



SD DOMBO UNIVERSITY OF
BUSINESS AND INTEGRATED
DEVELOPMENT STUDIES

(SDD-UBIDS)

SEXUAL HARASSMENT POLICY

NOVEMBER, 2022

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FOREWORD

The Simon Diedong Dombo University of Business and Integrated Development Studies (SDD-UBIDS) is committed to the principles of equal opportunities and strives to provide an inclusive learning environment in which respect is accorded to all employees, (staff, students) and stakeholders of the University. The University places a high premium on learning, teaching and social environment in which the fundamental human rights and human dignity of all persons are respected.

SDD-UBIDS upholds social justice and equality as essential qualities in governance of the University to fulfil its aims and strategic objectives. Therefore, the University deems it appropriate to embed social justice and quality in all activities and dealings with all stakeholders as a hallmark of goodwill and good practice.

The right to work in a safe and peaceful environment is an inalienable fundamental human right. Discrimination, harassment, victimisation, intimidation and violence are forms of violation of fundamental rights of individuals. Engaging in any of these acts can compromise academic freedom of members of the University community. The consequences of such acts on victims and the University can be grave as they have the tendency to compromise efficient and effective knowledge generation and the image of the University.

As a university that strives for excellence, leadership and development, SDD-UBIDS holds in high esteem the fostering and promotion of a congenial learning and teaching environment that empowers all stakeholders to conduct their businesses in a productive and impactful manner. SDD-UBIDS will not tolerate any form of sexual harassment, sexual assault, intimidation and victimisation of any member of the University community by associates or visitors to the campus. The

University will thoroughly investigate such antisocial acts and bring perpetrators to book.

This Policy, which applies to all the stakeholders of the University, shall serve as a veritable mechanism to create awareness about sexual harassment and its attendant consequences and measures put in place to prevent and tackle complaints of sexual harassment at SDD-UBIDS.

Professor Philip Duku Osei
Vice-Chancellor

1. POLICY STATEMENT

The Simon Diedong Dombo University of Business and Integrated Development Studies (SDD-UBIDS) is committed to the principles of equal opportunities and respect for individuals in creating and maintaining an inclusive environment. The University seeks to maintain a working, learning and social environment in which the rights and dignity of all staff and students are respected.

Sexual harassment is unlawful and distasteful. It violates the rights to self-determination and bodily integrity of the affected person(s) as stipulated in the United Nations Universal Declaration of Human Rights (1948). Sexual harassment creates fear and anxiety, and has immediate and lasting effects on affected persons. A person has the right to control his/her body and sexuality and there are international and national laws protecting individuals against sexual exploitation and gender-based violence in any form. In Ghana, sexual assaults in any form, including rape, defilement, unnatural carnal knowledge and harassment, are regarded as serious offences (i.e., first-degree felony) that are liable on conviction to a term of imprisonment not less than five years and not more than 25 years (Criminal Code [Amendment] Act 1998, Act 554, Chapter Six).

The effects of sexual harassment could be personal and social. SDD-UBIDS is committed to creating an environment that is conducive to work and study, where all members of the University community, including staff, students and third parties, irrespective of their sex, age, ethnicity, physical or mental ability, sexual orientation, religion or creed, are free from any form of harassment, especially sexual harassment. By this Policy, SDD-UBIDS seeks to provide an enabling environment that is safe for all actors and members of the University community.

2. POLICY PRINCIPLES

The principles of the Sexual Harassment Policy include:

- a. **Mutual Respect:** All SDD-UBIDS' staff, students and third parties are expected to promote a culture of mutual respect at the workplace.
- b. **Professionalism:** Sexual harassment is an unprofessional conduct that undermines the integrity of workplace relationships.
- c. **People's Rights:** Sexual harassment infringes on people's rights to a safe working environment and academic freedom.
- d. **Collective Responsibility:** All members of the University, including staff and students, will be responsible for ensuring that no one suffers from sexual harassment in the University.

