



KAMUZU UNIVERSITY
OF HEALTH SCIENCES

Anti-Sexual Harassment Policy

JUNE 2023

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Stakeholders subjected to this Policy	Staff, Students and University Visitors, Vendors, Contractual Service Providers of the University
Responsible Officer	Vice Chancellor
Responsible Office(s)	Registrar, Director of Students Affairs

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6 FOREWORD

With the 'MeToo' Movement awakening the world to those who have been affected by sexual violence and harassment, and the development of the Gender and Sexual Harassment Policy by the Malawi National Council of Higher Education (NCHE), the current climate presents KUHeS with an opportunity to seriously address sexual harassment in its community. A recent study found that students experience sexual harassment in their educational institutions. Additionally, the former University of Malawi (UNIMA) Gender Policy task force also found that staff too were being sexually harassed on campus. Unfortunately, many suffered in silence and others did not know where to report their cases. KUHeS acknowledges that sexual harassment occurs in every society and that the University is not an exception. The consequences of sexual harassment are far-reaching. Not only does it negatively affect and alter the lives of its victims, members of staff, students, visitors, vendors, families and communities, but it also has the potential to make the public question KUHeS's ability in its pursuit for excellence and leadership in the healthcare sector in the country. KUHeS acknowledges that the ability to eliminate sexual harassment shall require the participation of all regardless of their age, gender, nationality and political background among others. The Anti-Sexual Harassment Policy is therefore designed to help KUHeS create, promote and maintain an environment that has a zero-tolerance approach to all forms of sexual harassment. The University asserts that a sexual harassment zero-tolerance environment is a catalyst for the attainment of its vision and mission and upholding of its core values. I firmly believe that the Policy shall enhance the integrity of the University.



Professor Francis Moto
Chairman of Council

7 PREFACE

This Policy has been developed through a consultative process involving members of staff of the University. The Policy clearly outlines the procedures and mechanisms for dealing with sexual harassment; and provides for development of comprehensive education and prevention programs that inform the university community about the nature and forms of sexual misconduct, its impact on individuals and the University community. The Policy has also made use of various materials from various local and international higher education institutions. It responds to the global trends to stop, prevent, correct, and, when necessary, discipline behaviour that violates this Policy. The University anticipates that all allegations of sexual harassment and decisions made shall adhere to this Policy.



Professor Macpherson Mallewa

Vice Chancellor

8 ACKNOWLEDGEMENTS

The Policy is an outcome of a concerted effort by members of the KUHeS Policies Task Team, co-chaired by Dr Benjamin Kumwenda and Dr Belinda Gombachika. KUHeS recognizes and gives credit to the Policy drafters: Dr Lignet Chepuka (Chairperson), Dr Lucinda Manda-Taylor, Dr Chriford Nyando, Dr Diston Chiweza and Ms. Khumbo Ng'ong'ola. Prof. MacPherson Mallewa, and the late Dr Mercy Pindani, provided the overall administrative support to develop the Policy. The University is also indebted to members of staff, students and key stakeholders that provided input during consultations. KUHeS is particularly grateful to the University of Glasgow for the financial support that enabled the University to develop the Policy. Finally, the University would like to acknowledge the valuable input of Management and Council for their contribution to the policy.

9 LIST OF ABBREVIATIONS AND ACRONYMS

AP	:	Appeals Committee
DVC	:	Deputy Vice Chancellor
KUHeS	:	Kamuzu University of Health Sciences
HIV	:	Human Immunodeficiency Virus
IC	:	Investigating Committee
NCHE:		National Council for Higher Education
TLDC	:	Teaching and Learning Development Centre
SRC	:	Student Representative Council
PEP	:	Post-Exposure Prophylaxis
UNIMA	:	University of Malawi
VC	:	Vice-Chancellor

10 DEFINITIONS

Confidentiality	The principle upheld to ensure that information provided under this Policy is only disclosed to those legitimately involved in resolving the complaint, providing support to a complainant, or as required by law.
Conflict of interest	'Material' or personal biases that might affect or might be reasonably thought to affect one's judgement or conduct in carrying out his or her duties.
Consent	Free and informed agreement. a. Consent and shall not be deemed to be implicit in: i. A person's manner of dress. ii. Accepting a social invitation b. Consent shall not be effective when obtained from a person whose capacity to consent is diminished because they are asleep, unconscious or in an altered state of consciousness resulting from the use of alcohol, medicines or drugs to the extent that it adversely affects their judgement. c. Silence does not mean consent.
Defilement	Any sexual intercourse with a child under the age of 18 years, whether the child consents or not.
Fondling	The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim,

including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

Incapacitation

The state in which an individual's perception or judgement is so impaired that the individual lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation. An individual who is incapacitated is unable to consent to a sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where an individual knows or ought reasonably to have understood that the individual is incapacitated, constitutes University Sexual Misconduct as defined by this Policy.

Investigation process The examination of any complaint according to the University policies, rules and procedures.

A minority or minority group A subgroup of the population with unique social, religious, ethnic, racial, and/or other characteristics that differ from those of a majority group. The term usually refers to any group that is subjected to oppression and discrimination by those in more powerful social positions, whether or not the group is a numerical minority.

Ombudsperson

A person who has expertise in law and sexual violence, is independent and external to the University and is appointed by Council to

investigate complaints of sexual harassment against the University.

Other prohibited behaviour Acts that involve the invasion of sexual privacy. The charge of sexual privacy shall include:

- a. Without a person's consent, watching or enabling others to watch that person's nudity or sexual acts in a place where that person has a reasonable expectation of privacy;
- b. Without a person's consent, making or attempting to make photographs (including videos) or audio recordings, or posting, transmitting, or distributing such recorded material, depicting that person's nudity or sexual acts in a place where that person has a reasonable expectation of privacy; or
- c. Using depictions of nudity or sexual activity to extort something of value from a person.
- d. Sexual intercourse with a person under the age of 18.
- e. Exposing one's genitals in a public place for sexual gratification.
- f. Inappropriately touching a person's body in a manner that makes them uncomfortable.

"Parties" Collectively the complainant and the alleged perpetrator.

Psycho-social support Professional support for the psychological and social consequences of trauma.

Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ without the consent of the victim.

