



**UNITED REPUBLIC OF TANZANIA**  
**MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY**  
**MOSHI CO-OPERATIVE UNIVERSITY (MoCU)**  
**CHUO KIKUU CHA USHIRIKA MOSHI**



**PROPOSED ANTI-SEXUAL HARASSMENT POLICY AND GUIDELINES, 2023**

*(Made under Article 30(2) of the MoCU Charter, 2015)*

**APRIL, 2023**

## **FOREWORD**

Sexual harassment continues to be a serious misconduct worldwide that has prompted international organisations, states, institutions and universities to adopt policies and measures to prevent and address it. Laws of Tanzania criminalise certain forms of sexual harassment due to their gravity and impact on public morality. However, the university organizational context requires the adoption of a more specific instrument for ensuring the learning and working environment is free from all forms of sexual harassment. The interaction between members of the University community inevitably invites misconduct including sexual harassment. Although University rules governing the conduct of staff and students prohibit sexual harassment generally, this Policy is meant to enhance the efforts to address the issue through consistent and effective procedures. Through this Policy, MoCU commits itself to ensuring its learning and working environment is free from all forms of sexual harassment. Specifically, the Policy comprehensively defines the scope of sexual harassment and aims to among other things, reinforce measures for preventing sexual harassment, improve the procedures for handling complaints and ensure victims of sexual harassment receive necessary rehabilitation and support. Implementation of this Policy is therefore expected to reduce incidents of sexual harassment and ultimately ensure the welfare of students and staff. To ensure the implementation of the Policy delivers the intended outcomes, it will be necessary for all members of the University community to understand this Policy and play their respective roles in implementing it. Besides, University organs with a specific mandate to handle matters of sexual harassment are expected to play a more direct and proactive role in ensuring the Policy is widely understood and implemented without fear or favour. Experience shows that, laws and policies cannot address and eliminate societal problems including sexual harassment. Addressing the challenge will require concerted effort and a change of mindsets and perceptions. In this sense, this Policy should not be perceived as an end in itself but as a means towards a certain end. For this reason, this Policy shall be implemented in conjunction with other policies and rules of the University and relevant national laws which cover aspects of sexual harassment.

**Prof. Alfred S. Sife**

**VICE CHANCELLOR**

## INTERPRETATION OF TERMS

In this Policy, unless the context requires otherwise:

**“Alleged perpetrator”** means a person alleged to have committed an act of sexual harassment.

**“Complainant”** means a person who lodges a sexual harassment complaint.

**“Confidentiality”** means non-disclosure of information related to a sexual harassment complaint, investigation and related processes to any unauthorized person.

**“Conflict of interest”** means a situation where the personal interests of a person handling a sexual harassment matter are incompatible or have the potential to be incompatible with his/her duties and responsibilities to the University.

**“Contractor”** means persons or entities which have been engaged by the University to provide goods and services or execute works on a contractual basis.

**“False allegation”** means a sexual harassment complaint made in bad faith and or with intent to tarnish a person’s reputation.

**“Management”** means the Management of Moshi Co-operative University.

**“Non-consensual sharing of intimate images and videos”** includes sharing or exposing sexual images/videos taken without consent, sexual images/videos taken consensually but shared without consent, and non-consensual acts (e.g. rape) recorded digitally.

**“Policy”** means Anti-Sexual Harassment Policy and Guidelines, 2022.

**“Respondent”** means a person against whom a sexual harassment complaint has been lodged.

**“Retaliation”** means deliberate threats, intimidation, violence and related actions done as revenge for something done against someone.

**“Sextortion”** is a form of corruption in which people entrusted with authority seek sexual favours in exchange for something within their authority to grant. This includes requesting sexual favours to provide various services, employment opportunity or good grades to students.

**“Sexual harassment”** means any behaviour or conduct of a sexual nature which is considered unwanted, unacceptable, inappropriate and offensive to the recipient, and that

creates an intimidating, hostile relationship between the perpetrator and the recipient.