3. POLICY OBJECTIVES

The core objectives of the Policy are to:

- a. define what constitutes sexual harassment in the University;
- b. prevent sexual harassment and misconduct through education and awareness creation;
- c. investigate contentions and reports of incidents of sexual harassment and sexual misconduct in the University;
- d. administer appropriate disciplinary measures when a violation is found to have occurred as provided by this Policy, dissuade potential sexual harassment and misconduct; and
- e. ensure that victims of sexual harassment and sexual misconduct, or anyone who participates in an investigation do not face victimisation, reprisal or stigmatisation.

4. DEFINITIONS

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Harassment</p> <p>Harassment is any unwelcome behaviour or act that affects the dignity of those subjected to it.</p> <p>Harassment may involve: Harassment of women by men, harassment of men by women, same-sex harassment, peer harassment, harassment of subordinate/ student by a supervisor/lecturer, supervisor/lecturer by a student; third party harassment by non-employees such as clients, parents, external service providers and suppliers.</p> | <ol style="list-style-type: none"> 1. Physical Harassment <ol style="list-style-type: none"> a. Making unnecessary/unwelcome or physical contact (touching, patting, stroking, squeezing, hugging pinching or kissing). b. Standing unnecessarily close to a person. c. Brushing or rubbing one's genitalia against someone. d. Grabbing of another person's body. 2. Gestural Harassment <ol style="list-style-type: none"> a. Staring, leering, ogling and winking. b. Blowing kisses, wagging the tongue or licking lips. c. Making sexually expressive hand/finger movement d. Imitating sexually suggestive acts. 3. Virtual Harassment <ol style="list-style-type: none"> a. Sending or posting another person's intimate pictures/videos taken without their consent/knowledge online. b. Displaying sexually explicit pictures, photos on desktops, wallpapers or pornographic sites. c. Inappropriate displays of sexually suggestive objects or pictures, cartoons, calendars, books and magazines. d. Passing on pornographic material in print or electronic form or passing written offensive messages of a sexual nature (including e-mails and text messages). |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| | <p>4. Verbal Harassment</p> <ul style="list-style-type: none"> a. Insults, jokes, or anecdotes that belittle or demean an individual or a group's sexuality or gender. b. Comments of a sexual nature about an individual's body, clothing or sexual experience. c. Violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person. |
| <p>Sexual Harassment Labour Act, 2003 (Act 651), Section 175 defines sexual harassment as any unwelcome, offensive or importunate sexual advances or requests made by an employer or superior officer or a co-worker to a worker, whether the worker is a man or woman.</p> | <ul style="list-style-type: none"> a. Unwanted and persistent propositions for dates with a student or staff. b. Preferential treatment or promise/ insinuation of preferential treatment for submission to sexual conduct. c. Comments or statements that are demeaning, humiliating and sexually suggestive. d. Continued expressions of sexual interest after being informed that the expressions are unwelcome. e. Threats, demands or pressure to submit to sexual requests to keep a job or to avoid other losses and/or offers of benefits in return for sexual favours. |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Other Forms of Harassment</p> <p>In addition to sexual harassment, there are other forms of harassment.</p> | <p>1. Written and Symbolic Harassment</p> <p>This occurs when people stigmatise and denigrate individuals or groups based on religion, creed, national origin, ethnicity, gender, disability, physical appearance or relationship.</p> <p>2. Personal Harassment</p> <p>Personal harassment includes inappropriate comments or activities in the teaching, learning, living or working environments concerning an individual's disability, age, socio-economic group, sexual orientation, gender orientation, religion or any other form of personal victimisation, including offensive comments or conducts about a person's sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), colour, gender, gender identity, gender expression, (including language use) physical and/or mental disability, medical condition, marital status, age, sexual orientation, association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by state laws. Such conduct may include, but is not limited to:</p> <ol style="list-style-type: none"> a. making gestures, threats, derogatory comments, or slurs that may be offensive to individuals in a particular group. b. bullying behaviour that is threatening, intimidating, verbally abusive or results in other disruptive actions at the workplace. c. displaying derogatory objects, photographs, cartoons, calendars or posters; and d. sending messages by letters, notes, electronic mail or telephone may be offensive to individuals in a particular group. |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Sexual assault</p> <p>Sexual assault is any type of sexual contact or behaviour that occurs without the explicit consent of the recipient. Sexual assault is also defined as unwanted sexual advance or request, which makes a person offended, humiliated and/ or intimidated. The University recognises sexual assault as a serious problem and a criminal offence that occurs among students and staff as well as within other segments of our society.