremely remote, it is important for all students and employees to be prepared for this worst case scenario. A short video with more information is available on the Campus Security website at the following link:

<https://department.flemingcollege.ca/security/security/crime-prevention/>

### **A.3.2 Violent Incident (no firearms) - In Progress**

1. Move to a safe location.
2. Contact Campus Security at extension 4444 (where Security Service is available)
3. Notify any College employee where Security Service is not available.
4. Contact police, dial 911, if in your judgment the level of violence requires police response.
5. Do not intervene to stop a violent incident.

### **A.3.3 Non-Physical Altercation - In Progress**

1. Move to a safe location.
2. Contact Campus Security at extension 4444 (where Security Service is available)
3. Notify any College employee where Security Service is not available.
4. Stay a safe distance away to observe.
5. Keep others away from the area.
6. Do not intervene to stop an altercation.

### **A.3.4 Violent Incident - After The Fact**

1. Employees are required to inform their immediate supervisor of the incident.
2. If supervisor is unavailable and time is a concern College Security at extension 4444.
3. If time is not an immediate concern, complete the Online Incident Report Form available at the following link: <https://mycampus.flemingc.on.ca/group/mycampus/reporting-form>
4. Students are required to report all incidents of violence to Campus Security.

### **A.3.5 Investigation and Follow-Up**

All incidents of violence will be investigated and documented by the Manager, Public Safety and Parking or designate in consultation with other departments or agencies including police.

In cases involving students the Student Rights and Responsibilities Administrators and/or Residence Managers shall be responsible for issuing sanctions. In cases involving employees, the appropriate Department Manager and Vice-President Human Resources and Student Services shall be responsible for issuing sanctions.

The Behavioural Assessment and Management Team may, as per their mandate, investigate, evaluate, make recommendation to Executive Leadership or take action, in relation to all reports of serious threats.

### **A.3.6 Note to Supervisors/Managers**

Once made aware of a threat or violent incident, the Occupational Health and Safety Act requires you to take all reasonable steps to ensure the safety of workers. For additional advice or guidance, contact the Manager, Public Safety & Parking.

## **A.4 Domestic Violence Safety Procedures**

Once the College becomes aware that domestic violence threatens a member of the College community every reasonable precaution will be taken to protect that person and other members of the College community. The procedures outlined below are designed as a guide when deciding what to do if you or someone you know is experiencing domestic violence or the threat of domestic violence.

No procedure can possibly address every situation therefore the College encourages members of the community to seek additional guidance from Manager, Public Safety and Parking or Campus Security if they are uncertain of what to do regarding domestic violence.

### **A.4.1 Domestic Violence – In Progress**

1. Move to a safe location.
2. Contact Campus Security at extension 4444 (where Security Service is available)
3. Notify any College employee where Security Service is not available.
4. Contact police, dial 911, if in your judgment the level of violence requires police response.
5. Do not intervene to stop a violent incident.

### **A.4.2 Domestic Violence – Suspect On Site**

In the event that an abuser or suspected abuser is at the College searching for another person:

1. Do not disclose the location of the intended victim
2. Move to a safe location and secure the door.
3. Contact College Security at extension 4444.
4. Inform a supervisor as soon as possible.
5. If possible, warn the intended victim.



#### **A.4.3 Domestic Violence – Voluntary Disclosure**

In the event that a person discloses that they are experiencing domestic violence or the threat of domestic violence you can seek advice or report your concern in person to Campus Security or via the Online Incident Report Form available at the following link:

<https://mycampus.flemingc.on.ca/group/mycampus/reporting-form>

#### **A.4.4 Investigation and Follow-Up**

All reports of domestic violence will be investigated and documented by the Manager, Public Safety and Parking or designate in consultation with other departments and agencies including the Behavioural Assessment and Management Team. Once the level of threat has been determined, a safety plan will be put into place to ensure the safety of the victim and the College community.

#### **A.4.5 Supervisor Note**

Once made aware of an employee experiencing domestic violence the Occupational Health and Safety Act requires you to take all reasonable steps to ensure the safety of workers. For additional information contact the Manager, Public Safety and Parking.

## **Appendix B to Operating Procedure 4-420 OP: Behavioural Assessment & Management Team, Terms of Reference**

### **Commitment**

Fleming College is committed to making our institution safe for students, employees and visitors. This protocol is an important part of an integrated strategy to maintain safe campuses. The Behavioural Assessment and Management Team will work with the Fleming community and with community partners to prevent traumatic events by sharing and evaluating information about persons at risk for violence towards self and/or others. The sharing of information will respect the individual's rights to privacy and the safety of all.

