



GHANA COMMUNICATION TECHNOLOGY UNIVERSITY

# Anti-Sexual Harassment and Misconduct Policy

(2025)

## GHANA COMMUNICATION TECHNOLOGY UNIVERSITY (GCTU)



## ANTI-SEXUAL HARASSMENT AND MISCONDUCT POLICY

## **EXECUTIVE SUMMARY**

Ghana Communication Technology University (GCTU) is committed to the protection of all its stakeholders who utilize its learning, working, and living environment. Due to this commitment, the Sexual Harassment and Misconduct Policy has been set out as a framework in consonance with the national and international policies and statutes, to serve as a guide in the prevention and handling of issues of sexual harassment and misconduct. The University's Anti-Sexual Harassment and Misconduct Policy seeks to provide a safe and secure environment for all staff, students, and employees free from discrimination, intimidation on any ground and from any form of sexual misconduct at work and in residence or on official travels.

The objectives of this policy are to identify what constitutes sexual harassment in the University, promote a positive environment where all individuals are treated fairly and with respect, prevent sexual harassment through education and awareness creation, and ensure the prompt and effective investigation of, and response to, allegations and reports of sexual harassment and sexual abuse in the University. The Policy seeks to provide appropriate disciplinary measures and create awareness that sexual harassment is a serious offence. The Policy shall also ensure the establishment of an appropriate reporting system that upholds confidentiality and safeguards the rights and well-being of complainants and all individuals involved in the resolution process.

For an effective and efficient implementation of its objectives towards the attainment of zero tolerance for all forms of harassment and sexual assaults, the University's Sexual Harassment and Misconduct Policy clearly sets out systematic strategies and procedures to deal with such infractions. These strategies include the institutionalization of an Anti-Sexual Harassment Committee, and the establishment of both informal and formal procedures for addressing harassment. These procedures clearly outline the complaint process, investigation steps, hearings, sanctions and disciplinary measures, as well as provisions for appeals and the corresponding appeal procedures.

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WORD/ TERM	DEFINITION OF TERMS
<b>Sexual Abuse</b>	Forceful engagement of another person in sexual contact which includes sexual conduct that humiliates or degrades the other person or otherwise violates another person's sexual integrity or a sexual contact by a person aware of being infected with human immunodeficiency virus (HIV) or any other sexually transmitted disease with another person without that other person being given prior information of the infection.
<b>Sexual Assault</b>	This refers to a situation where an individual has or attempts to have sexual intercourse or contact with another individual without the latter's consent. Consent achieved through the use of threat or force or coercion or because of incapacitation is not classified as consent. Additionally, sexual assault can occur between intimate partners or strangers.
<b>Sexually Exploitative or Degrading Behaviour</b>	<p>This refers to instances where an individual takes sexual advantage of another person without that person's consent for the individual's benefit or the benefit of a third party. This includes, but is not limited to the following:</p> <ul style="list-style-type: none"> <li>i) Causing or attempting to cause the incapacitation of another person to gain sexual advantage over that person such as drugging or tying the person.</li> <li>ii) Electronically recording, photographing, or transmitting identifiable utterances, sounds or images of private sexual activity and/or intimate body parts without the knowledge and consent of the parties involved.</li> <li>iii) Making it possible for third parties to observe private sexual acts of a participant without the consent of that participant.</li> <li>iv) Spying on others who are in intimate or sexually suggestive situations/positions and failing to report to the authority and instead spread the information.</li> </ul>

<b>Sexual Intimidation</b>	<p>This includes the following situations:</p> <ul style="list-style-type: none"> <li>i) Threatening to sexually assault an individual</li> <li>ii) Indecent exposure (the exposing of one's private body parts, e.g., the genitals, either recklessly or intentionally and under circumstances likely to cause offence or affront).</li> <li>iii) Stalking in or outside of cyberspace. Stalking refers to the situation where an individual directs unwelcome attention of various sorts to another, such that a reasonable person would begin to fear for his or her safety or well-being. Such unwelcome attention could include the following: a person leaving messages or items at locations that the person is known to frequent, making harassing phone calls, sending messages either by snail mail or electronically and vandalizing the property of another.</li> </ul>
<b>Hostile Environment</b>	Situations and/or influences created within the university community that are severe or pervasive, in such a manner that a reasonable person would find it intimidating, uncomfortable or offensive and can also interfere with a person's performance.
<b>Complainant</b>	A person who is subjected to an alleged sexual harassment/ sexual abuse and has filed a complaint under this Policy.
<b>Committee</b>	The Anti-Sexual Harassment Committee established by the University to address and investigate sexual harassment and misconduct matters under this Policy.
<b>Members of the University Community</b>	Members of the University Community refer to all Employees (full time and part time) and students at the University.
<b>Policy</b>	Policy on Anti-Sexual Harassment and Misconduct for GCTU
<b>Respondent</b>	A person whose alleged conduct is the subject of a complaint

