

Policy No. & Title: P103: SAFE COLLEGE CAMPUS

Effective: 2020-04-01

Next Review: 2021-04-01 ****Requires annual review****

Policy Sponsor: Chief Infrastructure Officer, Finance and Administration

Approvals: ****See attached Record 1: APPROVALS****

1. PURPOSE

Public institutions by their nature are exposed to a variety of individual behaviours. The purpose of this policy is to provide a framework for delivery on the College commitment to provide a safe, respectful College campus environment that is free from violence. This policy is not intended to supersede or interfere with prevailing law. The College has developed other policies that pertain to other forms of unacceptable behaviour (e.g., P104 Sexual Violence and Sexual Assault, P208: Respectful College Community and Prevention of Harassment and Discrimination and A130: Student Code of Conduct).

2. POLICY

The Policy Sponsor develops, maintains and implements standards and procedures as are necessary to achieve the purpose of this policy. Such standards and procedures meet the requirements of Board policy B-25.10.05: Governor's Code of Conduct and relevant legislation.

3. REFERENCES

Legislation:

[*Criminal Code \(R.S.C., 1985, c. C-46\)*](#)

[*Ontario Colleges of Applied Arts and Technology Act, 2002, S.O. 2002, c. 8, Sched. F*](#)

[*Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31*](#)

[*Occupational Health and Safety Act, R.S.O. 1990, c. O.1*](#)

[*Occupiers' Liability Act, R.S.O. 1990, c. O.2*](#)

[*Trespass to Property Act, R.S.O. 1990, c. T.21*](#) [*Police Services Act, R.S.O. 1990, c. P.15*](#)

Board Policy:

[B-25.10.05: Governor's Code of Conduct](#)

College Policy:

[A109: Incidental Cancellation of Classes](#)

[A130: Student Code of Conduct](#)

[C202: Acceptable Use of College Technology](#)

[C304: Freedom of Information and Protection of Privacy](#)

[P101: Corporate Health and Safety](#)

[P104: Sexual Violence and Sexual Assault](#)

[P202: Absence Management](#)

[P208: Respectful College Community and Prevention of Harassment and Discrimination](#)

4. ADDENDA

Guideline A: REPORTING AND INVESTIGATING VIOLENCE

Guideline B: EMERGENCY PREPAREDNESS

Guideline C: SPECIAL CONSTABLE AUTHORITY

Guideline D: SPECIAL CONSTABLE COMPLAINTS

Guideline E: VIDEO SURVEILLANCE

Record 1: APPROVALS

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Policy No. & Title: P103: SAFE COLLEGE CAMPUS

Addendum: **Guideline A: REPORTING AND INVESTIGATING VIOLENCE**

Issued by: Chief Infrastructure Officer, Finance and Administration

Effective: 2020-04-01

1. PURPOSE

The purpose of this document is to establish the principles of and procedures for reporting and investigation of instances of alleged violence.

2. DEFINITIONS

College campus: Any real property, including the grounds, buildings, structures and facilities, which is owned, leased, licensed, operated or used under the direction and/or control of the College.

Community member: Includes employees, students, members of the Board of Governors, members of Boards or committees established by the College, volunteers, contractors, individuals providing service or research, individuals or groups who rent or use College facilities, visitors, applicants and guests.

Violence: 1. The exercise of physical force by a person against a person that causes or could cause physical injury to the person. 2. An attempt by a person to exercise physical force against a person that could cause physical injury to the person. 3. A statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force against the person that could cause physical injury to the person.

Retaliation or reprisal: Any adverse action against another person for reporting Violence under this policy, for participating or cooperating in any investigation under this policy or for associating with someone who has either reported Violence or participated or cooperated in this policy's procedures.

Vexatious or bad faith allegation: An allegation of Violence made against a person by a person who knows such allegation to be false, or an allegation of Violence made or a report of Violence submitted against a person for purely frivolous, malicious or vindictive purpose.

Weapon: 1. Anything used, designed to be used or intended for use in causing injury. 2. Anything used, designed to be used or intended for use for the purpose of threatening or intimidating any person.

3. GUIDELINES

3.1. Authority and Scope

3.1.1. The College campus is the private property of the Fanshawe College of Applied Arts and Technology. The College reserves the rights at all times to maintain full jurisdiction and control over College property and all activities thereon.

3.1.2. This policy applies to all community members at all times while on the College campus and at all activities and functions conducted off the College campus under the direction and/or control of the College, including employment, educational, or business dealings and field placements, field trips, social events or meetings.

- 3.1.3. This policy applies to an act of Violence that occurs on the College campus or in connection with activities and functions conducted off the College campus under the direction and/or control of the College, including employment, educational, or business dealings and field placements, field trips, social events or meetings.
- 3.1.4. Where an act of Violence, including domestic violence, by a community member or against a community member occurs off the College campus or independent of the College, and such act poses a subsequent risk to public safety or the safety of community members on the College campus, this policy applies to the extent necessary to take reasonable steps in the circumstances for the safety of the community member while on the College campus.
- 3.1.5. Where a student is alleged to have contravened this policy, the allegation is investigated under this policy. Sanctions, if any, are dealt with under College policy A130: Student Code of Conduct.

Where an external member of the Board of Governors is alleged to have contravened this policy, the allegation is investigated under this policy. Sanctions, if any, are dealt with under Board policy B-25.10.05: Governor's Code of Conduct.

Where an internal member of the Board of Governors is alleged to have contravened this policy, the allegation is investigated under this policy.

Sanctions, if any, are dealt with under this policy in the case of an employee and under College policy A130: Student Code of Conduct in the case of a student.

3.2. Principles

- 3.2.1. The College is committed to providing a safe College campus environment that is free from violence.
- 3.2.2. The College is committed to ensuring that every community member is able to enjoy the right to learn, work, live, or otherwise carry out their activities in a safe College campus environment.
- 3.2.3. Every person is expected to contribute to the development of a safe College campus environment by refraining from any acts of Violence and discouraging violent behaviour by others. Every person has the right and responsibility to report incidents of violence and cooperate in efforts to resolve complaints.

