



Sutherland-Chan Schools Inc., *operating as*
Sutherland-Chan School of Massage Therapy

Complaints Policy and Procedure

Overview

Sutherland-Chan School is committed to good and fair process when individuals in the school community have complaints. Such complaints may be student ↔ student, student ↔ faculty, student ↔ admin staff/school, student ↔ patient, instructor ↔ instructor, instructor ↔ admin staff/school, patient ↔ Reception staff, patient ↔ instructor. Complaints may also arise related to the content or application of policies, and to interactions that may occur away from school premises, for example at offsite Specialty Clinics or community outreach events.

We consider that complaints typically fall into two categories:

- 1. Everyday types of complaints**
- 2. Formal complaints**

There are no substantial differences in complaint processes and procedures when the persons involved are students or faculty/staff, although there may be some specifics, for example, who handles the complaint or the steps of how an investigation unfolds.

As a general principle, we expect that whenever possible, the person(s) with a concern or complaint will first approach the involved individual(s) directly and attempt to find a path to resolution. This is especially the case for everyday types of complaints. If this approach proves unsuccessful, further steps can be taken next.

In cases of power differential, for example if a student has a complaint about an instructor, it may be helpful for the student to enlist someone to be present as support, perhaps a classmate or class rep. In the example of a student with a complaint about a patient's behaviour, the clinic

instructor's presence may be important. A third-party witness or mediator can be a useful presence in more difficult or contentious disputes. Such decisions are made case-by-case by the parties involved. It is an important principle that individuals have a right to have a supportive person with them if they find it necessary.

As a fundamental tenet of conflict resolution, we expect that all parties will behave ethically, and will use ethical decision-making principles in their handling of disputes and complaints.

- Honesty about what occurred
- Willingness to listen to the other party(ies) and give consideration to their point of view
- Transparency about the events, communications, and processes involved
- Respect for each other, including each other's roles and responsibilities
- Empathy for each other's circumstances and vulnerabilities in the situation
- Respect for equity and inclusion in the school environment, including acknowledgment of potential cultural diversity elements in the situation
- Self-reflection and willingness to recognize one's own missteps
- Acknowledgment of conflict of interest, if present
- Recognition of privacy and confidentiality considerations, avoiding gossip and unwarranted information dissemination
- Respect for the values and responsibilities that imbue the school and the massage therapy profession
- Accountability for one's contribution to the situation
- Willingness to engage in the process and to be part of a fair, appropriate resolution
- Openness to learning from the situation and to doing better going forward

In general, an individual who is the subject of a complaint is entitled to disclosure of the substance of the complaint. This may take the form of a summary of concerns, or a copy of a written complaint. The identity of the complainant(s) will be revealed unless there are overriding concerns about safety, reprisal, or undue hardship, this determination to be made by the administrator in charge of the case, in consultation with the management team, school's counsel, or other qualified third party.

All parties are entitled to expeditious handling of complaints. As a general rule, it is expected that individuals approached about a complaint will respond within 5 school days to initiate a process to begin addressing the concern.

It is expected that no one in the school community will condone offensive, abusive, or discriminatory behaviour. Please speak up for yourself or on behalf of someone else, bringing forward complaints that need attention and response. Please do not assume that an instructor or the school administration is aware of the situation.

Finally, within the confines of privacy and confidentiality, the school may elect to communicate about a situation that resulted in a complaint. The purpose of such communication is to educate others in the school community, to clarify expectations, or to illuminate an area of policy.

Relevant Policies & Procedures

In many instances there is specific coverage of relevant policies and procedures in other school policies and documents:

Handbook for New Students

- 8. The Student's Role in Creating a Positive Learning Environment
- 9. Expectations of Students

Evaluation & Standards Policy

- Section 3: Missed Test and Examination Policies
- Section 9: Appeals

Clinical Handbook

- 7. Handling Difficult Situations with Patients
- 10. Complaints Process

Sutherland-Chan Non-Academic Standards Policies

This group of related documents covers general non-academic standards, zero tolerance, sexual harassment and sexual violence, and professional boundaries between staff and students, and therapists and patients. They emphasize the school's values, positions and mindset, and outline detailed procedures to be followed. Taken together, they constitute the definitive policy statement for this area of complaints. Complaints in the non-academic realm can range from minor everyday issues to serious ones requiring formal (possibly legal) investigation and strict consequences.

Statement on Sexual Misconduct Toward Students

This statement emphasizes the school's stance on sexual relations between staff and students in the context of the legislative requirements of June 30, 2023.

Privacy Policy

The school's privacy policy outlines how a privacy breach must be handled, and provides information to patients about how to proceed if they have a complaint. If a student or staff member has a privacy-related complaint, the Administrator is the manager in charge of this area.

Everyday Types of Complaints

A large range of types of complaints fall into this category. These procedural guidelines apply:

Stage 1

- Always do your best to resolve the issue directly with the person(s) involved. If you circumvent this step, you will be redirected back to it.

- If a process for your specific concern is laid out in one of the documents listed above, follow that guidance. If not, and your complaint is with school policies/procedures, the person to start with is (for contact information, see Appendix A):
 - Student supports, clinic placements, outreach matters, etc.: CESC (Lauren)
 - Clinic education-related: Director of Education (Peter)
 - All other education-related: Director of Education (Peter)
 - Facilities, equipment, IT, safety, etc.: School Administrator (Andrew)
 - Clinic Reception operations: School Administrator (Andrew)
 - Finance office & OSAP functions: President (Grace)
 - For students, potentially your class rep(s) is a good starting point
 - A course or clinic instructor may be helpful
- The complaint usually does not need to be in writing at this stage, although you can elect to present it in written form.