</p> | <p>Rape, attempted rape, acquaintance rape and other misconduct, both forcible and non-forcible.</p> |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Rape</p> <p>The Criminal Code (Amendment) Act, 1998 (Act 554) Chapter Six defines rape as “the carnal knowledge of a female of not less than sixteen years without her consent”. The Policy also recognises male rape as a crime.</p> <p>A person who commits rape commits a first-degree felony and is liable on conviction to a term of imprisonment of not less than five years and not more than 25 years.</p> | <ul style="list-style-type: none"> a. Male to female rape. b. Male to male rape. c. Female to female rape. d. Female to male rape. |
| <p>Indecent assault</p> <p>An offensive sexual act or series of acts exclusive of rape committed against another person without consent. Any person who has indecent contact with another or takes indecent liberties with a person without his or her consent is guilty of indecent assault.</p> | <ul style="list-style-type: none"> a. Rubbing against someone for sexual gratification. b. Groping someone for sexual gratification. c. Touching an individual on any part of their body in a sexual manner. |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Unnatural Carnal Knowledge</p> <p>This is where a person has sexual intercourse in a way considered unnatural with another person of sixteen years or more with or without the person’s consent.</p> | <p>a. Anal sex, oral sex</p> |
| <p>Consensual relationship</p> <p>A consensual relationship refers to any relationship, either past or present, which is romantic, physically intimate, or sexual in nature, and to which the parties consent or consented. It is deemed inappropriate for any member of the University community to establish an intimate relationship with a student, subordinate or colleague on whose academic or work performance he or she will be required to make professional judgments.</p> | |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Bullying</p> <p>This is a form of harassment and may be characterised as offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.</p> | <p>a. Offending</p> <p>b. Intimidating, or</p> <p>c. Insulting.</p> |
| <p>Victimisation</p> <p>The University regards victimisation as any instance where a person is subjected to detrimental treatment because they have acted in good faith. Victimisation may be caused by:</p> <p>a. Making an allegation of harassment, or</p> <p>b. Indicating an intention to make such an allegation, or</p> <p>c. Assisting or supporting another person in bringing forward such an allegation, or</p> <p>d. Participating in an investigation of a complaint, or</p> | <p>a. Unfair dismissal from the job.</p> <p>b. Making unfavourable changes to work conditions.</p> <p>c. Delaying promotion.</p> |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>e. Participating in any disciplinary hearing arising from an investigation, or</p> <p>f. Taking any other steps in connection with this Policy and Procedure, or being suspected of having done so.</p> | |
| <p>The Anti-Sexual Harassment Committee</p> <p>Is established by the University to address sexual harassment matters and investigate grievances</p> | |
| <p>Members of the University Community</p> <p>This means all associates and students of the University.</p> | <p>a. Staff.</p> <p>b. Students.</p> <p>c. Business partners.</p> |
| <p>Policy</p> <p>Policy on Sexual Harassment for the University.</p> | |
| <p>Respondent</p> <p>A person whose alleged conduct is the subject of a complaint.</p> | |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Mode of Dressing</p> <p>Though certain dressing styles may be considered inappropriate or unacceptable, the mode of dressing cannot alone be construed as an “unwelcome sexual advance”. “Unwelcome sexual advance”, as sexual harassment as defined here implies that the perpetrator deliberately and with aforethought subjects another to demeaning, uncomfortable and/or uninvited sexually charged overtures, sometimes for transactional purposes.</p> <p>The University believes in freedom of expression and, as such, does not dictate the mode of dressing for staff and students.</p> | |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>However, the University also respects the fact that appropriate attire (decent attire) should be worn on all occasions. By this, one is not permitted to show sensitive parts of one's body.</p> | |
| <p>Associates/ Third Parties</p> <p>The third party in this Policy includes non-employees such as clients, parents, external service providers and associates.</p> | |
| <p>Sexual Misconduct</p> <p>Sexual misconduct is a broad catchall term for inappropriate sexual behaviour. It covers any sex-related acts and behaviour, including harassment of any kind and assault.</p> | |

| DEFINITION OF WORD/ TERM | EXAMPLES |
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| <p>Human Dignity Human dignity is the recognition that human beings possess special values intrinsic to their humanity and, as such, are worthy of respect simply by being humans.</p> | |
| <p>Reporting Reporting to the Anti-sexual Harassment Committee</p> | |

