



Sexual and Gender Based Violence Response Policy
Plain Language Version

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Disclaimer

This is a plain language version of Lakehead University's Sexual and Gender based Violence Response Policy. Plain language describes communication whose wording, structure and design are clear so that readers can easily understand and use it. If any university member requires more detail, they are encouraged to look at the official [Sexual and Gender based Violence Response Policy](#).

1.Preamble

1.1. The University pays a lot of attention to keeping a healthy space to live, study, work and play for all its diverse community members. Lakehead is dedicated to creating a safe place where University Community Members can find safe and healthy attitudes towards sexuality, sex, gender identity and gender expression. The University understands that any kind of sexual and gender based violence (SGBV) is wrong and hurts the whole University community, and people that belong to equity-seeking groups or people that represent a minority in terms of their race, ethnicity, religion, sexuality or ability to name a few are more likely to face SGBV. The University also knows that sexual and gender based violence (SGBV) is based on unequal power between people. This means that people with less power in society may face more sexual and gender based violence (SGBV). The University believes that all people should be treated with dignity and respect according to the *Ontario Human Rights Code*.

1.2. The University will make sure that every University Community Member knows what sexual and gender based violence (SGBV) is, because there are lots of behaviours that can be considered SGBV. Some acts of SGBV can also be considered acts of sexism, racism, ableism, homophobia, transphobia and we must consider how these acts can add up and have harmful effects on Survivors. This is known as Intersectionality. The University also wants to make sure that every university member knows the responsibilities that they have to make sure the University is a safe place. The University will also look at how well this policy is understood and how university members react when they are told about SGBV at the University. Lakehead University will not accept or allow any form of SGBV. This Policy will focus on the University's response to SGBV.

1.3. The purpose of the Policy is to support Survivors of sexual and gender based violence and to deal with any acts of sexual and gender based violence. The main goals of this Policy are to:

- a) explain the University's rules around SGBV and how the University will keep information private;
- b) explain the types of services that are available to Survivors on Campus and in the community;
- c) explain the types of supports that are available for Survivors of sexual and gender based violence;
- d) the accommodations (academic and other) the University can make for Survivors of SGBV;
- e) explain the University's Complaint process for sexual and gender based violence for Survivors;

- f) explain how the University plans to educate teach and train university members about sexual and gender based violence;
- g) how the University will make sure this Policy is reviewed and used in the University.

2. Scope

2.1. This Policy will apply to any University Community Member who is a Survivor of sexual and gender based violence or has been accused of doing sexual and gender based violence. When a University Community Member is involved it does not matter where the incident happened; it could be on or off Campus, such as a placement or a University supported event. This Policy also applies to University Community Members who are accused of doing SGBV to non-university members. Any University Community Member who has experienced sexual and gender based violence will be supported whether they file a Complaint or not.

2.2. For filing a Complaint of sexual and gender based violence with the Office of Human Rights and Equity, this Policy only applies if the person who is accused of the SGBV is a University Community Member.

3. What is Sexual and Gender Based Violence (SGBV)?

3.1. Sexual and Gender based Violence (SGBV) covers a range of different things. It means any act that targets a person's sexuality, gender identity or gender expression. It could be physical or emotional, even if it was a threat or if the person tried to be sexually violent. Any sexual action done without the person's consent is considered sexual and gender based violence. SGBV includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

3.2. The University understands that SGBV is a global problem that happens to people in all cultures and societies, including universities.

3.3. Gender identity, gender expression, consent, sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation are all terms that are defined in Appendix A of this Policy.

4. Definitions

4.1. The following definitions apply to this Policy.

4.2. Allege: Any statement made which has not yet been proven in a court of law. This does not mean that what is being said is true or false, it just means that it has not yet been legally proven.

4.3. Appropriate Manager/ Supervisor: This person is a University Employee and is in charge of the Respondent (the Respondent's boss).

4.4. Bystander: Anyone who sees sexual and gender based violence; it also includes anyone who was told about sexual and gender based violence. This person can be a witness and is not the person doing or receiving the sexual and gender based violence.

4.5. Campus: Any place or building that is owned and used by Lakehead University; it also includes any online webpages that are managed by the University.

4.6. Complainant: The person who files the Complaint. This person is the Survivor of the sexual and gender based violence. Sometimes this may be the University if the University is taking an anonymous Complaint forward.

4.7. Complaint: A Complaint is a written account of the sexual and gender based violence that is given by a Complainant to the Office of Human Rights and Equity to be dealt with under the Complaints process listed in this Policy in section 11.1.1 and 11.1.2.

4.8. Disclosure: When a person tells a University Community Member that they experienced or witnessed sexual and gender based violence.