Sexual harassment includes:

- (i) Any unwanted and inappropriate physical contact of any body parts such as patting, scratching, caressing, pinching, hugging, kissing, stroking and brushing up against another person's body.
- (ii) Socially and culturally inappropriate and unwelcome comments with sexual overtones such as sexually suggestive jokes or comments about a person's dress or body made in their presence or directed toward them, persistent proposals and unwelcome requests or persistent personal invitations to go out, sexual advances, insults based on someone's sex, and all sorts of unwanted and persistent explicit or implicit propositions to engage in sexual activity.
- (iii) Unwelcome gestures, suggestive body language, indecent exposure, lascivious looks, repeated winks, and gestures with fingers, unwelcome display of pornographic materials, sexually explicit pictures and objects, screen savers or posters as well as sexually explicit e-mail, notes or messages.
- (iv) Demands for sexual relations or activities in exchange for employment, promotion, academic, disciplinary or other favours. This practice is also known as sextortion.
- (v) Sextortion or sexual corruption which includes the use of influence or any authority to force a person into sexual relations or activities, use of sexual information, images or videos to extort money or sexual favours from a victim.
- (vi) All forms of forced sexual activity including rape, forced oral sex, and physical torture of a person in a sexual manner for sexual gratification or other reasons.
- (vii) Online or cyber-based sexual harassment which means unwanted sexual conduct on any private or public digital platform, including through images, videos, posts, and messages, which can make the victim feel exploited, coerced, humiliated, or discriminated against. Online sexual harassment includes non-consensual sharing of intimate images, videos and messages, sexualized bullying, unwanted sexualization and related acts.

**“Sexualized online bullying”** includes offensive or discriminatory sexual language and name-calling, impersonating someone and damaging their reputation by sharing sexual content or sexually harassing others, sharing of personal information with the intent to

cause sexual harassment, and announcing someone's sexuality or gender identity without their consent.

**“Staff”** means academic and administrative employees of the University as defined by the MoCU Charter of 2015.

**“Student”** means a person who has been duly registered by the University for a programme of study.

**“Students’ organization”** means Moshi Co-operative University Students’ Organisation.

**“Third parties”** means individuals who visit the University or are affiliated with the University or who take part in the University’s activities at any location. These include applicants for admission and employment, guests, visiting lecturers, contractors, security agencies, and vendors/suppliers of goods and services to the University or its members.

**“University”** means Moshi Co-operative University.

**“Unwanted sexualization”** means making unwanted sexual requests, comments and content. It includes sexualized comments, sexualized viral campaigns that pressurize people to participate, and altering images or videos of a person to make them sexual.

**“Whistle-blower”** means any person who exposes acts of sexual harassment affecting people other than himself/herself.

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# PART I

## INTRODUCTION

### 1.1 Background

Sexual harassment is a global challenge that continues to affect many people, particularly in employment settings and educational institutions. In Tanzania, incidences of sexual harassment have continued to prevail in different settings and different institutions including higher education institutions. Sexual harassment negatively affects working relationships, undermines gender equality and equity, creates unfair practices in employment, affects teaching and learning processes, and adversely impacts the dignity and well-being of workers and students. Although there are national laws which prohibit most forms of sexual harassment, incidents of sexual harassment continue to take place at an alarming rate. Besides, advancements in Information and Communications Technology, particularly social media, have also contributed to the rise of sexual harassment incidents in various forms including cyberbullying, sharing of inappropriate images and videos, misinformation, disinformation, and deep fakes. It should also be noted that in the context of higher education institutions, sextortion as a specific form of sexual harassment has been reported to be a serious challenge in higher education institutions. A study on sextortion that was conducted by the Prevention and Combating of Corruption Bureau in 2020 in two higher education institutions in Tanzania shows that sextortion has continued to prevail in higher education institutions in the country. The study findings show that, although there are various regulations (for staff and students) which prohibit sextortion, their implementation has not been effective in addressing it. The study, among other things, recommended that higher education institutions should improve control and accountability systems. It also recommended strengthening university organs including the integrity committee, gender desks, and student welfare departments and capacitating them to handle issues of sextortion. Moreover, studies conducted by other organisations including Tanzania Women Lawyers Association show that sextortion remains a serious challenge which mostly affects women. Recognising the severity of sexual harassment and gender-based violence, the Government directed the establishment of gender desks in higher education institutions through its Directive on



Gender Desks in Universities and Colleges and in deed other institutions. The aim is to strengthen reporting systems and ensuring effective handling of reported incidents. It is against this background that Moshi Co-operative University needs to strengthen its measures for addressing sexual harassment in all of its forms.