## **1. BACKGROUND**

Sexual harassment and sexual misconduct are any form of unwanted or offensive act with a sexual connotation which negatively affects the institution's environment, undermines gender equality, and creates unfair practices in a university which adversely impacts the dignity and well-being of all stakeholders. It creates psychological anxiety and stress for victims and if ignored, can result in high costs for the institution, through loss of productivity, low morale, absenteeism, high student/staff turnover and litigation.

The effects of sexual harassment are both personal and social in nature. As an institution, GCTU is committed to upholding the principles of equity, dignity, and safety for all members of its community. In line with this commitment, the University has developed an Anti-Sexual Harassment and Misconduct Policy to promote the welfare, well-being, and advancement of all staff and students.

GCTU is committed to the creation of 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, religion, or creed), are free from any form of harassment especially sexual harassment. To achieve this objective, this Policy is intended to guide the University. The Policy further defines prohibited conduct; outlines procedures for reporting violations, conducting investigations, and imposing sanctions; provides mechanisms to prevent retaliation; and establishes the Anti-Sexual Harassment Committee. By this Policy, GCTU seeks to provide an enabling environment that is safe for all members of the university community, residential or non-residential.

### **1.1 OBJECTIVES OF THE POLICY**

This Policy is to address all sexual harassment issues within and outside the University. Specifically, the Policy seeks to:

- i. Identify what constitutes sexual harassment in the University.
- ii. Promote a positive environment where people are treated fairly and with respect.
- iii. Prevent sexual harassment by establishing clear guidelines and promoting education and awareness.
- iv. Set investigative standards to deal with allegations and reports of incidents of sexual harassment and sexual misconduct in the University.

- v. Respond promptly and effectively to reports of sexual harassment and sexual abuse in the University.
- vi. Administer appropriate disciplinary measures when a violation is found to have occurred as provided by this Policy.
- vii. Create awareness that sexual harassment is an offence and that instances of sexual harassment shall be dealt with appropriately.
- viii. Establish and maintain an effective reporting system that enables complainants of sexual harassment to seek redress without fear of reprisal.
- ix. Ensure that complainants of sexual harassment and sexual misconduct or anyone who participates in the investigation does not face retaliation or stigmatization.

## **2.0 SCOPE OF THE POLICY**

The scope of this Policy covers all officers and employees of the university, students, and persons who act as agents of the University or are under its authority, in all University locations, facilities, and activities. The Policy is also applicable to acts of sexual harassment or sexual misconduct that occur outside university locations, facilities, if such acts adversely affect the University.

The Policy applies to all facets of university life.

## **3.0 SEXUAL HARASSMENT AND SEXUAL MISCONDUCT**

### **3.1 Sexual Harassment**

This is defined as an unwelcome conduct of a sexual nature including unsolicited sexual advances, requests for sexual favours, and other verbal, non-verbal, written, electronic, graphic, or physical conduct or behaviour of a sexual nature when:

- i. Submission to or rejection of such conduct is made either explicitly or implicitly.
- ii. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions or for academic evaluations, grades or advancement affecting that individual.
- iii. Such conduct has the effect of unreasonably interfering with an individual's performance, creating an intimidating, hostile and offensive environment.

### **3.1.1 Forms of Sexual Harassment**

Sexual harassment in the workplace can be physical, verbal, non-verbal and span the following:

- i. Physical forms of sexual harassment such as any unwanted contact, ranging from intentionally touching, caressing, pinching, hugging, and kissing to sexual assault or rape.
- ii. Verbal forms of sexual harassment including socially and culturally inappropriate and unwelcome comments with sexual overtones such as sexually suggestive jokes or comments about a person's dress or body, made in their presence or directed towards them. They also include persistent proposals and unwelcome requests or persistent personal invitations to go out.
- iii. Non-verbal forms of sexual harassment including unwelcome gestures, suggestive body language, indecent exposure, lascivious looks, repeated winks, and gestures with fingers. It also includes the unwelcome display of pornographic materials, sexually explicit pictures and objects, screen savers or posters as well as sexually explicit e-mails, notes or SMS messages on any social media platform.

