ARDHI UNIVERSITY

DRAFT

ARDHI UNIVERSITY ANTI-SEXUAL HARASSMENT POLICY

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### ACRONYMS AND ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>ARU</td>
<td>Ardhi University</td>
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<tr>
<td>DHRMA</td>
<td>Director of Human Resource Management and Administration</td>
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<tr>
<td>DoS</td>
<td>Dean of Students</td>
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<tr>
<td>GDU</td>
<td>Gender Dimension Unit</td>
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<tr>
<td>HLI</td>
<td>Higher Learning Institution</td>
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<tr>
<td>ICARU</td>
<td>Integrity Committee of Ardhi University</td>
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<td>URT</td>
<td>United Republic of Tanzania</td>
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1.0 INTRODUCTION

1.1 Background

The nature of interaction of both academic and administrative activities at Ardhi University (ARU) is such that the consideration of gender identity, gender equality and gender balance is important for comprehending gender differences at ARU. Going by the ARU Facts and Figures documents, gender imbalance in all spheres of practice is conspicuous. By end of June 2014 women academic staff members accounted for about 18 per cent of the total number of members of academic staff. Similarly, women administrative staff members accounted for 54 per cent of the total number of administrative staff members; most of the administrative staff members are in lower ranks. In year 2013/14 female students constituted about 33% only of the total enrolment (3,856).

Gender differentials and gender discrimination include structures of power; incentive systems; rules, regulations and practices with respect to recruitment, promotion, hiring, conducting of examinations, as well as general conduct in and out of the classrooms, the offices, and the cafeterias. Sexual harassment is a form of sex discrimination and can take three forms: quid pro quo, hostile work environment and sexual favouritism. Quid pro quo cases occur when a supervisor requests sexual favours in return for some tangible job benefit, such as a promotion or job loss, such as termination, if the employee does not capitulate to the sexual advances. Hostile environment cases involve severe and pervasive sexual work environments, including offensive physical touching, vulgar language, pornographic displays, sexual conduct in the workplace, etc. either by managers or co-workers. Sexual favouritism is a form of sexual harassment and discrimination which occurs when a manager or supervisor is in a sexual relationship with another employee and the manager/supervisor shows favouritism towards that employee such as promoting the favoured employee ahead of another employee who is more qualified for the position.

Sexual harassment acts exist in all walks of life where men and women interact. These interactions however, put ones sex into a disadvantaged position depending on the living and working environment. Higher Learning Institutions (HLI) are places where many people live, work and study at the same time and therefore susceptible to sexual harassment incidences. In
working or living places where sexual harassment acts prevail people tend not to participate in development of their institutions freely due to intimidation, exploitation and abuse. Such acts create hostile environments that may lead to low productivity.

Sexual harassment has existed in many Higher Learning Institutions and Ardhi University is not an exception. A few sexual harassment casesshave been reported to the offices of the Dean of Students (DoS) and the Gender Dimension Unit (GDU). Such cases have been resolved throughearly resolution. Regarding University staff, there are cases of sexual harassments reported to the office of the Director of Human Resources Management and Administration (DHRMA) and the Integrity Committee of Ardhi University (ICARU) for both administrative and academic members of staff. In many cases the University Management has been dealing with such cases whereby the lack of evidence has lead to no one being convicted. There are also sexual harassments that go unreported because of the knowledge of its context, fear of being victimized as well secrecy that prevail in the ARU community. Ardhi University is committed to creating and maintaining on environment in which all staff members and students are free from sexual harassment acts. This is the objective of this policy document.

1.2 Definition of terms used in this document

(i) Cyber sexual harassment
Includes transmitting sexually offensive material whether by telephone or other electronic systems.

(ii) Early resolution
This is the act of resolving concerns at the earliest stage possible with the cooperation of all parties involved.

(iii) Formal investigation
This happens in cases where an individual reporting a sexual harassment event is encouraged to file a written request for formal investigation.

(iv) Non–verbal sexual harassment
Sexual annoyance that involves making sexual gestures or exhibiting asexual organ with the intention that the gesture or organ shall be seen.
(v) **Physical sexual harassment**
Sexual annoyance that involves intruding upon the privacy of another person including doing the following things without consent:

(a) Giving a massage around the neck or shoulders;
(b) Touching the person’s clothing, hair, or body;
(c) Hugging kissing, patting, or stroking;
(d) touching or rubbing oneself sexually around another person;
(e) Standing close or brushing up against another person; and
(f) Creating an offensive working environment repeatedly by written, verbal, physical and or visual contacts.

(g) Indecent dressing as defined in the Public Circular Service No. 3 (2007) on dress code.

(vi) **Sexism**
This includes prejudice, stereotyping, or discrimination on the basis of sex.

(vii) **Sexual assault**
An action done with intention to cause sexual annoyance to any person by uttering any word or sound, making any gesture or exhibiting any word or object intending that such work or sound shall be heard, or the gesture or object shall be seen by that other person.

