



CENTRE OF EXCELLENCE IN REPRODUCTIVE HEALTH INNOVATION (CERHI)

SEXUAL HARASSMENT POLICY

OCTOBER, 2019

Table of Contents

A.	Brief Narrative Summary Of UNIBEN CERHI	3
B.	The Context: Women’s Position In Nigeria	6
C.	The Policy Statement	8
1.	Preface	9
2.	Definitions And Interpretation	11
3.	Policy Application	12
4.	Forms Of Sexual Harassment	13
5.	Reporting	14
6.	Investigation	15
7.	Informal Process	15
8.	Formal Process	16
9.	Burden of Proof	17
10.	Prohibition on Retaliatory Acts	17
11.	Confidentiality	17
12.	Criminal and Civil Charges	18
13.	Additional Sick Leave	18
14.	Time Limits	18
15.	Offences	18
16.	Maximum Penalties	18
17.	Extension of the Application of the Policy	19
18.	Romantic or Sexual Relationship	19
19.	Dispute Resolution	20
20.	Code of Conduct	20
21.	Implementation of this Policy	20
22.	Monitoring and Evaluation	21
	Annex 1: Complaint Form for Reporting Sexual Harassment (for Staff, Contractors and Others)	-22
	Annex 2: Complaint Form for Reporting Sexual Harassment (for Students)	25

A. BRIEF NARRATIVE SUMMARY OF UNIBEN CERHI

Background

Reproductive health (RH) has been defined as: “a state of complete physical, mental and social well-being and not merely the absence of diseases or infirmity of the reproductive system”. RH addresses the reproductive processes, functions and systems at all stages of life, and includes fertility regulation, safe motherhood, infant and child survival, sexually transmitted disease including HIV/AIDS, and the prevention of unsafe abortion. The World Health Organization (WHO) estimates that RH accounts for about 20% of the global burden of disease. As a result of its effects on population dynamics, its practice is a central consideration in global development. It was therefore not surprising that five of the eight Millennium Development Goals agreed to by world leaders for promoting global development at the turn of the new Millennium were founded on the principles of RH.

A major development challenge in West Africa is the poor state of reproductive health as evidenced by high rates of fertility, maternal mortality, and unsafe abortion in the region. All of the 15 countries in West Africa have some of the lowest contraceptive prevalence rates and highest population growth rates in the world, a situation which presents huge economic and social burden with adverse consequences for the region’s growth and development. Nigeria as an example currently has the second highest number of maternal deaths, the highest number of infant deaths and the second highest burden of HIV/AIDs in the world. The country also has the highest number of under-aged marriages, gender-based violence, and sex trafficking in Africa. Despite this high burden of reproductive ill-health, Nigeria has yet to integrate RH into its health and educational system due to a deficit of qualified human resources to address this developmental challenge. There are currently limited educational programs that build the capacity of undergraduate and post-graduate students to undertake service delivery and research for the purpose of improving key indicators of RH in the region. There is a need to raise an adequate number of human resources to develop and implement appropriate policies and programs for reducing rapid population growth and advancing growth and development in the region. It is only through such efforts that the region will witness genuine growth and planned comprehensive development anytime soon.

Programme Goal: The Centre of Excellence in Reproductive Health Innovation (CERHI) will build capacity within West Africa’s tertiary educational system for implementing high quality training and applied research for reproductive health professions to tackle policies and programs for reducing the region’s high burden of fertility, unsafe abortion, maternal mortality and HIV/AIDS.

CERHI'S Mission: To implement high quality training and applied research for reproductive health professionals needed to build a new cohort of human resource for reducing the region's high burden of fertility, unsafe abortion, maternal mortality and HIV/AIDS.

CERHI'S Vision: To be a leading institution providing innovative and transformational changes on matters relating to population and development and the improvement of the living standards of citizens in Africa.