3.3. Violence Prohibited

- 3.3.1. Violence is contrary to this policy and is not tolerated.
- 3.3.2. Weapons are not permitted on the College campus, except where used directly for permitted educational purposes as approved by the Manager of Campus Security Services or designate or otherwise permitted by law.
- 3.3.3. Lawful application of force by Campus Security Services or other authorized personnel engaged in official duties does not constitute violence.

3.4. Recognition, Prevention and Education

- 3.4.1. Violence is a shared concern. Every community member has a role to play in recognizing and preventing potential violence and responding appropriately, including reporting violence.
- 3.4.2. The College promotes violence awareness and prevention education for community members and provides training for employees in violence prevention measures.

3.5. Duty to Report Violence

- 3.5.1. Community members are required to report immediately all incidents where they are subject to, witness or have knowledge of violence, or have reason to believe that violence has occurred or may occur.
- 3.5.2. Persons in a position of authority, including persons directing or responsible for directing the activities of others, are expected to take appropriate action necessary to prevent violence from occurring and have a duty to act immediately and respond appropriately, including reporting violence, should an incident occur.

3.6. Notifications

In accordance with the Occupational Health and Safety Act, Campus Security Services notifies the Senior Manager, Environment, Health, Safety and Emergency Services (EHSES), and other appropriate stakeholders, of incidents of violence.

3.7. Response and Investigation

- 3.7.1. Incidents of violence are contrary to this policy.
- 3.7.2. Where the College becomes aware of an incident of violence that occurs on the College campus, or in connection with an activity or function under the direction and/or control of the College conducted off the College campus, including employment, educational, or business dealings and field placements, field trips, social events or meetings, the incident is acted upon promptly.
- 3.7.3. Where the College becomes aware of incidents of violence, including domestic violence, by a community member or against a community member that occur off the College campus, independent of the College, that pose a subsequent risk to public safety, including the safety of community members, on the College campus, the College will investigate to the extent necessary to take reasonable steps in the circumstances to ensure public safety, including the safety of community members, on the College campus.
- 3.7.4. Where the College becomes aware of a conflict of interest for the investigator, the College may appoint an external investigator.

3.8. Retaliation or Reprisal Prohibited

Retaliation or reprisal is contrary to this policy. Allegations of retaliation or reprisal are investigated. Individuals who engage in this type of behaviour are subject to discipline.

3.9. Vexatious or Bad faith Allegations Prohibited

Vexatious or bad faith allegations are contrary to this policy. Vexatious or bad faith allegations are investigated. Individuals who engage in this type of behaviour are subject to discipline.

3.10. Redress and Sanctions

- 3.10.1. Where an incident of violence, retaliation or reprisal or vexatious or bad faith allegations is substantiated, the College takes appropriate corrective or disciplinary action or imposes sanctions that may include, without limitation, warning, suspension, suspension or termination of privileges, leave with or without pay, termination of employment, or civil or criminal legal action, depending on the circumstances.
- 3.10.2. Where the offender is not a College employee or a College student, the College takes such action as is reasonable in the circumstances and permitted by law.

3.11. Confidentiality

- 3.11.1. Confidentiality with respect to reports of violence is maintained to the extent possible, having regard to the circumstances giving rise to the report and subject to the College's obligation to conduct a thorough investigation, and, in the case of a threat to a person, subject to disclosure obligations under the Occupational Health and Safety Act.
- 3.11.2. Parties and witnesses to an investigation of violence are expected to keep information discussed confidential. Unwarranted breaches of confidentiality will result in disciplinary action or sanctions.

3.12. Responsibilities

3.12.1. *Chief Infrastructure Officer, Finance and Administration:*

- Overseeing the administration of this policy and coordination of responsibilities under this policy. Where the Chief Infrastructure Officer has direct involvement with the complaint made under this policy, the College President or delegate appoints a suitable alternate for the purposes of dealing with the complaint;
- Developing and maintaining procedures as are necessary to implement this policy; and

3.12.2. *Manager, Campus Security Services*

- Developing, implementing, maintaining, and annual review of reporting, response and investigation procedures necessary to implement this policy;
- Assisting with the coordination of the facilitation and delivery of mandatory training for employees at appropriate intervals and making available educational awareness for other community members in respect of this policy;
- Assisting with the facilitation of an annual review of this policy and its related procedures to ensure its effectiveness;
- Initiating appropriate response to an incident of violence; and
- Investigating allegations of violence.

3.12.3. *Senior Manager, Environment, Health, Safety and Emergency Services, Facilities Management and Community Safety*

- Assisting the Manager, Campus Security Services, with the development, implementation, maintenance and annual review of reporting, response and investigation procedures necessary to implement this policy;
- Assisting, as appropriate, any response to an incident of violence;
- Coordinating the facilitation and delivery of mandatory training for employees at appropriate intervals, and making available educational awareness for other community members in respect of this policy; and
- Facilitating an annual review of this policy and its related procedures to ensure its effectiveness.
- Reporting any incident of Violence as required under the Occupational Health and Safety Act and its regulations.

3.12.4. *Chief Human Resources Officer, Human Resources*

- Participating in the procedures as required under this policy; and
- Assisting with the facilitation and delivery of mandatory training for employees at appropriate intervals in respect of this policy.

3.12.5. *Community Members*

- Understanding and complying at all times with the requirements of this policy for maintaining a safe College campus environment;
- Reporting incidents of violence; and
- Participating and cooperating fully in training or in an investigation, should an incident of violence occur.

3.13. Multiple Proceedings

- 3.13.1. Where the subject matter of an allegation under this policy is more appropriately dealt with under another College policy, the Manager, Campus Security Services may exercise discretion not to deal with the complaint under this policy and suggest that it be dealt with and decided under another policy.
- 3.13.2. Where the circumstances giving rise to an allegation under another College policy are also the subject matter of this policy, the Manager, Campus Security Services may exercise discretion at any time to initiate an investigation and proceeding under this policy, concurrently or separately, from such other investigations or proceedings.
- 3.13.3. Where the circumstances giving rise to an allegation under this policy are also the subject matter of another College policy, the College may, at its discretion, at any time initiate an investigation and proceeding under another appropriate College policy, concurrently or separately, from the investigation or proceeding under this policy.

