The establishment of the Anti-Discrimination/Sexual Harassment Policies and Procedures Review Panel was approved by Senate on November 13, 2013, and by the Board of Governors on December 12, 2013.

The Panel’s terms of reference were as follows:

The Terms of Reference for the Review Panel will focus on the development of recommendations for necessary revisions to the current policy and procedures related to complaints of discrimination, harassment and sexual harassment and will include a review of the current operational practices of a number of areas of the University, including the Human Rights and Equity Services Office.

The final recommendations of the Panel with respect to a new policy, Discrimination, Harassment & Sexual Harassment: Prevention & Response were approved by Senate and the Board of Governors in May 2015 and June 2015 respectively.

Based on information gathered from a wide range of University offices and constituencies, the Panel reviewed the University’s past practices related to discrimination and harassment and considered potential issues in the implementation of the new policy (Discrimination, Harassment & Sexual Harassment: Prevention & Response). The recommendations emerging from this work fall into three broad areas: organizational practices; education and institutional learning; and policy review.

1. Clarifying and Strengthening Organizational Practices
The new policy clarifies the responsibilities of the three offices that have significant roles in its implementation:

   o Human Rights & Equity Services (HRES) is responsible for addressing discrimination and harassment through both education and complaints processes. Available to all members of the campus community and unrelated to individuals’ work or studies, HRES offers a neutral space that all students, staff and faculty may access;

   o Human Resources Services (HRS) is responsible for contributing to a harassment- and discrimination-free environment for University employees, and provides support and services on issues of employee/ labour relations and occupational health and safety;

   o Faculty of Health Sciences Professionalism Office (FHSPO) is responsible for contributing to a harassment- and discrimination-free environment for students, staff and faculty in the Faculty of Health Sciences.
The Panel’s recommendations:

- ** Ensure collaborative exchange and practice development**
  The three offices should establish ongoing processes of consultation and mutual learning and an annual review process that would include attention to developments and challenges in their educational initiatives and complaint processes and identification of any areas requiring adjustment in the policy.

- **Establish a centralized system of data collection on discrimination and harassment**
  Housed in HRES, this database will be used to inform HRES’ annual reports and analyses of campus-wide data on discrimination and harassment, and will enable other necessary aggregate reporting on the incidence of discrimination and harassment on campus.

- **Ensure that staff are well-oriented to broader University policies and practices**
  Issues of discrimination and harassment may intersect with a wide range of University policies (e.g. tenure and promotion regulations, appropriate practices of graduate supervision). Staff in all three offices require careful orientation to these policies and to the University environment.

- **Ensure timely responses to concerns and complaints**
  The policy identifies timelines for the three offices’ responses to complaints in order to maximize opportunities for early resolution of difficulties and avoid escalation of unresolved tensions.

- **Ensure neutrality and impartiality of formal investigations**
  For complaints that proceed to the formal stage in the new policy, an investigator is appointed and given a mandate to complete the investigation in a defined timeframe. Investigators may be internal (HRES or HRS staff with the necessary expertise) or external (people with the necessary expertise from outside the University). In order that internal investigators are properly at arm’s length from parties to formal complaints, it will be necessary to ensure that they are completely separate from earlier intake or informal processes.

- **Clarify limits to confidentiality**
  Staff in each of the three offices are expected to communicate transparently the different constraints on their ability to assure confidentiality to those coming forward with concerns or complaints. When appropriate, they are expected to redirect individuals to one of the other offices.

- **Frame tensions related to confidentiality as opportunities for institutional learning and practice development**
  In some circumstances, it is possible that tensions may arise between the University’s interest in disclosure of information in the event of legal proceedings and
its commitment to providing a safe and confidential place to which people can bring concerns and complaints. The ethical and legal challenges involved should be discussed at least once annually by HRES, HRS, FHSPO and the senior administration.

2. **Strengthen Training & Education**
The new policy’s effectiveness will hinge on the quality of the preventive and educational activities on which it is based. It will be critical that, in an ongoing way and with the leadership of the senior administration, the University develops a culture supportive of the affirmation in clause 41 of the policy: *All members of the University community are responsible for contributing to and maintaining an environment that is free of discrimination, harassment, and/or sexual or gender-based harassment.* The Panel therefore recommends:

- **Preparation and training** of those individuals and offices with responsibility for the policy’s implementation: Associate Vice Presidents; and all those with administrative or supervisory responsibilities (e.g. Deans, Associate Deans, department chairs, managers).
- **Training and orientation** to the policy for all faculty, staff and students, using varied approaches and opportunities, at the University.
- **HRES’ annual report** to Senate and the Board of Governors, widely disseminated, will provide all members of the campus community with a snapshot of the character and incidence of discrimination and harassment and of challenges that require attention and change.

3. **Review the Policy in Two Years and then Ongoing**
The new policy should be reviewed in two years in a process inclusive of all university constituencies. By then, there will be a sufficient base of experience on which to assess its effectiveness, the need for any procedural adjustments, the feasibility of time targets, and whether operational concerns identified by the Panel have been addressed. The Panel has provided a detailed list of question to guide that review.

The Panel hopes that its comments and recommendations are helpful and has appreciated the input of all those with whom we consulted. Based on experience here and in other institutions, it is apparent that issues of discrimination, harassment and inequity are easily allowed to slip to the margins of organizational attention. They tend to be taken up when pressed to the centre by looming reputational or legal risks or by the work of human rights professionals and members of campus communities concerned to see just practices in organizational life. The policy review has usefully pressed them into focus and we urge the University’s senior administration to ensure that they remain so in a sustained way.

*June 2015*