1.0 Purpose

The Incident Response Committee (the “IRC”) shall respond to incidents that occur at and around ESS events, services, and spaces; and shall ensure that the ESS takes steps appropriate steps to reduce the frequency of incidents.

The IRC shall pursue these goals in a manner consistent with the following guiding principles:

a) The IRC shall receive concerns, complaints, and disclosures in a survivor-centred, and trauma-informed, manner;

b) Anyone who comes forward to the IRC with a concern, complaint, and/or disclosure will have their information kept confidential unless the committee is instructed otherwise. In order to appropriately recommend formal disciplinary action, or to discuss the incident with relevant individuals, the IRC may request the permission of the individual to disclose certain information but will not proceed without their approval; and,

c) The Committee shall support Impacted Individuals by recommending appropriate resources and supports provided on- and off-campus.

2.0 IRC Composition

The IRC shall be formed of three voting members. These members shall typically include the ESS President, the ESS Equity Officer, and one other individual. However, the ESS Council has the authority and responsibility to only place individuals on the IRC that it believes shall proceed in a manner consistent with the IRC’s guiding principles. The ESS Council shall designate one of these members to serve as Chair of the IRC.

3.0 IRC Operations

A meeting of the IRC shall follow the most recent edition of Democratic Rules of Order which may be obtained from the Engineering Students’ Society. The quorum for decisions of the IRC shall be any 2 voting members; however, the IRC shall make every effort to make decisions unanimously and with all three members.

The IRC shall meet upon the request of any voting member. The Chair of the IRC shall be responsible for selecting the time and place. The IRC shall meet within 48 hours of when an incident has been reported.

3.1 Incident Reporting System

The Incident Reporting System shall be a form created by the IRC and made accessible on the ESS website and promoted occasionally through ESS Social media. The form shall include the following fields:

a) Name of Reporting Individual;

b) Name(s) of the Individual(s) or Organization Involved in the Incident, or a description;
c) Incident Date and Time;
d) Incident Details;
e) Incident Witness(es), if appropriate and with approval of the Witness(es), and;
f) Whether or not the Reporter is comfortable being contacted by the IRC.

3.2 Committee Response Procedure

To ensure that the Incident Response Committee has a complete picture of the Incident, and the impact it has had on the involved parties, they should contact the following parties and discuss the Incident and appropriate responses:

a) The Respondent(s);
b) The Victim(s);
c) The Individual who made the report, if appropriate; and,
d) Any witnesses to the Incident, if appropriate.

Note: The Respondent(s) and the Victim(s) will be invited to have an additional individual for support present during any conversations.

After these discussions, the IRC shall use their best judgement on what response is appropriate or if further investigation is needed. Any official communications should be made by the Chair of the IRC, with the knowledge and approval of all members of the IRC. Responses to any official communication should be shared with all IRC members. The IRC should ensure that there are at least two IRC members present for any conversation with anyone involved with the Incident.

3.3 Conflict of Interest

A conflict of interest shall be defined as a strong personal relationship between a member of the Incident Response Committee and the Respondent, Victim, or other individuals involved in the Incident that unfairly biases their actions or decisions.

A member of the Incident Response Committee should remove themselves from the Incident Response Committee if they believe they have a perceived or real conflict of interest. Should anyone believe that an Incident Response Committee member has a conflict of interest, it should be presented to the Incident Response Committee. If one member of the Incident Response Committee believes that a perceived or real conflict of interest exists, the appropriate member shall be removed from the Incident Response Committee.

The remaining members of the Incident Response Committee will be responsible for choosing a replacement member on a temporary basis and notifying the ESS Council of the change and recommending if the ESS Council should permanently change the membership of the IRC.

4.0 Responsibilities of the Chair
The Chair of the IRC shall be responsible for:

a) Creating and submitting reports to the ESS President after each incident, as laid out in these Terms of Reference;

b) Creating and submitting the formal recommendations of the IRC to the ESS Council after each incident, if appropriate;

c) Scheduling and chairing the meetings of the IRC; and,

d) All other responsibilities laid out in this Terms of Reference.

5.0 IRC Duties and Responsibilities

The IRC shall:

a) Meet and begin to respond to a reported incident within 48 hours of receiving a report; and,

b) Maintain the confidentiality of all personally identifying information received during the work of the IRC unless specifically allowed to disclose the information by these Terms of Reference, University of Victoria policy, or Canadian Law.

Additionally, each member of the FYC has the responsibility to disclose at the start of every meeting any real or perceived conflicts of interest with any matter to be discussed at the meeting.

6.0 IRC Authority

The Incident Response Committee has the authority to speak with all individuals involved in an incident on behalf of the ESS and may formally policy changes and/or disciplinary action to the ESS Council.

The FYC has no authority to direct the management of the ESS or to commit the ESS to any task unless specifically authorized by the ESS in these Terms of Reference or another appropriate document.

7.0 Handling of Information

The IRC shall maintain the confidentiality of personally identifiable information of everyone involved in an incident, except the Respondent in an incident, except with the explicit approval of the relevant individual(s).

The IRC shall maintain the confidentiality of personally identifiable information of the Respondent except in the following situations:

a) The IRC decides to formally recommend disciplinary action to the ESS Council; or

b) The IRC has received the explicit permission of the relevant individual(s).

8.0 Recording of Information

In the event that the ESS Council decides to pursue disciplinary action, the following information should be recorded and kept by the ESS President:

a) Name of Respondent;

b) The decision that was reached; and,

c) Information provided by the Incident Response Committee to the Council on the
Incident and how they investigated and came to a decision to recommend disciplinary action.

Otherwise, the ESS President shall record a high-level summary of the incident with no identifying information, and how the IRC responded.

9.0 Reporting to the ESS Council

The Chair of the IRC shall have the ability to present to the ESS Council on any of the following:

a) Any recommendations that the IRC has for the ESS Council; or,
b) Any concerns of the IRC on their ability to perform their work.

10.0 Amendments of Terms of Reference

Any changes to this document must be passed by the ESS Council. The ESS shall be responsible for maintaining this document.