3.13.4. Where criminal proceedings are initiated based on the allegations of violence, Campus Security Services conducts its own independent investigation into such allegations and makes its own determination in proceedings in accordance with this policy.

3.14. Monitoring

This policy is reviewed at least annually.

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Policy No. & Title: P103: SAFE COLLEGE CAMPUS

Addendum: **Guideline B: EMERGENCY PREPAREDNESS**

Issued by: Chief Infrastructure Officer, Finance and Administration

Effective: 2020-04-01

1. PURPOSE

Functional emergency management planning is vital for an organization to be prepared to deal and cope with, respond to and then recover from a significant peril.

The purpose of this guideline is to identify the requirement for emergency planning and management at the College and to identify the broad requirements and responsibilities for preparedness, response and recovery from an emergency situation (whether natural or human-induced, or of a physical or cyber nature) that may:

- Endanger human health and life safety (including a real or perceived threat to endanger);
- Damage a College campus or the environment (including a real or perceived threat to damage); or
- Adversely disrupt critical College operations (including a real or perceived threat to disrupt adversely).

2. DEFINITIONS

In addition to the definitions set out below, the definitions set out in the Emergency Plan apply to this policy and have the meanings ascribed to them unless the context expressly or by necessary implication otherwise requires. All derivatives of any of the definitions shall have the meanings appropriate to the derivation of the definition.

College campus: Real property, including the grounds, buildings, structures and facilities, which is owned, leased, licensed, operated or used under the direction and/or control of the College, and including property thereon, furniture and equipment, infrastructure, intellectual property and applied research.

Community member: Employees, students, members of the Board of Governors, members of boards or committees established by the College, volunteers, contractors, individuals providing service or research, individuals or groups who rent or use College facilities, visitors, applicants and guests.

Emergency Plan: The College emergency management planning document including: plan authority and scope, plan management and administration, emergency preparedness plan, emergency response plan, business continuity and recovery plan and related appendices and annexes.

Emergency incident: Any situation or impending situation, real or perceived, caused by a force of nature, infectious disease or other health risk, or human act, whether intentional or otherwise, that: 1) Results in or could result in serious harm to human health or life safety of community members, substantial damage to the College campus or the environment, or significant, adverse impacts on critical College operations; or 2) Threatens public safety, public health, property, critical infrastructure or operations on the College campus, the environment, or the economic or reputational stability of the College. For the

purposes of this policy, an emergency incident normally requires preparedness, response or recovery efforts exceeding the College's normal day-to-day activities.

3. GUIDELINES

3.1. Authority and Scope

- 3.1.1. The College campus is the private property of The Fanshawe College of Applied Arts and Technology. The College reserves the rights at all times to maintain full jurisdiction and control over college property and any and all activities thereon.
- 3.1.2. This policy, and the requirements of the Emergency Plan, applies to all community members at all times while on the College campus.
- 3.1.3. A student alleged to have contravened this policy is dealt with under College policy A130: Student Code of Conduct.

3.2. Principles

- 3.2.1. The College is committed to providing an inviting, functionally enriched learning and working environment where community members can learn, work, live, and carry out their activities in a safe College campus setting. The College is further committed to protecting the welfare of community members as well as property and the environment on the College Campus.
- 3.2.2. To that end, the College develops, implements and maintains current and functional an Emergency Plan that:
 - Establishes the College's primary priority and objective: 1) to protect human life before the protection of the environment and property, including valuable intellectual property and applied research; and 2) to respond appropriately to the emergency conditions and to restore College normal operations in academic learning and service in the safest, most-expedient manner practicable, respectively;
 - Puts into place a systematic, structured approach for emergency preparedness, response and recovery at the College campuses so that the College and the College community can be prepared for and, if necessary, appropriately respond to, deal and cope with, and then recover from emergency conditions;
 - Identifies the incident management structure (together with key roles, responsibilities and assignments), processes for hazard identification and risk assessment; for emergency awareness and training; for reporting and communications; for recordkeeping and documentation; and for College campus- specific emergency guidelines to follow in emergency preparedness, response, and recovery functions;
 - Promotes and advances the College's applied learning culture by incorporating, to the extent practicable, experiential learning opportunities for Fanshawe students in the planning, implementation or execution of Emergency Plan exercises or simulations;

- Ensures systems and processes are in place to test the Emergency Plan's effectiveness and implement corrective or preventive actions to identified non-conformities and to address emergency management planning risks and issues as part of the College decision-making practices; and
- Ultimately demonstrates the College commitment to a culture that supports safety through legislative and regulatory compliance and leadership in the emergency management planning through best practice implementation.

3.2.3. Emergency awareness and preparedness is a shared responsibility and every community member should be aware of and understand their role during emergency conditions. To be effective, this Emergency Plan requires the support, cooperation, and commitment of the entire College community.

3.2.4. While serving community members as a whole, the Emergency Plan is primarily intended to support and be used by those who manage emergencies on campus; those who must maintain the business operations side of the College functional; and those who must restore to normal the College's operations in academic learning and service.

3.2.5. The Emergency Plan and Incident Command System is utilized if and as required.

3.3. Responsibilities

3.3.1. *President:*

- Assigns executive sponsorship to a member of the Fanshawe Leadership Team. The President normally assigns executive sponsorship to the Vice-President, Finance and Administration; and
- Appoints a senior administrator to be the Emergency Director. The President normally assigns this role to the Chief Infrastructure Officer, Finance and Administration.

3.3.2. *Executive Sponsor:*

- Provides strategic leadership to the Emergency Director and assists to resolve any cross-functional issues that may arise within the College;
- Ensures that an Emergency Plan is established, maintained, and tested to be functional; and
- Ensures that academic faculties and service divisions and departments support and contribute to the planning and operational requirements of the Emergency Plan.

3.3.3. *Emergency Director:*

- Is assigned overall stewardship responsibility for the College Emergency Plan and is charged with the ultimate responsibility and overall accountability for emergency preparedness, response and recovery for the College.

- Establishes and maintains a current and functional Emergency Plan.
- Utilizes the Emergency Plan and Incident Command System as required.
- Assumes Incident command, if and as required.