(viii) **Sexual discrimination**
Discrimination (usually in employment) that excludes one’s sex to the benefit of the other sex.

(ix) **Sexual harassment**
These are all types of conduct which may constitute sexual annoyance which include pressure for sexual activity or sexual favours with a fellow employee, rape, sexual battery and molestation or any sexual assault, intentional physical contact which is sexual in nature such as unwelcome touching, pinching, patting, grabbing and brushing against another employee’s/student’s body, hair or clothes, sexual innuendoes, gestures, noises, jokes, comments or remarks to another person about one’s sexuality or body; offering or receiving preferential treatment, promises or rewards and offering or submitting to sexual favours. In addition sexual harassment shall
constitute all actions defined in the following ARU documents: Student Bylaws (2008), Anti-Corruption Policy (2009) and ARU Academic Dishonest Policy (2012).

(x) **Verbal Sexual harassment**
Sexual annoyance that involve uttering any word or making sound intending that such word or sound shall be heard.

1.3 **Rationale**
The need to address gender concerns stems from global level and trickles down to individual national context. At international level Tanzania is a signatory to various declarations and protocols, which bind the Nation morally, and legally to adhere to equity policies and discard discriminatory practices. Human rights protocols like the Universal Declaration for Human Rights, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the Beijing Declaration Platform of Action bind the Tanzanian government to ban discrimination and promote gender equity in all spheres.

At the National level Tanzania has demonstrated considerable commitment to recognizing and addressing historical sexual disparities. For instance, the Constitution of the United Republic of Tanzania (URT) incorporates a bill of Rights that bars discrimination on any ground. The Ardhi University Corporate Plan (2009/10 -2018/19) goal number 14 aims at improving gender balance among staff members and students. Ardhi University Gender Policy (2008) policy area number 7 identifies the existence of inhibitive culture of silence in relation to sexual harassment and proposes a strategy of putting in place a University Anti-Sexual harassment policy. In responding to the policy, the Gender Strategic plan (2010) calls for preparation of the University Anti-Sexual Harassment Policy. Sexual harassment situations have been observed to be in existence, subsequently threatening the participation of victims, especially female members of staff and students on equal terms and conditions with male staff and students.

In view of the observations above, it is imperative that a University Anti-Sexual Harassment Policy is put in place so that it guides the University community in eliminating sexual harassment at ARU.
1.4 **Scope of the policy**

This policy document covers four main areas namely:

(i) Sexual harassment at Ardhi University;
(ii) Staff and students responsibilities on sexual harassment;
(iii) Reporting and handling of sexual harassment events; and
(iv) Procedural aspects.

These are covered in the following sections. For each policy area, the policy issues are stated, followed by policy statements and the strategies for implementing the policy statements.
2.0 MAJOR AREAS, POLICY ISSUES, STATEMENTS AND STRATEGIES

2.1 Sexual harassment at Ardhi University

2.1.1 Policy Issues
   (i) Lack of mechanism to reveal sexual harassment acts at ARU
   (ii) Inadequate knowledge among students and staff members on what constitute sexual harassment
   (iii) Inadequate means of establishing evidence on sexual harassment cases

2.1.2 Policy Statement
ARU shall endeavor to eliminate all forms of sexual harassment among staff members, students and ARU community at large.

2.1.3 Strategies
   (i) Devise mechanisms to continuously identify sexual harassment events at ARU
   (ii) Introduce systems that will ensure sexual harassment acts are well known to all ARU students and staff members
   (iii) Set up systems to protect those persons against whom unfounded allegations on sexual harassment are leveled
   (iv) Institute disciplinary actions for those who are involved in sexual harassment acts and those who make unfounded or fabricate allegations on sexual harassment.

2.2 Staff and students responsibilities on sexual harassment

2.2.1 Policy Issues
   (i) Reluctance of staff members and students to act on and / or reveal sexual harassment acts
   (ii) Unwillingness of staff members and students to prevent sexual harassment acts
   (iii) Lack of education and awareness on sexual harassment
2.2.2 **Policy Statements**

(i) All University students and staff members shall create and maintain a zero sexual harassment environment at ARU.

(ii) The University shall sensitize students and staff members on sexual harassment issues.

2.2.3 **Strategies**

(i) Sensitize staff members and students to reveal all sexual harassment acts at the University.

(ii) Devise affirmative programs to prevent occurrence of sexual harassment acts at ARU.

(iii) Educate and create awareness on sexual harassment.

(iv) Eliminate sexual harassment acts at ARU.

2.3 **Reporting and handling of sexual harassment events**

2.3.1 **Policy issues**

(i) Lack of accessible grievance procedures that would be communicated to and understood by all members of the ARU community.

(ii) Inadequate ways of handling sexual harassment acts.

2.3.2 **Policy statements**

(i) ARU shall ensure that conducive environment is created for sexual harassment victims to report such incidences.

(ii) ARU shall ensure that sexual harassment proceedings are handled objectively, impartially, exhaustively and conclusively.