Specific Objectives of the Centre include the

- 1) Training of students and technical experts/policymakers through short courses on relevant fertility, maternal mortality, HIV/AIDS and reproductive health policy topics in the region.
- 2) Training of Masters in reproductive health, public health, health economics and nursing.
- 3) Training of PhDs in reproductive health, public health, and nursing.
- 4) Development of regional laboratory capacity to support HIV/AIDS and other reproductive health related problems.

Methodology: Under CERHI, short term courses, Masters and PhD courses of study in RH, public health, nursing, health economics, and reproductive health law will be re-designed and reviewed at 3 levels: first by the individual departments, followed by a curriculum review workshop involving regional, selected international partners and industry stakeholders and sector planners which is a novel approach to curriculum development. Finally, the Departments will team up with identified international partner institutions to finalize the curricula and the Center will then be responsible for coordinating the execution of these novel programs. The idea is to ensure that the curricular meet specific regional development needs, and that they are relevant globally to resource limited settings and are of sufficient quality they can be accredited by international accreditation bodies. Through CERHI's regional and international collaborations the best of the region's resources will be brought together making it a true Centre of excellence in the discipline of reproductive health. New applied research methodologies will also be developed and staff will be trained to use both the curricular as well as these methodologies. Faculty and students will be recruited from the West African region to build regional capacity and collaboration.

Partnerships: The center will seek national, regional and international partnerships that will enhance the learning environment for students, promote faculty development, collaborative applied research and new knowledge in the

field of reproductive health. The project Departments at UNIBEN and in regional partner institutions are: Public Health, Health Economics, Reproductive Health and Nursing. The national university partner institutions are the University of Ibadan (UI) (coordinated by Prof A. Oladokun) contributing faculty in public health, health economics, nursing faculty and co-supervision of masters and PhD students and the Ahmadu Bello University (ABU) (coordinated by Dr Nana Madugu) which will provide a relevant site for short term courses especially on high fertility as well as co-supervision of masters and PhD students. The national public partner the National Institute for Medical Research (NIMR) (coordinated by Dr AG Ohihoin) provides a site for outreach periods for faculty and students, laboratory capacity for HIV/AIDS research and location for short courses in laboratory medicine. We will also involve private industry partners including General Electric Healthcare, Phillips International, Thomson Reuters, EMZOR and Fidson Pharmaceuticals which provide opportunity for outreach periods in new reproductive health technology field that impact on the provision of family planning and reduction of maternal mortality. In Nigeria, the non-governmental and civil society organizations provide the majority of reproductive healthcare. Outreach periods for students with these groups will provide opportunity for thesis project sites and for practical experience working in the RH sector.

Regional partners include the University of Benin in Cotonou (UBC) which would co-supervise thesis students and provide faculty for exchange in the area of public health. The University of Ghana (UG) (coordinated by Professor Richard Adanu) would provide for faculty exchange in public and reproductive health, undertake joint research projects and co-supervision of thesis students as well as share research facilities. The University of Niger would provide a site for collaborative research for student and faculty projects and faculty exchange. The regional research lab the Navrongo Institute will be a partner for outreach periods for faculty and students to strength laboratory skills.

The key international partner institutions whose faculty would be engaged in the project include:

The Queens University, Belfast, United Kingdom (Coordinator - Professor Yun Yun, Professor of Toxicology) will collaborate in the area of advanced nursing degrees, Harvard School of Public Health in public health and reproductive health, the University of Toronto in reproductive health law and the University of Maryland reproductive health applied research.

University of California, Berkeley, USA, (Coordinator - Professor Malcolm Potts,

Emeritus Professor of Obstetrics and Gynaecology), University of Alabama at Birmingham, USA(Coordinator - Prof Andrzej Kulczycki, Professor of Health Care Organization and Management) and the African Academy of Public Health, Dar es Salaam, Tanzania (Coordinator - Dr. Mary Mwanyika-Sando, Deputy CEO)

The international partner institutions will work with specific Departments within CERHI to review and develop new curricula, conduct trainings and collaborate in running short courses and provide additional mentorship to PhD and Masters Students, and participate in students/faculty exchange and visits.