3.3.4 *Senior Manager, Environment, Health, Safety and Emergency Services:*

- Serves as Chief Fire Warden for fire safety planning and liaison with the local fire departments;
- Establishes and maintains an emergency response plan as required:
 - Develops an “all-hazards” management plan containing concepts, relationships, responsibilities, and guidelines that apply during incident response, regardless of the nature or origin of the incident;
 - Establishes an appropriate Emergency Operations Control Group (EOCG) consisting of assigned or volunteer administrators;
 - Establishes an appropriate Emergency Team consisting of assigned or volunteer administrators, employees, students and contractors;
 - Provides emergency training for members of the EOCG and Emergency Team;
 - Promotes emergency preparedness, response and recovery awareness and education so that Community Members can be familiar with the requirements of the Emergency Plan and Emergency Guidelines;
 - Develops guidelines, processes, procedures, standards, checklists, forms and templates to be used by Budget Managers for the development and maintenance of their Departmental Emergency Action Plans;
 - Establishes and equips an Emergency Operations Centre;
 - Establishes necessary outside contractor service and mutual aid agreements;
 - Plans, implements and conducts Emergency Plan exercise including fire drills and other simulations; and
- Performs random audits and annual reviews of Emergency Plan effectiveness, and implements corrective or preventive actions for any identified plan non-conformities;
- Develops and maintains the emergency response and incident command system as required:
 - Determines the level of response: Occurrence, Event, Emergency, Disaster;
 - Orders the full or partial evacuation or closure of any College campus;
 - Orders the full or partial cancellation or relocation of any College activity;
 - Utilizes any College employee, equipment, materials and supplies, engages any outside contractor service, activates any mutual aid agreement, and procures any additional equipment, materials and supplies;

- Establishes the Incident Scene and any Hot, Warm or Cold Zones, and Incident Command Post, and utilizes the Emergency Operations Centre;
- Determines site security requirements, limiting or restricting access at the Scene and Hot, Warm or Cold Zones and in the Incident Command Post and Emergency Operations Centre to authorized personnel;
- Determines persons authorized to be at the Incident Scene and Hot, Warm or Cold Zones and in the Incident Command Post and Emergency Operations Centre regardless their authority, position or reporting hierarchy;
- Directs the Emergency Communications Team to manage media and public relations and stakeholder communications;
- Declares an Incident terminated and utilizes the Business Continuity and Recovery Plan to clean-up, restore the Incident Scene and continue or resume the College's normal business operations in academic learning and service and
- Provides administrative support to the Emergency Director in the establishment and maintenance of a current and functional Emergency Plan;
- Develops and provides, in consultation with Organizational Development and Learning:
 - Emergency training for employees having assignments and responsibilities under the Emergency Plan and emergency preparedness,
 - Response and recovery awareness and education for other Community Members to become familiar with the Emergency Plan and Emergency Guidelines to be followed;
- Provides administrative support to the Emergency Director and the EOCG upon mobilization and assist with coordination functions;
- Prepares the annual review report for Senior Leadership Council; and
- Serves as the primary Alternate Emergency Director

3.3.5 *Emergency Operations Control Group (EOCG):*

- Provides administrative oversight with respect to the Emergency Plan and makes recommendations to the Emergency Director relating to:
 - Appropriate training needs as required;
 - Effectiveness of training provided for emergency response assignments; and
 - Findings of annual review of the Emergency Plan.
- Upon activation by the Emergency Director, performs coordination functions, as assigned by the Emergency Director, and provides guidance and operational support to the Emergency Director regarding the management of long term emergency response and recovery efforts and to isolate Incident Command activities from outside inquiries.

3.3.6 *Budget Managers:*

- Implement and administer the Emergency Guidelines within their departments;
- Create and maintain Departmental Action Plans within their departments that provide for specific preparedness, response and recovery components to address their department's specific hazards and risks in support of the broader Emergency Plan;
- Review and revise their Departmental Action Plan annually and submit a copy of their revised Plan to the Emergency Management Office;
- Ensure Community Members under their responsibility are familiar with their Departmental Action Plan or are knowledgeable of any emergency response procedures contained in their Departmental Action Plans.

3.3.7 *Community Members, including employees, students, tenants and contractors:*

- Know how to report an emergency upon discovery and what to do in the event of an emergency;
- Self-identify any personal requirement for a personal safety plan arising from a permanent or temporary physical condition, limitation or impairment impeding mobility or ability to egress effectively;
- Know evacuation procedures, including nearest emergency exits and designated evacuation assembly areas, and follow such procedures in the event of an emergency;
- Participate, as directed, in Emergency Plan exercises including fire drills and other simulations; and
- Follow emergency Instructions issued by the Emergency Director or College emergency official, including but not limited to, the Incident Commander, Emergency Floor Wardens, Campus Security and Emergency Services personnel.

3.3.8 *Other Community Members, including invited guests, visitors and all other persons on the College campus:*

- Participate, as directed, in Emergency Plan exercises including fire drills and other simulations; and
- Follow emergency Instructions issued by the Emergency Director or College emergency official, including but not limited to, the Incident Commander, Emergency Floor Wardens, Campus Security and Emergency Services personnel.

3.4 Violations

Any person failing to observe, adhere to or comply with this policy or the Emergency Plan, including, without limitation, any refusal to:

- Evacuate a College campus, property or building, in whole or in part, upon a fire alarm or evacuation order; or

- Follow instructions of emergency personnel during an emergency or a fire drill, is in violation of this Policy.

Any person in violation of this policy may be subject to remedial or disciplinary action including, without limitation, remedies outlined in any applicable by-law, law, ordinance, rule, regulation, standard, statute or code now or hereafter enacted, amended, revised or replaced, in whole or in part, and promulgated by a governmental authority having jurisdiction, whether municipal, provincial or federal, current student and employee codes of conduct, current collective agreements or other terms and conditions of employment and remedies outlined in other contracts and agreements.

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Policy No. & Title: P103: SAFE COLLEGE CAMPUS

Addendum: **Guideline C: SPECIAL CONSTABLE AUTHORITY**

Issued by: Chief Infrastructure Officer, Finance and Administration

Effective: 2020-04-01

1. PURPOSE

Fanshawe College is committed to providing a safe and secure College campus environment. As part of this commitment, Campus Security Services, having responsibility for the management of security services on College property, deploy Special Constables to provide certain policing authorities in accordance with the Police Services Act.