Sexual Assault

Attempted or unwanted sexual activity, including but not limited to any of the following, or threat or attempt to engage in any of the following:

- a. Any intentional and unconsented touching of the following for the purpose of sexual gratification:
 - i. An intimate body part of another person, such as a sexual organ, buttocks or breast;
 - ii. Any body part of another person with a sexual organ; or
 - iii. Any part of another person's body with the intent of accomplishing a sexual act.
- b. Vaginal or anal penetration of another individual, by body part or object, without the other person's consent; or
- c. Vaginal, anal, or oral sexual intercourse with another individual without the other person's consent.

Sexual harassment

Unwelcome sexual advance and request for sexual favours and other verbal or physical conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances.

Sexual harassment is manifested in the following forms:

a. Written, Visual or Graphic Sexual

Harassment- displays of sexually explicit photographs and pornographic materials including but not limited to:

- i. Sending or Posting another person's intimate pictures/videos taken without their consent/knowledge/online.
- ii. Displaying sexually explicit pictures, photos on desktop, wallpapers or pornographic sites.
- iii. Displaying sexually suggestive objects or pictures, cartoons, calendars, books, magazines.
- iv. Passing on pornographic material in print or electronic form or passing written offensive messages of a sexual nature (including e-mails and text messages).

b. Psychological sexual harassment -

repeated unwanted proposals and taunts of a sexual nature.

- i. Persistent request for dates and sexual favours.

c. Verbal Sexual Harassment- Insults, jokes, or anecdotes that belittle or demean an individual or a group's sexuality or gender.

- i. Comments of a sexual nature about an individual's body, clothing, or sexual experience.
- ii. Violating another person's dignity, or creating an intimidating, hostile,

degrading, humiliating or offensive environment for another person.

- iii. Innuendoes, including remarks or insinuations about a person's sex life or private life which has sexual overtones.

d. Physical Sexual Harassment -

unwelcome or unnecessary physical contact against a person's will.

- i. Standing unnecessarily close
- ii. Touching, patting, stroking, squeezing, hugging, or pinching
- iii. Brushing or rubbing one's genitals
- iv. Grabbing of parts of the body
- v. Kissing

e. Non-verbal or Gestural Sexual -

Suggestive gestures of a sexual nature and sexually suggestive body language.

- i. Obscene gestures, indecent exposure.
- ii. Staring, leering, ogling, winking and whistling of a sexual nature.
- iii. Blowing kisses, waggling the tongue or licking lips.
- iv. Making sexual expressive hand/finger movement,
- v. Imitating sexual suggestive acts.

Specific forms of sexual harassment: In addition to the definition of sexual harassment above, sexual harassment may take several particular conditions, including:

- a. Special victimisation,** which occurs when a person is victimised or intimidated for refusing to submit to sexual advances;

- b. **Grooming**, involves an action or series of actions, which shall initially appear to be conducted within the context of the academic project done with the overall aim of befriending and establishing a psychological or material connection with a person to facilitate subsequent sexual harassment, or sexual assault, or to hinder the reporting of various acts of harassment or assault.
- c. **'Online grooming'** which refers to grooming using modern-day technology, such as mobile phones and the internet;

Quid Pro Quo Harassment of staff, which occurs when the alleged perpetrator influences or attempts to influence a person's employment circumstances by coercing or attempting to coerce that person to engage in unwelcome sexual conduct; and

Quid Pro Quo Harassment of students, which occurs when:

- a. An alleged perpetrator influences or attempts to influence the admission of a student to the University or access to opportunities within the University, by coercing or attempting to coerce that person to engage in unwelcome sexual conduct or offering special treatment in exchange for undesirable sexual behaviour; or
- b. An alleged perpetrator influences or attempts to influence the grading,

evaluation or professional advancement of the student by coercing or attempting to coerce them to engage in unwelcome sexual conduct;

- c. A student or junior member of staff influences or attempts to influence the grading or promotion being conducted by a senior member of staff.

Sexual Exploitation: Conduct in which a person takes non- consensual sexual advantage of another individual for the benefit of anyone other than the individual being exploited. Examples of sexual exploitation include, but are not limited to, the following:

- a. Taking and/or disseminating pictures, video, or audio recording of another person engaged in sexual activity without the consent of all involved in the activity.
- b. Exposing one's genitals in non-consensual circumstances, including via online communications.
- c. Sexual voyeurism, such as watching another engage in sexual activity or undressing without consent.
- d. Disrobing another person without their consent.
- e. Knowingly transmitting sexually transmitted infections (STI) or sexually transmitted diseases (STD) without disclosing that one is infected with an STI or STD.

Staff	A full time or part time employee of the University at any level.
Student	An individual enrolled in an undergraduate, post-graduate, or non-award program with the University including those on leave or studying online.
Supervisor/Line Manager	Members of the Executive Leadership Team, Vice Chancellors, Executive Deans, Directors of Research Institutes, and Heads of departments and administrative support units.
Third-Party Providers	For the purposes of this Policy, a Third-Party Provider is deemed by the University to fall into one of the following: - Organisations or individuals contracted to perform a service/s for the University including, but not limited to those engaged to deliver some or all of a course of study to University students via student placements, internships, study tours, student mobility programs, an industry placement, research degree student supervision or 'twinning arrangements' that may be conducted on-shore or overseas industry, institutional or community placements undertaken by staff as part of their work for the University food outlet operators, cleaners and tradespeople, contractors, consultants and other vendors and suppliers. - Organisations with which the University maintains a non-contractual but

	continuing professional or collaborative relationship.
University	Kamuzu University of Health Sciences.
Vendor	Providers of goods and/or services to the University.
Victim	A person against whom an act of sexual harassment, sexual assault or rape has allegedly been perpetrated.
Visitor	An individual who is not a registered student at the University, nor a postdoctoral fellow, nor an individual with an academic or research appointment at the University.

11 BACKGROUND AND SCOPE

Sexual harassment in the institutions of higher learning is prevalent and occurs against both males and females but predominantly against women, female students and other marginalised groups. Women at the lower rungs/echelons within the University suffer more harassment of a sexual nature due to power dynamics. Research conducted at University of Malawi showed 67% of students suffered sexual harassment on campus and 12.6% of the students were raped (Phiri, 2003). Additionally, the recent situation analysis in the University of Malawi revealed that the trend is continuing. Unfortunately, incidences or cases of sexual harassment on and off campus are rarely reported to authorities. In spite of the importance of sexual harassment in institutions of higher learning, for many years this issue was rarely addressed at policy level.

