

# HEALTH & SAFETY

## Violent Incident Reporting Procedure H210.1

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### SOUTHEAST COLLEGE VIOLENT INCIDENT REPORTING PROCEDURE

Southeast College strives to ensure the safety of all members of the College community. The College is committed to taking preventative measures to minimize and eliminate the risk of workplace violence, facilitate prompt action, and provide support and interventions for those affected. The College does not condone, and will take action to address, incidents of violence or attempted violence. Southeast College has zero tolerance towards violence.

#### STEP 1: ADDRESS INAPPROPRIATE BEHAVIOUR

**THREATS:** For less severe forms of inappropriate behaviour (such as actions, statements, or a series of statements reasonably believed to be a threat of harm) individuals should first consider their safety. If safety is not at risk, they can resolve the matter informally (for example, speaking to the other person directly or resolving the issue with the support of a supervisor or program coordinator. Informal resolution is typically used to address disrespectful behaviour.

**VIOLENCE AND ATTEMPTS OF VIOLENCE:** Individuals experiencing violent behaviour (such as use of physical force, attempted use of physical force, statements reasonably believed to be a threat of physical harm, safety, or security; or possession or threat of bringing a weapon) or witnesses who have observed violent behaviour are encouraged to report incidents as soon as possible after they occur to assist with the ability to investigate and/or address the issue. A formal complaint can be made verbally or in writing to any of the following:

Worker Complaint:		Learner Complaint:	
a)	Direct Supervisor	a)	Instructor
b)	Out-of-Scope Supervisor	b)	Student Advisor
c)	Human Resources	c)	Program Coordinator
d)	CEO	d)	VP Professional Training & Continuing Studies <u>or</u>
e)	Board of Directors		VP Academics, Teaching & Learning
		e)	CEO

A formal incident report should include the following information and be remitted in the following format:

- a) Name of individual(s) making the report
- b) Home and work phone number of the individual(s) making the report
- c) Date
- d) Location and Department (*if applicable*)
- e) Nature of the violent incident
- f) Respondent(s): *Name(s) of those alleged to have inflicted violence*
- g) Details of incidents: *Describe incident(s) detailing behaviour, what was said or actions taken, date(s), location(s), circumstances surrounding incident(s), and names of any witnesses*
- h) History of related incidents: *detail any related incidents and whether they were reported to an appropriate person of authority.*
- i) Consent: *Pursuant to the principles of natural justice, the respondent(s) has a right to be made aware of the allegations put forth against them. Do you authorize the release of information about the report to the respondent(s)?*
- j) Signature

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### **STEP 2: REVIEW COMPLAINT**

The individual receiving the formal complaint will have an initial conversation with the complainant to discuss their concerns, identify any additional safety measures or supports that may be needed, and ensure details are recorded in the format above.

If a complaint has been received verbally, the reporting contact will document the complaint and have the complainant review and sign the complaint to ensure the information has been accurately captured.

### **STEP 3: NOTIFY HUMAN RESOURCES**

The reporting contact will contact Human Resources who will determine if the complaint falls within the scope of this policy, and whether a formal investigation and formal resolution is required, or if informal resolution is most appropriate to resolve the concern.

The College may have limited ability to investigate incidents that are more than one year old absent of special circumstances, which may include but are not limited to, that the alleged violence is of such serious nature that if substantiated, would warrant discipline or other measures, or that the alleged violence is an ongoing issue.

### **STEP 4: UPDATE COMPLAINANT AND RESPONDENT**

The complainant will be provided an update by Human Resources, generally within five to seven business days of the complaint being received. If it is determined that formal resolution will not be used, then informal resolution options will be discussed and explored. During this same time period, the respondent will also be informed of the allegations against them to allow the opportunity to prepare their response.

### **STEP 5: FORMAL INVESTIGATION (IF APPLICABLE)**

If a formal investigation is needed, separate meetings will be scheduled with the complainant, respondent and witnesses (if applicable) to gather information to determine whether or not the allegations are founded. The investigation will normally be led by Human Resources, but a third-party may be engaged. The investigation will be timely, fair, thorough and confidential.