4.9. Employee: Anyone who works at the University. e.g. All administrators, faculty, staff, research assistants, teaching assistants and coaches.

4.10. Equity Seeking: A person who belongs to a group that faces barriers to full participation within society. The features of these groups are those listed or similar to those listed in the *Ontario Human Rights Code* under "grounds."

4.11. Intersectionality: The way that different types of discrimination overlap and even make more barriers or problems for a person.

4.12. Interim Measures: Short-term rules or limits that are given to persons or put in place to make sure that all University Community Members are safe.

4.13. Ministry: Means the Ministry of Advanced Education and Skills Development, the **Minister** is the head of the Ministry.

4.14. Report: The written statement that is given to the Office of Human Rights and Equity which explains the incident of sexual and gender based violence including who did it.

4.15. Respondent: The person who the Complainant says did the sexual and gender based violence. The person accused is the Respondent in a Complaint involving sexual and gender based violence.

4.16. Student: All undergraduate and graduate Students who are taking classes at Lakehead University; it also includes any Students who are signed up for online classes or who are signed up for English Language studies.

4.17. Support Person: Any person who helps the Survivor with mental, emotional or physical support.

4.18. Survivor: A university member who has experienced or seen sexual and gender based violence.

4.19. University Community Members: Includes all Students, Employees, union and non-union staff, faculty, administration, Senators, members of the Board of Governors, volunteers, and visitors to Lakehead University and anybody else who is on Campus.

5. Guidelines

5.1. This Policy is based on the following guidelines:

- a) Using a Survivor-centred approach. This means anybody who comes to us and says they had SGBV happen to them will be believed and not blamed or judged. Someone who experienced SGBV is the best judge of their own needs and the University will do everything it can to respect their wishes;
- b) The University understands that not everyone is going to identify as being a “victim” or a “Survivor.” The University will respect each person and use the terms that the person who experienced SGBV feels most comfortable with;
- c) Making sure that persons who disclose SGBV are treated with respect and dignity;
- d) Respecting the rights and experiences of equity-seeking groups;
- e) Helping those affected by SGBV to get medical care and counselling, both on and off Campus;
- f) Providing appropriate academic and other supports for those who experience SGBV;
- g) Providing information to Survivors about Reporting under this policy and outside of it;
- h) The University will not share any information on anyone making a Disclosure, Report, or Complaint unless it has to by law;
- i) Making sure the University is able to investigate and go through the adjudication procedure mentioned in this Policy;
- j) Making sure that the process is fair for everybody that is involved, and that everybody is treated respectfully at all times;
- k) Educating and training University Community Members on how to respond to a Disclosure of SGBV;
- l) Educating and training for University Community Members so that they know how to identify SGBV and help stop these incidents from happening.

6. Confidentiality

6.1. The University will do everything it can to keep all of the information that is disclosed private and secret. The names of the people involved will only be released if it is required by law.

6.2. If there is an investigation or adjudication procedure happening, the University will not release any names of those involved, except as required under this Policy or the law.

6.3. The only time that the University would have to release the private information would be if:

- a) Somebody is going to be harmed or may cause self-harm;
- b) The University or wider community may be harmed;
- c) The law forces the University to release the private information;
- d) The person who experienced SGBV wants to file a Complaint and some information needs to be shared with a few people who are involved in the process; or
- e) The person needs an accommodation, support or service and a name is required confidentially.

7. Supports, Services and Accommodations (Academic and Otherwise) Available for those who Experience SGBV

7.1 On Campus and off Campus supports for both Thunder Bay and Orillia are listed in Appendix “B” of this Policy.

7.2. Anyone who needs help finding and using supports can contact the Office of Human Rights and Equity.

7.3. Some of the supports that are available include, supports for mental and physical well-being, supports that will help people feel safe, supports that will help people continue their education or employment, and supports that will try to stop the Complainant and Respondent from contacting each other.

7.4. Someone who experiences sexual and gender based violence does not have to file a Complaint or Report to receive services or accommodations. The Office of Human Rights and Equity will help set up these supports, services and accommodations and will answer any questions.

7.5. There is no time limit under this Policy for requesting supports or accommodations. Someone can request support or help from the Office of Human Rights and Equity at any time.

8. Disclosure

8.1. Disclosure is when somebody talks about an incident where there was SGBV. It could be the person who experienced the SGBV who is sharing the information, or it could also be a Bystander who is sharing what they saw. Any University Community Member that makes a Disclosure, or who is told about the information, is able to talk to the Office of Human Rights and Equity and get supports, services and accommodations, even if they decide not to Report or file a Complaint.