Key Outputs for CERHI's activities

The Key Outputs for CERHI's activities include the following:

1. New Masters and PhDs programmes in reproductive health, public health, nursing and health economics
2. Staff and students participating in outreach experience into the private sector and other regional partners
3. Delivery of short courses on reproductive health related topics.
4. Formation of regional partnerships to increase regional faculty and students at the center
5. Increased academic productivity by center student and faculty through academic paper output and research grant applications

B. THE CONTEXT: WOMEN'S POSITION IN NIGERIA

The women in Nigeria are extremely disadvantaged in terms of social and economic development indicators. Their low status in the society is due to low literacy rates, life expectancy, and most importantly lack of access to economic and informational resources. In Nigeria patriarchy finds expression in the perceived notions of female dependence and subordination. The practice of patriarchy creates in the minds of woman, whether mother, wife or daughter, a feeling of worthlessness, servitude and dependence within the family. The role of women is characterized by lack of freedom and limit individual development. The existing inequality is deemed to be the outcome of specific social institutions designed to restrain their power: namely, segregation and legal subordination in the family and social structure.

The biological or physical difference between man and woman is often interpreted in accordance with the patriarchal notion that men are superior to women.

Patriarchal ideology influences and shapes the sexual division of labor where work is allocated on the basis of sex, within both the home and the workplace. The son is viewed as the sole supporter of his parents in their old age. A daughter on the other hand, merits an altogether different treatment. As a result of the prevailing negative attitude towards the female sex, it is common for mothers -to-be in Nigeria to suffer from the anxiety over the sex of the unborn child. The desire for sons is so intense that the birth of a daughter can have serious consequences on the marriage itself.

The UNDP Gender-related development index (GDI) ranks Nigeria at 139th position out of 157 countries (UNDP 2008). This poor ranking is the result of the relatively low index value arising from the low literacy rates and the low share of earned income of women compared to men.

Although, in recent years some attempts were made to bring women into the mainstream of events in Nigeria, they are yet to be incorporated in any significant numbers in the decision-making structures of the country. Women hold less than thirty five percent of senior positions in the civil service and their representation at the senior levels of the executive, legislature and judiciary is marginal. In terms of ownership of land and assets, men at all levels of society are better off than women, a significant portion of the people living in absolute poverty being women. Households headed by women are among the poorest in the country with 45 percent of female-headed households living below the poverty line.

Gender based violence, which often stems from existing socio-cultural attitudes that regard women as inferior to men, take place in various forms that include wife beating, rape, acid-throwing, trafficking, sexual coercion and harassment, as well as verbal and psychological abuse.

Despite some progress made in recent years, women in Nigeria continue to suffer severe forms of discrimination. In a culture that places greater value on boys than on girls, women experience discrimination and relative deprivation at every stage of their life cycle. They enjoy fewer rights and have access to fewer opportunities compared to their male counterparts. Women consequently have lower literacy rates, lower incomes, fewer assets and less access to productive resources. Women also experience higher levels of malnutrition and morbidity, female morbidity being 14 percent higher than male. This difference is most pronounced during women's reproductive age (15- 49 years), when morbidity for women is 38 percent higher than for men. (UN, Nigeria, 2000)

C. THE POLICY STATEMENT

The Centre of Excellence in Reproductive Health Innovation (CERHI), University of Benin, is committed to providing a safe environment for all its staff and students free from discrimination on any ground and from harassment at work including sexual harassment. The Centre of Excellence in Reproductive Health Innovation (CERHI) will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment and rustication. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. The Centre of Excellence in Reproductive Health Innovation (CERHI) recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

All sexual harassment is prohibited whether it takes place within the Centre of Excellence in Reproductive Health Innovation premises or outside, including at social events, business trips, training sessions or conferences sponsored by the Centre of Excellence in Reproductive Health Innovation.

