

VIOLENCE PREVENTION AND RESPONSE POLICY

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A. PURPOSE

Douglas College (the College) is committed to providing a working and learning environment that allows for the full and free participation of all members of the College Community, and is free from Violence, which includes threats of Violence. This policy articulates the duty of all members of the College Community to refrain from engaging in Violence, and establishes procedures for addressing and resolving Complaints regarding violations of this policy; it also ensures the College’s compliance with provincial legislation and occupational health and safety regulations in place to protect Employees from Violence in the workplace.

B. SCOPE

This policy applies to Violence that is alleged to have occurred

- a. on College Property, or
- b. off College Property in connection with an event or activity sponsored by or under the auspices of the College, including but not limited to off-campus activity that Students are required to participate in for successful completion of their studies (e.g., field trips, practicum placements), or
- c. in other circumstances that may adversely affect the working or learning environments at the College, or the College’s interests or reputation, and

where the alleged Violence involves a member of the College Community or a person who was a member of the College Community at the time of the incident.

If an incident of Violence does not meet the above criteria, the College may still take steps to mitigate the impact of the incident on the learning or working environment.

In incidents of Violence that involve an Employee of the College, this policy will be applied in accordance with the *Workers Compensation Act* and applicable *WorkSafeBC Regulation*.

Limitations of Scope

This policy is designed to complement and not to conflict with the College's collective agreements. If there is any inconsistency between this policy and a collective agreement, the applicable collective agreement provision(s) will prevail to the extent of the inconsistency.

This policy is separate from any criminal or civil proceedings. The College is not responsible for determining violations of criminal or civil law.

Application of Other College Policies

Conduct that violates this policy may also violate other College policies, such as but not limited to the following:

- For bullying and harassment of an Employee, including Students who are also Employees and who experience the bullying and harassing behaviour while acting in their capacity as Employees, see also the *Bullying and Harassment Prevention and Response* policy;
- For bullying and harassment of a Student who is not also a College Employee, where that bullying and harassment is alleged against other Student(s) who are not College Employees, see also the *Student Non-Academic Misconduct* policy;
- For incidents where one or more Student(s) are alleged to have defaced, damaged or destroyed College Property, see the *Student Non-Academic Misconduct* policy;
- For violence, violent misconduct or the threat of violence that is Bias- or Hate-Motivated, see also the *Human Rights* policy; and
- For violence, violent misconduct or the threat of violence that is sexual in nature, see also the *Sexual Violence and Misconduct Prevention and Response* policy.

DEFINITIONS

Campus Security: The security services company duly contracted by Douglas College to provide security services to the College campuses and Properties as assigned.

College Community: All College Students, Employees and Board members, and any other person who is contractually obligated to comply with College policy.

College Property: In addition to the College's physical campuses and centres, includes, for the purposes of this policy, technology and technological spaces—such as online learning platforms and social media networks—that are relied upon by Students and/or Employees in the completion of their studies and/or work.

Complainant: A person who files a Complaint; in instances where the College becomes aware of allegations of Violence that, if true, would violate College policy but no person comes forward with a Complaint, or where an investigation is required by law, the College may initiate an investigation.

Complaint: A written statement alleging violation(s) of policy.

Duty to Warn: An obligation to notify the person(s) at risk of imminent or foreseeable danger.

Employee: A person employed by the College, including administrators, faculty and staff; for the purposes of this policy, includes Students on placement at clinical, practicum, co-op or work experience settings.

Incident Report: A written record produced by Campus Security to document details of any unusual and/or concerning event; submitted to the Manager, Campus Security Operations and Director, Safety, Security and Risk Management (SSRM).

Investigator: A person appointed by the College to investigate a Complaint; may be an internal representative of the College or a person external to the College; for the purposes of this policy, in the investigation of Workplace Violence, the role of Investigator may be assumed by a team, as outlined in the relevant Douglas College Standard Operating Procedures (*see Section E*).

Parties: The Complainant(s) and Respondent(s) named in a Complaint under policy.

Respondent(s): A person or persons alleged to have engaged in conduct that violates policy.

Responsible Administrator (RA): An executive of the College or an administrator responsible for the operations of a College department, Faculty or service area (e.g., Dean, Director, Chief Information Officer, Registrar).

Retaliatory Action: Any adverse action taken against a person because that person reports or alleges a violation of policy, seeks advice on making a Complaint, makes a Complaint, or cooperates in an investigation of a Complaint.

Student: A person enrolled in studies at the College in credit or non-credit courses.

Threat Assessment Team: The multi-disciplinary team established by the College to conduct Violence Threat/Risk Assessments – that is, to assess, investigate and determine an appropriate level of response to reports of behaviours of potential concern and/or threats that may have the potential to result in harm to the campus community. (*See the definition for Violence Threat/Risk Assessment.*)

Violence: Any attempted, threatened or actual use of physical force exercised by a person so as to cause injury or fear of injury to one or more other person(s).

