
Addressing Disclosures of Sexual Violence

PURPOSE

These procedures provide a structured approach to handling disclosures and reports of sexual violence, ensuring survivor safety, procedural fairness, and accountability as they relate to the *Sexual and Gender-Based Violence* Policy 1308. This procedure will be reviewed biennially to ensure effectiveness and alignment with best practices and relevant NBCC policies.

SCOPE AND LIMITATIONS

This applies to all NBCC community members and includes academic and non-academic settings.

1.0 DEFINITIONS

Disclosure

For the purposes of this document, a disclosure involves a student or employee choosing to tell anyone about their experience of sexual violence (different from a complaint).

Formal Report

A statement submitted to initiate an investigation and possible disciplinary action.

Sexual Violence

A broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes different forms, including but not limited to sexual assault, sexual harassment, sexual abuse, stalking, indecent or sexualized exposure, degrading sexual imagery, voyeurism, cyber-harassment, and sexual exploitation.

Survivor-Centered Approach

Respecting the survivor's rights and choices throughout the process.

2.0 IMPLEMENTATION

Instructions for staff members when receiving disclosures and providing support and options:

a) **Receiving a Disclosure**

Any staff member receiving a disclosure should listen without judgment, offer support, and explain confidentiality limits.

Refer to **APPENDIX A-Response to Disclosure**.

b) **Providing Support**

The staff member refers the survivor to on-campus resources, such as Counselling Services, and connects the survivor to the Head of Counselling Services.

Refer to **APPENDIX B-Suggestions for Connecting Students to Head of Counselling Services**.

c) **Providing Options**

The Head of Counselling Services will work with the survivor to outline choices available, such as accessing support services, making a formal report, or taking no further action.

The survivor may choose whether or not to proceed with a formal report.

2.1 Reporting and Investigation Process

2.1.1 Initiating a Formal Report

- a) Formal reports should provide the name(s) of everyone involved, a detailed description of the behaviours that form the basis of the report, and what they would like to see from the process. The formal report should be submitted to the Head of Counselling Services by the student (or in some cases, the support member).
- b) Survivors are briefed on the investigation process, expected timelines, their rights, and next steps.

2.1.2 Investigation

The Head of Counselling Services conducts the investigation (or designate) or, in some cases, an external investigator. Key steps include:

- a) **Evidence Collection:** interviews with the survivor, respondent, and witnesses; reviewing physical or digital evidence.
- b) **Impartial Review:** ensuring fairness by involving personnel without prior association with the incident.

The investigation findings are included in the Assessment Review by the **Student Assessment Committee**.

2.1.3 Assessment Review

The Student Assessment Committee reviews the evidence and determines the outcomes. The committee will include the Head of Counselling Services, a Head of Student Services or Academic Chair, and relevant support staff, ensuring input from all parties involved.

2.2 Outcomes and Support Measures

2.2.1 Interim Measures

Protective steps, such as no-contact orders or class changes, may be implemented to maintain a safe environment during the investigation.

2.2.2 Possible Outcomes

- a) **Disciplinary Actions:** ranging from probation to suspension, depending on the severity of the incident.
- b) **Learning Sanction:** initiatives such as reflective exercises or training can be conducted to help create a respectful community.

2.2.3 Right to Appeal

Both the survivor and respondent can appeal decisions through NBCC's formal Student Appeal process. (See *Student Appeal 1000.4809*)

2.2.4 Notification and Follow-up

The Head of Counselling Services will inform both parties of the decision and their right to appeal and ensure ongoing support for the survivor.

2.3 Confidentiality and Reporting Obligations

2.3.1 Confidentiality

All disclosures and reports are handled with the utmost discretion, except when there is a duty to report imminent harm. (Refer to **APPENDIX C-Confidentiality Considerations**).

2.3.2 Mandatory Reporting

NBCC Employees must report incidents that threaten safety.

3.0 OTHER RELATED DOCUMENTS

Sexual and Gender-Based Violence (1308)

Student Appeal (1000.4809)

APPENDIX A

Response to Disclosure

When a person discloses an incident of sexual violence or misconduct to a member of the College community, respond in a way that supports individual dignity and demonstrates compassion and respect.

