

SCK POLICY FOR THE PREVENTION OF BULLYING AND HARASSMENT

SEMINARY OF CHRIST THE KING | PO BOX 3310, MISSION, BC, V2V 4J5 | PHONE: 604-826-8715 | FAX: 604-826-8725

Implicit in upholding the value and dignity of the person is a commitment to a working environment free of bullying and harassment of any type.

Scope and Purpose

The Seminary of Christ the King (SCK) is dedicated to ensuring that School Community Members are able to complete their duties in a safe environment, without fear of bullying or personal harassment. As such, SCK is dedicated to preventing any instance of bullying or harassment and will not tolerate such behaviour. All School Community Members share in the responsibility to ensure that SCK is a safe and welcoming Christian environment. All School Community Members are responsible for reporting any instances of bullying or harassment, whether they were the target or they were the witness to the incident.

This Policy complies with the Workers Compensation Act, Occupational Health and Safety Regulation of British Columbia and the BC Human Rights Code.

Application

This policy applies to all Abbey Members, major seminarians, faculty, staff and volunteers. This policy applies to all aspects of seminary operations, including admissions, curriculum, pastoral assignments, and community life.

What is Bullying and Personal Harassment?

Bullying and harassment is objectionable and unwanted behaviour that is verbally or physically abusive, vexatious or hostile, that is without reasonable justification, and that creates a hostile or intimidating environment for working, learning or living. Bullying and harassment may be intentional or unintentional. While bullying and personal harassment usually consists of repeated acts, a single serious incident that has a lasting harmful effect may constitute personal harassment.

Bullying and harassment includes persistent demeaning or intimidating comments, gestures or conduct; threats to a person's employment or educational status, person or property; persistent comments or conduct, including ostracism or exclusion of a person, that undermines an individual's self-esteem so as to compromise their ability to achieve work or study goals; unwarranted and excessive supervision or criticism of an individual; abuse of power, authority or position; sabotage of a person's work; hazing; spreading of malicious rumours or lies; or making malicious or vexatious complaints about a person.

Bullying and harassment are behaviours that prevent us from the kind of respectful and productive environment envisioned at the Seminary of Christ the King. Bullying or harassment are not acceptable and will not be tolerated at SCK.

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Bullying is behaviour that is:

- **Intentional:** Intentional bullying is purposeful and willful. It is not accidental behaviour or gestures that are made in fun.
- **Repeated:** One single action can qualify as bullying, but bullying behaviours are often carried out over and over again.
- **Negative:** Bullying often includes negative behaviours that are both verbally and physically hurtful. Verbal bullying can be threatening, taunting, teasing and name-calling. Physical bullying can include hitting, pushing, kicking, pinching or restraining. Negative behaviours can also include making faces, dirty gestures, intentional group exclusion or refusing to comply with another's wishes.
- **Conducted by one or more students:** Bullying can be carried out by a single individual or by a group.
- **Directed against a student who has difficulty defending himself.** Those who bully and the student who gets bullied do not have the same physical or psychological strength.

1. Responses to Bullying and Harassment

Systemically, SCK commits to unmasking and eradicating structures of injustice, in line with the Church's prophetic mission. This includes fostering an inclusive community as emphasized in *Fratelli Tutti*, which calls for societies that welcome differences and prioritize human dignity over ideologies. Education and formation at SCK emphasize these truths, drawing from the *Catechism* and papal encyclicals to build a culture of encounter.

1.1. All School Community Members share responsibility for ensuring and maintaining an environment that is free from bullying and harassment. SCK regards bullying and harassment as a serious offence that is subject to a wide range of remedial or disciplinary measures, including dismissal or expulsion from SCK.

1.2. The Rector is responsible for:

- 1.2.1. providing information, advice and assistance in a fair and impartial manner to Complainants, Respondents, or anyone else who has a concern about bullying and harassment related to SCK;
- 1.2.2. addressing or resolving concerns of bullying and harassment in an informal manner, where possible;
- 1.2.3. initiating formal complaints of bullying and harassment, where appropriate; and
- 1.2.4. providing education to School Community Members on the prevention and remediation of bullying and harassment, issuing guidance on the implementation and interpretation of this Policy and its Procedures.

