

1. Policy Statement

Cavendish University Uganda is committed to providing an environment where all may pursue their studies, careers, duties and activities free from discrimination on any ground and from harassment at work including sexual harassment. CUU will operate a zero-tolerance policy for any form of sexual harassment in the work place and learning environment, treat all incidents seriously and promptly and investigate all allegations of sexual harassment.

This policy applies to all levels within CUU structures that include students, faculty and staff as well as others who participate in CUU Programmes and activities both on and off campus.

2. Definitions

2.1. **Sexual Harassment:** Is defined as the unwelcome and unreciprocated conduct of a sexual nature which makes a person feel offended or intimidated. It includes unwelcome sexual advances, requests for sex in return for favours, unwanted physical, verbal or non-verbal conduct of a sexual nature. Such conduct would constitute sexual harassment if;

2.1.1. Submission to or rejection of such conduct is used or seen to be used as a basis for decisions affecting one's employment or academic standing.

2.1.2. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or learning environment.

2.1.3. Where a person is asked to engage in sexual activity as a condition of one's employment/ career or academic advancement.

Some examples of behavior or conduct which constitute sexual harassment include;

a. Physical Conduct

- Unwelcome physical contact including patting, stroking, kissing, inappropriate touching
 - Physical violence including sexual assault or rape
-

- Unwelcome physical contact such as touching or pinching
- Stalking

b. Verbal Conduct

- Sexual comments about one's body and use of vulgar jokes
- Sexual advances, incessant demands to establish a sexual relationship or threats
- Repeated and unwanted social invitations for physical intimacy
- Repeatedly using sexually degrading words or statements to describe a person
- Sending sexually explicit messages or pornography by phone, email, SMS, or any form of social media platform.
- Inappropriate enquiries about a person's private life such as inquiring about one's sexual deficiencies or sexual behaviour.
- Unwelcome and sexually explicit statements, stories or comments which are not legitimately related to employment duties, course content, research or other University Research or activities. Raising irrelevant topics of a sexual nature inside or outside a classroom.

c. Non-verbal conduct

- Display of sexually explicit or suggestive material or objects
- Sexually suggestive gestures
- Whistling, leering or ogling
- Indecent exposure and display
- Taking any form of photographs, recording or videos for the purpose of blackmail, cyber bullying or stalking

Anyone can be a victim of sexual harassment regardless of their gender. CUU recognises that sexual harassment may occur between people of the same gender. What matters is that sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

CUU also recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships e.g. between an employee and supervisor or student and their lecturer. However, harassment may also occur between peers.

All forms of sexual harassment are prohibited whether it takes place within CUU premises or outside including social events or any other University activities.

2.2. **Complainant** – Means the person who lodges a complaint relating to sexual harassment

2.3. **Respondent** – A person against whom a sexual harassment complaint has been made.

2.4. **Committee** – Members of the University appointed to handle complaints of sexual harassment

3. Objectives

3.1. The primary objective of this policy is to influence the behaviour of students and staff of the University to take responsibility for prevention of Sexual harassment.

3.2. Sensitise staff and students on the unacceptable and punishable nature of this vice that compromises social responsibility and aims towards zero tolerance of this behaviour.

3.3. Establish an anti-sexual harassment committee to handle complaints of this behaviour.

3.4. Integrate sexual harassment content into the organisation's core trainings, including staff and student orientation programmes so as to educate and raise awareness at all levels on how to recognise, prevent, and respond to sexual harassment.

3.5. Make the policy accessible to students and employees and create awareness of the complaints procedure through notice boards, emails the CUU webpage and any other available means.

4. Policy Enforcement

4.1. This policy applies to all members of the University (faculty, staff, and students) as well as to third parties such as vendors, contractors and visitors.

4.2. All reports of conduct that contravene this policy shall be promptly and thoroughly investigated. Complaints about violations will be handled diligently and discreetly with fairness and facts availed to those who need to know in order to investigate and resolve the matter.

- 4.3. The Dean Faculty of Law shall serve as a resource person with regard to interpretation of this policy and in line with the judicial framework.
- 4.4. All complaints of sexual harassment shall be treated with confidentiality to a practical extent and all designated people responsible for handling complaints will respect their privacy.
- 4.5. The University will adopt and implement this policy to prevent incidents of sexual harassment.
- 4.6. A committee shall be established to handle complaints of sexual harassment.
- 4.7. Content on sexual harassment shall be integrated into the organisation's core trainings, including staff and student orientation programmes to create awareness.
- 4.8. The policy shall be made accessible to students and employees in order to create awareness through notice boards, emails and the University website.
- 4.9. The University will nominate counsellors who will be given special training to enable and assist victims of sexual harassment. The University recognises that because sexual harassment often occurs in unequal relationships victims often feel threatened to lodge the complaint and therefore need support.
- 4.10. All complaints should be reported within one month of the incident taking place.
- 4.11. Charges found to have been intentionally framed and dishonest shall be punishable
- 4.12. To avoid and minimise malicious allegations anonymous complaints will be disregarded.

5. Context of Sexual Harassment

5.1. A student harassed by a staff/faculty

A student who believes has been sexually harassed by a staff/faculty should follow the following reporting channels;

- Report the matter to the Dean of Students or Students Counselor or their Faculty Dean.
- If a Student chooses not to utilise the designated people above, they may bring the matter to the Deputy Vice Chancellor.

5.2. Students harassed by fellow University Students

If a student believes he/she has been a victim of sexual harassment by another student the student should lodge a complaint with the Dean of Students.