Stage 2

- If you believe that your genuine attempt to directly resolve the issue has been unsuccessful, put your complaint and your actions to date in writing.
- If there is a process identified in one of the listed documents, follow that path.
- If not, address your complaint to:
 - if the matter is student < > student, to Lauren or Peter
 - the person in charge of the function in question (see admin list above)
 - the supervisor of the person with whom you have the complaint (if unsure who that is, ask Lauren)

This person will receive your complaint, respond within 5 school days, dialogue with you, and take responsibility for establishing a viable process for the circumstance consistent with the school's values and policies.

Stage 3

- If a resolution cannot be achieved to everyone's satisfaction, the administrator will make a final determination.

Everyday types of complaints are handled as expeditiously as possible. Assuming regular school conditions and good availability of parties, for a scenario that proceeds past Stage 1 resolution within a calendar month is the guideline.

If the complaint results in a resolution agreement (Stage 2), the administrative staff person involved in the case will write up the agreement, which will be signed by all parties and each will receive a copy. Copies will be placed in the involved individuals' student, personnel, or patient files. If confidential information is included in the write-up, it will be placed in the file in a sealed envelope marked "Resolution Agreement, [date]". The administrator will maintain a file of the proceedings.

If the complaint results in the administrative staff person making a final determination (Stage 3), the administrator will write a summary of the decision and the reasons for it. Each party will receive a copy and copies will be placed in their student, personnel, or patient files. If confidential information is included in the write-up, it will be placed in the file in a sealed envelope marked "Complaint Decision, [date]". The administrator will maintain a file of the proceedings.

Formal Complaints

A formal complaint is defined as one that alleges:

- Sexual harassment or sexual violence
- Discrimination
- Conduct unbecoming/unprofessional conduct
- Health/safety facility hazard
- Damage to or theft of personal property

Formal complaints must be in writing and contain a clear description of events, rationale, and/or relevant evidence. Rationale/evidence may include:

- Reference to policy or other relevant school documents
- Statements from others who have involvement
- Information related to actions already taken, for example if the police are involved
- Statements from other sources, for example from Toronto Public Health in the case of an infection-control issue, or from the College of Massage Therapists of Ontario related to a professional standards issue
- Research related to the matter

Formal complaints cannot be made anonymously.

All formal complaints are submitted to the Director of Education (Peter Becker), who will be responsible for setting a process in motion to address the complaint. If the handling of the case is delegated, it will only be delegated to a management level administrator or consultant, or a qualified party such as a trained mediator, human resources specialist, or lawyer.

The Director of Education or designate will refer to the process outlined in the *Non-Academic Standards Policies: How will the School Respond?* and *Processes and Procedures*. If the circumstance does not directly relate (e.g., fourth and fifth bullets above), the NASAC process will be used as a template but modified to match the situation. If the complaint is from a student about a patient, it will be delegated to the School Administrator, who will also be guided by the relevant section in the *Sexual Abuse Prevention Plan*.

The general principle of always first seeking to resolve the issue directly with the involved person(s) would not apply if there is an issue of personal unsafety/jeopardy, if there are legal or regulatory processes involved, and in situations where third-party witnesses or mediators are an important part of the process.

Submission of a formal complaint triggers an investigation.

Formal complaints are handled as expeditiously as possible, given that an investigation must be conducted and more parties, including outside parties, may be involved. A conclusion within 10 calendar weeks is the guideline, but the timeline may be extended if there are circumstances beyond the school's control.

If the formal complaint results in a resolution agreement, the person in charge of the process will write up the agreement, which will be signed by all parties and each will receive a copy. Copies will be placed in the involved individuals' student, personnel, or patient files. If confidential information is included in the write-up, it will be placed in the file in a sealed envelope marked "Resolution Agreement, [date]". The Director of Education will maintain, or will receive from the designated party in charge of the complaint, a complete file of the proceedings. If the situation involves a patient, the file will be held by the Administrator.

If the formal complaint results in a disposition that will not achieve agreement from all parties, the person in charge of the process will present the case and proposed decision to the management team, who will, consulting with third parties as needed, make the final determination. A summary of the decision and the reasons for it will be written. Each party will receive a copy and copies will be placed in their student, personnel, or patient files. If confidential information is included in the write-up, it will be placed in the file in a sealed envelope marked "Complaint Decision, [date]". The administrator will maintain a file of the proceedings.

If the complaint results in a determination that involves expulsion of a student, the process outlined in the *Withdrawal and Expulsion Policy* will be instituted. If it is determined that a member of faculty or the administrative staff will be disciplined or have their employment terminated, the process followed will comply with contract terms and applicable law.

Appeals

Individuals may appeal the outcome of a complaint, based on limited grounds related to allegations of improper conduct, discrimination, or unfairness in some aspect of the process. The appeal must be made in writing to the School Owner (Grace Chan), who will constitute a committee of three, the additional two members being qualified consultants or counsel, to address the appeal.

Appeal to Ministry

A student who is unsatisfied with the outcome of a complaint as outlined in this policy may submit a complaint to the Superintendent of Private Career Colleges through the Program Approval & Registration Information System (PARIS) automated system. Please go to this website: <https://www.pcc.tcu.gov.on.ca/PARISEXTWeb/public/login.xhtml> and register as a new PARIS user.

Appendix A: S-C Administration Contact Information

Peter Becker, Director of Education

peter@sutherland-chan.com

416-924-1107 ext. 34

Andrew Lewarne, School Administrator

andrew@sutherland-chan.com

416-924-1107 ext. 16

Lauren Ho, Clinic & Education Services Coordinator

lauren@sutherland-chan.com

416-924-1107 ext. 22

Grace Chan, School Owner

grace@sc-clinic.com

416-924-1107 ext. 21