1. PREFACE

The Sexual Harassment Policy for the Centre of Excellence in Reproductive Health Innovation (CERHI) is premised on several international and regional normative standards to which Nigeria is signatory. These include:

- i. The Beijing Platform of Action, paragraphs 1-8 recognize sexual harassment as a form of violence and discrimination against women and calls on multiple actors including governments, employers unions and civil society to ensure that governments enact and enforce laws on sexual harassment and that employers develop anti-sexual harassment policies and prevention strategies. In addition, the Beijing Platform of Action sets out three strategic objectives under critical area of concern one, on ‘the human rights of women’, as follows:
 - Promote and protect the human rights of women, through the full implementation of all the human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
 - Ensure equality and non-discrimination under the law and in practice; and
 - Achieve legal literacy.
- ii. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which is aptly described as the Women’s Bill of Rights because it placed women at the centre of human rights concerns, was adopted by the General Assembly of the United Nations and endorsed by 186 members in 1979. Nigeria signed CEDAW in 1985, ratified it in 1989 and adopted its Optional Protocol in 1999. Articles 7-16 of CEDAW direct State Parties to, “take appropriate measures to eliminate discrimination against women in all fields specifically inequality under the law, in governance and politics, the workplace, education, healthcare and in other areas of public and social life”. Further, CEDAW Recommendation 19 Article 11 on equality in employment, states that ‘Equality in employment can be seriously impaired when women are subjected to gender specific violence, such as sexual harassment in the workplace’; and its Committee’s General Recommendations No. 19 on violence against women, provides that State parties should include in their reports information on sexual

harassment, and on measures to protect women from sexual harassment and other forms of violence of coercion in the workplace.

- iii. Articles 12-13 of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, obligates State Parties to:
- Eliminate all forms of discrimination against women and guarantee equal opportunities and access in the sphere of education and training;
 - Protect women from all forms of abuse (including sexual harassment):
 - Ensure transparency in recruitment, promotion and dismissal of women and combat and punish sexual harassment in education and the workplace.

In the past few decades, while significant progress has been made in advancing gender equality through the aforementioned landmark UN agreements inter alia like the Beijing Declaration and Platforms of Action and CEDAW, women still face significant discrimination especially in accessing education and employment. Gender equality is not only a basic human right, but its achievement portends enormous socio-economic benefits. Empowering women is closely associated with economic progress, productivity and growth of nations. Yet gender inequalities remain deeply entrenched in most societies including Nigeria - women lack access to productive resources, decent work and health care. They are under-represented in economic decision making processes and suffer violence and discrimination including sexual harassment and abuse.

More than a decade ago, students at Jahangirnagar University, Bangladesh were the first to call for a Sexual Harassment Policy. In June 2009, using the sexual harassment guidelines for the first time, the High Court ruled in favour of few female students of that University who had been sexually harassed by their teachers. By ratifying CEDAW and making official commitments at the 1995 Beijing World Conference on women, Nigeria has endorsed the international standards of women's rights which require protection from sexual harassment.

Consequently, in response to several treaties and conventions endorsed by Nigeria, the Centre of Excellence in Reproductive Health Innovation (CERHI) commits to the formulation, adoption and implementation of policies that would enhance the productivity of its human resources; its status as a reputable centre that protects the rights of individuals; and the effectiveness of the learning and working environment.

The Centre of Excellence in Reproductive Health Innovation (CERHI) strives to provide a place of work and study free of sexual harassment, intimidation or exploitation. It is expected that all persons covered by this policy will treat one another with respect.

2. Definitions and Interpretation

2.1 In this policy, unless the context clearly indicates otherwise:

“Applicant” means any person who is applying for any position at the University;

“Complainant” means a person who is subject to alleged sexual harassment;

“Policy” means this Sexual Harassment Policy and its annexures, which form part of all employees’ and students’ conditions of service and learning.