- Listen empathically and without judgment or interruption.
- Validate the individual's experience or reactions.
- Help the person identify safe individuals within their existing support system.
- Reassure the individual that they are not responsible for the other person's actions.
- Review the current safety of the individual.
- Provide information about on-campus and off-campus resources, including counselling and medical support services.
- Inform the individual of their complaint or reporting options, including contact information for on-campus reporting of the incident(s).
- Encourage the individual to seek medical attention and counselling support while respecting their right to choose the services they believe will be most beneficial, including any decision to notify the police.
- Avoid giving personal advice.
- Do not conduct an investigation.
- Do not call the police unless specifically asked to do so.
- Ask the individual what you can do to be supportive.

If an individual receiving the disclosure feels unable to assist the student, ask the student if they would like you to escort them to the Counselling Department for assistance.

APPENDIX B

Suggestions for Connecting Student to Head of Counselling Services

When a student discloses an experience of sexual violence, it is important to offer support while respecting their choices. Connecting them to the **Head of Counselling Services** can ensure they receive guidance and resources. Below are suggested approaches:

Offering the Connection:

- **Normalize the process:** “At NBCC, we have staff who can help guide you through your options in a confidential and supportive way.”
- **Empower the student:** “Would you like me to connect you with the Head of Counselling Services? You can decide what level of support feels right for you.”
- **Clarify confidentiality:** “Conversations with Counselling Services are confidential unless there is an immediate safety concern.”

Ways to Make the Connection:

1. **Direct Referral** (with Student’s Consent):
 - Email the Head of Counselling Services (student copied) and provide a warm introduction.
 - Assist the student in booking an appointment through email or the booking site.
2. **Providing Information for Self-Referral:**
 - Share the contact details of the Head of Counselling Services
 - Offer to write down or email the information for easy access.
 - Let them know they can access services anytime if they are not ready.

Supporting the Student’s Decision:

- **Respect autonomy:** If the student declines, acknowledge their decision and offer reassurance that support remains available.
- **Provide alternative options:** If they are hesitant, suggest other resources such as myWellness, community support, or a trusted staff member.
- **Follow up with care:** If appropriate, check in later to see if they need further support.

APPENDIX C

Confidentiality Considerations

Confidentiality is critical when addressing disclosures of sexual violence. While NBCC is committed to respecting individuals' privacy, **some confidentiality limits** might be considered.

1. General Confidentiality Principles

- Information shared will remain **confidential** within the limits of NBCC policies and legal obligations.
- The survivor controls their own information and decides what, if any, next steps to take.
- Details of the disclosure should only be shared on a **need-to-know basis** for the purpose of providing support or ensuring safety.

2. Limits to confidentiality

Confidentiality may be broken **only in the following situations**:

Imminent Harm: If there is an immediate risk of harm to the student or others.

Legal Obligations: If the survivor is under 16 years old, NBCC must report to Child Protection Services under the Family Services Act, and if there is evidence of ongoing harm that may affect others.

Public Safety: If the disclosure includes threats of violence or a risk to the NBCC community.

Consent to Share Information: If the survivor provides explicit written consent for sharing information.

3. How Confidentiality is Maintained

- No formal report is made unless the survivor **chooses to proceed**.
- Identifying details are **not shared** unless necessary for safety.
- Staff members **will not** discuss details with colleagues unless required to provide support.
- Records related to disclosures will be stored securely and separate from academic records.

Investigation and Outcome Considerations:

NBCC is committed to conducting fair and thorough investigations in response to formal reports of sexual violence. However, **to protect the privacy and rights of all individuals involved, we may not always be able to share the full details of the outcome with the survivor**. This approach aligns with confidentiality policies, privacy laws, and procedural fairness. Survivors will be informed of any measures directly affecting their safety and support but may not receive specific details regarding disciplinary actions taken against the respondent.

By upholding confidentiality while respecting legal obligations, NBCC ensures a **safe and supportive environment** for survivors of sexual violence.