This Policy addresses a gap in procedures and mechanisms to deal with allegations of sexual harassment in the University and also responds to the global "Me Too Movement". KUHeS is committed to "zero-tolerance" for sexual harassment and shall not tolerate conduct that may be construed as sexual harassment. Such behaviour is contrary to the spirit of the Constitution of Malawi (1994), Malawi Labour Laws (2020), the Gender Equality Act (2013), Malawi 2063 and any other related Statutes and Policies. Staff, students and visitors responsible for such behaviour or conduct may be subject to appropriate administrative or disciplinary measures.

KUHeS aims to be a world-class university committed to professional excellence and one that practices principles that refrain from any form of sexual harassment, discrimination, physical or verbal abuse, intimidation or favouritism. The University also believes in the application of the KUHeS Conditions of Service and Code of Conduct and all other related statutes and policies to support the building of a

positive, respectful, and motivating environment while advancing a harmonious institution.

This Policy applies to all KUHeS staff, students, visitors, vendors, and contractual service providers. It also covers both on and off campus KUHeS-sponsored events and activities.

12 THE RATIONALE FOR THE POLICY

Members of the University community have the right to be free from all forms of sexual harassment and sexual misconduct. The University realises that sexual harassment subverts the University's mission and threatens its reputation, careers of staff, educational experiences of students and general well-being of staff, students and visitors. Protection against sexual harassment is important not only because it threatens the freedom and conduciveness of the environment at institutions of higher learning but also at a more fundamental level, such a conduct is unacceptable because it violates personal dignity.

KUHeS is committed to zero-tolerance on sexual harassment and sexual misconduct, preventing its occurrence and reoccurrence and remedying its deleterious effects. It is expected that all members of the University community and its visitors act under the regulatory requirements of the institution and conduct themselves in a manner that maintains an environment free from sexual harassment and sexual misconduct. Therefore, this Policy aims to define the expectations of the University community and establish procedures and mechanisms for determining when those expectations have been violated.

13 KUHeS VISION

A world class university and a centre of excellence in health education, research and innovation.

14 KUHeS MISSION

To advance knowledge, professional competencies, skills and innovations in health sciences through high quality student-centred

and innovative education and research that responds to and influences the global/national policy, health and development needs in an efficient, sustainable and result-oriented manner.

15 AIM OF THE POLICY

The aim of this Policy is to eliminate sexual harassment and redress complaints of sexual harassment and matters related to it in the University.

16 OBJECTIVES OF THE POLICY

The specific objectives of the Policy are to:

- a. Provide an environment in which students, staff members and third parties study, work effectively and fully participate in University life without any fear of being subjected to any form of sexual harassment.
- b. Ensure that support mechanisms such as rehabilitation and counselling are made available to the complainants, perpetrators and/or those who witness incidents of sexual harassment.
- c. Outline procedures to investigate allegations of sexual harassment.
- d. Make provision for appropriate recourse to complainants who report harassment and/ or to allow them to pursue justice.
- e. Define roles and concepts concerning sexual harassment.
- f. Establish appropriate mechanisms of assessing and monitoring the nature and extent of sexual harassment.
- g. Swiftly respond to reports of sexual harassment.

17 POLICY PRIORITY AREAS

Literature demonstrates that sexual harassment in institutions of higher learning is reported by all groups (under graduate students, post graduate students, all staff). However, students, younger women, women with insecure employment conditions and certain minorities (ethnicity and sexuality) are more exposed to sexual harassment than other groups. Additionally, sexual harassment online is also on the rise.

Sexual harassment among students and staff is also the focus of the Model Gender Violence and Sexual Harassment Policy for the institutions of higher learning in Malawi. This Policy therefore, focuses on:

- a. Sexual Harassment among Students.
- b. Sexual Harassment among Staff.
- c. Sexual Harassment and Cyber space.
- d. Sexual Harassment: Male victims and Minority groups.

16.1 Sexual Harassment among Students

16.1.1 Sexual Harassment by Fellow Students in off- Campus Halls of Residents

The unique circumstances of students living off-campus shall be considered in all sexual harassment related decisions, initiatives and guidelines.

- a. The University shall raise awareness on sexual harassment amongst students living off-campus.
- b. The office of the Director of Students Affairs (DSA) shall inform Property owners of off-campus accommodation of the institution's Anti-Sexual Harassment Policy, as well as reporting and complaints systems.
- c. The office of the DSA shall furnish property owners with relevant contact details of the institution to use in cases of sexual harassment amongst and by their student-tenants.
- d. The University shall foster relationships with local community police services, religious groupings, counsellors and gender advocates, particularly those in areas where students live.
- e. The University shall act as a link between property owners and students by having a database of pre-approved

accommodation which they have already reviewed in terms of safety.

- f. The University shall have an annual review of security of off-campus students' accommodation by way of survey. Data shall be collected from students, property owners, and community members.

16.1.2 Sexual Harassment of Students by Staff

This thematic area is meant to protect students from all forms of sexual harassment by all staff of the University.

- a. All students and staff shall comply with the University's Anti-Sexual Harassment Policy.
- b. All students and staff of the University shall prevent student and staff sexual harassment by establishing an effective reporting and response system to sexual harassment complaints.
- c. The University shall have guidelines for student-staff relations stipulating explicitly what conduct is and is not allowed.
- d. The University shall be mandated to check prospective employee's criminal records on sexual harassment related offenses.
- e. Every student and staff member shall have a responsibility to report/whistle blow verbally or in writing when cases of sexual harassment are brought to their attention through anonymous reporting or following whistle-blower procedure as outlined in the University's Whistleblowing Policy.

16.2 Sexual Harassment among Staff

This thematic area is meant to protect both students and staff from all forms of sexual harassment in the University.

- a. All staff members shall be required to make a declaration on recruitment of their status in relation to commitment of any sexual offence including demanding sexual favours from students in exchange for grades.
- b. All staff shall maintain a harmonious working environment for other colleagues by behaving in a manner which is free of intimidation, hostility, offence and any other form of sexual harassment or abuse of authority.
- c. All staff shall familiarise themselves with KUHeS policies, including an understanding of conduct which constitutes sexual harassment or abuse of authority; and educate themselves through mandatory as well as optional training on sexual harassment and gender related policies.
- d. All staff and students shall comply with the University's Anti-Sexual Harassment Policy;
- e. The Human resource officer shall inform staff about the various options and internal channels available to them for addressing sexual harassment or abuse of authority.
- f. All staff shall refrain from all forms of retaliation if a case of sexual harassment has been raised against them.
- g. Newly recruited staff shall undergo vetting to check their history regarding sexual harassment.
- h. All staff shall undergo annual training on sexual harassment.
- i. The University shall develop guidelines and codes of conduct for staff relations and also staff-student's relations, clearly describing power dynamics in consensual relationships, prohibiting sexual harassment.