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- 1.3. The Delegate is responsible for investigating formal complaints of bullying and harassment that are filed under the Procedures.
- 1.4. SCK will not tolerate any retaliation, directly or indirectly, against anyone who, in good faith, complains, gives evidence or otherwise participates in a process under this Policy. SCK considers retaliation to be a serious matter because it prevents potential complainants, witnesses, and administrators from acting on their concerns.
- 1.5. Allegations of sexual assault or harassment are to be addressed under the Sexual Misconduct Policy, and not this Policy.
- 1.6. Allegations of Workplace Bullying and Harassment are to be addressed under the Westminster Abbey Policy for the Prevention of Bullying and Harassment.
- 1.7. Neither this Policy in general, nor its definitions in particular, are to be applied in such a way as to detract from the right and obligation of those in supervisory roles to manage and discipline employees and students.
- 1.8. The fact that a complaint is being pursued under this Policy does not preclude the Complainant from pursuing a process outside of SCK, such as filing a complaint through Workplace BC. If a complaint is being pursued under another process, the party conducting the process under this Policy may elect to continue with the process under this Policy or may elect to suspend the process until the outcome of the other process is determined.

2. Confidentiality and Privacy

In order to protect the integrity, fairness, and effectiveness of the process under the Policy and this Procedure and to ensure compliance with the Freedom of Information and Protection of Privacy Act ("FIPPA"), all participants in the process must act in accordance with the requirements set out below.

- 2.1. Individuals, including the Complainant and the Respondent, who have obtained information about an identifiable individual ("Personal Information") through their participation in the process must not disclose this information to anybody except their own personal advisors or representatives, or as required by law. However, this section does not prevent:
 - 2.1.1. any participants in the process from disclosing information about themselves, or information that they have obtained outside the process;
 - 2.1.2. SCK representatives from disclosing process-related information as authorized under section 2.2.3; or
 - 2.1.3. Complainants and Respondents from disclosing the information that they have received under sections 2.3.
- 2.2. SCK will not disclose any Personal Information related to the process except to the extent such disclosure is:
 - 2.2.1. expressly authorized by the affected individual;

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- 2.2.2. to a SCK representative, if necessary for the performance of that individual's duties;
 - 2.2.3. to a Complainant, Respondent, witness, or other participant in the process, if necessary for the conduct of the process;
 - 2.2.4. to a Complainant or Respondent in accordance with sections 2.3;
 - 2.2.5. authorized by SCK for compelling health or safety reasons;
 - 2.2.6. authorized by SCK to correct misleading or inaccurate information if necessary to protect the integrity of the process or SCK's investigatory processes; or
 - 2.2.7. authorized or required under law, which for certainty shall include directions received from external agencies such as the BC Human Rights Tribunal.
- 2.3. To maintain the integrity of the process under this Policy, SCK must ensure that both Complainants and Respondents know the process findings and the evidence upon which these findings are based. The FIPPA may require SCK to remove Personal Information that is irrelevant to the process findings, or that identifies third parties. If there are multiple Complainants or multiple Respondents, they will only receive information that is relevant to them.

3. Consultations and Informal Resolution

- 3.1. School Community Members who have concerns about matters of bullying and harassment that relate to a member of the SCK community or to a SCK-sanctioned program, event or activity should consult the Rector, seeking fraternal resolution.
- 3.2. Individuals may consult with the Rector anonymously.
- 3.3. The Rector may facilitate informal resolution. In doing so, the Rector should take into consideration all relevant factors, such as risks to health or safety, guided by the seminary mission, subsidiarity and the common good.

