



# Grand Health Academy

760 King Street East • Hamilton ON L8M 1A6 • Tel: 905-577-7707 • Fax: 905-577-7738  
574 Concession Street • Hamilton ON L8V 1B1 • Tel: 905-385-7727 • Fax: 905-385-7477

## Grand Health Academy Sexual Violence and Sexual Harassment Policy

Revised August 2019

### 1. Policy Application

The Policy applies to all Career College students of Grand Health Academy. A copy of the Sexual Violence and Sexual Harassment Policy is contained in the Grand Health Academy Student Enrolment Contract. Student input was considered when the Sexual Violence and Sexual Harassment Policy was developed.

### 2. The Scope

The Policy applies to complaints of sexual violence that have occurred on Grand Health Academy's Campus or at one of our events and involves our students.

### 3. Purpose and Intent

All of Grand Health Academy students have a right to study in an environment free of sexual violence.

This document sets out our policy on sexual violence involving our students, defines the prohibited behaviours, and outlines our investigative process for sexual violence.

### 4. Policy Objectives

Grand Health Academy is committed to providing our students with an educational environment free from sexual violence and treating those students who report incidents of sexual violence with dignity and respect.

To that end, Grand Health Academy will educate our students, owners, managers and staff members about this Policy and how to identify situations that involve, or could progress into sexual violence against our students and how to reduce it.

Where a complaint has been made, under this Policy, of sexual violence, Grand Health Academy will take all reasonable steps to investigate it, including as follows:

- a) Providing on-campus investigation procedures to students for sexual violence complaints
- b) Responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- c) Assisting students who have experienced sexual violence in obtaining counseling, medical care and/or other supports;
- d) The student may contact the Human Rights Tribunal of Ontario
- e) Providing students who have experienced sexual violence with appropriate academic and other accommodation; and
- f) Providing students who have experienced sexual violence with information about reporting options. A formal report of an incident of sexual violence is not necessary to access supports, services, or accommodations.
- g) Grand Health Academy will appropriately accommodate the needs of students affected by sexual violence at no cost to the students.



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## **5. Definition of Sexual Violence**

This Policy prohibits sexual violence which means any sexual act or act targeting a person's sexuality, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

## **6. Information to the Superintendent**

Grand Health Academy will provide information to the Superintendent the numbers of times supports, services, and accommodation relating to sexual violence are requested and obtained by students

The Superintendent will also be advised of any initiatives and programs to promote awareness of supports and services available to students as well as the number of incidents and complaints of sexual violence reported by Grand Health Academy students along with the implementation and effectiveness of our Sexual Violence Policy.

Information provided to the Superintendent will not include personal information within the meaning of the Freedom on Information and Protection of Privacy Act.

## **7. Reporting and Responding to Sexual Violence – (See Addendum A)**

Students and staff members of Grand Health Academy will take all reasonable steps to prevent sexual violence involving our students on our campus or at Grand Health Academy events by reporting immediately to the Director of Grand Health Academy, Alex Grandwilewski, if our students have been subject to, or they have witnessed or have knowledge of sexual violence involving our students, or have reason to believe that sexual violence has occurred or may occur which involves our students.

Subject to paragraph 7 below, to the extent it is possible, Alex Grandwilewski will attempt to keep all information disclosed confidential except in those circumstances it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others on our campus or the broader community are at risk.

Grand Health Academy recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, Grand Health Academy may be required by law or its internal policies to initiate an internal investigation and/or inform police without the complainant's consent, if it believes the safety of members of its campus or the broader community is at risk.

## **8. Investigating Reports of Sexual Violence – (See Addendum A)**

A complaint of sexual violence may be filed under this Policy, by any student of Grand Health Academy to Alex Grandwilewski, in writing.

Upon a complaint of alleged sexual violence being made, Alex Grandwilewski, will initiate an investigation, including the following:



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- a) Determining whether the incident should be referred immediately to the police;
- b) Meeting with the complainant to determine the date and time of the incident, the persons involved, the names of any person who witnessed the incident and a complete description of what occurred;
- c) Interviewing the complainant, any person involved in the incident and any identified witnesses;
- d) Interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- e) Informing the respondent of the complaint, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
- f) Providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- g) Determining what disciplinary action, if any, should be taken.

## **9. Disciplinary Measures – (See Addendum A)**

If it is determined by Grand Health Academy that a student of Grand Health Academy has been involved in sexual violence, immediate disciplinary or corrective action will be taken up to and including termination of employment of instructors or staff or expulsion of a student.

In cases where criminal proceedings are initiated, Grand Health Academy will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

Where criminal and/or civil proceedings are commenced in respect of allegations of sexual violence, Grand Health Academy may conduct its own independent investigation and make sure its own determination in accordance with its own policies and procedures.