The purpose of this policy is to authorize the appointment and deployment of Special Constables.

2. DEFINITIONS

Act: The Police Services Act of Ontario.

Agreement: An agreement between a Police Service and the College regarding the appointment of Special Constables.

College: The Fanshawe College of Applied Arts and Technology. Where the context allows, “College” may include the Manager or the supervisors of the Manager.

College property: Property owned by, leased by or otherwise operated under the direction and/or control of the College.

Manager: The Manager, Campus Security Services or designate.

Ministry: The Ontario Ministry of Community Safety and Correctional Services.

Police service: An Ontario police agency or service or police services board, as described in the Act, or the Commissioner of the Ontario Provincial Police, that has exercised its legislative authority to appoint Special Constables with the College.

Security Administrator: An administrator in Campus Security Services.

Special Constable or Member: A Security Administrator appointed by a Police Service as a Special Constable pursuant to the Act.

3. GUIDELINES

3.1. Authority

- 3.1.1. The Act authorizes a police service to appoint, with Ministry approval, a Special Constable to act for any period, area and purpose considered expedient.

3.1.2. Campus Security Services, having primary accountability and responsibility for safety and security, is granted authority by the College to manage, deliver and execute public safety services on College property.

3.1.3. As part of this responsibility, Security Administrators, under the Manager's leadership, shall, as Special Constables, be responsible for exercising police authorities in relation to College Property.

3.1.4. This police authority as a Special Constable is pursuant to the Act and is subject to that Act and all terms and conditions of the Agreement.

3.2. Appointment

3.2.1. The appointment of a Security Administrator as a Special Constable granted by a police service, with Ministry approval, confers onto that Security Administrator powers of a police officer to the extent and for the specific purpose set out in that appointment.

3.2.2. The appointment of a Special Constable is subject to compliance with the policies, procedures and directives of the police service. The appointment of a Special Constable may be suspended or terminated by a police service or the Ministry in accordance with conditions set out in an agreement. The appointment of a Special Constable may be further suspended or terminated by the College in accordance with conditions set out in an agreement or College policy.

3.3. Employment

3.3.1. As a condition of employment each Security Administrator successfully completes any necessary training required by the College and be appointed as a Special Constable before the end of their probationary period.

3.3.2. Campus Security Services provides initial and ongoing training to ensure that the skills and knowledge of Special Constables is current, relevant and consistent with policies, procedures and directives of the College and the police service.

3.3.3. As Special Constables, Security Administrators comply with:

- All federal, provincial and applicable municipal legislation and by-laws;
- All orders and directives of the Ministry; and
- All applicable policies, procedures and directives deemed relevant to Special Constables.

3.4. Confidentiality and Release of Information

3.4.1. Special Constables appropriately preserve confidentiality with respect to information obtained in the course of duty. Special Constables do not communicate such information to any other person except:

- As may be required in connection with the administration of their appointed authority, duties and responsibilities or to execute the authority appropriately as needed; and
- As may be required for law enforcement purposes.

3.5. Responsibilities

3.5.1. *Manager, Campus Security Services:*

- Coordinating and ensuring proper implementation of the service delivery in accordance with each agreement;
- Supervising and coordinating Special Constables and administrative and contract security staff in the performance of their duties;
- Developing, for College approval, policies and procedures consistent with College requirements, agreements, municipal, provincial and federal acts and regulations relating to public safety, security and criminal issues;
- Coordinating public safety programs, including personal safety awareness and crime prevention programs;
- Liaising and effectively communicating with the College community by explaining College policies and procedures, municipal statutes, federal and provincial acts and regulations related to public safety, security and criminal issues;
- Liaising with police services to develop and maintain a cooperative partnership;
- Creating and maintaining the standard operating procedures of Campus Security Services and Special Constables; and
- Ensuring effective and efficient service delivery within available resources.

3.5.2. *Supervisors, Campus Security Services, and Special Constables:*

- Complying with the directives of the Manager and College policies and procedures;
- Assuming or exercising any police or investigative duty with respect to any offence or suspected offence within the scope of their appointed authority;
- Maintaining the standard operating procedures of Campus Security Services and, by extension, the Police Service as it pertains to its Agreement; and
- Providing effective and efficient service delivery within acceptable standards of conduct.

3.6. Complaint Procedure

- 3.6.1. Any member of the College community or public who is directly affected by the alleged unacceptable conduct of a Special Constable may file a complaint. Unacceptable conduct is normally limited to: abuse of authority; criminal conduct; corruption; excessive use of force; or other unprofessional conduct.
- 3.6.2. If the complainant is a minor, the parent or guardian of the minor may bring a complaint on the minor's behalf and, for that purpose, the parent or guardian is deemed to be the complainant.
- 3.6.3. All complaints regarding the unacceptable conduct of a Special Constable are received, documented, and investigated by the College in accordance with applicable College policies and procedures and in accordance with Guideline D: Special Constable Complaint Procedure.

- 3.6.4. Where the subject matter of a complaint is more appropriately dealt with under another College policy (e.g., P208: Respectful College Community and Prevention of Harassment and Discrimination), the Manager may exercise discretion not to deal with the complaint under this policy and suggest that it be dealt with and decided under another appropriate policy. The Manager may assist the individual in contacting the administrator of the appropriate policy.

Where the circumstances which have given rise to a complaint are also the subject matter of another procedure (e.g., the Complaint Procedure in policy P208) the Manager works with the administrator responsible for the application of the other policy to determine under which policy the matter shall be dealt with first. Where criminal proceedings are initiated against a Special Constable based on the allegations in a complaint that fall within the scope of this policy, the College conducts its own independent investigation, if possible, into the allegations and make its own determination in accordance with this policy.