5. SCOPE OF THE POLICY

This Policy applies to all members of the University community, including those employed on contract basis and third parties. Sexual harassment is increasingly becoming a major threat to an inclusive, free, equitable and fair academic environment. Therefore, all staff, students and third parties must be accountable for their conduct. Any act or behaviour, which is interpreted to contravene the content of this Policy shall not be allowed.

The Sexual Harassment Policy applies to all members of the University community including, but not limited to, the following:

- a. the University's employees/staff;
- b. the University's students; and
- c. third-Party Service Providers. This may include individuals not employed by the University, but who perform various services for the University.

The scope of this Policy also extends to all University community premises, which may include, but is not limited to:

- a. satellite campuses;
- b. student halls/hostels;
- c. UBIDS-managed digital environments; and
- d. any other activities that relate to the University conducted outside the University premises including, but not limited to:
 - conferences,
 - field trips,
 - inter-university events, and

- recreational activities, including parties and other social events.

If any member of the University, either a staff or student, who engages in official University-related duties on premises outside the University experiences sexual harassment, the University will liaise with the appropriate authority to ensure that proper and timely consideration is given to the complainant. The University will continue to provide services to the complainant.

6. REPORTING SEXUAL HARASSMENT

Sexual harassment complaints must be brought to the attention of the Chairperson of the Anti-Sexual Harassment Committee. Any member of the University Community (staff, students and associates/guests) who feels he/she has been subjected to harassment or suffers retaliation after a sexual harassment incident, has the right to register a complaint. Prompt reporting of incidents is strongly encouraged. To allow for timely and effective review and investigation of cases for appropriate remedies to be identified, victims are required to make written complaints within 30 days of occurrence of the incident. Victims shall report experiences of sexual harassment immediately following occurrence of the incident via the Anti-Sexual Harassment Hotline or submit a written report to the Chairperson of the Anti-Sexual Harassment Committee.

If a complainant does not have the emotional, physical and psychological capacity to report, any other person with sufficient evidence of the said sexual harassment shall notify the Chairperson of the Committee immediately. In such a case, the person will be deemed to be a reporting person and not the victim. The complainant's request for anonymity shall be adhered to by the reporting person. The Chairperson of the Committee shall request the services of the Centre for Career Guidance and Counselling Services as and when required.

7. LINES OF REPORTING COMPLAINTS OF SEXUAL HARASSMENT

There are two lines of reporting complaints of sexual harassment. Only members of the University community who have experienced sexual harassment or incidents of misconduct can make a report. A victim of sexual harassment is free to choose from either an informal or a formal approach or both to report sexual harassment or misconduct cases. However, in cases of severe sexual misconduct involving issues of rape, sexual battery and assault, a formal report to the Police is advised. In such situations, the Anti-Sexual Harassment Committee shall liaise and co-operate with the Police to resolve the complaint.

7.1 STEPS TO BE FOLLOWED UPON RECEIPT OF A COMPLAINT

- a. Advise the complainant of both formal and informal procedures in addressing sexual harassment offences.
- b. Explain the formal and informal procedures to the complainant.
- c. Advise the complainant that there is a choice regarding which procedure to follow.
- d. Inform the complainant that he/she is not bound by the outcome of an informal procedure.
- e. Explain to the complainant that he/she retains the right to appeal for a reconsideration of a decision or proceed to pursue a formal process in the event of an unsatisfactory outcome.

- f. Advise the complainant that the matter will be dealt with utmost confidentiality.
- g. If applicable, explain to the complainant that sexual harassment incidents are dealt with on a case-by-case basis and fair treatment shall guide every decision.
- h. Provide the complainant with relevant information about counselling services available as well as information on how to access these services.
- i. If a complainant does not wish to pursue a sexual harassment matter further, the Committee will adhere to the advice of the complainant.