## **10. Making False Statements**

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and/or corrective action, up to and including termination of employment of instructors or staff or expulsion of a student.

## **11. Reprisal**

It is a violation of this Policy to retaliate or threaten to retaliate against and complainant, acting in good faith, who has brought forward a complainant of sexual violence, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

## **12. Review**

This Policy will be reviewed 3 years after it is first implemented.

## **13. Resources**

24 Hour Support Line - 905-525-4162  
SACHA –Sexual Assault Centre Hamilton Area  
75 MacNab St. South  
3rd Floor  
Hamilton, Ontario  
L8P 3C1



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Interval House  
Crisis: 1-888-387-8881

Native Women's Centre  
1-888-308-6559

Francophone Crisis  
Fem-aide Francophone Crisis Line  
1-877-336-2433

## Sexual Violence and Sexual Harassment Resources

- ❖ 24-hour Sexual Assault crisis line: (905) 525 - 4162
- ❖ Assaulted Women's Helpline  
1-866-863-0511
- ❖ Interval House 905-387-8881
- ❖ Good Shepherd Centre 905-523-6277
- ❖ Centre de santé communautaire Hamilton / Niagara Crisis: Mon-Fri 24 hours 1-877-336-2433 (1-877-FEMAIDE) TTY: 905-528-1880

Legal information on the web:  
Family Law Education for Women  
[www.onefamilylaw.ca](http://www.onefamilylaw.ca)

Your Legal Rights  
[www.yourlegalrights.ca](http://www.yourlegalrights.ca)

Legal Aid Ontario  
[www.legalaid.on.ca](http://www.legalaid.on.ca)



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## ADDENDUM A

### Grand Health Academy protocol when dealing with incidents of Sexual Violence and Sexual Harassment

#### Obtain a Description of the Incident or Claim

Grand Health Academy will:

- Listen to the student, and ensure that they provide a full account of the incident(s).
- Ensure that the matter is treated seriously, using a professional manner, and avoid discounting their difficulties in coming forward and telling the story.
- Obtain a written, signed, and dated statement from the complainant.
- Ensure that the student is free from retaliation as a result of their coming forward.
- Ask the student if there is a resolution that can be reached.
- Inform the student that they may wish to file a complaint with the appropriate law enforcement authorities.

#### Conduct an Investigation into the Incident or Claim

Grand Health Academy will:

- Conduct an investigation immediately after learning of the complaint.
- Ensure that the investigation remains confidential, and that all information gathered remains confidential. Information should be shared only where necessary, and with appropriate parties. They must also be informed of the need to remain confidential.
- Investigate all claims seriously.
- Document all information appropriately.
- Contact the authorities where appropriate.

#### Interviewing the Complainant

Grand Health Academy will:

- Obtain a full account of the incident, and document all details provided.
- Determine any potential pattern involved, or whether the incident was a singular occurrence.
- Identify any reporting relationships or hierarchical structures that may have influenced the incident(s).
- Determine a timeline of events associated with the incident.
- Examine the potential of a charge made under false pretenses, and any motivating factors that may be involved. Work to rule out these potential elements.
- Inform the complainant that a thorough investigation will take place.
- Obtain a written, signed, and dated statement from the complainant.
- Ensure that the student is free from retaliation as a result of their coming forward.

#### Interview the Respondent (Accused)

Grand Health Academy will:

- Obtain a written, signed, and dated statement from the respondent.
- Describe the details of the accusation, and ask for clarification of any discrepancies between the two statements.
- Identify any reporting relationships or hierarchical structures that exist between the parties.
- Determine a timeline of events associated with the incident.
- Determine any potential for retaliation or reprisal, and inform the accused that this would be unacceptable.



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- Document all pertinent details of the interview, including observations of behaviour displayed, and their account of the incident.

## Interviewing Witnesses

Grand Health Academy will:

- Obtain written, dated, and signed statements from any witnesses.
- Ensure that the student is free from retaliation as a result of their coming forward.

## Resolve the Complaint

- Where a transfer or alteration to the student's schedule or other arrangements are either requested or required, ensure that they do not adversely affect the student's education.
- Where disciplinary action is required, determine the level of discipline based on the severity of the incident, previous action taken in similar circumstances, the individual's previous history, and the frequency.
- Review, revise, and re-communicate the institution's policy on violence, sexual violence, and harassment.
- Place documentation of the complaint, investigation, rulings, discipline imposed, and any actions taken into confidential files.
- Follow up with the involved parties to provide details of the actions being taken in response to the findings of the investigation.

Grand Health Academy will appropriately accommodate the needs of students affected by sexual violence at no cost to the students