8.2. The Office of Human Rights and Equity encourages anyone who experienced SGBV and needs help, to contact the office. Disclosures can be made at any time, even if a long time has passed. The Office of Human Rights and Equity will explain the options available and can provide information about SGBV supports, while also explaining the different Reporting steps. All of these discussions are private and will not be shared without telling the person who made the Disclosure.

8.3. Most of the time, a Complaint will only be made if the person making the Disclosure wants to file a Complaint. However, the University can start a Complaint if they believe that there is a safety risk or if they have to start a Complaint for legal reasons.

8.4. There is no time limit for making a Disclosure. A person can talk about an incident of SGBV whenever they are ready.

8.5. What you should do if somebody tells you about an incident of SGBV

8.5.1. Always believe them, help them and tell the person to visit the Office of Human Rights and Equity, because the office can provide help and explain supports, services and accommodations. If somebody tells you about an experience of SGBV, please keep that information private, unless you think that their safety or another's is at risk, or if you think the University has a legal duty to investigate the matter.

8.5.2. If you think the person who told you about the sexual and gender based violence is in danger, there are supports available in Appendix B, contact one of them and stay with the person until help arrives.

8.5.3. If you believe someone in the University or the wider community is at risk of harm you should contact one of the emergency services in Appendix B

8.5.4. If you do contact one of the emergency supports listed in Appendix B, please Report the event to the Office of Human Rights and Equity.

8.5.5. If you are an Employee and somebody has disclosed information to you, you should keep track of that information and Report it to the Office of Human Rights and Equity without telling any names so that the information can be recorded without mentioning personal information.

8.5.6. If you require any kind of help after receiving a Disclosure, you can contact the Office of Human Rights and Equity.

9. Reporting

9.1. Whether the person who experienced SGBV plans on filing a Complaint or not, they can always Report the SGBV to the Office of Human Rights and Equity.

9.2. If the person who experienced SGBV wants to file a police Report, the Office of Human Rights and Equity can help them do so.

9.3. The record of the Report will be kept only for tracking numbers to Report to the Ministry. No information on names will be used.

9.4. Sometimes people prefer the informal process. This means trying to solve the situation without telling police or filing a Complaint. Before trying an informal process, the Office of Human Rights and Equity will look at how serious the actions were and if there are any safety risks. For example, the person who experienced SGBV might want to resolve the incident using mediation and talking about a solution with the respondent and OHRE. If the SGBV is not a very serious act and both people agree, then an informal approach may be used.

9.5. Usually, an investigation will only be started if the person who experienced the SGBV wants to start an investigation. The University may start a Complaint if they have received anonymous information and they decide that there is a safety risk or if the University is legally forced to investigate.

10. Interim Measures

10.1. The University may decide to put temporary rules, or Interim Measures, in place to protect the safety and security of University Community Members. The University might decide to do this even if a Report or Complaint is not made.

10.2. The University will try to use Interim Measures that will make University Community Members feel safe. They will choose those measures that cause the least disruption for everyone. The Office of Human Rights and Equity will decide if any Interim Measures should be put in place.

10.3. Students will have their Interim Measures decided by the Office of Human Rights and Equity, with input from the SGBV Assessment Committee if needed. Employees will have their Interim Measures decided by their supervisor. If the person is a visitor (not a Student and not an Employee), then the Vice President of Administration and Finance will decide what Interim Measures should be put in place.

10.4. If anybody needs to change the Interim Measures, they can talk to the Office of Human Rights and Equity to see if small changes can be made.

10.5. If, for safety reasons, the University decides to put in these temporary rules, these are some of the Interim Measures that they can enforce:

- A no contact requirement, meaning the Respondent cannot talk to or be in view of the person who Reported the SGBV.
- A person might be asked to sign in at security when they arrive at the University and to sign out when they leave.
- A person might not be able to use the Library or athletic buildings.
- A person might not be able to do certain extra-curricular activities.
- A person might not be allowed to go to class.
- A person might not be allowed to go anywhere on Campus.
- A person might not be allowed to use their Lakehead email account.

- If the person lives on Campus, they might have to be in their room by a certain time.
- If the person lives in residence, they might be moved to a different building or in some cases they will have to find other housing.

10.6. If there are Interim Measures, they will stay in place until:

- a) the Office of Human Rights and Equity, the Assessment Committee, the appropriate Manager/Supervisor, or the Vice-President Administration and Finance says it's okay to stop following the Interim Measures;
- b) the Office of Human Rights and Equity decides that there is no reason for an investigation;
- c) the Office of Human Rights and Equity decides that the Adjudication Panel does not need to meet;
- d) the person who experienced the SGBV decides they want to cancel their Complaint; or until
- e) the Adjudication Panel decides that the Interim Measures should end or on other consequences.

