

Procedure Title:	Violence Prevention
Procedure ID:	OP #4-420
Manual Classification:	Section 4 – Finance and Administration
Linked to Policy:	#4-420 Violence Prevention
Revision Date(s):	June 2022
Effective Date	July 1, 2022
Next Review Date:	February 2025
Contacts for Policy Interpretation:	Director, College Safety and Services Chief Building and Facilities Officer

1.0 – Purpose

This procedure is intended to provide information and direction to address issues of threatening behaviour, violence, and domestic violence. This procedure is designed to work in concert with other College policies Harassment and Discrimination Prevention and Response Policy (Policy #3-311), the Student Rights & Responsibilities Policy (Policy #5-506) and the Sexual Violence Prevention Policy (Policy #3-343).

2.0 - Scope

This procedure applies to all members of the College community including all employees, governors, students, contractors, vendors, suppliers of services, and individuals who are directly connected to any College initiatives, volunteers, and visitors.

2.1 This Operating Procedure will apply to incidents covered under Policy #4-420 related to:

- a) occurring on or affecting College owned or controlled property, including student residences
- b) occurring with the use of computer and telephone systems, and college and private vehicles being used for college business or for travelling between work and study locations
- c) occurring at a college-sponsored event including events sponsored by any student government, club or service group and other bodies affiliated with the College
- d) occurring off-campus which are likely to have an impact on the working or learning environment

2.2 This operating procedure shall not apply to incidents occurring off campus which have no or little likelihood of any impact on the working/learning environment at the College. Such incidents should be pursued by individuals through external processes.

3.0 - Procedure

3.1 Prevention and Education

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

3.2 Awareness of the Procedure

The College will ensure awareness of this procedure by:

- a) Making the procedure 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
- b) 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
- c) Conducting ongoing awareness events and emergency drills

3.3 Risk Assessment

The College will conduct workplace risk assessments 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.

3.4 Incident Reporting Responsibilities

- a) Any member of the Fleming Community that becomes aware of incident of violence, domestic violence or threatening behaviour has a responsibility to report that behaviour to their Supervisor, Campus Security and/or the Police as appropriate for the circumstances.
- b) Supervisors who are aware of threatening or violent behaviour are required to take immediate action to minimize the risk to students and employees including contacting Campus Security and/or Police assistance where appropriate. College employees should not attempt to physically restrain violent persons
- c) Supervisors must report all incidents of violence, domestic violence, or threatening behaviour to Campus Security directly or via the Online Incident Report Form available at the following link: <https://mycampus.flemingcollege.ca/group/portal/reporting-form>
- d) Once made aware of a threat or violent incident, the Occupational Health and Safety Act requires Supervisors to take all reasonable steps to ensure the safety of workers. For additional advice or guidance, contact the Director, College Services and Safety
- e) 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
- f) For reporting incidents related to Sexual Assault or Sexual Violence please refer to Administrative Operating Procedure 3-343 OP: Sexual Violence Prevention

3.5 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.

- a) 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
- b) 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 for disclosure of information to take place. The Behavioural_Assessment_Management Team (BAMT) shall participate in determining the risk of violence unless there is a reasonable need for an immediate response. Only the amount of information necessary to protect the worker will be disclosed.

3.6 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:

- a) Students
- Campus Security:
- 705-749-5530 ext. 8000 (information and Safe Walk) ext.4444
 - 705-749-5530 ext. 1527 for Emergencies Counseling Services
- Health Services:
- 705-749-5504 – Sutherland Campus
 - 705-324-9144 ext. 3232 – Frost Campus
- b) Employees
- Human Resources:
- 705-749-5530 ext. 1067 – All Campuses

4.0 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 always be subject to this policy.

5.0 Sanctions, Redress, Reprisal and Complaints Made in Bad Faith

5.1 Sanctions and Redress

- a) 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.
- b) 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.

5.2 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 (OHSA).

5.3 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.

6.0 Related Documents

- *Occupational Health and Safety Act* R.S.O. 1990 c.O.1
- College Policy #3-311: Harassment and Discrimination Prevention and Response
- College Policy #3-343: Sexual Violence Prevention
- College Policy #5-506: Student Rights and Responsibilities
- College Policy #6-601: Information Technology & Communications Technology (ITC) Appropriate Use
- Residence Community Standards (Student Handbook)
- Academic Collective Agreement
- Support Staff Collective Agreement
- College Policy #4-420: Violence Prevention

7.0 History of Amendments/Reviews

Reviewed and Revised April 2009; June 2015; June 2022