7.2 INFORMAL APPROACH

The informal approach offers the advantages of getting complaints resolved quickly and is less damaging to relationships. As such, it is advised that the informal procedure be used in the first instance. However, this will depend entirely on the preference of the victim. Victims are strongly advised to keep a record of all discussions at this stage. The informal approach to reporting and resolving complaints shall involve:

- a. Individual Action: Any member of the University community who feels that he/she has been a victim of sexual harassment or misconduct should first register their protest of the act to the person(s) involved in the harassment. This could be done either verbally or written or both and must detail the behaviour that is being protested and instances when it occurred.
- b. Third-Party Intervention: If the harassment continues, albeit the registration of the protest, or if the victim finds the individual approach inappropriate, then third party assistance should be sought. The victim should ask an appropriate third party (e.g. the Counsellor, a trusted friend, a family member, his or her academic adviser or the Anti-Sexual Harassment Desk Officer) to engage the

alleged offender in informal mediation. Victims are to note that seeking third party intervention from a colleague or friend may affect the confidentiality of the matter and should, therefore, choose third parties cautiously. Third parties must provide confidential assistance and adopt the best approach to resolving the issue. Possible resolution strategies include the third party confronting the alleged offender, inviting both parties for discussions and mediation or the third party reporting to the Chairperson of the Anti-Sexual Harassment Committee. Where safety/health of the victim is compromised, the third party has to take steps to address the issue by assisting the victim in visiting the hospital or the police station or seeking appropriate support.

Victims who choose to approach the Anti-Sexual Harassment Unit to make an informal complaint can choose to use either face-to-face or electronic channels such as a dedicated hotline or an e-mail to make the complaint.

If harassment of the complainant persists after the informal mediation processes, or if the alleged offender is not cooperative, then the victim has the opportunity of a formal complaint. The informal approach to resolution may also be inappropriate in the following cases:

- Where the safety and security of one or both parties are at stake.
- Where serious forms of sexual harassment such as indecent assault, sexual assault, rape, coercion or threats are involved.
- In situations where unequal power relations exist or the potential for receipt of benefits (e.g. superior-subordinate relationship).

In such cases, a formal approach is recommended.

7.3 FORMAL APPROACH

Making a Complaint

- The victim is required to submit a written, signed and dated report. The complainant must detail the nature of the sexual harassment/misconduct and information about the perpetrator. In addition, if possible, the complainant should provide details of dates, places and names of witnesses connected with the incident. Documentary evidence, where available, should be included. Any attempts that have been made to resolve the issue and their outcomes should also be reported. The complainant may also provide information on the effect of the behaviour on him/her and the kind of resolution he/she is seeking.
- The complaint should be addressed to the Chairperson of the Anti-Sexual Harassment Committee through the Anti-Sexual Harassment Desk Officer.
- Where a complainant cannot write, the Anti-Sexual Harassment Desk Officer shall assist such a person to put his/her complaint into writing. The written complaint shall be read to the complainant in a language he/she comprehends for approval, after which he/she will sign or thumbprint.

8. INVESTIGATING A COMPLAINT

- a. Upon receipt of the complaint, the Chairperson of the Anti-Sexual Harassment Committee shall notify the respondent about the allegations against him/her and request that he/she files a written statement of response to the allegation within seven days.
- b. Where a respondent fails to respond to the Committee's invitation within seven days, the Committee shall deem the victim's complaint to be of sufficient merit and shall commence an investigation.
- c. Upon receipt of the respondent's statement, the Committee shall study the reports of both the victim and the respondent to establish the validity of the complaint.
- d. Where the complaint is established to be factual and of sufficient merit, the Committee shall refer the case to the Adjudication Committee to commission an investigation by organising separate meetings/interviews with the complainant, the respondent and the named witnesses to obtain further relevant information. Both the complainant and respondent are allowed to be accompanied to these meetings by their counsellors/supporting witnesses. The complainant and respondent also have the right to object to the membership of the Adjudication Committee, where they can establish cases of bias, conflict of interest or other reasons against any member.
- e. The Adjudication Committee has 15 working days from the date of receipt of the formal complaint to complete its investigations.
- f. After having completed its investigation and reviewed the evidence gathered, the Adjudication Committee shall

prepare a report within ten days after the close of hearings. The report shall contain a summary of the complainant's allegation and the respondent's statement, analysis of the Committee's findings from the evidence gathered and recommendations on the possible course of action/sanctions to be applied and the justification thereof. The Committee shall submit the report to the Vice-Chancellor and, if the Vice-Chancellor is involved, then the Pro Vice-Chancellor should be the one to be given the report.