“sexual harassment” means any form of unwanted or unwelcome conduct of a sexual nature, whether physical, verbal or non-verbal, by a person of the same or opposite sex towards another, which:

- a) has a negative impact on the complainant;
- b) persists in spite of the complainant’s clear indication that such behaviour is unwelcomed;
- c) even if it is a single incident of harassment, can be deemed to constitute sexual harassment because of its seriousness;

“Sexual Harassment Officer” means the Director: Gender Studies, who is appointed by the University to investigate and deal with sexual harassment complaints;

“Student” means any person who is registered as a student of the Centre.

2.2 Paragraph headings are inserted for convenience only and cannot be used in the interpretation of this policy.

2.3 If any provision confers any right or imposes any obligation on any party, then notwithstanding that it is only in the interpretation clause, effect must be given to it as if it were a substantive provision.

3. Policy Application

3.1 This policy applies to all:

- a) employees of the Centre;
- b) applicants;
- c) clients or customers;
- d) contractors, including their consultants, employees or workers;
- e) guest-lecturers;
- f) students;
- g) suppliers; and
- h) any other person who has any dealings of whatsoever nature with the Centre.

3.2 Nothing in 3(1) confers the right on the Centre to initiate disciplinary action against a non-employee for breach of this policy.

3.3 This policy applies to all Centre programmes and activities both on and off-campus, including overseas programmes, if applicable.

4. Forms of sexual harassment

4.1 The following list, which is not exhaustive, contains examples of sexual harassment:

(a) Physical conduct of a sexual nature, which includes all unwanted physical contact, ranging from touching to sexual assault and rape, or frisking or strip searches by another person.

(b) Verbal forms of sexual harassment, which include innuendoes, suggestions and hints, sexual advances, comments with sexual overtones, sexual-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed at them, unwelcome and inappropriate enquiries about a person's sex life, unwelcome and inappropriate comments about a person's sexual orientation, and unwelcome whistling directed at a person or group of persons.

(c) Non-verbal forms of sexual harassment, which include unwelcome gestures, indecent exposure, and unwelcome displays of sexually explicit pictures and objects.

(d) Any form of communication of a sexual nature, including exerting pressure on a person for dates and sexual favours.

(e) Quid pro quo harassment, which occurs if the employer, line manager, member of management or co-employee, undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increments or other benefits of an employee or applicant, in exchange for sexual favours.

(f) Sending or viewing jokes, pictures or other information by e-mail or the internet in which the information is sexually explicit or ridicules a person's sexual orientation.

4.2 Sexual favouritism exists if a person who is in a position of authority rewards only those who respond to her/his sexual advances, whereas other deserving employees who do not submit themselves to any sexual advances are denied promotion, merit ratings or remuneration increases.

4.3 Occasional compliments of a socially acceptable nature do not constitute sexual harassment, and nor do acceptable teaching methods aimed at eliciting debate and discussion. Mutual attraction between people also does not constitute sexual harassment and should be treated as a private concern.

4.4 The Centre views false claims as serious misconduct.

5. Reporting

Reports of sexual harassment will be taken seriously and will be dealt with promptly, but in a fair and objective manner. The nature and gravity of each instance will dictate the specific action to be taken, which may include intervention, mediation, investigation and the initiation of grievance or disciplinary processes.

5.1 Any persons who believe that they have experienced or witnessed sexual harassment or related retaliation are encouraged to report such behaviour promptly to the University of Benin's Sexual Harassment Officer or to any line manager or manager, as the Centre cannot take any action against the accused unless it is aware of such incidents.

5.2 Incidents must be reported within 30 working days after the incident. If the complainant can show good cause for reporting the incident after this period, the Sexual Harassment Officer may waive the 30-day requirement.

5.3 Any manager who experiences, witnesses or receives a written or oral report or complaint of sexual harassment or related retaliation must promptly report it to the Sexual Harassment Officer.

5.4 The Sexual Harassment Officer must treat all reports of sexual harassment as confidential.

5.5 The Sexual Harassment Officer must inform complainants that they may elect to resolve the problem on a formal or an informal basis. Where appropriate, the Sexual Harassment Officer may also recommend counseling or other appropriate support services to provide the complainant with assistance.