16.3 Sexual Harassment: Male Victims and Minority Groups

This thematic area is meant to protect men and other minority groups including those with disability from all forms of sexual harassment in the University.

- a. The University shall raise awareness on males being victims of sexual harassment.
- b. The University shall encourage holistic understanding of sexual harassment, including power dynamics and deconstruction of gender stereotypes.
- c. Male students and staff shall be given safe spaces to talk about sexual harassment.

16.4 Minority groups such as those with disabilities shall be encouraged and supported on Sexual Harassment through Cyber Space

- d. To speak out against sexual harassment.

This thematic area is meant to protect students and staff from all forms of sexual harassment in the University via the Cyberspace.

- a. The institution shall raise awareness of the meaning of cyber-harassment including the provisions of the Electronic Transactions and Cyber Security Act, 2016.
- b. All gender curricula shall include cyber-harassment.
- c. Staff, as well as the team designated to handle sexual harassment, shall be trained in cyber harassment to enable them to effectively deal with such cases.
- d. The University shall have a regulatory framework for cyber-harassment.
- e. ICT personnel shall be oriented and consulted in decisions to do with cyber-harassment.
- f. Victims of cyber space harassment shall keep evidence of any cyber bullying and harassment (including screen captures, bullies screen name, text and images) to assist in tracking down the bully and as necessary reporting the matter to responsible officers.

- g. The victim shall not respond to further messages/postings from the bully and if possible, block all channels of communication with the bully.

18 IMPLEMENTATION GUIDELINES

The University must take reasonable steps to create and maintain an environment that is free from sexual harassment. The following shall guide the University's efforts in creating such an environment:

17.1 The Office of the Deputy Vice Chancellor

The Deputy Vice-Chancellor shall take the leading role in ensuring compliance with the Anti-Sexual Harassment Policy and shall be responsible for:

- a. Ensuring that relevant frameworks are set for effective implementation of the Policy.
- b. Receiving reports of findings and recommendations of the Anti-Sexual Harassment Investigating Committee and following up on recommended actions.

17.2 The Human Resource Officer

The human resource section shall:

- a. Ensure that information about this Policy and procedures are attached to the employment contract and are included in all induction processes for staff, which shall be mandatory (refer to the Training and Development Policy);
- b. Ensure that information about sexual harassment is included in training provided to all members of the University.
- c. Ensure campuses are adequately lit.
- d. Ensure the provision of night surveillance on campuses.
- e. Install circuit cameras at strategic spots on campuses.
- f. Provide adequate security in places of accommodation and at all social events.

- g. Ensure that all security staff are trained on how to respond to reports and cases of sexual harassment.

17.3 The Executive Deans

The executive deans shall foster a working and learning environment free from any type of sexual violence in their schools by ensuring that they:

- a. Communicate the existence of this Policy and its salient features to employees, students and third parties within their Schools and sections.
- b. Communicate with heads of department on the importance of effective implementation of this Policy.
- c. Support awareness activities and mandatory training for the staff in their Schools.
- d. Take annual sexual violence training activities sponsored by the University.
- e. Receive reports from the heads on the cases of sexual violence they have dealt with in their departments.

17.4 The Departmental/Section Heads

The departmental/section heads shall;

- a. Comply with the terms of this Policy.
- b. Communicate the Policy to all employees, students and third parties in their respective areas of responsibility.
- c. Submit a report on sexual harassment cases dealt with to the Executive Dean on a half yearly basis, using the template attached to this Policy.
- d. Encourage staff to report violations of the Policy.
- e. Allocate resources (human and financial) to ensure that awareness raising and training programs for employees on sexual harassment are implemented.

- f. Ensure implementation of recommendations within five (5) working days after conclusion of investigations of sexual harassment complaints.
- g. Treat all complaints as confidential.
- h. Monitor continuous compliance with the Policy.

17.5 The Director of Students Affairs

The Director of Student Affairs shall:

- a. Communicate the seriousness of the issue and the existence of this Policy and its salient features to students.
- b. Monitor closely students' social weekends and other students' social events to prevent, guarantee or bring for due punishment against any acts of sexual violence.
- c. Cause to be provided health, psychological, counselling and other rehabilitative services for survivors of sexual harassment.
- d. Ensure that new students are properly oriented in both their rights and limits and vis-a-vis this Policy and sex education matters.
- e. Establish programs that address shared risk factors for sexual harassment e.g. drug and alcohol abuse prevention and sexual reproductive health services.
- f. Conduct awareness campaigns about sexual harassment during social events.
- g. Distribute to students, and share on the institution's website, social media platforms, and in all places of accommodation flyers on sexual harassment
- h. Sensitise students on sexual harassment, and corresponding regulations and policies with a focus on the minority groups including people with disabilities
- i. Ensure that a Complaints Form is accessible to all students.

17.6 Staff and Students

All Staff and Students shall:

- a. Familiarise themselves with the University's Anti-Sexual Harassment Policy including the procedures for dealing with allegations of sexual harassment.
- b. Comply with the University's Anti-Sexual Harassment Policy.
- c. Participate in sexual harassment surveys to enable the University analyse their attitudes and beliefs regarding sexual harassment.
- d. Report incidences of sexual harassment that they witness.
- e. Offer support to anyone who is being harassed.
- f. Maintain confidentiality of information provided during an investigation of a complaint.
- g. Participate in any anti sexual harassment training provided by the University

17.6.1 The Student's Representative Council (SRC)

The SRC are responsible for helping to foster a learning environment free from any type of sexual violence. The SRC shall:

- a. Collaborate with the DSA by supporting awareness activities.
- b. Seek advice and support from the DSA and ED to resolve the sexual misconduct.
- c. Establish gender transformative, student-led initiatives such as clubs, societies and extra-curricular programs that engage in research, awareness and sexual harassment advocacy

17.6.2 Staff Union (KUHeSSU)

The staff unions shall play a major role in outlawing sexual harassment at work place. To do so they shall:

- a. Display a declaration demanding a safe environment for all staff at the workplace as well as at meetings, activities and events.
- b. Ensure that employers provide a counselling service for victims.
- c. Carry out awareness raising and training on sexual harassment which include the effect of sexual harassment on occupational health and safety and the general working environment.
- d. Organise campaigns about sexual harassment.
- e. Ensure there are anti-harassment documents at all union functions.