- g. A person against whom a complaint is lodged shall be presumed innocent of that charge unless and until there is a final finding of culpability by the Committee or a stipulated admission to the charge by that person.
- h. Upon receipt of the Committee's report, the Vice-Chancellor/ Pro Vice-Chancellor shall study the report and make a final decision on the recommendations.

9. WITHDRAWAL OF A FILED COMPLAINT

A complainant may withdraw a case filed before the Anti-Sexual Harassment Committee any time after filing and during the process of the investigation. The complainant needs to state the grounds for such a withdrawal in writing and append his/her signature to the statement.

10. CONFIDENTIALITY

All information disclosed by the complainant, the respondent or their witnesses is to be kept confidential by the Adjudication Committee. Confidentiality is crucial to the resolution of sexual harassment cases, and the University will not take any violation of participants' confidentiality by any committee member or interested party lightly.

11. SUPPORT FOR VICTIMS OF SEXUAL HARASSMENT

Victims of sexual harassment shall be assigned a counsellor by the Anti-Sexual Harassment Committee, where necessary. Together with the Anti-Sexual Harassment Officer, the Counsellor shall provide appropriate support to the victim throughout the grievance redress process, if need be. Such follow-up support could take various forms depending on the victim's needs and may include assistance to seek medical attention, referral to appropriate state/university institutions, counselling and religious/spiritual support, among others. Victims should not be left to cope with the consequences of sexual harassment without appropriate institutional support.

12. SANCTIONS/PUNISHMENT

Any member of the University who is found to have engaged in sexual harassment by the Adjudication Committee shall be sanctioned. The nature of the sanction shall depend on the extent and gravity of the harassment/misconduct. The Adjudication Committee shall determine appropriate sanctions, specifically designed for each case and per the University Statute 55 to ensure that the behaviour is not repeated. Sanctions, depending on the gravity of the sexual harassment, shall include, but are not limited to, the following:

I. Students

- a formal reprimand (verbal or written warning);
- a formal apology;
- mandatory social support/rehabilitation programme;
- restriction from entering the University's Halls of Residence, homes and/or contacts with certain designated persons;
- dismissal from the hall of residence;
- removal from office (if the offender is a student leader);
- rustication/suspension for a specified period;
- outright dismissal; and
- referral to the appropriate legal unit, e.g. the Domestic Violence and Victim Support Unit (DOVVSU) or the Commission for Human Rights and Administrative Justice (CHRAJ).

II. Staff

- a formal reprimand (verbal or written warning);
- a formal apology;

- mandatory social support/rehabilitation programme;
- removal from University Housing;
- reduction in salary/embargo on salary for a specified period;
- deferment of increment in salary;
- demotion/reduction in rank;
- adverse performance evaluation;
- denial of promotion;
- removal from office;
- rustication/suspension for a specified period;
- termination of appointment; and
- referral to the appropriate legal unit.

13. APPEAL PROCEDURE

Where either party is aggrieved with the outcome of the investigation by the Adjudication Committee and judgements made or actions to be taken, he/she has the right to appeal the decision within seven days. The aggrieved party shall submit a written appeal to the University Appeals Board through the Vice-Chancellor to review the decision. In consultation with the University Council, the Appeals Board shall set up an ad-hoc committee to hear and determine the appeal per the Statutes of the University and render a decision within 30 days.

14. POLICY IMPLEMENTATION COMMITTEES AND OVERSIGHT RESPONSIBILITY

Compliance is needed from all university community members and associates to ensure that the Policy achieves its goal of promoting a congenial atmosphere for academic work devoid of sexual harassment. The Anti-Sexual Harassment Committee, Adjudication Committee, Education Committee, Anti-Sexual Harassment Desk of the Guidance and Counselling Unit, Office of the Vice-Chancellor and the University Council shall see to full implementation and compliance with the Policy and its provisions.

