



Sutherland-Chan School of Massage Therapy

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Complaints Policy

Purpose

Sutherland-Chan School is committed to good and fair processes when receiving and handling complaints. Such complaints may involve interactions between students, faculty, admin staff, and/or patients, relate to the content or application of policies, and/or occur at the school or offsite at Specialty Clinics or Community Outreach events. This policy outlines the general principles and processes for how complaints are handled.

General Overview

As a general principle, the School does not condone offensive, abusive, or discriminatory behaviour. We expect that whenever possible, students will speak up for themselves or on behalf of another person and that the issue will first be addressed with the involved individual(s). The person lodging the complaint may ask someone to be present as support (e.g., if there is a power differential). In cases of more contentious disputes, a mutually agreed-upon mediator can be used.

In their handling of disputes and complaints, all parties are expected to:

- behave with integrity, honesty, and respect
- be willing to listen and to consider others' points of view
- engage in the process and to be part of a fair, appropriate resolution
- recognize other's roles and responsibilities
- demonstrate empathy for other's circumstances and vulnerabilities in the situation
- respect equity and inclusion in the school environment, including acknowledgment of potential cultural diversity elements in the situation
- be accountable and willing to recognize one's own missteps
- reflect on, and learn from the situation
- acknowledge any conflicts of interest
- commit to privacy and confidentiality

It should not be assumed that an instructor or school staff is aware of a situation however, any administrative staff member, faculty, or student who becomes aware of an incident must speak to a member of the Management Team or Education Team.

Any person 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,

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Responsibility: DE

D:\Manuals & Policies

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reprisal, or undue hardship. This determination will be made by the manager in charge of the case, in consultation with the management team, school's counsel, or other qualified third party. Complaints will be handled as quickly as possible. Generally, a response can be expected within five school days of the submission.

Within the limits of privacy and confidentiality, the school may choose to communicate with others (e.g., the student body, staff) 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 highlight an area of policy.

Relevant and Related Policies & Procedures

- Student Handbook
- Academic Standards & Policies
- Non-Academic Standards & Policies
- Statement on Sexual Misconduct Towards Students
- Zero-Tolerance Policy
- Clinic Handbook
- Withdrawal & Expulsion Policy
- Privacy Policy

Administrative Staff

Administrator (ADM): Andrew Lewarne
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Associate Director of Education (ADE), Chief Examiner (CE): Heather Wright
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Clinic & Education Services Coordinator (CESC): Shannon Marshall
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Clinic Reception Coordinator: Illaha Nabi
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Director of Education (DE) & Registrar: Peter Becker
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Finance Office Coordinator (FOC): Patricia Canal
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Office Coordinator (OC): Robert Rodbourne
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OSAP, Student Records & IT Coordinator (OSR-ITC): Billy Tam
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Owner: Grace Chan
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Management Team: Grace Chan, Andrew Lewarne, Peter Becker

Education Team: Peter Becker, Heather Wright, Shannon Marshall

Procedures

Complaints typically fall into one of two categories:

- 1) Everyday types of complaints
- 2) Formal complaints

Everyday Types of Complaints

The first step is for the complainant to resolve the issue with the person(s) involved. Anyone circumventing this step will be redirected back to it. This requirement does not apply where situations involve concerns personal safety, harassment, discrimination, sexual misconduct, violence, or where direct engagement would be unreasonable.

If there is a process outlined in established School policies, the complainant is expected to follow said policies. If the complaint is regarding school policies/procedures, the complainant is to speak with the administrator responsible for that policy (footer on page one of the policy).

The complaint does not need to be in writing at this stage, although it can be.

If a genuine attempt to resolve the issue directly has been unsuccessful, the complaint and any actions taken to date can be submitted in writing.

- Student issues: a member of the Education Team
- Faculty issues: ADE or DE
- Other school staff: a member of the Management Team – ideally the staff member's immediate supervisor

The admin person responsible will gather the information needed to move toward resolution and respond within five school days.

If a satisfactory resolution cannot be achieved, a member of the Management Team will make a final decision. Consultation (e.g., legal) will occur as required.

Formal Complaints

A formal complaint is an official, written statement of concern submitted to the school administration, triggering an investigation and requiring a resolution. This can include, but is not limited to:

- sexual violence or harassment
- discrimination
- conduct unbecoming/unprofessional conduct
- a health or safety hazard
- damage to or theft of personal property
- academic standards

Any allegation involving conduct identified in the *Zero-Tolerance Policy* as a Zero-Tolerance Violation will be treated as a formal complaint and investigated accordingly.