4. Making Formal Complaints

- 4.1. Those with concerns relating to matters of bullying and harassment must consult with the Rector before making a formal complaint under these Procedures. If the person with the concern believes that it was not satisfactorily addressed through consultation, that person may submit a formal complaint to the Delegate.
- 4.2. Bullying and harassment complaints may be made by any School Community Member who is directly affected by the conduct that forms the basis of the complaint.
- 4.3. Complainants may withdraw from the complaint proceedings at any time. However, SCK's responsibility to provide an environment free from bullying and harassment may obligate SCK to proceed regardless of the Complainant's withdrawal.
- 4.4. The Delegate has jurisdiction to investigate complaints in the following circumstances:

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- 4.4.1. the complaint must have been made by an individual described in section 4.2;
- 4.4.2. the complaint must be either a complaint of bullying and harassment by SCK or a complaint about bullying and harassment by a Respondent who was a School Community Member at the time the alleged bullying and harassment occurred and at the time the complaint was submitted;
- 4.4.3. the alleged conduct must fall within the definition of bullying and harassment; and
- 4.4.4. the complaint must have a real and substantial connection to SCK.
- 4.5. If the Delegate determines that there is jurisdiction to investigate a complaint, the Delegate may do any one or more of the following:
 - 4.5.1. address the complaint under section 5 below; or
 - 4.5.2. decline to proceed with the complaint on the grounds that
 - a) the substance of the complaint has been appropriately dealt with in another proceeding;
 - b) due to the amount of time that has elapsed since the alleged misconduct occurred, proceeding with the complaint now would result in substantial prejudice to any person; or
 - c) for any reason it is unfair or otherwise inappropriate to proceed with the complaint.
- 4.6. If the Delegate determines that there is no jurisdiction to investigate a complaint, the Delegate will not accept the complaint and will take no further action under these Procedures, except as provided in section 4.7.
- 4.7. Where the Delegate makes a decision under sections 4.5.2 or 4.6, the Delegate will provide written reasons to the Complainant. The Delegate will provide a copy of these reasons to the Rector.

5. Managing Formal Complaints

- 5.1. If the Delegate decides to address the complaint, the Complainant and Rector will be notified and a copy or summary of the complaint will be provided to the Respondent, who will be invited to respond to the allegations contained in the complaint.
- 5.2. The Delegate may manage the complaint using any means deemed appropriate in the circumstances, subject to the principles of procedural fairness in the seminary context. Such means may include, but are not limited to, the following:
 - 5.2.1. suspending or discontinuing the proceedings;
 - 5.2.2. consolidating multiple complaints so as to be addressed together;

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- 5.2.3. recommending interim measures to preserve safety while a complaint is being investigated or resolved;
 - 5.2.4. interviewing or requesting written submissions from the Complainant and/or the Respondent and/or any other individuals with information that may be useful;
 - 5.2.5. consulting with other SCK offices or employees;
 - 5.2.6. gathering documents relevant to the complaint;
 - 5.2.7. referring the matter for mediation or other forms of alternative dispute resolution in accordance with sections 5.3 and 5.4; and/or
 - 5.2.8. referring the matter for internal or external investigation.
- 5.3. If the Delegate believes that an alternative dispute resolution process may be appropriate in the circumstances, they will discuss this option with the Complainant. If the Complainant agrees that an alternative resolution process may be appropriate, the Delegate will discuss this option with the Respondent. If the Respondent agrees to participate in an alternative resolution process and the Delegate is satisfied that an alternative resolution process is appropriate, then the Delegate will explore the options available and, with the agreement of both parties, will refer the matter to that process for resolution.
- 5.4. Participation in an alternative dispute resolution process is entirely voluntary. If either the Complainant or the Respondent decides they no longer wish to participate in the alternative resolution process at any time, then the Delegate will refer the complaint for investigation under these Procedures.
- 5.5. Where an investigation of the complaint has been conducted, at the completion of the investigation the investigator will prepare a written report (“Investigative Report”) that will normally include the following information:
- 5.5.1. a summary of the evidence considered;
 - 5.5.2. any assessment of credibility that is required to render a determination; and
 - 5.5.3. the findings of facts, and a determination as to whether, on a balance of probabilities, bullying and harassment has occurred.
- 5.6. Both the Complainant and the Respondent are expected to participate in the complaint management process outlined above in a timely manner. In cases where the Complainant and/or the Respondent fails to participate within a reasonable time without appropriate justification, the process may proceed without their participation and an adverse inference may be drawn as a result of their failure to participate.
- 5.7. The complaint management process outlined above will normally be completed within 90 calendar days of the provision of the complaint to the Respondent. In the event that this timeline cannot be met, the Delegate will contact the Complainant and Respondent as soon as possible to inform them of the revised timeline.