### **3.1.2 Sexual Harassment Examples and Suggested Disciplinary Actions**

<b>NO.</b>	<b>Sexual Harassment Examples</b>	<b>Suggested Disciplinary Action</b>
1.	Unnecessary and unwanted nicknames such as 'sweetie', 'baby', 'girlfriend, babes/boyfriend'.	Verbal reprimand, warning to not repeat behaviour (with complainant or anyone else) and a written query documenting that a warning has been given.
2.	Intrusive sexually explicit questions, asking personal questions about a person's sex life.	Ensure respondent understands why the behaviour deserves disciplinary action (it was unwanted, inappropriate, made the complainant uncomfortable) and writes a letter of apology to the complainant.
3.	Spreading rumours about a person's sexuality, sexual activity, or speculations about previous sexual experience.	If complaint happens again, respondent shall be asked to sign a bond of good behaviour.
4.	Remarks of a sexual nature about a person's clothing or body.	Verbal reprimand, warning to not repeat behaviour (with complainant or anyone else) and a written query documenting that a warning has been given.
5	Unnecessary and unwanted touching, pinching, massaging,	Ensure respondent understands why the

	dancing, hugging, or brushing up against a person's body.	behaviour deserves disciplinary action (it was unwanted, inappropriate, and made the complainant uncomfortable) and writes a letter of apology to the complainant.
6.	Sexually suggestive stares, sounds or gestures such as winking, licking lips, whistling, sucking noises or pelvic thrusts.	Respondent shall be put on probation for one year. If another case occurs during probation, termination or expulsion shall be considered.
7.	Sexually explicit jokes, pictures, calendars, cartoons, internet images or pornographic materials.	If there are no complaints after one year of probation, the respondent shall no longer be susceptible to termination/expulsion.
8.	Unwanted recurrence of telephoning, texting, emailing, comments on social media, following, stalking, gift giving, proposing, or asking for a date.	If complaints do occur again after the probation has been completed, a second hearing shall be conducted. The past offense shall be noted, and termination/expulsion shall be considered.
9.	Unwanted propositions of a sexual nature (including those occurring in situations that begin as reciprocal attractions but later cease to be mutual).	Verbal reprimand, warning to not repeat behaviour (with complainant or anyone else) and a written query documenting that a warning has been given.
10.	Spying on someone that is engaged in intimate behaviours, such as undressing, bathing, sexual activity, or any other activity that is private.	Ensure respondent understands why the behaviour deserves disciplinary action (it was unwanted, inappropriate, and made the complainant uncomfortable) and writes a letter of apology to the complainant.
11.	Direct or indirect promises of academic benefits (such as high grades, letters of recommendation, participation in an activity), in return for sexual favours.	If there are no complaints after one year of probation, the respondent shall no longer be susceptible to termination/expulsion.
12.	Direct or indirect promises of work benefits (such as promotions, housing, allowances, good appraisals), in return for sexual favours.	If complaints do occur again after the probation has been completed, a second hearing shall be conducted. The past offense shall be noted, and termination/expulsion shall be considered.
13.	Adverse academic decisions, evaluations, low grades, social exclusion, poor treatment in class, because a sexual advance has been rejected or reported.	Where a student is proven to have made a false accusation, the student will be rusticated from the University for one year.
14.	Adverse employment decisions, evaluations, failure to hire or promote, transfer, social exclusion, poor treatment in the workplace,	Where a member of staff is involved, he or she will be suspended for three (3) months without pay. A record will also be put on his/her file.

	because a sexual advance has been rejected or reported	
15.	False accusation by complainant: If after a formal hearing it is determined that the complainant has knowingly lodged a false accusation to harm, punish or defame the alleged respondent, he/she shall also be subjected to a disciplinary action	Ensure complainant understands why the behaviour deserves disciplinary action (it constitutes lying and deceit) and he or she shall be made to write a letter of apology to the alleged respondent.

## 3.2 Sexual Misconduct

Sexual misconduct is an act of any unwelcome sexual behaviour or conduct. It includes sexual assault, harassment, and exploitation which violates an individual's boundaries and creates a hostile environment.

### 3.2.1 Forms of Sexual Misconduct

The following, though not exhaustive, represent forms of sexual misconduct that are prohibited under this Policy:

- i. Sexual or amorous behaviour with students or subordinates
- ii. Staff exploiting relationships with subordinate staff or students for sexual ends
- iii. Staff conferring undue favour to influence subordinate staff or students to yield to sexual desires
- iv. Sexual abuse and assault
- v. Sexual intimidation, exploitative and degrading behaviour
- vi. Retaliatory and abusive behaviours directed towards either former relationship partners or individuals who have rejected the sexual advances of another.

