

Sexual Violence - Employee Support Procedure

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Owner.

Category:	Human Resources
Parent Policy:	C27 Sexual Violence
Approval Date:	March 18, 2021
Effective Date:	March 18, 2021
Procedure Owner:	AVP Students and Registrar Chief Human Resources Officer

Overview:	<p>This procedure is intended for all Olds College employees: employees who are survivors of sexual assault or sexual harrassment; employees who witness or receive a disclosure of sexual violence; and employees who are alleged to have committed an act that violates the College’s Sexual Violence policy. This procedure details the support services and resources available to employees, the steps to follow in a variety of circumstances, and the response employees can expect from the College.</p>
Procedures:	<p><u>If You Are In An Emergency Situation, Please Call 911</u></p> <p><u>If You Have Been Affected By Sexual Violence</u></p> <p>The College recognizes that it is often difficult to disclose or report incidents of sexual violence. Deciding whether or not to disclose, or, formally or informally report the incident is entirely up to you; however, we strongly encourage you to consider doing so.</p> <ul style="list-style-type: none"> ● You can expect a consistent, respectful and supportive response from the College as outlined in the Sexual Violence Response Team Procedure. ● It is important to know that you do not need to disclose or report sexual violence in order to access College and community supports and services. ● You can be assured of amnesty from College disciplinary sanctions: The College recognizes that some individuals may be hesitant to disclose or report sexual violence that occurred in situations where they were drinking or using illegal drugs. A survivor or other members

of the College Community who disclose or report sexual violence will not be subject to College sanctions for violations of College policies related to their use of alcohol and/or illegal drugs at the time of the incident.

If You Are A Survivor Of Sexual Violence And You Wish To Make A Formal Report

Deciding whether or not to disclose or report the incident is entirely up to you.

We strongly encourage you to consider making a report; however, you are not required to disclose or formally report sexual violence to obtain College supports and services.

Should you wish to submit a formal report, you are encouraged to do so as soon as possible. However, due to the nature of sexual violence, there is no required timeframe for reporting. Filing a formal report does not prohibit or constitute reporting to other authorities (e.g., law enforcement).

Individuals who have experienced sexual violence have the following options:

- **Reporting to Olds College** – A Formal or Informal Report can be made to a member of the Olds College Sexual Violence Response Team, your supervisor or another trusted manager, Human Resources, through the Health and Wellness Centre, or through the Olds College Alert App. A formal report will trigger an investigation.
- **Reporting to Police** – Reports can be made to a law enforcement agency in order to pursue criminal charges under the *Criminal Code of Canada*.
- **Reporting to other External Bodies** – It is also possible to pursue reporting options under the *Occupational Health and Safety (OHS) Act*, the *Alberta Human Rights Act* or initiating civil legal action against the respondent.
- **Simultaneous Reporting** – You may choose to pursue internal and external reporting options simultaneously.

If You Are A Bystander Or Have Information About A Violation

If you have information relating to a violation, you are encouraged to report. Individuals who have witnessed sexual violence have the following options:

- **Reporting to Olds College** – A Formal or Informal Report can be made to a member of the Olds College Sexual Violence Response Team, your supervisor or another trusted manager, Human Resources, through the Health and Wellness Centre, or through the Olds College Alert App. A formal report will trigger an investigation.
- **Reporting to Police** – Reports can be made to a law enforcement

agency in order to pursue criminal charges under the *Criminal Code of Canada*.

- **Reporting to other External Bodies** – It is also possible to pursue reporting options under the *Occupational Health and Safety (OHS) Act*, the *Alberta Human Rights Act* or initiating civil legal action against the respondent.
- **Simultaneous Reporting** – You may choose to pursue internal and external reporting options simultaneously.

If you are Identified as a Respondent

If you are identified as a respondent, know that you will be provided with a fair and transparent process based on the principles of procedural fairness, and have access to support services from the College during the investigation and decision-making process.