- 3.6.5. Vexatious or bad faith complaints are contrary to this policy and will result in disciplinary actions or sanctions. For the purposes of this policy, a vexatious or bad faith complaint means a complaint where a complainant makes allegations knowing them to be false or submits a complaint for a purely malicious or vindictive purpose.
- 3.6.6. Substantiated incidents of reprisal or retaliation are contrary to this policy and will result in disciplinary actions or sanctions. For the purposes of this policy, reprisal or retaliation means any adverse action against an individual for invoking this policy or for participating or cooperating in an investigation under this policy or for associating with someone who has invoked this Policy or participated in the policy's procedures.
- 3.6.7. Where a complaint has been substantiated or where it has been determined that a complaint was a vexatious or bad faith complaint, appropriate corrective or disciplinary action will be taken by the College. Such action may include but is not limited to: an apology, counselling, education or training, warning, suspension without pay, leave without pay, demotion, transfer, or termination of employment. Where it has been determined that a complaint was a vexatious or bad faith complaint, the Manager may also exercise their discretion to not investigate or to cease to further investigate the complaint.

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Policy No. & Title: P103: SAFE COLLEGE CAMPUS

Addendum: **Guideline D: SPECIAL CONSTABLE COMPLAINTS**

Issued by: Chief Infrastructure Officer, Finance and Administration

Effective: 2020-04-01

1. PURPOSE

The purpose of this guideline is to establish a process to investigate and dispose of complaints against Special Constables.

2. APPLICATION

Any member of the College community or the public who is directly affected by the alleged unacceptable conduct of a Fanshawe College Special Constable may file a complaint to the Manager, Campus Security Services (“Manager”). Unacceptable conduct is normally be limited to: abuse of authority; criminal conduct; corruption; excessive use of force; or other unprofessional conduct. Such complaints are processed under this procedure. A complaint involving the Manager is submitted to the Chief Infrastructure Officer, Finance and Administration (“CIO”) or designate. Where a complaint involves the Manager, references to the Manager elsewhere in this procedure are taken to refer to the Director or designate and references to the Director are taken to refer to the CIO.

2.1. The Parties

The parties to a complaint under this procedure are:

- The complainant: an individual who makes a complaint, and
- The respondent: a Special Constable who is named in a complaint as a person responsible for the alleged conduct under complaint.

2.2. Time Limits

Complaints must be filed within six months of the incident giving rise to the complaint. Other time limits prescribed in this procedure may be extended by mutual agreement of the parties.

2.3. Confidentiality

Confidentiality with respect to complaints will be maintained to the greatest extent possible, having regard to the circumstances giving rise to the complaint and subject to the College’s obligation to conduct a thorough investigation.

A complainant is not entitled to complete confidentiality or anonymity. The respondent will be informed of the identity of the complainant.

Parties and witnesses are expected to keep information discussed confidential. Unwarranted breaches of confidentiality may result in disciplinary action or sanctions.

Confidentiality with respect to the findings of an investigation is maintained, except to the extent necessary to implement or defend the corrective or disciplinary action taken, or as required by law.

Where corrective or disciplinary action is taken against either the complainant or the respondent, the other party is advised that action has been taken, but is not provided with the particulars of that action.

Documentation regarding corrective or disciplinary action taken will be maintained by the College. Subject to the provisions of the Freedom of Information and Protection of Privacy Act, and as required by law, documentation and records pertaining to a complaint will be held in strict confidence in files maintained by the Manager.

3. COMPLAINT PROCESS

The following process applies to complaints made pursuant to this policy. The complainant may withdraw a complaint at any time during the process. Depending on the circumstances, the College may continue to act on an issue arising in a complaint even when it has been withdrawn.

3.1. Stage One – Informal Resolution (Optional)

3.1.1. If the complainant wishes to attempt informal resolution they should contact the Manager. The Manager provides the complainant with a copy of this policy and guideline. The complainant provides the Manager with the following information:

- The name of the Respondent(s);
- The nature of the complaint setting out the alleged conduct;
- The time and date of the incident(s) giving rise to complaint;
- The names of any witnesses to the incident (s) given rise to the complaint; and
- The resolution the complainant is seeking.

3.1.2 The Manager advises the complainant whether, based on the information provided, the complaint falls within the jurisdiction of this policy.

3.1.3 Based on the information provided the Manager may recommend an appropriate informal dispute resolution mechanism. This may take the form of the Manager meeting with the parties to act as an informal mediator, arranging for another individual to assist in the resolution of the complaint or suggesting other such actions as may be appropriate in the circumstances. If the complainant and respondent agree, such a mechanism will be pursued.

3.2 Stage Two – Formal Written Complaint and Investigation

3.2.2 The complainant may submit a written and signed formal complaint to the Manager, including the information detailed in section 3.1.1 above.

3.2.3 On receipt of a written complaint, the Manager:

- If necessary, within 10 College business days of receipt of the complaint, meets with the complainant to clarify the complaint details.

- Within 10 College business days of that meeting, the Manager advises the complainant if the complaint will be pursued under this policy and if not, the reasons for not pursuing the complaint or for suggesting a more appropriate forum.
- Within 10 College business days of the Manager advising the complainant that the complaint will be pursued under this Policy, the Manager informs the respondent in writing of the complaint and advise the respondent to provide a written response to the allegations within 10 College business days.
- If necessary, within 10 College business days of the Manager receiving the respondent's response, the Manager meets with the respondent to clarify the response details.
- Within 10 College business days of the Manager having received all submissions and clarifications, the Manager identifies the steps to be taken to resolve the matter.
- If the Manager deems formal mediation appropriate, it will be offered to the complainant and the respondent. If the complainant and respondent both consent, the College will arrange for a mediator. If a mediated settlement is reached, the terms of the settlement are reduced to writing and be signed by the complainant, respondent and the mediator. If the settlement requires any action on the part of the College, the settlement will require the agreement of the Director or designate. Discussions between the parties at mediation will be treated as privileged to the full extent permitted by law.
- If mediation is not pursued or is unsuccessful, the Manager appoints an investigator and notifies the parties of the identity of the investigator.
- The investigator commences the investigation within 10 College business days of the date of the appointment. Any objections to the appointed investigator may be made by the parties within two College business days of notification of appointment. Only objections based on substantive issues such as conflict of interest or bias against a party are considered.
- The investigator commences an investigation within 10 College business days of the date of the appointment. The Investigator will:
 - Interview the complainant and the respondent and obtain signed statements;
 - Interview the witnesses suggested by the parties and obtain signed statements;
 - Interview other witnesses who may provide relevant information for the investigation and obtain signed statements;
 - Gather written, electronic or other evidence;
 - Within 45 College business days from appointment submit to the Manager a written investigation report containing a concise summary of the findings of the investigation.
 - If required, the investigator may request an extension of this time frame. The Manager will advise the parties if additional time has been granted.