5.6 Although it is for the complainant to decide whether to follow either the formal or the informal route, the Centre reserves the right to act as complainant itself and to institute formal proceedings against an employee. The Sexual Harassment Officer must ensure that whichever option has been elected is followed to its full and logical conclusion.

5.7 Regardless of whether the formal or informal route is followed, it is recorded that the intention is to stop the offending behaviour, resolve the complaint, protect all parties' rights and reputations until a decision has been reached, and to resolve the matter in a manner that is timely and equitable to all parties concerned.

5.8 The Sexual Harassment Officer disregards anonymous complaints.

5.9 The help-lines are 08106422713 and 08156828319 and University Health Services on 08055619250 for cases of **acute state-of- emergency health care services**.

5.10 Reporting your experience or incident to any other University employee (including, but not limited to, professors and instructors) is an official, non-confidential report to the University. To file an official report, please contact the Dean of Student's Office 08033839154.

6. Investigation

6.1 The Sexual Harassment Officer, undertakes a preliminary investigation to establish whether there is enough evidence to substantiate the allegation.

6.2 This investigation begins within 10 working days after the allegation was reported to the Sexual Harassment Officer and is completed in the shortest reasonable period of time, but not later than 10 working days after the investigation was begun.

6.3 The preliminary investigative report becomes part of the record and may be used in either the informal or formal proceedings as defined below.

6.4 If the Sexual Harassment Officer determines through the preliminary investigation that the allegations of sexual harassment cannot be substantiated, the Officer may decide that a formal hearing process under the disciplinary code is not justified. It is, however, still possible to pursue the matter through the informal resolution process.

6.5 If complainants wish to appeal against the Sexual Harassment Officer's decision not to use the formal hearing process, they may direct their appeal to the Deputy Vice-Chancellor: Administration, who will discuss the decision with the Sexual Harassment Officer. The resulting decision is final.

7. Informal process

7.1 In some instances, it is more effective to deal with a sexual harassment complaint informally than formally.

7.2 The informal process involves either intervention by the Head of Department, or the Faculty Dean, or a mediation session arranged by the Sexual Harassment Officer.

7.3 In a direct intervention, the Head of Department, Manager, the Faculty Dean or any other University official takes action to eliminate the factors that caused the original complaint. Such action may assume many forms, but in each instance the official must contact the Sexual Harassment Officer to determine if the allegation had any substance and to decide on measures to resolve the matter.

7.4 If the parties agree to mediation, the Sexual Harassment Officer arranges for a mediator who is mutually acceptable to them. The mediator consults with and advises both the parties about the mediation process. If the mediation results in a mutually acceptable agreement, copies of the agreement are forwarded to the Gender Studies Director for review and monitoring. If the mediation does not result in an agreement, the case is returned to the Sexual Harassment Officer at the earliest opportunity for a formal hearing.

7.5 If it is not possible to comply with paragraph 6.2, every effort must be made to finalize the mediation process within 30 calendar days from the day of first referral.

8. Formal process

8.1 Complainants may file a formal written complaint immediately after an incident or after efforts to reach an informal settlement have proved unsuccessful.

8.2 The complaint is lodged on the form set out in Annexure A.

8.3 The Sexual Harassment Officer sends a copy of the complaint, signed by the complainant, to the accused of sexual harassment within five working days of the finalization of the investigation referred to in paragraph 6.

8.4 The Sexual Harassment Officer sets a date for a disciplinary or a grievance hearing within 10 working days of receipt of the complaint.

8.5 The disciplinary hearing is completed within 10 working days after its beginning, unless all the parties agree otherwise in writing.

8.6 The accused's silence at or absence without good reason from a disciplinary or grievance hearing does not prevent the hearing from proceeding. The accused's failure or refusal to respond may result in the hearing proceeding solely on the basis of the complainant's testimony.