17.7 The Victim

The individual who thinks that they have been, or are being sexually harassed can take the following measures:

- a. Speak or write directly to the alleged perpetrator informing them that the behaviour is offensive and unacceptable and request that it stops immediately; or
- b. Seek advice from their supervisor or line manager on possible strategies to resolve the issue
- c. Keep confidential records about the harassment
- d. Keep a record of incidents noting:
 - i. what happened.
 - ii. when and where the harassing occurred.
 - iii. the name/s of witness/es.

17.8 The Investigating Committee

This is an adhoc committee constituted by the University to hear, investigate and recommend appropriate action(s) to address issues of complaint(s) of sexual harassment. Persons responsible for

investigating and resolving complaints have a duty not to be affected by bias or conflict of interest, and must act fairly and impartially.

- a. The registry shall serve as the central coordinating office to the Investigating Committee.
- b. The investigating Committee is responsible for conducting formal investigations of complaints against students, staff, visitors and any individual conducting business with the University.
- c. Suppose a complaint is directed against an individual who would otherwise play a role in investigating and attempting to resolve the complaint; in that case, the function assigned to that person by these procedures shall be delegated to a senior person.
- d. Where a complaint is laid against the DVC, the University registrar shall report directly to VC, who shall appoint an independent Ombudsperson to oversee the process.
- e. Where a complaint is laid against the VC, the University Registrar shall report directly to Council, who shall appoint an independent Ombudsperson to oversee the process.

18. MECHANISMS TO RESPOND TO SEXUAL HARASSMENT CASES

The University is committed to ensure that complaints related to sexual harassment are treated seriously, investigated promptly, impartially and confidentially. If a complaint is substantiated, action shall be taken against the alleged perpetrator.

There are four stages in responding to sexual harassment cases.

18.1 Lodging a Complaint

A complaint can be lodged informally or formally. Informal complaint emphasises on solving the problem while a formal complaint focuses on whether factual evidence/verification of a complaint can be proven.

a. Informal Procedure

- i. Where the complainant feels that he or she is being or has been sexually harassed, such a member may attempt to resolve the matter directly with the alleged perpetrator.
- ii. Explain to the alleged perpetrator that the behaviour in question is not welcome, that it offends the complainant or makes him/her uncomfortable and/or it also interferes with his/her school or work.
- iii. Choose to ask another person whom he or she trusts to intervene on their behalf.
- iv. If the complainant is not satisfied with the outcomes of the informal approach, he/she may then follow a formal procedure.

b. Formal Procedure

- i. The complainant can take the option of formal proceedings to resolve a sexual harassment complaint if the harassment could not be resolved through an informal procedure or choose to resolve the complaint through this process without firstly using the informal route. Formal complaints of sexual harassment:
 1. May be made in person, in writing (including through electronic communications), or by telephone to the line managers or designated officers to receive complaints.
 2. Can be made by victims or by any person with knowledge of possible sexual harassment.
 3. Are not subject to deadlines and may be made anonymously, although the anonymity of reports and/or the passage of time may result in the report being more difficult to investigate and pursue through internal disciplinary proceedings.

4. Should, to the extent possible, describe specific incident(s) of possible sexual harassment with details, including dates, locations, and identifying the alleged offender, victim and any witnesses.
- ii. The line managers should promptly acknowledge receipt with an explanation of the next steps in the process, including whether the complainant shall be advised of the outcome of the assessment and information on support pathways.
- iii. The line managers should immediately or within 24 hours forward the complaint to the investigating committee for assessment.

c. Complaints by Staff

- i. Staff who experience sexual harassment must lodge their complaint with the line manager;
- ii. Written complaints should be submitted using the Statement of Grievance form appended in this Policy;
- iii. Complaints, should include in the statement, the reasonable outcome/resolution sought to consider the situation resolved;
- iv. If the line manager is the alleged perpetrator, the complainant can lodge the complaint with the immediate supervisor of the line manager.

d. Complaints by Students

- i. Students who experience sexual harassment must immediately report this to the Director of Students Affairs.
- ii. To initiate the first formal stage of the grievance procedure, students should put the complaint in writing using the Student Complaints form and send it to the Registrar.

- iii. Complaints, should include in the statement, the reasonable outcome/resolution sought to consider the situation resolved;
- iv. If an aggrieved student brings to the attention of the University any instances of sexual harassment where the alleged perpetrator is not an employee or other individuals covered under this Policy, the University shall help the aggrieved student.
- v. If the DSA is the alleged perpetrator, the students can lodge the complaint with the Registrar.

e. Complaints Against a member of any Committee or Line Manager

If a complaint is made against a member of any committee under this Policy or line manager, the member or the line manager shall:

- i. Not be part of any of the processes relating to the investigation and resolving of the complaint.
- ii. Be replaced with a more senior and competent staff to proceed with handling of the complaint.
- iii. If proved guilty, shall immediately relinquish their responsibility in handling sexual harassment complaints.

f. Complaints by Third Parties

- i. Where the aggrieved individual is unable to make the complaint on account of his/her physical or mental incapacity or death or otherwise, his/her representative, may make a complaint;
- ii. Where the case of sexual harassment has been reported by a whistle blower, bystander or a third-party provider, procedures stipulated in the Policy or on Whistle blowing shall be followed.

18.2 Initial Complaint Assessment

- a. On receipt of a formal complaint of sexual harassment, the investigating committee shall appoint a focal point to serve as a contact point for the victim and the alleged offender throughout the formal process to provide information on the process and relevant time frames.
- b. The complaint shall be assessed by the investigating committee to determine:
 - i. Whether or not issues raised in it are within the University's control and/or meet the criteria set out in this Policy.
 - ii. Whether or not the complaint contains enough information upon which an investigation could commence.
 - iii. The reliability of the source of the complaint (anonymous/known, information directly or indirectly perceived by the source, supporting documents or facts).
 - iv. Whether or not there is evidence that the complaint is based on intentionally false or misleading information.

18.2.1 Outcomes of the Initial Assessment

- a. Investigation shall be conducted.
- b. Investigation shall be closed, with or without managerial or administrative action.
- c. Where it is determined the issues are not within the University's control and/or the complaint does not meet the acceptance criteria, the investigating committee shall write to the complainant and provide reasons.
- d. When a complaint is accepted by the investigating committee for inquiry under this Policy, it shall consider:
 - i. Gravity;

- ii. Health or safety concerns;
- iii. Effects;
- iv. Risks involved if attempted resolution of the complaint is delayed;
- v. Need for external resources;
- vi. The capacity of the complainant and respondent to engage in the process.