3.3 Stage Three – Investigation Report, Summary of Findings and Disposition

3.3.1 *Disposition Meeting*

Within 10 College business days of receiving the investigator's report, the Manager forwards a copy of the investigation report to the CIO or designate, and arranges a meeting with the CIO or designate, and anyone else who either the Manager or the CIO determines will add value to the process. The purpose of the meeting is to determine what action, if any, the College will take to bring closure to the complaint.

Unless otherwise stipulated by an agreement, in the event that a decision might affect the status of a Member as a Special Constable, the Manager or designate, will also report the findings of the investigation to the applicable police service(s).

3.3.2 *Written Notification*

Within five College business days following the meeting, the Manager or designate provides the complainant and the respondent with a written summary of the investigator's finding. Each party is advised what action, if any, that relates directly to that party, that the College will be taking to bring closure to the complaint.

3.3.3 *Redress and Sanctions*

Where a complaint has been substantiated or where it has been determined that the complainant filed a complaint that was vexatious or made in bad faith, appropriate corrective or disciplinary action will be taken by the College. Such action may include but is not limited to: an apology, counselling, warning, education or training, suspension without pay, leave without pay, demotion, transfer, termination of employment. Where it has been determined that a complaint was a vexatious or bad faith complaint, the Manager may also exercise their discretion to not investigate or to cease to further investigate the complaint.

Unless otherwise stipulated by an agreement, in the event that a decision affects the status of a Member as a Special Constable, the Director also notifies the appropriate police service(s) and the Ministry, if necessary, of the corrective or disciplinary action taken by the College.

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Policy No. & Title: P103: SAFE COLLEGE CAMPUS

Addendum: **Guideline E: VIDEO SURVEILLANCE**

Issued by: Chief Infrastructure Officer, Finance and Administration

Effective: 2020-04-01

1. PURPOSE

The purpose of this guideline is to articulate and regulate the use of video surveillance systems on College property that are intended to protect the safety and security of community members in keeping with the College's statutory and educational mandate, and to ensure the security of its facilities and other property.

2. DEFINITIONS

Cameras: Video recording cameras and other devices capable of capturing and recording video images used in video surveillance systems for video surveillance purposes.

College property: property, including, without limitation, any grounds, buildings, structures and facilities owned, leased, licensed, operated or used under the aegis of the College, including, without limitation, the lands, together with any developed space, green space, roadway, bikeway, walkway, parking facilities or spaces, and other spaces or improvements thereon as may be designated by the College.

Community members: Persons who learn, work, live or otherwise carry out activities on College property, particularly, the students and employees of the College. Community members also include members of committees established by the College, volunteers, contractors, individuals providing service or research, tenants, individuals or groups who rent or use College facilities or resources, visitors, applicants and guests.

License plate recognition: A specialized video surveillance system that captures and records vehicle license plate information.

Manager: The Manager, Campus Security Services.

Privacy Coordinator: The Vice-President, Finance and Administration who has been delegated responsibility for administering the Ontario *Freedom of Information and Protection of Privacy Act*.

Video surveillance: The coordination, management, operation, maintenance, monitoring and use of video surveillance systems and cameras.

Video surveillance system: A closed circuit television system using cameras that transmit visual information over a closed circuit through electrically conducting cable or wireless transmitter and receiver to monitoring screen or temporary recording devices, or both.

3. GUIDELINES

3.1. Introduction

As an educational institution, Fanshawe College is committed to providing a safe and secure environment in which all community members can come together to pursue their studies and other legitimate group and individual activities. The College endeavours to provide facilities and property that are secure from theft, vandalism or similar behaviour, so that all community members may enjoy them.

The open nature of the educational environment means that the College and its community members are exposed to a variety of behaviours, which may include criminal or unlawful behaviour or other forms of misconduct. The use of video surveillance systems provides an effective tool for the College to address misconduct and unlawful behaviour. It serves a deterrent and preventative function, and, should such behaviour occur, provides assistance in subsequent investigation.

3.2. Principles and Authority

- 3.2.1. The College reserves the right at all times to maintain full jurisdiction and control over College property and all activities that occur there.
- 3.2.2. The College is committed to providing a safe and secure College campus environment to all Community members as stated more fully in Section 3.1 above.
- 3.2.3. As part of this commitment, the College may use video surveillance to assist with the prevention and deterrence of criminal and other unlawful behaviour, as well as to assist with investigation should misconduct or unlawful behaviour occur.
- 3.2.4. Under the Manager's leadership, Campus Security Services is responsible for video surveillance on College property.
- 3.2.5. The College collects personal information in accordance with the Ontario *Freedom of Information and Protection of Privacy Act*. Personal information collected through video surveillance is collected under the authority of the *Ontario Colleges of Applied Arts and Technology Act, 2002* to assist the College to carry out its objects under that statute, and under the authority of the Ontario *Occupiers' Liability Act*.

3.3. Video Surveillance

- 3.3.1. Areas of the College property may be subject to video surveillance where there is a heightened safety and security risk, including without limitation:
 - College property boundaries, entrances to and exits from College property, the perimeters of buildings, entrances and exits to buildings and facilities, lobbies and corridors, receiving docks, special storage areas or cashier locations;
 - Areas subject to access control systems; and
 - Any publicly accessible areas including, but not limited to, pedestrian walkways, parking lots and campus roadways.

3.4. Public Notices and Signage

- 3.4.1. The College posts, as appropriate, signs giving notice of the possible use of video surveillance on College property. Examples of appropriate locations include entry doors to buildings where camera(s) are located, a wall area near the camera(s), or other perimeter locations. Signs are posted at every main entrance to the College property, including vehicular entrances.
- 3.4.2. Notification of video surveillance are included in the student handbook provided to new students. Such notification outlines the need and general parameters considered in video surveillance.
- 3.4.3. Notification of video surveillance may be presented in several ways including, web sites, signs and pamphlets, and includes notification similar to the following:

“You are entering an area that is subject to video surveillance, and may be monitored by video surveillance cameras.

