

**PREVENTING AND RESPONDING TO SEXUAL VIOLENCE AND
MISCONDUCT POLICY**

Name of Policy	Preventing and responding to sexual violence and misconduct policy
Last Revision	August 17, 2021
Implementation Date	September 1, 2021
Position(s) Responsible	Campus Director, SEA

PURPOSE STATEMENT

Winston College wishes to confirm its responsibility to provide a safe and secure learning environment. At Winston College, we firmly believe that there should be a safe environment for all the students, which is free from any kind of sexual misconduct as the college has zero tolerance towards this kind of misconduct. Through this policy the Winston College strive to prevent sexual misconduct and create a procedure to respond effectively and in a timely manner when incidents occur. This Policy has been designed in compliance with the BC Sexual Violence and Misconduct Policy Act S.B.C. c.23 (the Act).

SCOPE AND APPLICATION

- The policy applies to students, faculty and staff members working at Winston College as well as extends to the visitors, volunteers and contractors at the campus, who may be found involved in any act of violating the respectful environment of the college by indulging in any sexual violence or misconduct.
- Sexual misconduct is defined as any form of undesired activity of a sexual nature which intends to violate the sexual integrity of the individual to whom it is directed.
- Sexual assault is characterized by a broad range of behaviors that involve the use of coercion, threats or control towards a person which makes the person feel uncomfortable, distressed, frightened.

SEXUAL MISCONDUCT MAY INVOLVE:

- a) Sexual Assault
- b) Sexual Exploitation
- c) Sexual Harassment
- d) Stalking
- e) Incident Exposure
- f) Voyeurism
- g) Distribution of a sexually explicit photograph or video of a person, without the consent of the person in the photo or video.
- h) Attempt to commit an act of sexual misconduct
- i) Threat to commit an act of sexual misconduct.

REPORTING /DISCLOSURE PROCEDURE

The person who wishes to disclose sexual misconduct or make a formal report against it may do so as per the following process:

1. The person (victim) may choose to disclose the sexual misconduct to the Senior

Administrator/SEA Winston college, without making a formal report. In this case a formal process may not be initiated, but the management will deal with the disclosure seriously and may take steps to avoid the repetition of the incident.

2. To initiate a formal process, the victim or a member of the college community, on behalf of the victim, needs to submit a report in writing to the Senior Administrator/ Senior Educational

3. Administrator Winston college, stating as clearly as possible the details of the incident, including the details of the people involved in the misconduct, along with a request for an action. The report must clearly state the allegations against the alleged person involved in the sexual misconduct.

4. The Senior Administrator/SEA will, within 24 hours of receiving the complaint, initiate an investigation to the complaint and may ask for more information from the complainant.

5. Depending on the severity of complain, the SEA will form a committee of at least 3 employees to investigate and may seek legal advice or may ask the complainant to follow a legal process besides the complaint filed at the Winston college.

6. The person against whom allegations are made will be informed about the same, keeping the name and details of the complainant private. The person will be given 24 hours' time to submit written explanation about the incident.

7. The Winston college SEA and investigation committee will then verify all the available evidence and if found guilty, the alleged perpetrator will be asked to offer a written apology to the complainant and will also be expelled from work/study (as the case may be).

1. If the perpetrator is a visitor, whom the Winston college authorities cannot access, the information of the visitor will be given to the local police along with the copy of the complaint, if the complainant agrees to this.

9. The information of the complainant will be kept confidential according to the Freedom of Information and Protection of Privacy Act, unless it becomes mandatory by law to disclose the information to get full justice to the complainant. If required, the complainant will be given to counseling or emergency medical care to overcome the mental or physical problems faced by the complainant due to the incident.