### 3.2.2 Examples of Sexual Misconduct

The following examples are illustrative of conduct or behaviour that, if proven, would be considered under this Policy to establish sexual harassment or misconduct in either an employment or an academic setting:

- i. Unwelcome, unsolicited advances, and/or propositions of a sexual nature.
- ii. Unwelcome sexual advances whether they involve physical touching or not.

- ii. Unwelcome and inappropriate affectionate gestures.
- iii. Unwanted and persistent propositions for dates.
- iv. Unnecessary and inappropriate touching, such as patting, pinching, hugging, or brushing against an individual's body, grabbing of parts of the body and kisses.
- v. Excessive and unwanted attention in the form of love letters, telephone calls, gifts and stalking.
- vi. Sexual epithets, jokes, written or oral references to sexual conduct, gossip about an individual's sexual activity, deficiencies or prowess and sexual innuendos.
- vii. Unwelcome leering, whistling, heckling, hooting at an individual, including name-calling.
- viii. Unnecessary and unwanted nicknames such as, sweetie, baby, babes, girlfriend/boyfriend and many more.
- ix. Passing on pornographic material in print or electronic form or passing written offensive messages of a sexual nature (including emails, WhatsApp and text messages).
- x. Intrusive sexually explicit questions, asking personal questions about a person's sex life
- xi. Insults, jokes, or anecdotes that belittle or demean an individual or a group's sexuality or gender.
- xii. Unwelcome sexually oriented gestures, verbal expressions, or comments of a sexual nature about an individual's body, clothing, or sexual experience.
- xiii. Unwelcome references to one's appearance or body where they cause psychological harassment especially if such expressions are persistent.
- xiv. Spying on someone that is engaged in intimate behaviours, such as undressing, bathing, sexual activity or any other activity that is private.
- xv. Inappropriate and/or degrading displays of sexually suggestive objects or pictures, cartoons, calendars, books, magazines, etc.
- xvi. Using a position of power and authority to threaten or punish either directly or by implication, for refusing to tolerate harassment or misconduct or submit to sexual activity or for reporting harassment or misconduct or to promise rewards in return for sexual favours.
- xvii. Sexual assault, which is an unwanted sexual act done without the consent of one party, and/or that occurs under threat or coercion. Sexual assault includes, but is not limited to, attempted rape, indecent assault, forcible anal sex, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing for purposes of sexual gratification), and threat of sexual assault.

- xviii. Suggestions that submission to or rejection of sexual advances shall affect decisions regarding such matters as an individual's employment, work assignments, or status, salary, academic standing, grades, receipt of financial aid, or letters of recommendation.
- xix. Making a student's work or an employee's job more difficult because of that person's sexual orientation.
- xx. Unwanted propositions of a sexual nature (including those occurring in situations that begin as reciprocal attractions but later cease to be mutual).
- xi. Disciplining or firing a subordinate who ends a romantic relationship.
- xxii. Retaliation from a person in authority due to refusal of sexual favours which may include limiting opportunities for the complainant and generating gossip against the employee or other acts that limit access or change performance expectations after a subordinate refuse repeated requests for a date.

### **3.3 Prohibited Sexual Relations**

Sexual relationships that occur in the student-teacher context or in the context of employment, supervision, or evaluation present special problems, except they are married. These types of sexual relationships are especially susceptible to exploitation due to the difference in power and the respect that are often present between a teacher and a student, a supervisor and a subordinate or a senior and junior colleague. As a result of this power differential, a student's "voluntary" participation in a sexual relationship with an individual in a position of power does not on its own demonstrate that the conduct was welcome. The University prohibits sexual relationships between individuals where there is an imbalance of power such that one individual can make decisions that affect the educational opportunities or career of the other. Additionally, this policy shall be applied in cases where harassment occurs between parties who are co-equals, colleagues, or are not in supervisor-subordinate employment relationship.

### **3.4 Hostile Environment**

A hostile environment is created when unwelcome conduct of a sexual nature interferes with an individual's work, academic performance, or participation in University activities, or when such conduct creates an intimidating, offensive, or abusive atmosphere. Many of the terms described above may be subject to interpretation. While overt forms of sexual harassment are often easily identifiable, more subtle behaviours may be difficult to recognize, and perpetrators may not always realize that their actions are unwelcome or

inappropriate. Any conduct that contributes to the harassment of another person is unacceptable and shall render the individual responsible liable to disciplinary action.