## **1.2 Situation Analysis**

As a public higher education institution, Moshi Co-operative University operates within the framework of relevant laws and regulations including the Universities Act of 2005 and laws governing public service in the country. Moreover, MoCU's administrative structure is specifically provided for in the MoCU Charter of 2015 which, among other things, establishes the University and procedures for the discipline of staff and students. Among other things, MoCU is responsible for ensuring the welfare and discipline of staff and students through appropriate rules and organs to ensure the learning and working environment guarantees fairness, equality and the dignity of all persons. This requires the University to address all misconduct including sexual harassment which is a growing challenge in workplaces and educational institutions. Rules governing the discipline of staff and students prohibit sexual harassment in its various forms. There are also disciplinary organs for staff and students which are mandated to hear disciplinary matters and impose sanctions. Besides, there are other organs such as the Integrity Committee and Quality Assurance Unit which play a significant role in addressing ethical issues at the University. Moreover, the University Gender Desk was established to strengthen the system for addressing gender-related issues which include sexual harassment. Through this framework, the University has effectively handled reported cases of sexual harassment involving staff and students. However, there are challenges which need to be addressed including a lack of effective mechanisms to monitor breeding grounds of sexual harassment, non-reporting of sexual harassment incidents, limited awareness among staff and students and rising incidents of online sexual harassment. There is therefore a need to strengthen measures for addressing sexual harassment at the University through an effective policy framework which focuses on prevention, effective handling of cases and support and rehabilitation of victims of harassment. Given the fact that

sexual harassment is a criminal offence, the existence of national laws and institutions to deal with sexual harassment and sextortion issues helps to reinforce University measures, particularly where there is a need to refer cases to such authorities. The University is therefore required to use all possible means to ensure sexual harassment is squarely addressed particularly by enhancing measures for prevention and support and rehabilitation for victims.

### **1.3 Rationale of the Policy**

Sexual harassment in any form is considered to be unacceptable behaviour and a source of conflicts, distressful and counterproductive to the mission of an educational institution. The University regards sexual harassment as a violation of the standards of conduct required of all persons associated with the University. MoCU acknowledges that a safe working and learning environment is necessary for pursuing its mission and attaining its vision. To create such an environment, it is vital to ensure that the workplace is free from all forms of sexual harassment. This Policy is therefore made to ensure that the learning and working environment is free from all forms of sexual harassment. MoCU has an institutional framework for dealing with sexual harassment that involves Staff Rules, Student Disciplinary Rules, and Student Welfare Policy. There are also organs including the Integrity Committee, Staff Disciplinary Committee, Student Disciplinary Committee, and University Gender Desk. All these organs have the mandate to deal with sexual harassment issues. Although sexual harassment is covered in the said instruments, its nature, scope and the system for handling complaints are not comprehensively provided. The Policy consolidates the framework for dealing with sexual harassment to streamline the procedure for reporting and handling sexual harassment complaints. The Policy also contains measures for the prevention of sexual harassment and the rehabilitation of victims.

### **1.4 Policy Objectives**

The overall objective of this Policy is to create a learning and working environment which is free of sexual harassment in all of its forms. The specific objectives of this Policy are to:

- (i) Enhance measures for preventing incidents of sexual harassment;
- (ii) Strengthen procedures for handling sexual harassment complaints; and

(iii) Ensure relief and rehabilitation for victims of sexual harassment.

### **1.5 Application of the Policy**

This Policy applies to all students, staff as well as third parties with a contractual or another type of relationship with the University, including service providers, external examiners, suppliers of goods, and contractors.

### **1.6 Effective Date**

This Policy shall become effective upon its approval by the University Council.