10.7. Interim Measures are put in place for safety concerns and not to punish or blame anyone.

11. Complaint Process

11.1 How to start a Complaint

11.1.1 Filing a Complaint

- a) All Complaints need to be in writing, and given to the Office of Human Rights and Equity. Complaints can be mailed to:

Office of Human Rights and Equity
955 Oliver Road
Thunder Bay, ON, P7B 5E1

Someone who has experienced sexual and gender based violence can also

- stop by the office on the fifth floor of the Library (Thunder Bay) or
- visit Simcoe Hall 500 University Ave, (Orillia), Office of Student Affairs (Students), Office of Human Resources (Employees and Visitors) or
- they can e-mail their Complaint to humanrights@lakeheadu.ca

- Complaint forms can be found at <https://www.lakeheadu.ca/faculty-and-staff/departments/services/human-rights-and-equity>.

- b) In order to file a Complaint with the Office of Human Rights and Equity, the Respondent would need to be a University Community Member, such as an Employee, Student, or guest.

11.1.2. A Complaint must be written down and should have **all** of the following:

- a) The name of the Respondent.

- b) It needs to explain what happened, when it happened, and include details from the SGBV incident.
- c) It should also list any witnesses who might have seen something.

Once the Office of Human Rights and Equity gets the Complaint, they will contact the person who experienced the sexual and gender based violence. The Office of Human Rights and Equity may also ask some additional questions so they can understand what happened and ensure supports for the Complainant.

11.1.3. It is important that the Complaint process is not misused. If someone misuses the Complaint process, they may be breaking other policies.

11.1.4. Persons who have experienced SGBV can choose to not make a Complaint or change their mind during the process. They have the right to pull back their complaint at any time. Sometimes the University might start a Complaint or continue the complaint, but only if the University thinks that somebody might get hurt or if they legally have to investigate.

11.1.5. Once a Complaint has started, the Office of Human Rights and Equity will send the Respondent a copy of the Complaint. The Respondent and the Complainant will receive a letter telling them that the Assessment Committee is going to look at the Complaint. The letter will also remind them that they need to keep this information confidential.

11.2. Sexual and Gender Based (SGBV) Violence Assessment Committee (“Assessment Committee”)

11.2.1. The Assessment Committee will be made up of:

- a) the *Director of the Office of Human Rights and Equity (Chair); and
- b) two University Employees, who will be picked by the Chair.

*If the Director is unavailable or in conflict, the Vice-President of Finance and Administration will choose a replacement.

11.2.2. The Assessment Committee will look to see if:

- a) the Respondent is a University Community Member;
- b) the conduct is something that the Policy considers sexual and gender based violence;
- c) this is an issue which a different University Policy covers; and if
- d) any Interim Measures need to be put in place.

11.2.3. If the Assessment Committee looks at the Complaint and thinks that this is something that should be investigated, then the Assessment Committee will find an investigator.

11.2.4. If the Assessment Committee decides not to appoint an investigator, they will say why in writing.

11.2.5. If the Respondent leaves the University before the investigation is finished, it will be put ‘in abeyance’, which means that when the Respondent returns to the university, the process will continue.

11.3. Investigation

11.3.1. The investigator will be somebody who can investigate the incident fairly, without taking sides, and in a reasonably short amount of time.

11.3.2. Once an investigator has been found, the Respondent and the Complainant will be told. They may be interviewed by the investigator. During this time, all information about the investigation should be kept confidential and not be told to anyone other than their Support Persons. If they don't keep the matter confidential then they could be breaking the University's Code of Conduct.

11.3.3. The Respondent will receive a copy of the Complaint and get a chance to write a response to the Complaint. The Complainant will receive that response and both parties will be told that it must be kept private and confidential.

11.3.4. Anybody who is being interviewed by the investigator can have a Support Person with them during the interview.

11.3.5. Anybody who is being interviewed can also bring a lawyer into the room when they are being interviewed by the investigator.

11.3.6. If the person being interviewed is an Employee and is represented by a trade union, then someone from the union can be in the room during the interview.

11.3.7. If the Respondent is an Employee, the Office of Human Rights and Equity will contact their Supervisor in writing. In this letter the Supervisor will be told to keep all of the information about the incident confidential.

11.3.8. The investigator will conduct interviews with everyone involved in the Complaint in a fair and unbiased manner that is in line with professional practices. The investigator will remind everyone who is interviewed to maintain the information private and not disclose anything outside their supports.

11.3.9. Any member (the Complainant, Respondent, and Witnesses) can present evidence during their interviews or by a time that is agreed upon with the investigator.