The personal information collected by the cameras at this location is collected under the authority of the *Ontario Colleges of Applied Arts and Technology Act, 2002* and the *Ontario Occupiers’ Liability Act*. The information is collected to ensure the safety and security of College employees, students, visitors and property.

Questions about this collection may be directed to the Manager, Campus Security Services at 519-452-4400 (Room D1027).”

3.5. Privacy

- 3.5.1. Cameras are not directed through windows of any residential dwelling, including any College residence, or any College or non-College location where an individual has a heightened expectation of privacy.
- 3.5.2. Cameras are prohibited in areas where there is a heightened expectation of privacy such as washrooms, change rooms, and in the residential suites of College residences.

3.6. Prohibited Surveillance

Video surveillance is not used for monitoring student and employee performance, except as described in Section 3.7 Non-Application of Policy.

3.7. Non-Application of Policy

This policy does not apply to:

- The use of video recordings as part of the academic teaching or research responsibilities of the College.
- The use of covert video surveillance by the College or its agents in the course of specific investigations of possible misconduct or criminal or unlawful behaviour.

3.8. Video Surveillance Access

- 3.8.1. Access to video surveillance systems is strictly controlled and normally is restricted to Campus Security Services employees and outside vendor-approved service providers who require access to fulfil their contractual obligations.
- 3.8.2. Other College employees may be permitted access to personal information recorded by a camera or stored in the video surveillance system, provided that such employees require access to perform their duties to the College and further provided that the employees receive the Manager's advance approval.

3.9. Video Surveillance Training and Awareness

- 3.9.1. Campus Security Services employees, outside service providers and persons having video surveillance responsibilities under this policy, are appropriately trained in matters relating to privacy protection and the proper, confidential use of information obtained in the course of video surveillance.
- 3.9.2. Any other College employee, who, as part of their duties, may have access to personal information recorded by a camera or stored in the video surveillance system, is made aware, prior to being given access to the information, of their obligation to keep such information confidential.

3.10. Confidentiality and Release of Information

- 3.10.1. College employees preserve confidentiality with respect to all information obtained in the course of video surveillance and do not communicate the information to any other person except in accordance with the use and disclosure provisions of the *Freedom of Information and Protection of Privacy Act*.
- 3.10.2. If the College uses the services of any outside service providers, such that those providers may have access to personal information recorded by a camera or stored in the video surveillance system, the College requires that the service providers and their employees review and agree to abide by the terms of this policy, and, where appropriate, require agreement to a Confidentiality Agreement.
- 3.10.3. Should an unauthorized disclosure of personal information stored in the video surveillance system occur, the Manager immediately informs the Privacy Coordinator to ensure that the privacy breach is appropriately addressed.

3.11. Access to Information

- 3.11.1. Any community member may request to view their personal information that has been captured by the video surveillance system. Access requests are considered in accordance with the *Freedom of Information and Protection of Privacy Act*. Without limiting the generality of the foregoing, access may be denied in circumstances where:
 - Access would constitute an unjustified invasion of another person's privacy;
 - Access may interfere or affect the outcome of an ongoing security or law enforcement investigation;

- There is reason to believe that access may threaten the well-being of any individual; or
 - Access may reveal sensitive or confidential information.
- 3.11.2. Access requests are made in the first instance to the Manager. In the event the initial access request is denied, an appeal of that decision may be made to the Privacy Coordinator.
- 3.11.3. Any person who is denied access to their personal information has the right to appeal that decision to the Information and Privacy Commissioner/Ontario in accordance with policy C304: Freedom of Information and Protection of Privacy. Please contact the College Privacy Coordinator for more information.

3.12. Copying & Retention of Information

- 3.12.1. Video surveillance recordings are confidential, subject to legislation, legal proceedings, and College policy.
- 3.12.2. Copies of video surveillance recordings may be made where the College needs to use the recording, or for investigative or evidentiary purposes, including where necessary for these purposes, backup copies.
- 3.12.3. General video surveillance recordings that are not used or accessed by the College are generally retained for a period of not less than seven days and not more than 15 days. License plate recognition recordings for security purposes that do not match a flagged plate are deleted without unreasonable delay.
- 3.12.4. Video surveillance recordings used by the College are retained for the longer of a period of one year following the last use of the recording or the conclusion of any proceedings in which the recording is being used (including any appeal proceedings and time frames).

3.13. Responsibilities

- 3.13.1. The Manager is responsible for:
- The administration of this policy and the coordination of responsibilities under this policy;
 - Video surveillance on College property;
 - The approval of the use of video surveillance systems for safety and security purposes on College property;
 - The authorization of and selection of camera locations, and the coordination, through Campus Planning and Capital Development, of video surveillance system installations on construction projects of new buildings or renovations to existing buildings;
 - The development, in consultation with Campus Planning and Capital Development, of technical standards and specifications for video surveillance systems;

- The identification of an individual or individuals responsible for each College campus where video surveillance systems are installed;
 - The coordination of appropriate training of College employees and outside service providers coordinating, managing, operating, maintaining and using video surveillance systems; and
 - Facilitating an annual compliance audit with respect to this policy and making recommendations for improvement.
- 3.13.2. Persons identified as being responsible for a College campus where video surveillance systems are installed are responsible for:
- Assigning video surveillance coordination responsibilities for that location;
 - Training persons having video surveillance responsibilities;
 - Adhering to standards established under this Policy;
 - Providing proper supervision;
 - Maintaining confidentiality of recorded images; and
 - The placement of proper signage.

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Policy No. & Title: **P103: SAFE COLLEGE CAMPUS**

Addendum: Record 1: APPROVALS

2000-02-02/SA-99-06; 2007- 01-10/AC-06-05; 2007-03-07/AC-06-06; 2007-04-04/AC-06-07;
2008-01-09/AC-07-04; 2009-03-04/AC-08-05; 2010-06-15/SLC-10-04; 2011-04-13/SLC-10-17;
2012-04-25/SLC-11-11; 2012-11-28/SLC-12-05; 2013-03- 27/SLC-12-10; 2014-04-17/President;
2016-04-28/President; 2017-03-20; 2018-03-19; 2019-03-25; 2020-02-14