## **PART II**

### **POLICY ISSUES, STATEMENTS AND STRATEGIES**

#### **2.1 Prevention of Sexual Harassment**

##### **2.1.1 Issue**

The prohibition of sexual harassment against staff and students is covered by University policies and rules. The University has been taking various measures to raise the awareness of members of the University community on issues of sexual harassment to prevent the same. The University has been using various means including student orientation, and staff seminars to remind staff and students of the nature and effect of sexual harassment. In this regard, MoCU has been striving to ensure the working and learning environment is free from sexual harassment in all of its forms. However, there is a need to enhance the existing measures for the prevention of sexual harassment in the University environment.

##### **2.1.2 Statement**

The University shall strengthen measures for the prevention of incidents of sexual harassment.

##### **2.1.3 Strategies**

The University will:

- (i) Increase the awareness of staff and students on the nature and effects of sexual harassment;
- (ii) Facilitate the establishment of an anti-sexual harassment club by students;
- (iii) Enhance physical security across the University compound;
- (iv) Sensitise staff and students to avoid risky behaviour such as alcoholism and drug abuse;
- (v) Sensitise staff and students on means to resist and defend themselves against sexual harassment;
- (vi) Raise awareness on responsible use of information and communications technology;
- (vii) Strengthen enforcement of the University Dress Code; and

- (viii) Address cases of unacceptable sexual relations which are against the Tanzanian culture.

## **2.2 Sextortion**

### **2.2.1 Issue**

Sextortion as a form of sexual harassment affects students and staff in higher education institutions including Moshi Co-operative University. Although reported incidents are handled in line with existing rules and procedures, it has been found that many incidents of sextortion remain unreported and that implementation of existing regulations has not been effective in addressing sextortion. There is therefore a need to strengthen prevention measures, reporting mechanisms and the system for handling reported incidents.

### **2.2.2 Statement**

The University shall strengthen measures for preventing and addressing sextortion.

### **2.2.3 Strategies**

The University will:

- (i) Strengthen systems for reporting incidents of sextortion;
- (ii) Ensure perpetrators of sextortion are held to account through appropriate disciplinary measures;
- (iii) Ensure a conducive working, learning and teaching environment;
- (iv) Increase knowledge and awareness about sextortion; and
- (v) Improve service delivery and accountability across the University.

## **2.3 Handling Sexual Harassment Complaints**

### **2.3.1 Issue**

Currently, issues of sexual harassment are handled within the framework of the existing University staff and student rules and disciplinary organs. In terms of organs, the Staff Disciplinary Committee and the Student Disciplinary Committee handle issues of misconduct (including sexual harassment) involving staff and students. Moreover, the University has established a Gender Desk as directed by the Government as a way to ensure issues of gender (including gender-based violence and sexual harassment) are

handled more effectively. However, the existing University organs and rules have not been effective in handling all forms of sexual harassment.

### **2.3.2 Policy Statement**

The University shall strengthen the system for handling sexual harassment complaints.

### **2.3.3 Strategies**

The University will:

- (i) Enhance the capacity of the University Gender Desk in handling sexual harassment matters;
- (ii) Improve the mechanism for reporting sexual harassment matters;
- (iii) Sensitise staff and students on the importance of reporting sexual harassment incidents;
- (iv) Ensure confidentiality in handling sexual harassment complaints;
- (v) Ensure the protection of whistle-blowers;
- (vi) Ensure complaints of sexual harassment are handled promptly;
- (vii) Ensure disciplinary action is taken against perpetrators of sexual harassment; and
- (viii) Facilitate referral of sexual harassment complaints to relevant state authorities where necessary.

## **2.4 Support and Rehabilitation for Victims of Sexual Harassment**

### **2.4.1 Issue**

Experiencing sexual harassment may cause the victim to face several challenges including, emotional, physical, or mental health problems. These may include anger, fear, humiliation, shame, loss of self-control, anxiety, depression, post-traumatic stress disorder, and loss of motivation. In this regard, there are situations where a victim of sexual harassment may require support and rehabilitation to assist him/her deal with the physical and or psychological effects of sexual harassment. However, the existing system for handling sexual harassment matters at the University does not have a well-defined mechanism for providing support and rehabilitation to victims of sexual harassment.

### **2.4.2 Statement**

The University shall ensure victims of sexual harassment are provided with the necessary support and rehabilitation.