18.3 Complaint Investigation

The Investigating Committee shall initiate a formal investigation of a sexual harassment allegation if a complaint is complete, falls within the scope of this Policy, and articulates sufficient specific facts, which, if determined to be accurate, would support a finding by the greater weight of the credible evidence that the Policy was violated.

18.3.1 The Investigation Guiding Principles

In investigating cases of sexual harassment, the following principles must be considered:

- a. The alleged offender is innocent until proven guilty.
- b. The victim must have the support of his/her employer and not be afraid to lodge the complaint.
- c. The receipt and investigation of the complaint should be treated with strict confidentiality.
- d. Investigation files/reports should be kept separately from employees' personal files.
- e. The process of investigation must be transparent. Time is important and therefore when a stalemate is reached, a decision to move to the next step must be expeditiously taken; and
- f. The victim must be protected from retaliation and victimisation.

18.3.2 The Investigation Initial Steps

The investigation procedures shall include the following steps:

- a. Handling the victim.
 - i. Conduct a private interview with the complainant and articulate the allegations in writing.
 - ii. Inform the victim of the focal point person.
 - iii. Inform the victim that they may nominate a support person who is not a witness throughout the entire period of investigation.
 - iv. Ask the support person to sign a confidentiality agreement.
 - v. Encourage the victim to preserve and send to the investigators all information deemed relevant, (for example, text messages or e-mail), and to provide a list of persons the victim considers relevant to the complaint, such as witnesses to the alleged sexual harassment.
 - vi. Inform the victim that the complaint is under investigation.
- b. Handling of the alleged perpetrator
 - i. Convey the allegations, in full, to the alleged perpetrator.
 - ii. Provide an opportunity for the alleged perpetrator to respond and defend himself/herself against the allegations.
 - iii. Inform the alleged perpetrator of the focal point person.
- c. Communication with management

Sharing information on the wellbeing of the victim(s) and alleged offender among investigators, focal points, and executive management is of increased importance in sexual harassment investigations.

18.3.3 Gathering of Evidence

a. Conducting interviews

Investigators shall:

- i. Interview all relevant persons with knowledge including family members of the alleged sexual harassment and its impact on the victim.
- ii. Hold interview in privacy.
- iii. Assure protection from retaliation.
- iv. Ensure gender balance in the committee.

b. Collecting other evidence

Other evidence may include:

- i. Digital evidence such as emails, text/instant messages, records of telephone calls, internet access, CCTV footage, social media entries, and photos.
- ii. Medical and counselling records can be used to support a victim's account of assault and/or distress. They can also be used to corroborate an alleged offender's account.
- iii. Documentary evidence such as correspondence, forms and all information that may be maintained on paper in official archives, as well as external material such as personal letters, business records, etc.

18.4 Timelines of Handling Complaints

Prompt reporting of sexual harassment is in the best interest of all parties and enables the heads of department/sections to address and correct unacceptable behaviour and provide support to the complainant.

- a. Complainants of sexual harassment are therefore encouraged to report the case as soon as it has occurred
- b. Within 48 hours of receipt of a complaint, the Head of Department/section shall send the complainant a brief

acknowledgement of the complaint, stating that the complaint shall be evaluated, and advising the complainant(s) that he or she shall be contacted within seven days. The acknowledgement letter shall include a copy of these complaint procedures.

- c. The Head of Department/section has an obligation to report any case of sexual harassment to the Anti-Sexual Harassment Investigating Committee within seven days of receipt of the complaint or becoming aware of the incident.
- d. The Head of Department shall ensure that a reported sexual harassment complaint is investigated as promptly as possible and be resolved in most cases within 90 working days of the date the request for formal investigation was filed.
- e. In the event that 90 days expire before the investigation of the sexual harassment case is concluded, the Head of Department shall consult the complainant through a written request for an extension of up to a maximum of 45 days to conclude the case.

18.4.1 Challenges to Meeting Timelines

Sexual harassment investigations are not always capable of swift resolution. Completion can be frustrated by many other factors including:

- a. The need to obtain and analyse digital evidence.
- b. The addition of new allegations as the investigation proceeds.
- c. The reluctance of witnesses to be interviewed.
- d. The volume of relevant witness testimony, and difficulties interviewing parties, for example on account of sick leave.

- e. Accordingly, sexual harassment investigations cannot work to a strict timeline. The time lines set here are only tentative and a commitment to demonstrate that the University is committed to timely resolution of sexual harassment issues.

18.5 The Investigation Report

At the conclusion of the investigation, the investigating committee is required to write a report. The investigating Committee shall determine, based on their findings, whether there is a case to be answered or not.

The investigating Committee shall:

- a. Document the investigation process.
- b. Summarise the evidence obtained and accompanied by supporting documentation, including records of interviews, written statements, digital evidence, or other reproductions of any physical evidence.
- c. Submit a report to the DVC.

18.5.1 Post Investigation

Upon examining the report submitted by the Investigating Committee, the Executive Management shall not impose sanctions or punitive measures against the alleged perpetrator but shall recommend a matter to be either taken up by the staff or student Disciplinary Committee.

The Executive Management shall write to the complainant to address the substance of their complaint and advise them of:

- a. The outcome of the complaint and any action taken or agreed to be taken;
- b. The reason(s) for the outcome;
- c. Any remedy for them, or change to process that has been put in place as a result of the complaint.

19 SEXUAL HARASSMENT SANCTIONS

The disciplinary committee shall follow procedures set by the University to institute a disciplinary hearing. However, to foster deterrence, it is necessary to establish benchmark sanctions. These benchmark statements are intended to offer guidance to individuals and panels imposing and recommending sanctions, and to alert students and staff of the serious nature of sexual harassment. They are a starting point for determining the appropriate sanction. The actual sanctions imposed are determined on a case-by-case basis and may be greater or lesser than the benchmark sanctions. Refer to Appendix 4.

Factors to consider when determining sanctions may include:

a. Mitigating Factors

- i. The extent to which the harasser could have anticipated that such behaviour was unacceptable or unwanted or behaviour was by mistake or was unintentional.
- ii. Prior instances where the alleged perpetrator's similar advances were welcome.
- iii. The complainant reduced sanction request.

b. Aggravating Factors

- i. Harassment has caused lengthy/extensive or irreparable deprivation of access, benefits, and opportunities.
- ii. The perpetrator has retaliated against or victimised another employee/student who has made a sexual harassment allegation or who has served as a witness in a sexual harassment investigation.
- iii. The behaviour continued despite a mutual no contact restriction.
- iv. The complainant makes malicious or vexatious false accusations;

- v. Request for enhanced sanctions from the complainant.
- c. Compounding Factor
 - i. Prior history of misconduct.