## **4.0 OPERATIONAL STRUCTURES AND RESPONSIBILITIES**

### **4.1 Anti- Sexual Harassment Committee**

#### **(i) Membership**

- a) The Committee shall be a seven-member committee selected from the various Faculties, Schools, Units of the University community, comprising:
- b) A Chairman, to be appointed by the Vice Chancellor and approved by the Academic Board.
- c) A Representative of the Students Representative Council (SRC)/Graduate Students Association of Ghana (GRASAG) or relevant Staff Association where the allegation involves a student or staff.
- d) The University Counsellor
- e) An adhoc member to be nominated by the Dean of the Faculty (if the case involves a Lecturer) or a member to be nominated by the Head of Unit (in case the allegation involves a support staff).
- f) The University Lawyer
- g) An External Member knowledgeable in Gender Relations appointed by the Vice-Chancellor and approved by the Academic Board.
- h) Other knowledgeable external members co-opted by the Committee to serve on it when the need arises (optional).
- i) The Registrar shall appoint the Secretary not below the rank of Assistant Registrar to the Committee who shall be in attendance.
- j) Committee members shall exhibit integrity, gender sensitivity, and the technical competence required to handle grievance procedures.

#### **(ii) Responsibilities**

The *Anti-Sexual Harassment Committee* shall oversee all violations of the Policy. The Committee has the duty to address cases of sexual harassment in the University competently and professionally. The Committee shall have the following functions:

- a) *Investigation:* The Committee shall receive and deal with specific complaints of sexual harassment in the University community as an investigative body in accordance with the grievance procedures outlined in this Policy and submit a Report to the Vice-Chancellor on infractions or otherwise.

- b) *Education and Training:* The Committee shall design education and training programmes to create awareness on the Policy. Such awareness creation programmes shall clearly state what constitutes sexual harassment, reporting procedures and who to report issues of sexual harassment to.
- c) *Documentation:* The Committee shall collect, keep, and maintain records of reports of sexual harassment and actions taken in response to such reports, including records of investigations, voluntary resolutions and disciplinary actions as appropriate.
- d) *Reporting:* The Committee shall prepare and submit an annual report to Management.
- e) *Sanctions/Disciplinary Actions:* The Committee shall comply with the University's laid down procedures for sanctions.
- f) *Leadership:* The Committee shall provide effective and efficient leadership on all aspects of sexual harassment in the University.

### **(iii) Leadership**

- a) The Vice-Chancellor shall appoint a Chair of the Committee. The Committee at its first meeting shall appoint a Vice-Chair from among its members. The Vice-Chair shall act in the absence of the Chair.
- b) The Secretary of the Committee shall be nominated by the Registrar of the University. The Secretary shall ensure that all records of the Committee's meetings and proceedings are properly taken and documented.
- c) The Chairperson and the Secretary shall summon meetings, initiate enquiry processes, and ensure the integrity of all proceedings relating to investigation of grievances.
- d) An Adjudication Committee (Anti-Sexual Harassment Hearing Committee) shall be made up of five members; the University lawyer (Chairperson), and four other members selected from the Anti-Sexual Harassment Committee. There shall be gender parity in the composition of the adjudication committee.

### **(iv) Qualities of Members**

Committee members shall exhibit integrity, gender sensitivity, and the technical competence required to handle grievance procedures.

### **(v) Term of Office**

Members of the Committee appointed in a representative capacity shall serve for a term of two years, after which they can be re-appointed to serve a further two-year term only.

**(vi) Review of Policy**

This Policy shall be reviewed every two years, or based on the request of the Vice-Chancellor/Academic Board.

**(vii) Reporting Procedure**

Employees or students shall report allegations of sexual harassment to the Anti-Sexual Harassment Committee. This shall be reported through the filling of the *Anti-Sexual Harassment Complaint Form* (see Appendix III). Upon the receipt of the complaint the Committee shall commence investigation into the matter with immediate effect and shall adequately and effectively act on the complaint with dispatch.

**4.2 Rights of the Complainant**

Any member of the University community who believes that he or she has been subjected to sexual harassment in violation of this Policy can pursue the matter and utilize the procedures described under this Policy for redress. The complainant shall not be reprimanded, victimized, retaliated against or discriminated against in any way for initiating an inquiry or complaint in good faith.

**4.3 Rights of the Respondent**

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.

**4.4 Right to Representation**

A complainant and a respondent in a sexual harassment matter shall have the right to representation by counsel.

**4.5 False Representations**

Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth, may be subject to disciplinary action.