14.1 ANTI-SEXUAL HARASSMENT COMMITTEE

There shall be an Anti-Sexual Harassment Committee that serves as an independent body and a hearing panel to handle sexual harassment complaints.

14.1.1 Membership

There shall be a nine-member committee drawn from across the University Community and constituted by the Vice-Chancellor or the Pro Vice-Chancellor, as the case may be. The Committee shall comprise:

- a. a representative of the Students' Representative Council (SRC);
- b. a representative of the Graduate Students Association of Ghana (GRASAG);
- c. two teaching senior members (male and female) (UTAG);

- d. a representative of Ghana Association of University Administrators (GAUA);
- e. a representative of Senior Staff Association (SSA);
- f. a representative of Teachers and Educational Workers' Union (TEWU);
- g. a representative of the Counselling Unit;
- h. the Legal Counsel of the University; and
- i. where necessary or appropriate, the Committee shall co-opt external members with competencies in relevant fields and ex-officio members to advise on technical issues.

The Vice-Chancellor shall appoint the Chairperson of the Committee. A Vice-Chairperson shall be selected by members of the Committee and shall preside over meetings in the absence of the Chairperson. Half of the Committee's membership shall constitute a quorum for meetings. There shall be gender parity in the composition of the Committee.

14.1.2 Roles

The functions of the Committee shall be to:

- receive complaints of sexual harassment or misconduct;
- keep records of complaints, investigations and actions taken in response, including information on informal resolutions;
- refer complaints requiring adjudication to the Adjudication Committee for investigation;
- prepare and submit annual reports on issues of sexual harassment or sexual misconduct in the University to the Vice-Chancellor or Pro Vice-Chancellor as the case may be;
- submit investigative reports from the Adjudication Committee to the Vice-Chancellor or Pro Vice-Chancellor, as the case may be; and

- take responsibility for monitoring the implementation and compliance with the Policy.

14.2 ADJUDICATION COMMITTEE

An Adjudication Committee shall be formed from among the Anti-Sexual Harassment Committee to adjudicate cases on its behalf.

14.2.1 Membership

Membership of the Adjudication Committee shall comprise:

- the Chairperson of the Anti-Sexual Harassment Committee;
- the Legal Counsel of the University;
- a representative each of the Union/Association to which the complainant and respondent belong;
- a representative of the SRC or GRASAG if the complainant or respondent is a student; and
- a co-opted professional as deemed appropriate (e.g. a psychologist, a sociologist/social worker, a medical officer or any relevant specialists).

The quorum for Committee meetings shall be half of the membership and shall include the Union or Association to which the complainant or respondent belongs. As much as possible, there shall be gender parity in the composition of the membership of the Adjudication Committee.

14.2.2 Roles

The Adjudication Committee shall:

1. investigate specific complaints of sexual harassment referred to them by the Anti-Sexual Harassment Committee;
2. identify, define and recommend appropriate courses of action and sanctions to be applied in accordance with the disciplinary measures outlined in Schedule 55 of the University Statutes; and

3. prepare and submit a report of investigations to the Anti-Sexual Harassment Committee for onward submission to the Vice-Chancellor.

14.3 EDUCATION COMMITTEE

To promote education and sensitisation of the University Community and other stakeholders about the Policy, an Education Committee shall be constituted.

14.3.1 Membership

Membership of the Education Committee shall comprise:

- a representative of the SRC;
- a representative of the GRASAG;
- a representative for each Faculty/School in the University;
- a representative of GAUA;
- a representative of SSA;
- a representative TEWU; and
- a representative of the Centre for Career Guidance and Counselling Services.

The Vice-Chancellor or Pro Vice -Chancellor, as the case may be, shall appoint the Chairperson of the Committee. The quorum for meetings of the Education Committee shall be half of the members. There shall be gender parity in the composition of the membership of the Education Committee. The members of this Committee shall be different from those of the Anti-Sexual Harassment Committee and the Adjudication Committee.

14.3.2 Roles

The Education Committee shall:

1. develop and implement educational and training programmes on sexual harassment within the University community;

2. circulate materials/resources to create awareness and understanding of sexual harassment issues and their ramifications in the University; and
3. provide training on sexual harassment issues for the Anti-Sexual Harassment Desk Officer.