8.7 A complainant may withdraw a charge after it has been filed, provided that the accused agrees to the withdrawal.

8.8 A complainant's failure to cooperate with the process in a timely manner may negate the University's obligation to continue with the proceedings.

8.9 The Sexual Harassment Officer makes every effort to cooperate closely with the complainant to ensure due process, but may administratively close a complaint if the complainant fails to cooperate or participate fully in the process.

9. Burden of proof

Sexual harassment is proven on a balance of probabilities to discharge the burden of proof.

10. Prohibition on retaliatory acts

No retaliatory acts may be engaged in against any employee or student who reports an incident of alleged sexual harassment, or any employee or student who testifies, assists or participates in any proceeding, investigation or hearing relating to such allegation of sexual harassment.

11. Confidentiality

11.1 The Centre and the University recognizes that confidentiality is important.

11.2 The Sexual Harassment Officer and all other employees responsible for the implementation of this policy must respect the confidentiality and privacy of the complainant and the accused to the extent that is reasonably possible.

11.3 The Centre may, however, in some instances be unable to maintain confidentiality; for example, if it is compelled by an order of court to disclose information, or if communal interests outweigh individual ones.

11.4 In sexual harassment disciplinary inquiries, all parties endeavour to ensure confidentiality and only appropriate members of management, the complainant, the accused, their representatives, witnesses and interpreters may be present.

11.5 The Centre discloses to either party or their representatives such information as may be reasonably necessary.

12. Criminal and civil charges

The complainant's right to initiate criminal or civil proceedings is not limited by this policy.

13. Additional sick leave

The Centre may grant additional sick leave or break to a complainant upon receipt of a medical certificate.

14. Time limits

14.1 All time limits outlined in this policy are aimed mainly at speeding up the resolution of complaints in order to protect the interests of all concerned.

14.2 If time limits are not adhered to strictly, they may not be used by any party to justify objections to or an appeal against findings unless a form of prejudice can be demonstrated (for example prejudice to a party's abilities to present a case).

14.3 Time limits may be waived if all parties agree to this, but bearing in mind that the case should be resolved as quickly as possible.

15. Offences

The following constitute offences under this Policy:

- (a) engaging in any form whatsoever of sexual harassment (see paragraph 4);
- (b) intentionally making a false report of sexual harassment;
- (c) engaging in any form of retaliatory act;
- (d) failure by a line manager or any other manager to report sexual harassment;
- (e) failure by the Sexual Harassment Officer to treat a report of sexual harassment as confidential;

(f) failure to comply with any other duty as set out in this Policy.

16. Maximum penalties

16.1 Any offences as listed in paragraph 15 must be handled in accordance with the provisions of the University's Disciplinary Code.

16.2 Employees may be summarily dismissed if found guilty of an offence listed in paragraph 15, but a lesser penalty may be imposed if the degree of the offence is less serious.

16.3 Students may be summarily rusticated if found guilty of an offence listed in paragraph 15, but a lesser penalty may be imposed if the degree of the offence is less serious.

17. Extension of the application of the Policy

The Policy also applies in the following instances, with the necessary changes in terms of reporting and responsibility for investigation.

17.1 Sexual harassment of an employee by a student

The employee reports the matter in writing to the Sexual Harassment Officer, who instructs the Dean of Student Affairs to undertake an investigation.

17.2 Harassment of a student by an employee

The student reports the matter in writing to the Sexual Harassment Officer, who instructs the Dean of Student Affairs to undertake an investigation.

17.3 Sexual harassment of a non-employee by an employee

A non-employee reports the matter in writing to the Sexual Harassment Officer, who instructs an appropriate person to undertake an investigation.

18. Romantic or sexual relationships

18.1 The Centre strongly disapproves of romantic or sexual relationships between employees and students, even if the relationships:

(a) are consensual;

(b) do not involve any position of authority (such as that of a lecturer who is responsible for the supervision or evaluation of the student's work).