**4.6 Duty to Cooperate**

Staff and students must cooperate with university investigations into sexual harassment or misconduct which are conducted by the Anti-Sexual Harassment Committee. Refusal to cooperate with an investigation or acting in any way to impede an investigation may result in disciplinary action as stipulated in the Policy.

#### **4.7 Malicious Accusations of Unfounded Complaints**

The University recognizes that false accusations could have a serious impact on the reputation and integrity of individuals. As such, malicious accusations shall be treated very seriously. Anyone who is found to have made a deliberately malicious complaint or allegation against another person shall be subject to formal disciplinary action under the stipulated sanctions in the University.

### **5.0 GRIEVANCE PROCEDURES**

Any staff or student who perceives himself/herself to have been sexually harassed or has been subjected to some retaliation following a sexual harassment incident has the right to file a complaint. Complainants are strongly encouraged to report incidents promptly to enable timely and effective action. The University strongly encourages complainants to make reports within two weeks (ten working days) following the last occurrence of the behaviour giving rise to the report. Upon receiving the complaint, investigation should be completed within six weeks (thirty working days).

#### **5.1 Failure to Report**

The following are sanctions for not reporting incidents particularly by individuals who have a duty to report (such as faculty, staff, or administrators).

##### **5.1.1. Faculty and Staff**

###### **i. First Offence**

- a) Written warning and mandatory re-training on sexual harassment and reporting procedures.

###### **ii. Second Offence or Wilful Non-Reporting:**

- a) Formal reprimand.
- b) Temporary suspension from supervisory roles.
- c) Denial of promotion or merit-based raises for a defined period.

###### **iii. Severe or Repeated Offence:**

- a) Suspension without pay.
- b) Termination of employment (for repeated failures to report knowingly).

### **5.1.2. Students**

#### **i. First Offence**

- a) Educational sanctions (e.g. reflective essays, mandatory training).
- b) Disciplinary warning.

#### **ii. Second Offence or Wilful Non-Reporting:**

- a) Referral to Disciplinary Committee after which the student will be assigned to a Counsellor

### **5.2. Complaint Report**

The report may be made by:

- i. A person who believes they experienced sexual harassment or misconduct.
- ii. A person who has information that sexual misconduct may have been committed by University student or staff or any other stakeholder.

### **5.3. Reporting /Resolving/Handling Complaints of Sexual Harassment and Misconduct**

The following approaches shall be used in dealing with Sexual Harassment and Misconduct.

A complainant of Sexual Harassment or Misconduct has two options to resolving/reporting the case. These are:

- i. Informal Approach
- ii. Formal Approach

## **6.0 APPROACH TO DEALING WITH SEXUAL MISCONDUCT**

Formal reporting systems are aimed at resolving a complaint of harassment through investigation and documentation of evidence. As discussed, the perpetrator can be anyone - a superior, a fellow student, a fellow colleague, lecturer or a community member. Formal investigations are thorough, decisions are made by an objective committee, and appropriate disciplinary action is taken. All students and staff shall be made aware that formal complaints shall be lodged for serious offences and/or continued unwanted sexual harassment, because the disciplinary action is a robust and fair way to prevent respondents from committing offences again.

### **6.1 Preliminary Consultation**

To deal with a grievance formally, the complainant (staff or student) can have a preliminary meeting with the university counsellor to discuss the formal complaint process and what evidence is needed. The

counsellor shall ensure confidentiality, be sympathetic, understanding and refer the complainant to the Anti-sexual Harassment Committee.

## **6.2 Notification of Complaint**

The complainant shall submit a formal written notice of the grievance to the counsellor. The complainant shall provide supporting evidence such as:

- i. Dates/times/locations of harassment.
- ii. What type(s) of harassment was/were experienced (hostile, quid pro quo, retaliation, or other) descriptions shall be as detailed as possible.
- iii. Witnesses (a witness can be used to at least verify the complainant's dates/times/locations).
- iv. Material evidence, if available (like emails, text messages, WhatsApp chats, letters, recordings, gifts, etc).
- v. Documents from any informal reporting/mediation that may have been attempted.

## **6.3 Convening of the Committee**

Formal hearings shall be dealt with by an Adjudication Committee (a statutory University Committee), chaired by the University Lawyer, and four other persons from the Anti-Sexual Harassment Committee. In a situation where there is conflict of interest involving any of the members, that member may request to be recused. In such a situation, a replacement shall be made.