14.4 QUALITIES OF MEMBERS

Members of the Anti-Sexual Harassment Committee and the Adjudication Committee must be competent, credible and gender sensitive to handle and adjudicate sexual harassment complaints in accordance with principles of fairness and social justice.

14.5 TERM OF OFFICE

Members of the Anti-Sexual Harassment Committee and the Adjudication Committee shall serve a term of two years, subject to renewal for another two years. In re-constituting the Anti-Sexual Harassment Committee, it is advisable to retain, at least, two existing committee members. However, a person who serves for four years shall not be eligible for re-appointment until two (2) years have elapsed.

14.6 TRAINING

Committee members must be given appropriate training on this Policy and on sexual harassment and misconduct, gender, power relations, sexuality and other relevant topics before taking office and periodically, where necessary. This will enable them to execute their roles in an effective and efficient manner.

15. INSTITUTIONAL OVERSIGHT RESPONSIBILITY

The following structures of the University shall have oversight responsibility for ensuring implementation and compliance with the Policy.

15.1 THE GUIDANCE AND COUNSELLING UNIT

The Centre for Career Guidance and Counselling Services of the University shall support and facilitate the Anti-Sexual Harassment Desk Officer to receive sexual harassment complaints, document and report them to the Chairperson of the Anti-Sexual Harassment Committee for necessary action. The Desk Officer should be trained on issues of sexual harassment. There shall be established a well-equipped and functional Desk to liaise with the Centre for Career Guidance and Counselling Services to support the University community members and associates who have been victims of sexual harassment.

15.2 THE OFFICE OF THE VICE-CHANCELLOR

The Office of the Vice-Chancellor shall provide leadership to ensure full implementation and strict compliance with the Sexual Harassment Policy and shall be responsible for:

- a. constituting the Anti-Sexual Harassment Committee of the University and appointing its Chairperson; and
- b. receiving reports of findings and recommendations of the Anti-Sexual Harassment Committee and ensuring that necessary actions and recommendations are adequately and promptly executed.

15.3 THE UNIVERSITY COUNCIL

The University Council shall have oversight responsibility for providing a safe and supportive environment where staff, students and guests of the University conduct their activities devoid of sexual harassment or misconduct. The University Council, therefore, shall:

- a. ensure that the principles and provisions of the Sexual Harassment Policy are embedded in other policies and regulations of the University, such as the Strategic Plan, Administrative Manuals, Student Handbooks, Code of Conduct and Conditions of Service of Staff;
- b. take steps to establish an effective institutional framework to handle sexual harassment and misconduct and ensure that complaints of sexual harassment are promptly and effectively handled;
- c. put in place, policies that will ensure that the Sexual Harassment Policy is widely disseminated to the University community through various channels such as the University Website, flyers and brochures;
- d. put in place necessary measures to create and maintain a congenial environment in which members of the University community are treated with dignity and respect irrespective of gender;
- e. take steps to ensure that necessary structures are setup to prevent sexual harassment and misconduct in the University;
- f. ensure that appropriate disciplinary measures, as outlined in the Policy, are administered following the determination of the occurrence of sexual harassment or misconduct; and
- g. ensure that all university policies, regulations and statutes comply with this Policy.

16. POLICY REVIEW

Management of the University shall review this Policy every five years. In the process of review, Management may consider proposals of the Anti-Sexual Harassment Committee and other stakeholders of the University.

REFERENCES

Criminal Code (Amendment) Act, 1998.

Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

Fourth Republican Constitution of Ghana (1992).

Ghana Labour Act, 2003.

Guidelines for the development of Sexual Harassment Policy in Tertiary Education Institutions (TEIs) in Ghana. <https://www.gtec.edu.gh/qa-guidelines?page=2&max=5> Accessed 2/05/2022.

Kwame University of Science and Technology Sexual Harassment Policy (2019).

Statutes of Simon Diedong University of Business and Integrated Development Studies (2021).

United Nations Universal Declaration of Human Rights (1948).

University for Development Studies Sexual Harassment Policy (2018).

University of Ghana Sexual Harassment Policy (2018).