### **2.4.3 Strategies**

The University will:

- (i) Strengthen University-based guidance and counselling services;
- (ii) Facilitate external referrals for additional specialised support or rehabilitation services;
- (iii) Facilitate provision of necessary medical support including post-exposure prophylaxis;
- (iv) Make a follow-up on victims referred to other institutions for support and rehabilitation purposes; and
- (v) Reallocate or transfer staff members where necessary.

## **PART III**

### **POLICY IMPLEMENTATION**

#### **3.1 Responsibilities of Key Implementors**

##### **3.1.1 Unit Responsible for Gender Issues**

The overall responsibility to coordinate the implementation of this Policy is vested in the University unit responsible for gender issues. Specifically, the Unit shall:

- (i) Oversee the implementation of this Policy and advise the University Management on implementation and review matters;
- (ii) Plan and manage the University's sexual harassment education and training programmes; and
- (iii) Assess and evaluate the implementation of this Policy;

##### **3.1.2 University Gender Desk**

By virtue of the government directive establishing gender desks in higher education institutions, the University Gender Desk is responsible for handling all gender-based violence issues at the University. Concerning sexual harassment, the specific responsibilities of the Gender Desk are to:

- (i) Receive and handle all sexual harassment matters reported to it;
- (ii) Refer sexual harassment matters to relevant authorities as appropriate;
- (iii) Follow up on sexual harassment matters referred to University and other authorities;
- (iv) Advise the University management on implementation of anti-sexual harassment matters in policies, plans, programmes, strategies, and directives; and
- (v) Prepare and keep a record of sexual harassment complaints.

#### **3.2 Roles of Other University Units**

##### **3.1.1 The Directorate of Human Resource Management and Administration**

- (i) Integrate sexual harassment matters in induction and other training provided to staff members; and
- (ii) Encourage staff members to report incidents of sexual harassment.



### **3.1.2 The Directorate of Student Services**

The Directorate of Student Services shall:

- (i) Integrate sexual harassment matters in student orientation and other strategic events organised for students; and
- (ii) Encourage students to report incidents of sexual harassment.

### **3.1.3 Students' Organisation**

The Students' Organisation shall:

- (i) Champion the establishment of an anti-sexual harassment club;
- (ii) Organise anti-sexual harassment sensitisation campaigns; and
- (iii) Encourage students to report indicators and incidents of sexual harassment behaviour to the relevant authority.

### **3.1.4 Staff Associations**

Academic and Administrative staff associations shall:

- (i) Organise anti-sexual harassment sensitisation campaigns;
- (ii) Integrate sexual harassment into strategic activities and programmes; and
- (iii) Encourage staff members to report incidents of sexual harassment.

## **PART IV**

### **MONITORING, EVALUATION AND REVIEW**

#### **4.1 Monitoring and Evaluation of the Policy**

Effective institutional arrangements for monitoring and evaluation are key components for achieving the objectives of this Policy. Monitoring and evaluation of the Policy implementation shall be an ongoing activity that shall be under the coordination of the unit responsible for gender issues. To appraise the steps taken and the success in the implementation of the Policy, the University Gender Desk shall:

- (i) Develop an appropriate monitoring and evaluation system to ensure that the necessary measures are taken promptly;
- (ii) Initiate review of this Policy; and
- (iii) Devise a mechanism for receiving views from members of the University regarding the implementation of this Policy.

#### **4.2 Review**

This Policy may be reviewed when need arises.

## **ANTI-SEXUAL HARASSMENT GUIDELINES**

### **1. Purpose**

These Guidelines are meant to provide for specific procedures for the operationalisation of the Anti-sexual Harassment Policy and shall be read together with the Policy.

### **2. Implementation principles**

The implementation of the Policy shall be based on the following principles:

- (i) All sexual harassment complaints will be treated with due diligence, confidentiality, fairness, justice and due process
- (i) In any investigation of a sexual harassment complaint, the respondent shall be made aware of the complaint and the identity of the complainant(s).
- (ii) Investigations shall be conducted promptly and thoroughly.
- (iii) Both the complainant and the respondent shall be notified of the outcome of the investigations.
- (iv) The personal dignity of all parties shall be respected during the investigation and hearing processes.
- (v) All proceedings shall not be open to the public.
- (vi) A person against whom allegations or a complaint of sexual harassment has been made shall be deemed innocent until the contrary is proved.