6. Resolving Formal Complaints

- 6.1. After addressing the complaint under section 5 above, the Delegate may resolve the complaint and/or make recommendations as deemed appropriate in the circumstances. Such resolutions or recommendations may include, but are not limited to, the following:
 - 6.1.1. resolving the complaint by consent of the Complainant and the Respondent, through mediation or any other means;
 - 6.1.2. recommending such measures as may be appropriate to remedy the effects of bullying and harassment and restore the Complainant's and/or Respondent's unit to effective functioning;
 - 6.1.3. recommending such measures as may be appropriate to remove systemic barriers and/or prevent bullying and harassment;
 - 6.1.4. recommending to the Rector the imposition of discipline on the Respondent or, in cases where the investigator determines that the complaint was made in bad faith or was frivolous, vexatious or malicious, on the Complainant; and/or
 - 6.1.5. dismissing the complaint.
- 6.2. No resolution of a complaint that may adversely affect the academic, employment, professional, or other interests of a party shall proceed without giving that party the opportunity to fully respond to the complaint.
- 6.3. The Delegate will communicate the resolution and any recommendations, as well as a copy of any Investigative Report that has been prepared, to the Rector. In addition, and subject to section 2 of this policy, the Delegate may communicate any resolution and/or recommendations to the Complainant, Respondent and others whom the Delegate determines ought to know under the circumstances.
- 6.4. The Rector, after receiving the Investigative Report, has the authority to determine the appropriate disciplinary and/or remedial measures needed to resolve or address the complaint, if any. The Rector will provide a written report of the decision made and any measures taken to the Chancellor (Abbot) and the Respondent. Disciplinary actions will not be disclosed to Complainants except in the limited circumstances set out in section 2.3 of these Procedures.
- 6.5. The Delegate will conclude the investigatory process by ensuring all necessary communications are made to those responsible for implementing decisions, providing or adjusting support services and accommodations, providing education, or conducting administrative transactions.

7. Appeals

- 7.1. Seminarians may appeal any discipline that is imposed under this policy through SCK's Conflict Resolution Policy.

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- 7.2. Staff, faculty or volunteers may appeal any discipline that is imposed under this policy through the provisions of their terms and conditions of employment and/or Code of Conduct.
- 7.3. Members of Westminster Abbey may appeal any discipline that is imposed under t this policy through the Abbot.
- 7.4. The Complainant and/or the Respondent may also have recourse to processes outside of SCK, such as filing a complaint with the BC Human Rights Tribunal.

Appendix I: Definitions

Complainant is an individual who has made a formal complaint of discrimination under the Procedures.

Delegate is the person appointed by the Abbot to coordinate the faithful application of these policies. The Delegate represents the Abbot to the Reporters, victims, the Respondent, and all those involved in the reporting and investigation of discrimination. The Delegate has the duty to keep the Abbot and the Abbot's Spokesperson informed of progress, and to oversee the management and preservation of case files.

Employee is a lay person employed by the Seminary of Christ the King. This includes all support staff, administrative staff, counselors and faculty employed with a formal employment appointment. Independent contractors or others are not employees.

Major Seminarian is an adult registered as a Student at the College of the Seminary of Christ the King. This may include individuals who live off campus.

Respondent is the person against whom an allegation of discrimination has been made.

School Community Member is any Member of Westminster Abbey, employee working at the Seminary of Christ the King, adult Major Seminarists and volunteers. This includes all support staff, administrative staff, counselors and faculty employed with a formal employment appointment and includes teachers, principals, administrators, kitchen staff, counselors, librarians, chaperones, and other support staff who are employed in the seminary or who perform services in the school on a contractual basis. This also includes all individuals employed through a provisional agreement or with a teaching stipend.

Volunteer: refers to all persons who provide regular or occasional service to the Seminary of Christ the King's programs on a non-contractual basis. This includes non-employee tutors arranged by the school, classroom or activity assistants, and chaperones.