Forms of Violence include but are not limited to the following:

Bias- or Hate-Motivated: Violence targeting one or more person(s) because of the targeted person's membership or perceived membership in a social group; Violence motivated by prejudice against one or more factors in the targeted person's identity, including but not limited to factors such as sex, sexual orientation, gender expression, age, race, colour, ancestry, nationality, ethnic origin, language, religion, mental or physical disability.

Domestic: In the context of a family, household or intimate relationship, any of a range of behaviours or actions, including but not limited to the use of abusive, coercive, forceful or threatening acts and/or words, undertaken by one person to control and dominate another person; may take the form of physical, emotional, sexual, financial and/or spiritual abuse.

Sexual Violence and Misconduct: Any sexual act or act targeting a person's sex, sexuality or gender identity or expression, whether the act is physical or psychological in nature, which is committed, threatened or attempted against a person without the person's consent, including but not limited to

- sexual assault;
- sexual exploitation;
- sexual harassment;
- stalking;
- indecent exposure;
- voyeurism;
- the distribution of a sexually explicit photograph or video of a person to one or more persons other than the person in the photograph or video without the consent of the person in the photograph or video;
- the attempt to commit an act of Sexual Violence and Misconduct; or
- the threat to commit an act of Sexual Violence and Misconduct.

[Sexual Violence and Misconduct is not within scope of this policy: *see also Sexual Violence and Misconduct Prevention and Response policy.*]

Workplace: Violence that results from an Employee's employment, regardless of whether the incident(s) occurred on or off College Property; incidents involving threats against an Employee's family are considered threats against the Employee, as per *WorkSafeBC Regulation* (see Section F). Note: Instances of alleged Workplace Violence will be investigated under relevant Douglas College Standard Operating Procedures (see Section E), in compliance with *WorkSafeBC Regulations*.

Violence Threat/Risk Assessment: A process undertaken by the College's Threat Assessment Team of involving data collection and the use of evaluative tools to identify indicators that suggest whether a person may be moving on a pathway towards Violence against self or others, and interventions to decrease that risk, prevent injury, and support the person to receive the help necessary to address the issues contributing to the high-risk behaviour. (See the definition for Threat Assessment Team.)

C. POLICY STATEMENTS

1. Douglas College is committed to providing a safe working and learning environment that is free from Violence. Violence is prohibited under this policy.
2. All members of the College Community share responsibility for creating and sustaining a College environment that is free from Violence. All users of College facilities and visitors to the College, including Students, College Board members, contractors and their employees and agents, guest lecturers, visiting researchers and other third parties are expected to conduct themselves in a respectful manner consistent with this policy.
3. The College does not have jurisdiction to take disciplinary action against a person who is not a member of the College Community or who is not currently affiliated with the College. However, under certain circumstances the College may be able to take other action, such as revoking a person's access to College Property or a College event, where it is deemed necessary to do so to ensure the health, safety and security of any member(s) of the College Community.
4. The College recognizes that while Violence can affect any member of society, its consequences may disproportionately affect individuals who experience intersecting forms of systemic discrimination or barriers (e.g., on grounds of any combination of factors such as their sex, sexual orientation, gender identity and/or expression, Indigeneity, race, ethnicity, religion, (dis)ability or class), and individuals who occupy the less powerful position in a relationship characterized by a power dynamic (e.g., a Student in relation to an instructor, a staff person in relation to a supervisor).
5. Any breach of this policy by a member of the College Community represents serious misconduct and is grounds for disciplinary sanction, which may include, where appropriate, suspension or dismissal of an Employee or suspension of a Student from the College.
6. To ensure Violence prevention, the College is committed to establishing and maintaining a Violence Prevention and Response program. This program will
 - a. provide coordination of and oversight for risk assessment and risk management practices and controls that can be implemented to control the risk of Workplace Violence;
 - b. ensure the development and delivery of appropriate education and training for members of the College Community regarding this policy; and
 - c. ensure that Employees are aware of their right under BC's *Occupational Health and Safety Regulation* to refuse unsafe work, so that Employees who have information or reasonable grounds to believe that they are at risk of campus Violence may refuse, and feel supported in refusing, any such unsafe work, in accordance with this right (see the College's procedure for Refusing Unsafe Work).
7. The College is committed to addressing Violence through its response to Complaints made under this policy. To this end, the College will