In-scope employees may have a union representative present during the investigation. Should union representation be declined, written notice must be provided.

In all cases, the rules of natural justice will be followed.

### **STEP 6: COMMUNICATE RESULTS**

Following the conclusion of an investigation, the report will be shared with the CEO. The complainant and respondent will be advised of the results of the investigation.

If evidence substantiates the allegation(s), appropriate corrective action and/or discipline will occur. Such

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discipline may include, but may not be limited to training, a written reprimand, suspension, and/or dismissal.

Written documentation to this effect shall be included in the respondent's employee or student file. The specific details of any discipline administered will not be provided to the complainant or any witness interviewed in the investigation, only confirmation that appropriate action has been taken.

If an in-scope complainant or respondent is not satisfied with the investigator's ruling, they may initiate action under the terms of the Collective Bargaining Agreement.

### **STEP 7: ENSURE WORKPLACE RESTORATION**

After a situation involving violent or attempted violent behaviour has been addressed, supervisors are responsible to ensure there are measures in place to support a safe and respectful workplace moving forward. The supervisor of the complainant and respondent is also responsible to ensure there are no further issues of inappropriate behavior and will participate in revision of risk-assessment and control measures. Monitoring involves follow-up with the complainant to see if there has been a recurrence of any inappropriate behavior, or act of reprisal, and follow-up with the respondent where appropriate to see if they have any questions moving forward.

### **PRINCIPLES AND PRACTICES**

#### **CONFIDENTIALITY AND ANONYMITY**

Supervisors, Human Resources and/or anyone who receives a complaint or is involved in an investigation will not disclose the name of a complainant, alleged respondent or the circumstances related to the issue to any person except where the disclosure is necessary to investigate, take corrective action, or is required by law. It is important to note that confidentiality does not mean anonymity.

All written reports, response statements, witness statements, interview notes and other documentation gathered as part of an investigation will be securely stored in a separate, confidential investigation file and will not be disclosed unless disclosure is necessary to investigate the allegation of harassment, to take corrective action, or otherwise as required by law.

#### **TIMELINESS**

Every effort will be made to resolve reported issues in a timely manner. Formal complaints may take longer to investigate, however, if there are delays the complainant and respondent will be advised of the cause of the delay. During an investigation, regular timeline updates (i.e., every 10 business days) will be provided to the complainant and respondent to ensure communication is maintained throughout the investigation process.

#### **REPRISAL/RETALIATION**

Reprisal is not permitted against an individual exercising their rights in good faith under this policy. Any act of reprisal will be cause for disciplinary action up to and including termination. Reprisal can include, but is not limited to, an actual or threatened harmful act, penalizing someone for making a complaint (i.e. a purposely giving stricter deadlines or an unmanageable workload after a complaint is made), withholding a

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benefit for making a complaint, or attempting to isolate or exclude an employee from work activities.

### **FALSE ALLEGATIONS**

If it is determined that a false complaint was deliberately made, those who made the false allegation may be subject to disciplinary action up to and including termination of employment or academic dismissal. This does not apply to complaints made in good faith that are unproven or unsubstantiated.

Allegations that a complaint has been made in bad faith or that retaliation has occurred may be investigated using the same procedure outlined above. Individuals who are found to have engaged in retaliation or made deliberately false accusations of discrimination and/or harassment will be subject to corrective and/or disciplinary action up to and including termination of employment or academic dismissal.

### **REFERENCES**

H210 Violence Prevention Policy  
*The Saskatchewan Employment Act*  
*The Occupational Health and Safety Regulations*  
*The Workers Compensation Act*  
*Saskatchewan Human Rights Code*  
Saskatchewan Child Abuse Protocol, 2023

### **RELATED POLICIES**

H201 Anti-Harassment  
H205 Sexual Violence and Sexual Assault  
H207 Working Alone