11.3.10. Anybody who needs supports, services or accommodations during the investigation can contact the Office of Human Rights and Equity.

11.3.11. If the Complainant or the Respondent does not want to participate in the investigation they do not have to.

11.3.12. Once the investigator has all the information the investigator will write an investigation Report.

11.3.13. Both the Complainant and the Respondent can contact the Office of Human Rights and Equity at any time if they want to know what is happening with the investigation.

11.4. Investigation Report

11.4.1. After the investigation is finished, the investigator will give the Office of Human Rights and Equity an investigation Report.

11.4.2. The Office of Human Rights and Equity will give the Respondent and if appropriate, the Complainant a copy of the Report. Sometimes because of the privacy rights of the Respondent, the Complainant will not be able to see all of the investigation Report.

11.4.3. The Assessment Committee will look at all of these documents and decide whether to send this to the Sexual and Gender based Violence Adjudication Panel. If the Assessment Committee thinks that there is any chance that the Adjudication Panel could see this as sexual and gender based violence, then the case will move ahead to the next step.

11.4.4. Once the Assessment Committee has made a decision, they will explain their decision in writing, with very brief reasons, which will be sent to the Office of Human Rights and Equity.

11.5. How does the SGBV Adjudication Panel (“Panel”) work?

11.5.1. If the Assessment Committee decides this is something that should be looked at by an Adjudication Panel, then the Director of Human Rights and Equity will create a three-person Panel.

11.5.2. There are up to 15 people, who the University has approved, that can sit on a panel. To be a Panel member the person needs to be a tenured member of Lakehead’s faculty, a senior administrator at Lakehead or someone from the community who knows a lot about SGBV.

11.5.3. At least one of the Panel members will be an Employee at Lakehead University. The Office of Human Rights and Equity will help the Panel if they need legal or process information.

11.5.4. The Complainant and the Respondent will be told who is on the Panel and they can ask to change the Panel if there are any conflicts of interest.

11.5.5. The Panel members will decide who they want to be their Chairperson, who is the person that makes sure that the process is fair and smooth and stays in contact with the Office of Human Rights and Equity.

11.5.6. The Office of Human Rights and Equity will create a folder called an “Evidence Dossier,” and give it to the Panel usually within ten (10) days. In this Evidence Dossier will be all of the documents that the Assessment Committee had viewed after the investigation, as well as any of the written responses by the Complainant and/or Respondent.

11.5.7. Shortly after the Panel has received the Evidence Dossier the Panel and the Office of Human Rights and Equity will start setting up meetings between the Panel and the Complainant and Respondent. If the Complainant or Respondent does not wish to attend one of these meetings, the Panel can continue without them. If a Complainant wishes to answer the Panel’s questions without a face to face meeting this can be arranged.

11.5.8. The Panel meetings will be led by the Chair of the Adjudication Panel. One member will be chosen to be the Chair of the Panel. The Chair has the right to remove people from meetings if they are not behaving well or are breaking a rule under the University's Codes of conduct.

11.5.9. The Panel might decide to start the meetings by presenting a statement of facts, which is a list of facts that both the Complainant and Respondent agreed happened.

11.5.10. Just like in the interviews, both the Complainant and Respondent can bring a Support Person and/or a lawyer with them when they go to Panel meetings. If the person is an Employee who is represented by a trade union, then a union representative can also attend the Panel meetings.

11.5.11. Panel meetings will be private, and the Complainant and Respondent will not meet face to face, unless everyone has agreed to do so.

11.5.12. The meetings will take place either in person or using video technology.

11.5.13. If the Complainant and the Respondent do not agree on the facts, then they can ask the Panel to call witnesses. The Complainant and Respondent can request that the Panel ask certain questions of certain witnesses so that the facts can be determined.

11.5.14. The Panel will make sure the Complainant and Respondent know what evidence the Panel will use to make their decision.

11.5.15. The Panel decides what processes it will follow.

11.5.16. After the Panel has looked at all of the information and finished all of their meetings, they will decide whether the evidence shows that it is more likely than not that the Alleged sexual and gender based violence occurred. Meaning, they will decide if the evidence shows that there is a greater chance that the SGBV happened than didn't happen.

11.6. The Panel's Decision

11.6.1. After reviewing the evidence the Panel will decide:

- a) what is more likely, that the SGBV happened or that the SGBV did not happen;
- b) decide on the consequences, if any, for the Respondent if they are a Student;
- c) If the person is an Employee or someone other than a University Community Member, then it will not be the Panel that decides the consequences, instead it would be the appropriate Supervisor or the Vice-President of Administration and Finance.