### **Goal**

The goal of this protocol is to remove, or reduce as much as possible, threats to the safety of all persons working, studying or visiting at any Fleming College location. The greater the cooperation of the community to identify threats and high risk situations, the greater the potential for predicting and preventing potentially violent situations.

### **Responsibility**

The College recognizes its responsibility to deal quickly, fairly and effectively in situations relating to acts of violence or threats of violence and to implement adequate education, awareness, prevention and enforcement initiatives to prevent violence.

It is the responsibility of all members of the College community to immediately report any situation that they believe to be an act of violence or a threat of violence that places an individual in an unsafe or potentially unsafe situation. Appendix A of this procedure provides the form and process for responding to and reporting violence or threats of violence.

### **Mandate**

The Behavioural Assessment & Management Team (BAMT) will investigate, evaluate and make recommendations, in relation to all reports of threats of violence, acts of actual violence and sexual violence (where appropriate). Examples of these incidents include but are not limited to the following:

- serious violence or violence with intent to harm or kill
- incidents with intent to injure
- verbal/written threats to injure, kill or otherwise harm others (clear, direct & plausible)
- internet website/MSN threats to kill others
- possession of weapons (including replicas)
- bomb threats
- fire setting
- sexual intimidation, sexual violence or sexual assault
- gang related intimidation and violence .

Recommendations are made to the appropriate ELT member as follows:

- In cases where the focus of the investigation is a student or potential student, the ELT member will be the Associate Vice-President Student Services.
- In cases where the focus of the investigation is an employee or potential employee, the ELT member will be the Vice-President Human Resources and Student Services.
- In cases where the focus of the investigation is neither a student or an employee either the Associate Vice-President Student Services or the Vice-President Human Resources and Student Services will hold decision making authority.

## Behavioural Assessment and Management Team Membership

Due to the nature of their roles at the College and to ensure at representation of the Frost Campus the following positions are permanent members of the Behavioral Assessment & Management Team:

Position	Current Name	Extension
Manager, Public Safety and Parking	John Gallen (Chair)	1191
Director, Housing, Food and Conference Services	Travis Doak (Vice-Chair)	1101
Director, Counseling and Accessible Education Services	Red Keating	1935
Human Resources Consultant and Human Rights Officer	Nick Duley	1982
Manager, Student Services (Frost Campus)	Mark Gray	3255
Manager, Frost Residence	Rob Marsh	3329
Academic Representative	School Specific to Case	N/A

Resource members to the BAMT would include persons internal and external to the College and will vary from case to case. They would include our consulting psychiatrist, counsellors, nurses, faculty, Academic Leaders (Deans, Chairs, Co-ordinators) and police.

When the BAMT is activated due to a formal complaint/concern, the Team will assemble/communicate as soon as possible with as many members as possible. Lack of availability should not prevent the Team from proceeding with an assessment of the situation especially if one is required quickly.

## Behavioural Assessment Process

The Fleming threat assessment process will be guided by current practices advocated by the Canadian Centre for Threat Assessment & Trauma Response when evaluating threat/risk. Use of the HCR-20 as a structured judgment guide is also authorized in appropriate circumstances.

Incidents where there is immediate threat/risk should be reported through the College's established emergency response protocol. The BAMT will not undertake a formal threat/risk assessment until after such a situation has been stabilized.

The BAMT can be activated by any member of the Team or through a validated complaint/concern process which can be initiated by any member of the College community or community partner. Complaints/concerns can be directed to the BAMT in several ways:

1. By reporting a complaint/concern via the Online Report Form available at the following link: <https://mycampus.flemingc.on.ca/group/mycampus/reporting-form>
2. By reporting a complaint/concern to Campus Security in person.

In cases where the complainant is unsure whether their complaint/concern is appropriate for the BAMT, they can seek advice from Campus Security or the Manager, Public Safety & Parking. Members of the College Community are encourage to report their concerns even if they are unsure. An assessment will be conducted so there is an appropriate response and you will receive feedback.

The full BAMT will also meet regularly (at least twice per semester) to review processes and procedures as well as to review any worrisome patterns of student behaviour reported through the incident tracking data base.

### **Case Management Group**

In order to ensure a consistent approach to assessing behaviour and a timely response to actual or potential threats, the following BAMT Members shall meet regularly to review incident reports and provide updates to the full team:

- Manager, Public Safety and Parking
- Director, Housing, Food & Conference Services
- Director, Counseling & Accessible Education Services

### **Community Partners**

The BAMT will develop working relationships with community partners, including the police, to enhance the amount and quality of information available for threat/risk assessments. We will co-operate with community partners when they initiate their own threat/risk assessments, respecting all relevant privacy laws and guidelines by the Ontario Privacy Commissioner.