### **3. Reporting mechanisms**

A sexual harassment complaint may be made through:

- (i) The complaint box installed at the University Gender Desk Office;
- (ii) The University Gender Desk telephone; or
- (iii) Electronic means including e-mail or special application.

### **4. Responsibility for Reporting Sexual Harassment**

- (i) It shall be the primary responsibility of a victim of sexual harassment to report alleged sexual harassment to the University Gender Desk.

- (ii) Any member of the University who witnesses an act of sexual harassment shall have the responsibility to report the same to the University Gender Desk where he/she has reasons to believe that the victim is unable to report the incident due to ignorance, fear and other similar reasons.

## **5. Evidence of sexual harassment incidents**

A person who experiences sexual harassment should:

- (i) Collect and document all accounts of the incident(s) of sexual harassment after the occurrence. If the evidence is in written form such as a letter, email or text message, it should be kept. If the evidence is based on an oral statement, the recipient should keep the actual words used;
- (ii) Record the time and place the incident happened;
- (iii) Record audio and videos or take photographs of any inappropriate images, displays or images that are the subject of alleged sexual harassment;
- (iv) For backup purposes, make multiple copies of collected evidence and store them separately;
- (v) Note down the names and contacts of all witnesses and take their statements;
- (vi) Seek medical services in case of physical sexual assault, rape and other related abuses; and
- (vii) Keep records of all health treatment that he/she has received as a result of the sexual harassment.

## **6. Forms of Complaints Mechanism**

A sexual harassment complaint may be pursued through formal or informal procedures.

### **6.1 Informal complaint procedure**

- (i) An informal procedure shall mean a process where a victim of sexual harassment wishes some action to be taken against the alleged perpetrator without lodging and pursuing a formal procedure. The informal procedure shall be pursued by the University Gender Desk. The procedure shall aim to reach an amicable settlement of a complaint in a manner that is satisfactory to both the complainant and the alleged perpetrator.

- (ii) If an amicable settlement is reached, the complainant shall not be allowed to pursue formal proceedings after the conclusion of informal proceedings.
- (iii) An informal complaint shall be made to the University Gender Desk which shall endeavour to reconcile the parties through amicable means.
- (iv) The respondent must be notified of the complaint lodged against him/her.
- (v) The University Gender Desk shall keep a record of all informal complaints reported to it.
- (vi) An informal complaint shall remain on record and may be used in future proceedings as evidence of repeated unwanted conduct.
- (vii) An informal procedure shall not take place if the University Gender Desk, in consultation with the University Corporate Counsel, is of the view that there are compelling reasons for the complaint to be of a serious nature that requires the matter to be pursued through formal procedures.
- (viii) The outcome of the informal procedure shall be recorded and signed by the victim, the alleged perpetrator and the Head of the University Gender Desk in line with the Gender Desk's operational guidelines.
- (ix) A victim of sexual harassment who is dissatisfied with the outcome of the informal complaint procedure may lodge a formal complaint to the University Gender Desk for further redress.
- (x) In an informal procedure the following information shall be recorded:
  - a. The names of the participants;
  - b. The date, time and location of the alleged incident;
  - c. The fact that the informal procedure took place; and
  - d. The outcome of the informal procedure.

## **6.2 Formal complaint procedure**

- (i) Formal complaint procedure shall involve administrative proceedings of handling sexual harassment complaints which include investigation of allegations, disciplinary actions or dismissal of a complaint.
- (ii) Any member of the University community who believes that he or she has been subjected to sexual harassment can lodge a written formal complaint with the University Gender Desk.