11.6.2. The written decision of the Panel will be given to the Office of Human Rights and Equity, and the Vice-Provost of Student Affairs if the Respondent is a Student. If the Respondent is an Employee, the decision will be given to their Manager/Supervisor. If the Respondent is someone other than a Student or Employee, the decision will be given to the Vice-President of Administration and Finance. All of those involved in the decision will ensure that all information is kept private and confidential.

11.6.3. The Complainant will be given information on the Panel's decision, but not the ~~consequences, if any, unless the University believes it is important for their health and safety.~~

11.7. Consequences

11.7.1. Depending on the decision, there could be consequences. The University wants to promote a safe environment, so some of the actions that could be taken include:

- i.** Educational sessions that must be attended on SGBV.
- ii.** Coaching sessions that must be attended to improve communication and/or conflict resolution skills.
- iii.** May not be able to use some of the Universities Campuses and/or services.
- iv.** Students might be suspended, or could even be expelled from the University.
- v.** Employees could be fired.

11.7.2. The Panel is not able to give money to the Complainant as a consequence, through this process.

11.8. General Information

11.8.1. Other Reporting Options- Filing a Complaint using this Policy does not stop someone from filing a Complaint with the police, the Ontario Human Rights Tribunal or any other civil process. Generally, it will be up to the Complainant to decide if they want to file a Complaint at all.

11.8.2. Not filing a Complaint- If someone decides not to file a Complaint, they are still able to access supports and services through the University.

11.8.3. Cancelling a Complaint- If the Complainant changes their mind at any point, they can write to the Office of Human Rights and Equity to say that they want to stop looking into it.

11.8.4. Harassment and/or Discrimination- Complaints that do not deal with SGBV may be dealt with using the University's Harassment and Discrimination Policy, Workplace Violence Policy, the Code of Student Behaviour and Disciplinary Procedures, or other University Policies.

11.8.5. Support Person- A Support Person is always available to both the Complainant and the Respondent, and they can be with them at any time during the process.

11.8.6. Confidentiality- All of the documents and information will be kept private and locked by the Office of Human Rights and Equity.

11.8.7. Timelines- All Complaints will be dealt with as quickly as possible; however sometimes this process might take a little bit longer than what the Policy states. Sometimes extra time is needed in order to make sure that the process is fair and just, and to follow the rules of Collective Agreements.

11.8.8. Collective Agreements- There are many collective agreements, and the terms in those agreements will be followed parts of this Policy.

12. Communication, Education, and Training

12.1. Institutional Responsibility to Provide Support and Timely Communication

12.1.1. The University will make sure that all university members will have access to information and supports on SGBV. This includes making sure that the University maintains an up to date webpage on ‘Sexual and Gender Based Violence Support’ that is easily accessible through the Lakehead University website. This page will include information on:

- Information on Disclosure, Reporting, and Complaint options
- Education and training material on SGBV
- Contact information for on-Campus and off-Campus supports for SGBV

12.2. Training and Education on Policy

12.2.1. The University will provide learning opportunities and workshops to all University Community Members on SGBV to make sure that everyone understands the Policy and is able to support those who experience SGBV.

12.2.2. University Community Members are encouraged to assist in making their environments safe and preventing SGBV by making safe, positive spaces that do not allow for acts of SGBV.

12.3. Collecting and Reporting Information

12.3.1. The Office of Human Rights and Equity will collect certain information, such as:

- a) how many supports, services and accommodations have been requested by all Students;
- b) information about programs that are promoting awareness of supports and services for Students;
- c) tracking how many sexual and gender based violence Complaints involve Students; and
- d) how well this policy works.

12.3.2. The University will Report some of this information to the Ministry, but will not disclose any personal information as laid out in section 38 of the *Freedom of Information and Protection of Privacy Act*.

12.3.3. The University will provide an anonymous Report of the information in section 12.3.1. in a yearly Report to the Board of Governors.

13. Policy Review

13.1. This Policy will be reviewed one year after it was created. It will also be looked at every three years to make sure that it is being used effectively and that all of the supports and services are being kept up to date.

13.2. The University may decide to update the following information in this Policy at any time:

13.2.2. Information about the following University officials, departments, and offices:

- a) Who to contact for supports and help for Students who experience or witness SGBV
- b) Who to contact for accommodations for Students who experience or witness SGBV
- c) The office, department or person to whom Complaints and Reports of SGBV should be made
- d) The offices, departments, and persons who will be involved in investigating and deciding the outcome for SGBV Complaints.

Contact information will also be updated so that people who need support will always know how to contact the proper support/office/official/department.