## **6.4 Hearing Format**

The formal hearing shall not be made public and shall provide confidentiality to all those involved. During the meeting, the Adjudication Committee shall ask the complainant to tell the story in his/her own words. The alleged respondent or witnesses shall not be present in the room during this time. The committee shall ask open-ended questions and seek facts that support or disprove allegations. The committee shall use the same approach when individually interviewing witnesses for the complainant, the alleged respondent and witnesses for the respondent. The committee members shall each take individual notes.

## **6.5 Decision**

At the end of the hearing, the Adjudication Committee shall go over all evidence/testimony to come to a decision and discuss appropriate disciplinary action. Suggested disciplinary action for different types of harassment, as well as false accusations, are detailed in Appendix “I and II”. Once a decision has been made, documentation of the proceedings and result shall be given to the complainant, the respondent, and the University to keep in its records.

## **6.6 Appeal Hearing Format**

The appeal hearing shall be conducted in a manner similar to the original hearing but shall be limited to the consideration of new evidence or witnesses, as well as the rationale for their omission from the original proceedings. All other parties shall be given the opportunity to respond.

## **6.7 Decision of the Appeal Hearing**

At the end of the appeal hearing, the Anti-Sexual Harassment Committee shall provide an immediate decision and any appropriate action required. Once a decision has been made, documentation of the appeal proceedings and result shall be given to the complainant, the respondent and the University to keep in its records. The decision reached at the appeal hearing is final.

## **7.0 SECURITY DEPARTMENT**

The Security Department of the University shall assist to promote the Anti-Sexual Harassment and Misconduct Policy by monitoring and supervising adherence to the rules and regulations developed in this policy. The Security Department shall assist and safeguard the operationalization of the policy.

## **8.0 PROMOTION OF ANTI-SEXUAL HARASSMENT POLICY**

Dissemination of information on the Anti-Sexual Harassment Policy: This Policy document shall be published and displayed on the University’s website. It shall also be made available to recruited staff of the University and admitted students.

## REFERENCES

Catholic University College of Ghana (2019). Sexual Harassment Policy. Published by Catholic University College of Ghana, Sunyani.

Ha Noi (2015) Code of Conduct on Sexual Harassment in the Workplace. Unofficial Translation Vietnam.

International Labour Organization (2013). Declaration on Fundamental Principles and Rights at Work; Work and Freedom, Fact Sheet.

Public Affairs, University of Ghana (2017). Sexual Harassment and Misconduct Policy. No. 873 Vol. 54(20). Special Reporter, Published by Authority, 21pp.

Quality Assurance and Planning Unit- KNUST (2018). Anti-Sexual Harassment Policy, University Press. KNUST.

St. Joseph's College of Education (2016). Sexual Harassment Policy. Published by St. Joseph's College of Education, Bechem.

University of Development Studies (2018). Sexual Harassment Policy. Published by University of Development Studies, Tamale.

## APPENDIX I

### SANCTIONS AND DISCIPLINARY MEASURES UNDER THE UNIVERSITY DISCIPLINARY COMMITTEE

Any breach of the Policy shall be handled in accordance with the University rules and regulations set up by the University's Disciplinary Committee. The University's misconduct proceedings may be instituted against staff and students charged with misconduct that potentially violates both the criminal laws of Ghana and the University's code of conduct. Thus, any person who is found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

CATEGORY OF OFFENDERS	SUGGESTED DISCIPLINARY ACTIONS
1. Employees (Staff)	<p>The penalties that may be imposed by the appropriate authority for breaches of discipline on account of <b>major offence(s)</b>:</p> <ul style="list-style-type: none"><li>(a) Dismissal</li><li>(b) Termination</li><li>(c) Suspension for a stated period without pay</li><li>(d) Reduction in rank or grade</li><li>(e) Deferment of increment, i.e. postponement of the date on which the next increment is due, with the corresponding postponement in subsequent years</li><li>(f) Stoppage of increment i.e. non-payment for a specified period of an increment otherwise due</li><li>(g) Forfeiture of pay for a stated period</li><li>(h) The imposition of monetary fines which may be deducted directly from the salary or other emoluments of the employees involved in a disciplinary offence.</li></ul>