If the students believe the complaint has not received due consideration the matter shall be forwarded to the Deputy Vice Chancellor.

5.3. Harassment by a fellow staff

A staff who is believes they are being harassed by a fellow staff should report the matter to their Immediate Supervisor, Head of Department to which the staff belongs, the Human Resource Director or appointed University Counselor. If their Immediate Supervisor or Head of department is the alleged harasser the matter should be lodged with the Human Resource Director.

5.4. University Staff or students harassed by visitors or contractors

A staff or student who believes that in the course of their study or employment at the University, they have been harassed by someone other than staff or student may contact the Dean of Students or the Human Resource Director.

These may include but not limited to; visitors and suppliers (Security, Catering, Janitorial, interns, supervisors of students on internship placement etc.)

6. Handling and Reporting Complaints

Anyone who is subject to sexual harassment should where possible inform the alleged harasser that the conduct is unwanted and unwelcome.

The University will ensure to support victims with counselling either by the University Counselor or internal resource persons will be nominated, trained and equipped to support sexual harassment victims.

Sexual harassment complaints may be handled formally or informally.

The following should be adhered to when a designated person receives a complaint be it from a staff or student;

- Immediately record the dates, times and facts of the incident
- Ascertain the views of the victim as to what outcomes he /she wants
- Ensure that the victim understands the company's procedure for dealing with the complaint

- Discuss and agree the next steps either handle the matter formally or informally on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if the victim is not satisfied with the outcome.
- Keep a confidential record of all discussions.

6.1. **Informal Complaints mechanism**

An informal complaint is when a complaint is made to any academic staff, administrative staff or student's leader. It is made in those cases where the victim wishes for action to be done such as warn the harasser but is not ready to lodge a formal complaint.

If a complaint has been lodged to a student leader, academic or administrative staff the matter shall be forwarded to the Human Resource Director or the Deputy Vice Chancellor

The designated person will;

- Inform the harasser of the complaint lodged against him/her.
- Give an opportunity to the alleged harasser to respond to the complaint
- Ensure that the alleged harasser understands the complaints mechanism
- Facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant.
- Ensure that a confidential record is kept of what happens
- Follow up after the complaints mechanism to ensure that the behaviour has stopped.
- Ensure that the above is done speedily and with 10 working days of the complaint being made

An informal complaint remains on record and may be used in future as evidence of repeated unwanted conduct should the need arise.

6.2. **Formal Complaints mechanism**

A formal complaint is when a member of the University community who believes he/she has been subjected to sexual harassment can lodge a written and signed complaint

The University shall constitute a Sexual harassment committee for purposes of handling formal complaints. Members to this committee shall be people of high integrity and will

be appointed on a two-year term renewable once. The committee shall comprise the following;

- i. The Dean Faculty of Law
- ii. Dean of Students
- iii. Human Resource Director
- iv. Two additional members (One from the Senior Management Team and another from Academic Leadership)

The Committee will initiate an official investigation into the complaint in situations it deems require formal resolution.

6.2.1. Guidelines for Documenting Sexual Harassment Complaints

The written account should include the following;

- a. Date
- b. Time and place of each incident
- c. The conduct and words involved in the incident
- d. The Victim's response
- e. The names of any witnesses

6.2.2. Guidelines for Investigation and hearing of complaints

- a. The Sexual Harassment Committee shall carry out investigations of a complaint of sexual harassment with independence, objectivity, due diligence and respect for rights of both the complainant and respondent.
- b. Any person investigating the alleged sexual harassment shall not be connected to the allegation. In the event they bear any connection he/she should be excluded from the investigation.
- c. A complaint should be lodged within 30 days of the last occurrence of a sexual harassment incident.
- d. The committee shall summon the respondent who shall respond within 5 working from the date of being served except in exceptional circumstances.
- e. In case a responded has been summoned and fails to respond;
 - If it is a student, the matter will be referred to the Students disciplinary committee.

- If it is a staff, the matter will be handled in accordance with the provisions of the Human Resource Manual.
 - If it is a visitor or external contractor the matter shall be reported to police.
- f. A complaint shall be investigated and disposed of within three months after lodging of the complaint except in special circumstances.
- g. A complainant or respondent has the right and free will to be accompanied by a person of their choice to any hearing of the complaint for purposes of providing moral support but may not respond.

6.2.3. The complainant or respondent shall not be allowed to unnecessarily repeatedly recount the events complained of as recounting the experience of sexual harassment is difficult and can damage the party's personal dignity.

6.3. Monitoring

The Deputy Vice Chancellor shall put in place mechanisms to monitor complaints for purposes of ensuring that the vice is managed.

6.4. Penalties

A person found guilty of sexual harassment shall depending on the gravity of the of the offence be liable to any or a combination of the following;

- Written warning
- Make a public apology to the aggrieved party
- Suspension
- Dismissal
- Demotion
- Transfer

All the above shall be handled in line with the Disciplinary Policy as set out in the Human Resources Manual for staff and in line with the University Student rules and regulations or student handbook for the case of students.

6.5. Right to appeal

A person aggrieved of the decision shall within 14 days of the decision appeal to the Vice Chancellor.

6.6. **Responsibility**

The following have responsibility to this procedure;

- a. Vice Chancellor
- b. Executive Director
- c. Human Resource Director
- d. The Dean Law
- e. Deputy Vice Chancellor

7. Review

It shall be the responsibility of the Human Resource Director to review this procedure as appropriate and avail the same for approval to the responsible authorities.

APPROVAL

Name

Designation

Prof. John Francis Mugisha

Vice Chancellor