Appendix A: Sexual and Gender based Violence Terms and Definitions

Consent: Freely and voluntarily agreeing to participate in the sexual activity. The person who begins the sexual activity must make sure the other person agrees at all stages. Consent is an agreement that must be expressed voluntarily through words or actions that are easy to understand by both people. Some things to know about consent:

- At any time one of the people can stop consenting.
- If the person does not express consent, then there is no consent. Consent is not something that can be assumed.
- If the person is forced, compelled, threatened, intimidated or gives consent when they were being tricked, then that is not consent.
- If someone is under the influence, using drugs or alcohol or is unconscious then they cannot consent
- Just because somebody does not say “no” or “stop,” or decides not to say anything, that does not mean there is consent.
- It does not matter if the two people were already in a relationship or had engaged in sexual activity before that does not mean there is consent.
- Only the person who is participating in the sexual activity can give consent.
- If someone has a condition that makes it difficult to understand consent, it is extremely important that both people explain what consent is before the sexual activity.

Gender Expression: This is how a person presents their gender publicly. Things like behaviour and how they dress, their hair, make-up, body language and voice can all be included in Gender Expression. Another way of expressing someone’s gender is using the name that they choose for themselves and the pronoun that they put before their name.

Gender Identity: Is each person’s internal and individual experience of gender. It is how the person feels about being a woman, a man, both, neither or anywhere along the gender spectrum. A person may not identify the same way they did when they were born. Gender Identity is not the same as sexual orientation.

Gendered Violence: Any action or attitude that establishes, exploits and promotes gender inequalities that results in physical, sexual, emotional, economic or mental harm. This violence can take place anywhere that there is communication. Some examples of Gendered Violence could be sexism, gender discrimination, gender harassment, biphobia, transphobia, homophobia, heterosexism, intimate partner violence and forms of sexual violence.

Incapacitation: When somebody is not able to give consent because they do not understand what is going on during the sexual interaction.

Indecent Exposure: This is a criminal offence, where one person shows their genital parts to another person in a public place in order to insult or offend them.

Sexual Assault: Any unwanted sexual act done by one person or a group to another person. Some examples of sexual assault could be, unwanted or uninvited sexual touching, using physical force, using threats, intimidating somebody or forcing them to gain control of the other person, rape.

Sexual Cyber-harassment/ Cyber-Stalking: Repeatedly posting things online that are threatening, that are of a sexual nature, and which are done to bully, harass or intimidate other people. This type of harassment can take place anywhere online, including social networking sites, message boards, chat rooms, through text messages or e-mail.

Sexual Exploitation: This is a criminal offence where somebody in a position of trust touches somebody who is under the age of 18 for a sexual purpose, or has the young person touch them in a sexual way.

Sexual Harassment: Any sexual comment or remark that would be said to somebody, when the person should know that they will not appreciate that comment. Some examples of Sexual Harassment include:

- Unwelcome sexual advances
- Unwanted attention
- Threatening somebody or giving them rewards in exchange for sexual favours
- Asking for sexual favours
- Saying something or doing something that is sexual in nature
- Indecent Exposure
- Voyeurism
- Unwelcome comments, or saying something mean about someone's sexuality, appearance, gender or gender expression
- Trying to make somebody give sexual favours
- Inappropriate touching
- Making sexual comments that are not appreciated
- Displaying pictures, calendars, signs or posters of naked or almost naked people
- Posting pictures of somebody without their consent, making aggressive comments or saying offensive things on social media, like e-mail, Facebook or Twitter.

Stalking: This is a criminal offence which happens when somebody repeatedly scares somebody or threatens a person's safety or mental health. Other forms of stalking could include threatening to harm somebody's friends or family. Some examples of stalking include:

- Repeatedly following the person, which could be in person, or it could be by using surveillance or, "creeping" them on social media
- Repeatedly communicating with the person, either by sending them texts, e-mails, social media messages, making phone calls or communicating with them face-to-face.
- Watching the place where the person lives, works or happens to be
- Doing things that could be threatening, like making threats, or giving gifts that are romantic, bizarre, sinister or sexualized.

Survivor: Any University Community Member who has been affected or negatively impacted by sexual violence.

Voyeurism: This is a criminal offence which happens when somebody secretly watches somebody either in person or using some kind of visual recording device in a place where that person would expect to have privacy and may be naked or exposed. Some examples would be, watching somebody in change rooms, bathrooms or bedrooms.