	<p>The following penalties may be imposed by the appropriate authority for breaches of discipline on account of <b>minor offence(s)</b>:</p> <ol style="list-style-type: none"> <li>a. Formal apology from culprit/ probation/ sign bond of good behaviour</li> <li>b. Reprimand</li> <li>c. Withholding of increment</li> <li>d. Caution</li> <li>e. Relocation/transfer</li> </ol>
<p><b>2. Students</b></p>	<p><i>Formal Apology/ Probation/ Bond of Good Behaviour:</i> - a written statement to the complainant of one's regrets, remorse, or apology for sexual harassment or misconduct and copied to the Vice-Chancellor and the Sexual Harassment Committee.</p> <p><i>Formal Reprimand:</i> - a formal notice that the respondent has violated University Policy on sexual harassment and that future violations may result in severe punishment.</p> <p><i>No Contact:</i> - restriction from entering specific University areas such as halls of residence and/or from all forms of contact with certain persons.</p> <p><i>Dismissal from Halls of Residence:</i> - residential students shall be dismissed from University accommodation.</p> <p><i>Forced Resignation/Removal from Office:</i> - student leaders shall be removed from their positions, schedules or office,</p> <p><i>Restriction:</i> - The offender shall be prohibited from entering specific University areas, including halls of residence, offices, laboratories, health and recreational facilities, or any other designated spaces within a radius determined by the Committee.</p> <p><i>Withholding of Results:</i> <i>Offenders' results shall be withheld for a specified period.</i></p> <p><i>Rustication:</i> <i>Offenders shall be suspended from the University for a specified period.</i></p> <p><i>Dismissal:</i> <i>Offenders shall be dismissed outright from the University.</i></p>

<b>3. Other Stakeholders</b>	<p>Other stakeholders within the University who contravene this Policy shall face:</p> <p><i>Restriction:</i> - restriction from entering specific University areas such as halls of residence and/or from all forms of contact with certain people.</p> <p><i>Termination:</i> - termination of contracts or service agreements.</p>
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*These sanctions shall not operate to prejudice criminal action in the case of serious offences tantamount to crime under the Laws of Ghana.*

**APPENDIX II**  
**COST OF SEXUAL HARASSMENT**

<b>Complainants</b>	<b>Employers</b>	<b>Society</b>
Psychological suffering including humiliation, reduced motivation, loss of self-esteem, High blood pressures,	Decreased enterprise productivity, due to: <ul style="list-style-type: none"> <li>• impaired judgment</li> <li>• compromised teamwork</li> <li>• de-motivation</li> <li>• absenteeism</li> </ul>	Long-term rehabilitation costs for the reintegration of complainants
Behavioural change including isolation, deterioration of relationships.	No applicants shall fill vacancies at workplace where they fear sexual harassment.	Unemployment welfare benefits and retraining. Invalidity costs for those with impaired working capacities
Stress-related physical and mental illness including drugs and alcohol abuse; suicide.	Progress and innovation within the enterprise are hindered when the environment is deficient in trust and team spirit.	Legal and criminal justice expenses
Complainant's foregoing career opportunities, leaving employment or committing suicide	A negative corporate image of the Institution  Financial cost of sick pay, Medical bills, and Legal fees for court actions.	Women's undermined access to high-status and well-paid jobs, traditionally male dominated, and vice versa.

*Source: ILO (2013) Declaration on Fundamental Principles and Rights at Work; Work and Freedom, Fact Sheet*

## APPENDIX III



### ANTI- SEXUAL HARASSMENT COMPLAINT FORM

#### COMPLAINANT'S PROFILE

Name: ..... Age: .....

Cell Phone & Email: .....

Status: (Student/Staff/Other) .....

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

Address/ Department/Hall: .....

Date(s) and Time(s) of Incident(s).....

Age: ..... Cell Phone & Email.....

Status: (Student/Staff/Other) .....

Position/Staff/ Student No. & Level: .....

Address/Department/Hall: .....

Date(s) and Time(s) of Incident(s) .....

Relationship with Respondent: .....

iv. Provide a Summary of the incident(s) in the space below. You may add additional sheets if necessary.

.....

.....

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v. Preferred (Immediate) Options. Please tick as appropriate:

- a. Medical Attention
- b. Legal Action
- c. Report to the Police
- d. Professional Counselling
- e. Notify Family Members
- f. Other

vi. Any other Relevant Information such as details of any previous report(s) made:

.....  
.....

vii. Confirmation

I confirm that the information provided on this form is a true reflection of what happened to me, and I also subject myself to investigation by the Anti-Sexual Harassment Committee for the facts to be verified and appropriate action(s) taken.

Signature of Complainant.....

Date.....

Name of Receiving Officer: .....

Signature of Receiving Officer.....

Date.....

**APPENDIX IV**  
**VERSION CONTROL AND CHANGE HISTORY**

VERSION CONTROL	DATE RELEASED			EFFECTIVE DATE	APPROVED BY	AMENDMENT