

TITLE	PROCEDURES FOR REVIEWING EXPRESSIONS OF CONCERN
RELATED DOCUMENTS	CSSR TERMS OF REFERENCE
EFFECTIVE DATE	August 31, 2023
EXECUTIVE SPONSOR	SECRETARY-GENERAL

I. PREAMBLE AND OBJECTIVE

1. The Committee shall assist the Board in setting and achieving institutional priorities and goals, and in monitoring progress in the area of sustainability. Taking due regard of the mission of the University, and the fiduciary duties of the Board, the Committee on Sustainability and Social Responsibility (the “Committee”) is also responsible for advising the Board on matters concerning social responsibility related to University investments within the mandate of the Investment Committee of the Board.
2. The Committee’s role is not investigative in nature. Its consideration of an expression of concern will unfold in accordance with articles 4.1, 4.2 and 4.3 of the CSSR Terms of Reference (“Terms of Reference”).
3. In accordance with section 4.2.2 of the Terms of Reference, the Committee may establish and communicate procedures it deems necessary in its consideration of an expression of concern duly submitted in accordance with section 4.1 of its Terms of Reference.
4. The objective of these procedures is to provide a framework for the review of expressions of concern submitted to the Committee.

II. PRELIMINARY REVIEW

5. In reviewing expressions of concerns, the Committee will first evaluate whether an expression of concern meets the requirements of section 4.1 of the [Terms of Reference](#).
6. An expression of concern that does not meet the requirements of section 4.1 will be returned, with an explanation, to the submitter by the Secretariat.
7. The Committee will not normally consider an expression of concern if it is received within 24 months of another petition that was considered by Committee on the same matter. When an expression of concern is received on a similar issue to a previous expression of concern and does not present new information that may change the Committee’s consideration of the matter, the submitters will be notified of the outcome of the previous submission if the Committee considers that the issues raised by the expression of concern have already been duly addressed.

8. If, in the opinion of the Committee, a submission of concern is vexatious, frivolous, or otherwise inappropriate, the Committee will acknowledge receipt of the expression of concern and explain to the submitters the reason why the expression has been deemed to be vexatious, frivolous, or otherwise inappropriate. In such instances, the Committee will also submit a report, in confidence, to the Board of Governors, in accordance with section 4.3 of the Terms of Reference.

III. SUBSTANTIVE REVIEW

9. If further consideration is required following the preliminary review, the Committee will undertake a review of the merits of the expression of concern in order to determine whether the activities of a legal person meet the criterion of social injury, defined as follows:

[...] the term “social injury” means the grave injurious impact which the activities of a legal person is found to have on consumers, employees, or other persons, or on the natural environment. Such activities include those which violate, or frustrate the enforcement of rules of domestic or international law intended to protect individuals against deprivation of health, safety, or basic freedoms, or to protect the natural environment. However, a legal person shall not be deemed to cause “social injury” simply because it does business with other legal persons which are themselves engaged in socially injurious activities.

10. The Committee will base its findings exclusively on the criterion of social injury. Taking due regard of this requirement, the Committee will evaluate the extent to which the account of the claims of social injury described in the expression of concern meet the criterion of social injury. To that end, the Committee may consider whether the expression of concern demonstrates:

- a) evidence of repeated breaches, on the part of the legal person of applicable rules of domestic or international laws;
- b) evidence of serious and continuing violations of widely accepted standards of behaviour;
- c) evidence that was the grounds of a ruling against a party, or was otherwise retained, by a tribunal or body charged with enforcing the rules and laws applicable to the legal person whose activities are subject to claims of social injury;
- d) evidence of general wide-spread assessment and condemnation of the activities of the legal person by a recognized organization with a mandate to objectively report on ESG matters.

11. Following its review, the Committee will submit a report to the Board of Governors, taking due regard of section 4.3 of its Terms of Reference.
12. Nothing in this Procedure will limit the authority of the Committee to undertake any other action indicated in its Terms of Reference.

CYCLICAL REVIEW OF PROCEDURES

13. A review of these Procedures will be conducted by the Committee at least once every three years, or whenever deemed necessary and in the best interests of the University.