Appendix B: Support Services/Resources On-Campus and in Thunder Bay and Orillia

On-Campus Supports:

Name	Service	Email	Phone
LUSU: Gender Equity Centre	Peer-to-peer support	gec@lusu.ca	807.343.8879
LUSU: Pride Central	Peer-to-peer support	pridecentral@lusu.ca	807-343-8813
LUSU: General	Peer-to-peer support	general@lusu.ca	(807) 343-8259
LUSU: Orillia	Peer-to-peer support		(705) 330-4008 ext. 2180
Multicultural Centre	Peer-to-Peer support	mcc@lusu.ca	807-343-7959
Aboriginal Awareness Centre	Peer-to-Peer support	aac@lusu.ca	(807) 343-8259
Aboriginal Cultural and Support Services	Cultural support and services for Indigenous Students	acss@lakeheadu.ca	(807) 343-8085
Ombudsperson	Advocacy	ombudsperson@lakeheadu.ca	(807) 343-8061
Human Rights and Equity	Disclosures, Reporting, Accommodations	humanrights@lakeheadu.ca	(807) 346-7765
Student Health and Counselling – Thunder Bay	Counselling, Medical Services	health@lakeheadu.ca	(807) 343-8361
Lakehead Security	Reporting, Emergency		(807) 343 -8569
Orillia Wellness Centre	Counselling, Referrals	orluwell@lakeheadu.ca	(705) 330-4008 ext 2115
Orillia Security Services	Reporting, Emergency		(705) 330-4008 ext 3-911
Orillia Safe Walk	Emergency, Support		(705) 330-4008 ext 2009

Off-Campus Supports

Thunder Bay

Assaulted Women's Helpline	1-866-863-0511 (toll-free) 1-866-863-7868 (TTY) #7233 Bell Mobility	www.awhl.org
Beendigen Inc.- Healing Our Own Counselling Unit	1-807-344-9579 Crisis Line: 1-807-346-4357 (807-346-HELP) Toll Free 1-888-200-9997	info@beendigen.com
Centr'Elles	(807) 684-1955 (Thunder Bay) (807) 854-9001 (Geraldton)	admin@centrelles.com http://www.centrelles.com

Thunder Bay Crisis Response	1-807-346-8282 1-888-269-3100	
Thunder Bay Police Service	1-807-684-1333	
Sexual Assault/Domestic Violence Treatment Centre – Thunder Bay Regional Health Sciences Centre	1-807-684-6751	
Ishaawin Counselling Centre	1-807-622-5790	ishaawin@risingabove.ca
Northwestern Ontario Women’s Centre	1-807-345-7802	nwcentre@tbaytel.net
Ontario Native Women’s Association	1-800-667-0816	justicecoordinator@onwa.ca
Talk4Healing- Helpline	1-855-554-4325	
Sexual Abuse Centre	1-807- 345-0894	info@tbsasa.org

Orillia:

Sexual Assault Treatment Centre	1-705-327-9155 1-877-377-7438	
North Simcoe Victim Crisis Services	1-705-325-5578	
Orillia Native Women’s Group	1-705-329-7755	
Orillia Soldier’s Memorial Hospital Sexual and Domestic Violence Centre	1-877-377-7438	
Art Therapy Works	1-705-721-7185	http://www.arttherapyworks.ca
Athena’s Sexual Assault Counselling and Advocacy Centre	1-705-737-2008 (24 hr Crisis Line) 1-800-987-0799	

Appendix C. Relevant Policies, Protocols and Legislation

I. University-Related Policies, Procedures and Protocols

- Code of Student Behaviour and Disciplinary Procedures
- Harassment and Discrimination Policy and Procedures
- Employee Code of Conduct
- Violence in the Workplace

II. Relevant Legislations and Provincial Mandates

Criminal Code of Canada (<http://laws-lois.justice.gc.ca/PDF/C-46.pdf>):
Voyeurism (section 162)

- Indecent act/exposure (section 173)
- Criminal harassment (section 264) – includes stalking, and cyber harassment
- Sexual assault (section 271-273)
- Meaning of consent (section 273.1)
- Sexual offences, consent no defense (section 150.1)
- Sexual exploitation of person with disability (section 153.1)

Ontario Human Rights Code, Part I (<http://www.ohrc.on.ca/en/ontario-human-rights-code>), which prohibits discrimination in the provision of educational services, in housing and in employment on the basis of sex, sexual orientation, gender identity and gender expression. The *Human Rights Code* also prohibits harassment in employment on the basis of sex, sexual orientation, gender identity and gender expression. The behaviour prohibited by the *Human Rights Code* includes sexual misconduct.

The Ontario Occupational Health and Safety Act (OHS Act), Part III.0., (<https://www.ontario.ca/laws/statute/90o01>) prohibits violence and harassment in the workplace. This prohibition includes sexual harassment and sexual violence.

The Provincial Report, It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment (<http://docs.files.ontario.ca/documents/4593/actionplan-itsneverokay.pdf>)

Ontario's Bill 132, Sexual Violence and Harassment Action Plan Act, (2016)
(http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=3535)