- a. reduce barriers to filing Complaints regarding Violence;
 - b. establish procedures for reporting, investigating and documenting incidents of Violence in a prompt, sensitive and procedurally fair manner; and
 - c. implement appropriate corrective actions, such as discipline, remedies and/or restorative actions, as necessary or when a violation of this policy is found to have occurred.
8. The College reserves the right to investigate alleged Violence on its own initiative, without the filing of a Complaint, and to inform the relevant law enforcement and/or regulatory agency without the consent of the person reporting an incident if the College has a reasonable belief that the health or safety of a member of the College Community is at risk.
 9. The College reserves the right to implement any immediate interim measures it considers necessary, pending the resolution of an investigation into alleged Violence. Such measures may include but are not limited to directing the Complainant, Respondent, witnesses or other parties to cease and desist from engaging in a particular type of behaviour; restricting access to a specific College campus, specific areas of a College campus; online learning platform or work environment; alteration of the work or learning schedule of an individual; imposing a no-contact directive; and/or temporary, non-disciplinary leave of an individual. Such interim measures will be carried out in accordance with the provisions of the relevant collective agreement(s), and will be precautionary rather than disciplinary and thus should be in place for as short a time as possible.
 10. Complaints of Violence involve confidential and sensitive information. The College recognizes its responsibility to avoid or minimize circumstances that might reasonably be expected to cause participants distress, so that those who may have experienced Violence will feel free to come forward, and the reputations and interests of those accused are protected. All members of the College Community who are involved in Complaints or investigations regarding alleged violations of this policy must maintain the confidentiality of any information they receive during the course of the process.
 11. A member of the College Community may have the right to pursue another process in connection with the alleged Violence, such as reporting the matter to the police, initiating a civil action or filing a complaint under the BC *Human Rights Code*. If another process is pursued, the College may elect to place its process under College policy in temporary abeyance pending the outcome of the other process.
 12. Retaliatory Action of any kind is prohibited; it is considered misconduct and a violation of policy.
 13. The College will establish a process for conducting risk assessments for Violence, in consultation with the Joint Occupational Health and Safety Committee.

D. PROCEDURES

For Violence in progress or imminent threats of Violence, call 9-1-1- and then contact Campus Security.

I. Reporting Alleged Violations of this Policy

FOR INSTANCES OF VIOLENCE OTHER THAN WORKPLACE VIOLENCE

1. Any member of the College Community who has been involved in any incident of Violence that falls within scope of this policy (*see* Sections **B. SCOPE** and **C. DEFINITIONS**), including Domestic Violence likely to expose a member of the College Community to physical injury while on campus or using College Property, has information or reasonable grounds to believe that an incident of Violence has occurred, or perceives themselves at risk of Violence within the College's working or learning environment is required to report the incident/concern to a RA or Campus Security; this requirement applies regardless of whether the person reporting the alleged violation is a victim or an observer of such conduct.
2. A Complaint under this policy is to be filed in writing to a RA or reported verbally to a member of Campus Security, who will complete and file an Incident Report. The Complaint/Incident Report should set out the relevant details regarding the alleged Violence or other alleged violation of this policy, including a list of any potential witnesses and a description of the information those witnesses are expected to provide. Any relevant documents, including any social media communications, should also be included with the Complaint/Incident Report.
3. In order to ensure the safety of the workplace and the likelihood that evidence, including documents and witness testimony, remains available and reliable, reports should be made at the earliest opportunity.
4. The College expects that members of the College Community will keep written accounts of incidents to submit with any Complaints.
5. Reports by a third-party witness to alleged Violence should be submitted in writing.

FOR INSTANCES OF WORKPLACE VIOLENCE

[Standard Operating Procedures](#) (for internal users)

- *Investigating a Workplace Accident, Injury, Incident or Occupational Disease – for DC Employees and Students on Practicum/Experiential Learning within BC*
- *Reporting a Workplace Accident, Injury, Incident or Occupational Disease – for DC Employees and Students on Practicum/Experiential Learning within BC*

II. Retaliatory Action, Breaches of Confidentiality, and Complaints Made in Bad Faith

1. Where a member of the College Community is found to have engaged in Retaliatory Action, including filing a Complaint under this policy as an act of retaliation, or to have breached the confidentiality requirements in this policy, the College may take appropriate disciplinary action.
2. Where an investigation determines that a Complaint was filed in bad faith, the College may take appropriate disciplinary action.

E. SUPPORTING FORMS, DOCUMENTS, WEBSITES, RELATED POLICIES

Administration Policies

- *Bullying and Harassment Prevention and Response*
- *Occupational Health and Safety*
- *Sexual Violence and Misconduct Prevention and Response*
- *Student Non-academic Misconduct*
- *Weapons on Campus*

Conduct Concerns at Douglas College: A Plain-Language Guide for Students [[link](#)]

[Douglas College Threat Assessment Team Terms of Reference](#)

Filing a Complaint Relating to Misconduct at Douglas College [[link](#)].

F. RELATED ACTS AND REGULATIONS

- BC [Human Rights Code](#) [RSBC 1996], c. 210
- BC [Occupational Health and Safety Regulation](#) (for Workplace Violence, see OHSR 4.24 – 4.31)
- BC [Workers Compensation Act](#) [RSBC 2019], c. 1

G. RELATED COLLECTIVE AGREEMENTS

- [Collective Agreement between Douglas College and the BC Government and Service Employees' Union \(BCGEU\)](#)
- [Collective Agreement between Douglas College and Douglas College Faculty Association \(DCFA\)](#)