19.1 Right of Appeal

Either party has the right to appeal if they do not accept the outcome of the complaint. They may invoke the relevant grievance or complaint procedure within the timelines specified in that procedure. Appeals shall be handled by the Appeals Committee of the University

- a. Both the complainant and the respondent shall have a right to appeal the decision of the Executive Management within a period of 10 days from the date of notification of the decision.
- b. No member of the IC shall concurrently be a member of the Appellate Committee (AC).
- c. In case the complaint had been made against one of the members of the AC, that member shall be replaced by another (impartial member) for that particular case.
- d. Some of the grounds for appealing against the decision of the Investigating Committee may include the following:
 - i. The alleged conduct does or does not fall within the scope of this Policy;
 - ii. The IC reached a decision without consideration of material information;
 - iii. The imposed penalty is unfair because it is disproportionate or materially different from that imposed for similar misconduct; or
 - iv. The adjudication process followed by the IC was procedurally unfair;
 - v. The request for appeal must be a signed, written document articulating why the decision to dismiss the complaint was in error;

- vi. The AC may, on consideration of the appeal and any other relevant material, confirm, set aside, vary or modify the decision within 7 days in respect of which such appeal is made, and shall communicate the decision to both the parties, the VC and the IC;

19.2 Outcomes of Appeal

- a. Uphold/Affirm the determination of the disciplinary committee.
- b. Vacate and demand to the disciplinary committee for further proceedings.
- c. Reverse the determination of the disciplinary committee.

19.3 Supportive Mechanism

Complainants of sexual harassment must have access to support from responsible persons after an incident. Supportive and protective measures to the complainant shall be provided regardless of whether or not disciplinary proceedings are instituted. Supportive measures may include, but are not limited to: Ongoing psycho-social support throughout the process from psychologists; and access to free medical services for advice and treatment through the University.

19.3.1 Initial Support

Initial emotional support shall be provided by the Head of Department/Section whom the complainant first approaches.

19.3.2 Medium-Term Support

Upon receipt of the complaint, the Head of Department/Section must assess the need for counselling and ensure that psychological and continuous emotional support is provided to the complainants.

- a. Internal service providers shall provide first line psychological and emotional support to both students and staff.
- b. Continued psychological and emotional support to staff complainants of harassment shall be provided by an external service provider coordinated by the Heads of Department/Section.

19.3.3 Additional Support for Rape

In addition to the processes and supportive and protective measures outlined above, the following special procedures shall apply to victims of rape:

- a. When an incident of rape is reported to any person at the University, the victim should be informed of the necessity of receiving immediate medical attention, including post-exposure prophylaxis (PEP) for HIV. All reasonable efforts must be made promptly to transport the victim to the clinic or any hospital close to the University.
- b. When rape occurs, it must be reported to the Campus Director/Director of Students Affairs who must ensure that it is reported as soon as possible to medical professionals.
- c. Support the victim to file a complaint with police for legal redress.

19.3.4 Protective and Remedial Action

Retaliation/Victimisation is a matter of serious concern, particularly in cases where the alleged perpetrator is of superior rank. The University should:

- a. Ensure confidentiality during the investigation and protect the complainant.
- b. Periodically check up on the complainant to ensure that no adverse actions have been taken.
- c. Restore sick or annual leave taken because of the sexual harassment.

- d. Consider granting additional sick leave in cases of sexual harassment where an employee and/or perpetrator requires psychological support and follow-up for resettling in the workplace.
- e. Review the treatment and employment decisions affecting the complainant and witnesses to ensure that such treatment or decisions are not retaliatory in nature.
- f. Compensate losses such as medical expenses.
- g. Grant an appropriate remedy to the accused person if there has been any loss suffered by such person, where the complaint is found to be unjustified.

9.9.5 Additional Protective Measures to Students

Interim protective measures may include, but are not limited to:

- a. No-contact orders, where appropriate.
- b. Change of University student residence, where appropriate.
- c. Change of academic classes and academic concessions, where applicable; or leave of absence where appropriate.
- d. Any intimidating behaviour or secondary harassment by the accused or orchestrated by the accused towards the complainant shall constitute a disciplinary offence.

20 RECORD KEEPING AND CONFIDENTIALITY

Records of sexual harassment complaints including records of investigations, voluntary resolutions, and disciplinary action shall invariably contain highly sensitive and potentially damaging personal information. It is therefore imperative that they are protected by reasonable security safeguards. The University may have legal obligations to protect this data under relevant workplace regulations.

- a. The registry shall be primarily responsible for records related to complaints against students and staff;
- b. Any files or reports associated with an investigation should be kept in locked storage;

- c. Access should be restricted to authorised personnel only. Records should not be placed on general or open access files;
- d. Care should also be taken to ensure the security of the transmission of information by e-mail or facsimile, and the storage of electronic information;
- e. This Policy prohibits any person including the investigating team members from publishing, communicating or making known to the public, press and media (including social media) in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the investigating team;
- f. Any person who knowingly and intentionally makes an unauthorised disclosure of confidential information contained in a complaint or otherwise relating to the investigation of a complaint under this Policy is subject to disciplinary action.

21 EXPECTATIONS REGARDING RELATIONSHIPS BETWEEN STUDENTS AND PERSONS IN AUTHORITY (STAFF AND OTHER SERVICE PROVIDERS)

The University is aware that sexual harassment frequently takes place in situations where there are unfair power dynamics at work or in the classroom. Any sexual or romantic relationship between a faculty member or staff member and a student are prohibited because they are potentially exploitative and could at any moment be seen as such due to the power imbalance that is inherent in the superior-subordinate and staff-student relationship. Therefore, it is important that all members of the University must be aware that these relationships have the potential to put faculty, staff, and students at tremendous personal and professional risk. They also frequently result in impaired judgment, compromised choices, and lowered workplace morale. Any member of the University who participates in supervisory or administrative decisions concerning

an employee or student with whom he/she has or has had a sexual or intimate relationship has a conflict of interest. Such a member is prohibited from participating in supervisory or administrative decisions, must disclose the relationship and make alternative arrangements as outlined in section 8.4, V of the KUHeS Code of Conduct and Ethics. If any member chooses not to disclose the relationship or does not follow the guidance provided in the Code of Conduct and Ethics; and an event of a charge of sexual harassment arising from such circumstances occurs, the University shall in general be unsympathetic to a defence based upon consent.

