

BULLYING, HARASSMENT AND DISCRIMINATION POLICY

Sprott Shaw College is committed to providing an environment where all are treated with dignity, respect and in a fair manner. Everyone has the right to an atmosphere that is free from bullying, harassment and discrimination.

Bullying and harassment and/or discrimination in any Sprott Shaw College place of business, teaching, or learning will not be tolerated. All incidents of bullying and harassment and/or discrimination must be reported and will be taken seriously regardless of who the offender may be. Students or employees at Sprott Shaw who engage in such behavior will be subject to discipline or corrective action.

Definitions

“Discrimination” means discrimination based on a person’s sex, race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sexual orientation, age, or criminal conviction which is unrelated to the person’s employment. Discrimination includes sexual harassment, as defined in this handbook.

“Bullying and Harassment” includes any inappropriate conduct or comment by a person towards another person that the person knew or reasonably ought to have known would cause that individual to be humiliated or intimidated, but excludes any reasonable action taken by a supervisor relating to the student.

Examples of bullying and harassment include, but are not limited to, such things as:

- words, gestures, actions or practical jokes, the natural consequence of which is to humiliate, ridicule, insult or degrade.
- threats or intimidation.
- cyber bullying
- physical assault; or
- persistent rudeness, taunting, malicious gossip, patronizing behavior, vandalizing belongings or other conduct which adversely affects learning environment.

Application of Policy. This policy applies to all students of Sprott Shaw.

Responsibilities of all Students. All students of Sprott Shaw must:

- not engage in the bullying and harassment of, or discrimination against other students.
- report using the below procedures if bullying, harassment and/or discrimination is observed or experienced; and
- apply and comply with this policy.

Complaint/Report and Investigation Procedures

Informal Resolution

1. A student of Sprott Shaw who feels that they have been subject to, or who has observed, bullying and harassment and/or discrimination in the college (the “complainant”) is encouraged to begin by approaching the respondent, informing the respondent of their discomfort with the behavior, and asking the respondent to stop. While this is often the simplest and most effective way to end the bullying and harassment and/or discrimination, the complainant is not obligated to confront the respondent.
2. If the complainant does not wish to confront the respondent, the complainant may choose to report the bullying and harassment and/or discrimination to their Instructor or College Director and request that the Instructor and/or College Director deal with it informally.
3. If the bullying and harassment and/or discrimination does not stop, or if the complainant does not feel comfortable approaching the respondent directly, the complainant may proceed to file a formal complaint or report.

Formal Complaint or Report

1. A student who feels that they have been subject to, or have observed, bullying and harassment and/or discrimination in the College, may file a formal complaint and report their concerns. A formal complaint must be made in writing as soon as possible, and should include the following:
 - a. the name of the complainant.
 - b. the name of the alleged offender (s); and
 - c. details of the incident(s), including dates, places, names of individuals involved or witnessing the incident(s), and any other relevant information.
2. A formal report of bullying and harassment and/or discrimination may be made to the complainant's Instructor or College Director unless it is not appropriate to do so (for example, where the Instructor or College Director is the subject of the complaint). The Instructor or College Director that receives the complaint is required to promptly report the concern to the Director, Compliance & Regulatory Affairs, so that an investigation can be commenced.
3. In circumstances where the complainant feels it is inappropriate to make a complaint to their Instructor or College Director, they may make their complaint directly to the Director, Compliance and Regulatory Affairs who will initiate an investigation.
4. All complaints and reports will be taken seriously, and will be dealt with fairly and promptly.

Investigation Procedure

If the content of the complaint or report fits within the definition of Bullying and Harassment and/or Discrimination, it will be investigated. The investigation will be approached in an unbiased manner.

Investigations will be conducted by the Director, Compliance and Regulatory Affairs or their designate, which may include an external investigator.

Both the complainant and the respondent are entitled to a fair hearing. The investigator will interview the complainant, the respondent, and any other witnesses the investigator believes may have information relevant to the complaint or report. The investigator will review any documents they consider relevant. The respondent will be given the details of the complaint or report, and will be provided with a reasonable opportunity to respond.

All investigation proceedings will be documented and upon completion of the investigation, the assigned investigator will prepare a report of findings with recommendations.

If a complaint or report is found to have merit, then appropriate remedial, corrective or disciplinary action will be taken. This action may include education and training or dismissal from the College.

If the investigation fails to find evidence in support of the complaint, there will be no documentation filed concerning the complaint.

Confidentiality

Complaints and reports of bullying and harassment and/or discrimination involve confidential and sensitive matters. Confidentiality is required so those who may have experienced bullying and harassment and/or discrimination will feel free to come forward, and the reputations and interests of those accused are protected.

All individuals involved in a bullying and harassment and/or discrimination complaint or report must maintain the confidentiality of any information they receive during the course of the investigation process. Any individual breaching confidentiality may be subject to disciplinary or corrective action.

Subject to disclosure which is required by law or is necessary to investigate or resolve a complaint or report, Sprott Shaw will make every effort to keep confidential any information pertaining to the complaint.

Retaliation

Retaliation of any kind against a student or employee of Sprott Shaw will not be tolerated who, in good faith:

files a complaint or report of bullying and harassment and/or discrimination, participates or cooperates in any investigation under this policy; or associates with a person who invoked this policy or participates in these procedures.

Frivolous Complaints or Reports

Complaints or reports of bullying and harassment and/or discrimination are serious matters. Students of Sprott Shaw who are found to have made frivolous, vexatious, or malicious complaints of bullying and harassment and/or discrimination may be subject to disciplinary action, including dismissal.