Formal complaint submissions must:

- be in writing, submitted to the DE or other member of the Management Team
- contain the complainant's name, contact information, and signature – formal complaints cannot be made anonymously
- clearly state the facts and identifies what policy was violated
- include the complainant's desired outcome

Formal complaint submissions may include:

- statements from other involved parties
- information related to actions already taken
- statements from other sources (e.g., Toronto Public Health, the College of Massage Therapists of Ontario, the Ministry)
- research related to the matter

Investigation Process

Assignment of Responsibility

One member of the Management Team will assume responsibility for addressing the complaint. If the handling of the case is delegated, it will only be delegated to a management level administrator, or a qualified party such as a trained mediator, human resources specialist, or lawyer.

Policy Reference

Depending on the nature of the complaint, the DE, Management Team member, or designate will refer to the relevant policies and process(es). This typically includes, but is not limited to, the *Academic Standards & Policies*, *Non-Academic Standards & Policies*, *Sexual Abuse Prevention Plan*, and *Withdrawal & Expulsion Policy*.

If the circumstance does not directly relate to a specific policy/procedure, the most relevant processes will be used as a template but modified to match the situation.

General Considerations

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 safety/jeopardy, if there are legal or regulatory processes involved, or in situations where third-party witnesses or mediators are an important part of the process.

Although the circumstances of each situation will differ, in general, the school will consider:

- the nature of the infraction
- how the infraction aligns with being/training to be a health care professional
- the student's intention and attitude
- the student's level of understanding
- available evidence
- the severity of the infraction and the impact it had on affected individuals
- patterns of behaviour

- where an allegation presents an immediate risk of violence, harm, or ongoing safety concerns, the School may implement interim measures (e.g., suspension) prior to the completion of an investigation
- any relevant contextual factors when making its decision

In addition, in cases of sexual violence or harassment:

- the complainant can choose not to participate in the investigation
- complainants will not be subject to disciplinary action for violations of School policies related to alcohol or drug use at the time of the alleged incident.
- individuals involved in investigations will not be asked irrelevant questions regarding sexual history, prior sexual activity, or sexual expression.

Communication

In all cases, the complainant, the respondent(s), and the Management Team will be kept informed about the status of the investigation. Communication will be in writing, will be transparent, will only contain facts relevant to the investigation, and will comply with all applicable privacy legislation.

Documentation should include, where applicable:

- the status of the investigation
- current/new findings
- results of the investigation
- decisions with rationale
- proposed (or updates to) timelines
- any additional communication plans (e.g., faculty, students, regulatory bodies)

Expected Timelines

Everyday types of complaints are handled as quickly as possible. For complaints requiring a more thorough investigation, resolution within one calendar month is the guideline.

Formal complaints are handled as quickly as possible. Given an investigation must be conducted and more parties, including outside parties, may be involved, a conclusion within 10 calendar weeks is the guideline. The timeline may be extended if there are circumstances beyond the School's control.

Possible Outcomes

Where a violation is substantiated, disciplinary action may include:

- education or remedial measures
- restrictions on activities
- removal from class or clinic activities
- suspension
- expulsion
- termination of employment
- referral to regulatory, legal, or law enforcement authorities

If the complaint results in a decision to expel a student, the process in the *Withdrawal & Expulsion Policy* will be followed. 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.

The School reserves the right to take immediate interim measures where necessary to protect the safety, wellbeing, or integrity of the School community.

Documentation

Recurrent behaviour (e.g., an instructor having to repeatedly speak to a student about the same issue) must be documented and submitted to the ADE or DE.

Any documentation relating to the complaint (e.g., the complaint, supporting documents, a Resolution Agreement) will be placed in the involved individual's student, employee, or patient files.

If a Resolution Agreement is required, it will be written by the administrative staff member involved and signed and dated by all involved parties. Each involved party will receive a copy. As needed, confidential documents or information will be placed in the file in a labelled, dated, and sealed envelope.

Appeals

Complaints decisions can be appealed, based on grounds related to allegations of improper conduct, discriminations, or unfairness in some aspect of the process. The appeal must be submitted, in writing, signed, and dated, to the School Owner, who will establish a committee of three, the additional two members being qualified consultants or counsel.

A student who is unsatisfied with the outcome of a complaint may submit a complaint to the Superintendent of Career Colleges through the Program Approval & Registration Information System (PARIS) automated system. Visit www.pcc.tcu.gov.on.ca/PARISEXTWeb/public/login.xhtml to register as a new PARIS user.