22 MONITORING AND EVALUATION

- a. Monitoring and evaluation shall be conducted using provided monitoring tools applicable at different levels within the University to track and assess the level of compliance to this Policy.
- b. The University shall regularly collect and assess reporting and complaints data for trends, patterns and lessons and drive continuous improvement.
- c. The institution shall have an annual review of off-campus accommodation by way of survey. Data shall be collected from students, property owners, and community members.
- d. The University shall annually evaluate the effectiveness of the existing mechanisms for preventing and handling sexual harassment in KUHeS.

23 FINANCIAL IMPLICATIONS

Sexual harassment has a severe financial impact on the University. While it is difficult to quantitatively estimate the costs incurred because of allegations of sexual harassment, it is worth stating what expenses shall be expected for the victim, the accused (the employee), and the organisation. The University budget shall include funding for mainstreaming gender and anti-sexual harassment in all its activities. It is envisaged that:

- a. The financial impact of sexual assault or sexual harassment shall include emergency care, preventative medications, mental health services, and legal costs.
- b. Other expenses shall include training all staff in sexual harassment and sexual assault as a commitment to demonstrating responsibility to the University and its stakeholders.

Appendix 1: Anti-Sexual Harassment Complaint Form



(Confidential)

W

A. Complaint's Profile

Name.....

Age.....

Contact Number.....

Email.....

Address/Department/Hall.....

Student/ Staff No.....

Programme.....

Date (s) & Time (s) of Incidents.....

B. Alleged Perpetrator's Profile

Name..... Age.....

Contact Number.....

Email.....

Status: Student/ Staff/ Other.....

Address/ Department/Hall.....

Student/ Staff No. & Level.....

C. Relationship with Alleged Perpetrator

The diagram illustrates the experimental design with a sequence of events: a 10-minute rest period, followed by a 10-minute rest period, then a 10-minute rest period, and finally a 10-minute rest period. The sequence is labeled 'Rest' and 'Work'.

D. Description/ Nature of Complaint

(Provide a summary of the Incident(s) Below.

[illegible]

For official use only

F. Action taken

Medical attention

Police report

Professional counseling

Other, please Specify.....
.....
.....

Appendix 2: Self-Declaration and Disclosure Form for New Employees on History of Sexual Harassment of Children and Adults at Risk



In order to comply with the Anti-Sexual Harassment Policy, all staff who may be required to be in contact with students are required to complete and sign this form at the time of engagement and return it to the Registrar before they engage with students. Please note that disclosure of sexual offence shall not affect eligibility for employment.

Confidential: This declaration shall be stored confidentially by the Registrar, and shared with the appropriate committee which shall be responsible to assess whether there is any risk or not in relation to safeguarding students as a result of engaging the services of the individual named below. Any such concerns shall be notified confidentially to the Vice Chancellor for guidance on any action required.

Herewith, I confirm that:

- I have never sexually abused a child or adult.
- I have never been found guilty of sexual harassment in a court of law or place of work.
- I have no history of having harassed children or adults (as defined under Anti- Sexual Harassment Policy or under applicable laws of Malawi, including but not limited to sexual, physical, emotional, psychological or verbal abuse, harassment and/or exploitation).

- I am not listed on any registry of sexual child abusers or abusers of adults (including those at risk).
- I am not the subject of an ongoing investigation related to sexual abuse of a child(ren) or adult(s).
- I am not the subject of a disqualification from working with children and adults (including those at risk).
- I understand that failure to disclose relevant information or giving false information may result in the University taking disciplinary action against me and/or terminating my employment/relationship with the University.

I confirm that I have read and understood the above:

Full name

Job/Post..... title.....

Institute/School/Department/Unit

Signature

Date

Received and reviewed on behalf of the University by:

.....

Date:

Appendix 3: Sexual Harassment Sanctions

The Executive Management shall apply the appropriate sanctions on a case-by-case basis. The sanctions include but are not limited to:

- a. In cases in which the respondent is a staff, the following sanctions may be imposed
 - i. Offering formal apology;
 - ii. Issuing a written warning or reprimand, probation;
 - iii. Leave without pay;
 - iv. A transfer or reassignment of duties to the perpetrator;
 - v. Removal of management authority or duties;In repeated cases:
 - i. Suspending or terminating employment;
 - ii. Training or counselling the harasser;
- b. In cases in which the respondent is a student, the following sanctions may be imposed:
 - i. In case of minor violations, the student may be issued a warning or reprimand. These shall be considered during adjudication.

Examples of Sexual Assault Behaviour and Sanctions	Reprimand & Restrictions	Probation	Suspension	Dismissal
Penetration by means of other than sex organs				
Vaginal, anal or oral penetration by sex organ				
Fondling of breast, groin, genitals or buttocks above clothing				
Fondling of genitals or buttocks below clothing				
Incest				
Statutory rape				
Examples of Sexual Exploitation Behaviour and Sanctions				
Engaging in sexual activity while knowingly infected with STI without the other person's knowledge				

Prostituting another person				
Indecent exposure				
Taking and/or disseminating pictures, video, or audio recording of another person engaged in sexual activity without the consent of all involved in the activity.				
Exposing one's genitals in non-consensual circumstances, including via online communications.				
Sexual voyeurism, such as watching another engage in sexual activity or undressing without consent.				
Disrobing another person without their consent.				
Examples of Retaliation Behaviour and Sanctions				
Threats in retaliation for reporting sexual harassment				
Intimidation or physical abuse in retaliation for reporting sexual harassment				

Examples of Stalking Behaviour and Sanctions				
Repeated unsolicited phone calls, emails, texts, and /or gifts to another person/their family or household				
Repeatedly following another person or conducting surveillance of another person and/ or their family or household				
Repeated unsolicited visits to another person's home, class, office, hostels /their family or household				
Repeated unsolicited contacts or attempts to contact via social media				
Assuming another's identity in order to make contact with the complainant				

Sexual Harassment Behaviour and Sanctions				
Sexual innuendos, jokes, remarks questions				
Sexual gestures, and or gifts of sexual nature				
Display of sexually explicit material				
Unwelcome kissing or non-fondling sexual touching				
Offering to trade an educational benefit for a date or sexual favour				