- (iii) A formal complaint shall be made in the manner prescribed by the Gender Desk's operational guideline and shall include:
  - a. Name and contact details of the complainant;
  - b. Date of the complaint;
  - c. Nature and details of the act or conduct complained about; and
  - d. Any other relevant details or evidence concerning the complaint.
- (iv) The University Gender Desk may advise the complainant to pursue the matter through informal procedures if it is of the opinion that informal procedures will address the problem more conveniently.
- (v) The University Gender Desk may dismiss a complaint if it is satisfied that the evidence adduced is insufficient or that the complaint is based on false accusations.
- (vi) The procedure for receiving and handling a formal complaint shall involve the following steps:
  - a. The Complainant shall present his/her complaint orally to the University Gender Desk.
  - b. The University Gender Desk shall listen to the complaint and discuss all options with the Complainant as well as explain the processes involved in the formal complaint procedure.
  - c. Upon agreement to the formal complaint procedure, the Complainant shall then put his/her complaint in writing and lodge it with the University Gender Desk. If the complainant is unable to write a complaint, the Desk shall assist the complainant to write, then read and explain in the language he or she understands before putting his/her signature or fingerprint.
  - d. The written statement shall state details of the alleged harassing behaviour, and details of dates, places and names of those connected with the incidents.
  - e. The University Gender Desk shall notify the alleged offender about the matter, and request that he or she files a written statement in response

to the allegations within seven days failure of which the matter shall proceed *ex parte*.

- f. The Gender Desk shall conduct a private interview with the Complainant and the alleged offender, and their witnesses if available.
- g. The Complainant shall be heard first in the presence of the alleged offender. The alleged offender may question the Complainant before the Committee. The alleged offender may then be requested to make his oral statement to state his/her side of the matter.
- h. The Gender Desk may take testimonies of other relevant persons and witnesses where available and review the evidence.
- i. A decision will be taken after a careful review of the circumstances, the evidence adduced, statements and all other relevant information before the Gender Desk.
- j. Where the Gender Desk is satisfied that the alleged perpetrator has engaged in the sexual harassment act complained of, it shall refer the matter to the appropriate University organ for disciplinary action or state organs for criminal actions as the case may be.

### **6.3 Complaints by Outsiders**

Where a University staff causes sexual harassment to a person who is not a staff or student of the University, the complainant may report the incident to the University Gender Desk which shall deal with the complaint appropriately or advise the complainant to pursue other relevant measures such as reporting the incident to state authorities.

### **6.4 Anonymous Complaints**

Anonymous complaints shall first be investigated to determine their authenticity before any action can be taken. In any case, a complainant of sexual harassment who wishes to pursue a remedy through these procedures must be prepared to be identified to the respondent.

## **7 False Complaints**

A person who makes a false accusation of sexual harassment against another person commits an offense and shall face appropriate disciplinary action.

## **8 Referral of complaints**

In determining which complaints should be referred to relevant authorities, the University Gender Desk shall take the following into account:

- (i) The Directive establishing Gender Desks in higher education institutions;
- (ii) Position of state laws about the act of sexual harassment in question;
- (iii) Wishes of the complainant;
- (iv) Gravity of the sexual harassment incident; and
- (v) Conduct of the alleged perpetrator.

## **9 Failure to act on a complaint**

- (i) Where the University Gender Desk fails to act on a lodged complaint without a compelling reason, the complainant shall inform the Vice Chancellor who shall make appropriate orders.
- (ii) Where it is discovered that the Gender Desk unreasonably failed to act on a lodged complaint, the Vice Chancellor shall take administrative action against the responsible persons as he deems fit.

## **10 Monitoring compliance with decisions**

The University Gender Desk shall monitor compliance with all decisions on sexual harassment complaints.

## **11 Sexual harassment incidents register**

The University Gender Desk shall maintain a record of reported sexual harassment incidents in accordance with its operational guideline.

## **12 Prohibition of retaliation**

- (i) A person who retaliates against a complainant of sexual harassment commits a disciplinary offence and shall be subjected to disciplinary action.



- (ii) A victim of sexual harassment or any other person who retaliates against the alleged perpetrator commits a disciplinary offence and shall be subjected to disciplinary action.

### **13 Conflict of interest**

In handling a sexual harassment matter, members of investigative and decision-making organs shall, at all times, avoid conflict of interest. A member with a conflict of interest shall declare it to the relevant organ. After declaring the interest, the member shall not be allowed to participate in investigation and decision-making processes concerning the person with whom the member has a conflict of interest.