2.3.3 **Strategies**

(i) Strengthen formal means of reporting sexual harassment acts.

(ii) Facilitate confidentiality of reported sexual harassment cases.

(iii) Devise mechanisms of dealing conclusively with sexual harassment events.
2.4 Procedural aspects

2.4.1 Policy issues
   (i) Lack of anti-sexual harassment procedures
   (ii) Inadequate counseling services to staff members and students
   (iii) Lack of courage to report sexual harassment cases
   (iv) Unawareness of places to report sexual harassment cases.

2.4.2 Policy statement
   (i) ARU shall put in place procedures on how to deal with all forms of sexual harassment and complaints within the University.
   (ii) ARU shall strengthen counseling services for staff members and students.

2.4.3 Strategies
   (i) Create formal procedures on how to report sexual harassment acts and complaints
   (ii) Have administrative structures to deal with sexual harassment cases. These include setting up, in the office of Gender Dimension Unit (GDU), committees and a desk for dealing with sexual harassments at ARU
   (iii) Sensitize staff members and students to feel free to report any sexual harassment act to the GDU by ensuring confidentiality on the way sexual harassment cases are dealt with at the University.
3.0 IMPLEMENTATION STRATEGY, MONITORING, EVALUATION AND REVIEW

3.1 Overview
The implementation of the policy can only be realized by the collective efforts of all the University organs, University staff members and students. Monitoring and evaluation should be done to ensure all planned activities are implemented and provide desired results. Furthermore, the policy should be reviewed regularly to make adjustments in areas that need to be improved.

3.2 Institutional framework
The institutional arrangements for the implementation of the Anti-sexual Harassment Policy shall involve participation of key stakeholders but not limited to the following: The University Council, University Management, University Senate, Gender Dimension Unit (GDU), Staff Disciplinary Committee, Students Affairs Committee, Integrity Committee of Ardhi University, Boards of Schools/Centres/Institute/Departments, individual staff members, students and service providers.

3.3 Roles of key stakeholders
(i) University Council: Providing overall guidance on the implementation of the policy.

(ii) University Management: Providing a leading role; allocating resources for the implementation of the policy; and set up the necessary administrative procedures and structures to oversee and ensure sexual harassment acts are eliminated.

(iii) University Senate: Seeing to it that sexual harassment acts are eliminated in all academic areas including curricula, learning and teaching and academic administrations

(iv) Schools Boards/Centres/Institute/Departments/Other Units: Identifying and reporting sexual harassment incidences happening in teaching, learning and in other work areas; effectively participate in the implementation of the policy; and promote awareness of the policy to staff members and students.

(v) Gender Dimension Unit (GDU): Receiving sexual harassment complaints from Deans, Directors, Heads of Departments, units, managers, supervisors, individual staff members,
students, suppliers, service providers; and prepare reports and submit the same to the GDU.

(vi) Anti-Sexual Harassment Committee: Receiving harassment incidences, complaints, reports etc from the Gender Dimension Unit (GDU); discuss the reports, adopt early resolutions where applicable, and submit the reports to either the Staff Disciplinary Committee or the Students Affairs Committee or the Integrity Committee Ardhi University (depending on the nature of the event) for further action.

(vii) Staff Disciplinary Committee, Students Affairs Committee, Integrity Committee Ardhi University: Receiving harassment incidences, complaints, reports, etc from Anti-sexual Harassment Committee; and discuss and adopt early resolutions, formal investigation, or filing complaints or grievances under applicable University procedures where applicable.

(viii) Staff members, students, suppliers and service providers: Be aware of what constitute sexual harassment acts; identify and report sexual harassment incidences to the Gender Dimension Unit (GDU), Deans, Directors, Heads of departments and units, Managers and Supervisors as the case may be; and effectively participate in the implementation of the policy and create healthy ARU teaching, learning and working environment.

3.4 Monitoring
Implementation of Anti-Sexual Harassment policy will start after its approval and formulation of procedures for reporting sexual harassment events. Monitoring for the implementation of the policy will be done using progress reports. The Gender Dimension Unit (GDU) will prepare quarterly progress reports and a main report at the end of each year based on handled cases and cases received.

3.5 Evaluation
The evaluation of the policy is intended to do the followings:

(i) Justifying resources employed in performing the planned activities
(ii) Assess the reasons for success or failure to achieve a specific target in the policy
(iii) Finding out whether the policy is achieving its objectives
(iv) Assessing the adequacy of resources being mobilized to implement the policy
(v) Determining whether available resources are being used efficiently to achieve intended results

Assessment of the implementation of the policy will be done at end of each year. The Gender Dimension Unit will prepare a report to be submitted to the University participatory organs for discussion and making important decisions.

3.6 Review
The monitoring and evaluation reports will be used to review planned strategies and activities and where necessary to make adjustments for the purpose of improving performance and achieving the intended results. In addition, the results will be used to formulate new strategies and activities to curb emerging sexual harassment incidences.