College Response to Disclosures and Formal Reports of Sexual Violence

The College will respect and protect the rights of the survivor, respondent and any witnesses during the response to a Report of sexualized violence. This will include providing access to supports and services, maintaining confidentiality, explaining the limits of confidentiality, and adhering to procedural fairness. The College will respect the survivor's right to make choices throughout the process.

What you can expect from the College:

- confidentiality
- clarification of your options for reporting (*Formal Report, Informal Report, Disclosure*)
- help in developing a safety plan, if required
- modifications to provide a safe working environment.
- a college contact to communicate with you throughout the process

In addition, survivors and respondents can expect:

- an explanation of the process and timelines
- updates on the findings of any investigation
- notification of the outcomes of and rationale for decisions made by the College

What Does Confidentiality Mean For Me?

All persons involved in a report and/or investigation of sexual violence are entitled to confidentiality as required by law and College policy, and where otherwise appropriate. The College treats all reports as confidential, subject to the following:

- When an individual is judged to be at imminent risk of harming self and/or others;
- There are reasonable grounds to believe that Members of the College

- Community or wider community may be at risk of harm;
- Reporting and/or conducting an investigation is required by law, by the College's policies, or by an external body with appropriate authority.
 - Reporters, survivors and respondents are free to disclose their own experiences and stories through their trusted support networks;

Confidentiality is subject to the provisions of the *Freedom of Information and Protection of Privacy Act* (Alberta), other legislation, and College policy.

If You Wish to Pursue an Alternative Resolution

With the consent of both the survivor and the respondent, the survivor may choose to pursue an alternative resolution process, including but not limited to, education and training or other means to seek resolution.

The goal of an alternative resolution process is to seek resolution at the earliest stage possible. Participation in an alternative resolution process is voluntary for both the survivor and the respondent and can be facilitated by a member of the Sexual Violence Response Team.

What Supports, Resources, and Services at the College and in the Greater Olds Community are Available to Me?

The Health and Wellness Webpage contains a link to current resources. Homewood Health Support (homeweb.ca or 1-800-663-1142).

Definitions:

Bystander

An individual who is observing an incident of sexual violence taking place.

Consent

The voluntary agreement to engage in the specific sexual activity in question. It is an active, direct, voluntary, unimpaired and conscious choice and agreement between individuals at the age of consent to engage in physical contact or sexual activity.

Disclosure

When an individual shares information about a personal experience of sexual violence to someone who did not previously know.

Formal Report

A written statement to the institution Sexual Violence Response Team by a survivor or bystander regarding an alleged violation and seeking recourse pursuant to the violation of Sexual Violence Policy. A Formal Report requires an investigation.

Informal Report

Is an allegation of a violation of the Sexual Violence Policy. This type of report may not result in a formal investigation by the College but can help ensure the

safety of the College community. The survivor may choose to make a Formal Report at a later time to initiate a formal investigation by the College. The survivor has the right to choose not to participate in any investigation arising from an Informal Report.

Investigator

The individual who is selected by the Sexual Violence Response Team to conduct the investigation. The investigator may be internal or external to the College, and may be a member of the Sexual Violence Response Team.

Modification

Making reasonable changes to certain rules, standards, policies, workplace cultures and physical environments to ensure that they do not have a negative effect on a person involved in an incident of sexual violence.

Reporter

A third-party individual who submits a report that includes information related to an allegation or investigation, but who is neither a survivor nor a respondent.

Respondent

The person alleged to have violated the Sexual Violence Policy.

Retaliation

Any adverse action taken against a Member of the College Community because that person has, in good faith, filed a Report, supported the filing of a Report, disclosed information to the College about a Report, and/or participated in an investigation of such Report, and includes threats of Retaliation.

Survivor

A Member of the College Community who has experienced sexual violence and who may or may not make a report.

Related Information:

[Sexual Violence Policy](#)
[Sexual Violence Response Team Procedure](#)

Review Period:

3 Years

Revision History:

September 2018 Revision
December 2020 Major Revision