18.2 The University also strongly disapproves of romantic or sexual relationships between employees.

19. Dispute resolution

19.1 Should a complaint of alleged sexual harassment not be satisfactorily resolved by the internal procedures as set out above, either party may, within 10 working days of the dispute having arisen, refer the matter to the University disciplinary board.

19.2 Should the dispute still remain unresolved, either party may refer the dispute to the Labour Court within 30 days of receipt of the certificate of the Commissioner for Labour and Employment of Edo state.

20. CODE OF CONDUCT

20.1 Code of Conduct for Staff

- i. Staff should allow their conduct to be governed by the University's code of conduct for staff and uphold the ethics of their respective professions by not compromising informal interactions with students.
- ii. Staff shall be encouraged to leave their office doors opened during interactions with the opposite sex to encourage transparency.

20.2 Code of Conduct for Students

- i. Students have responsibility to be security conscious and must avoid situations that can compromise their safety; therefore students are advised to avoid lone ranging, isolated places and paths.
- ii. Students are to avoid indecent dressings which expose parts of the body supposed to be covered.
- iii. Students are to avoid visiting members of the opposite sex at odd hours, and if need be, preferably in the company of another person of the same sex.
- iv. Students should avoid involvement with organizations that are not registered with the Directorate of Student Affairs.

21. Implementation of this policy

The Sustainable Procurement, Environmental and Social Standards Enhancement will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff and students handbook. All new employees must be trained on the content of this policy as part of their induction into the centre. Every year, the Sustainable Procurement, Environmental and Social Standards Enhancement will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of every manager to ensure that all his/her employees are aware of the policy. It is also the responsibility of every Head of Department to ensure that his/her students are aware of the policy.

22. Monitoring and Evaluation

The Sustainable Procurement, Environmental and Social Standards Enhancement recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

Deans, Heads of Departments, Managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the company will evaluate the effectiveness of this policy and make any changes needed.

ANNEX 1:

**COMPLAINT FORM FOR REPORTING SEXUAL HARASSMENT (FOR STAFF,
CONTRACTORS AND OTHERS)**

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the office of the Director, Centre for Gender Studies, University of Benin. Once you submit this form, your employer must follow its sexual harassment policy and investigate any claims.

If you are more comfortable reporting verbally or in another manner, your employer is still required to follow its sexual harassment policy by investigating the claims as outlined at the end of this form.

COMPLAINANT INFORMATION

Name: _____

Home Address: _____

Work Address: _____

Home Phone: _____

Work Phone: _____

Job Title: _____

Email: _____

Select Preferred Communication Method: In person ; Phone ; Email

SUPERVISORY INFORMATION

Immediate Supervisor's Name: _____

Title: _____

Work Phone: _____

Work Address: _____

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against:

Name: _____

Title: _____

Work Address: _____

Work Phone: _____

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred: _____

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

The last two questions are optional, but may help facilitate the investigation.

5. Have you previously complained or provided information (verbal or written) about sexual harassment at the Centre of Excellence in Reproductive Health Innovation? Yes No

If yes, when and to whom did you complain or provide information?

Employees that file complaints with their employer might have the ability to get help or file claims with other entities including federal, state or local government agencies or in certain courts.

6. Have you filed a claim regarding this complaint with a federal, state or local government agency? Yes No

Have you instituted a legal suit or court action regarding this complaint? Yes No

Have you hired an attorney with respect to this complaint? Yes No

I request that the Director, Centre for Gender Studies investigate this complaint of sexual harassment in a timely and confidential manner as outlined below, and advise me of the results of the investigation.

Sign and date

Note: Adoption of this form does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

ANNEX 2:

COMPLAINT FORM FOR REPORTING SEXUAL HARASSMENT (FOR STUDENTS)

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the office of the Director, Centre for Gender Studies, University of Benin. Once you submit this form, your Head of Department must follow its sexual harassment policy and investigate any claims.

If you are more comfortable reporting verbally or in another manner, your Head of Department is still required to follow its sexual harassment policy by investigating the claims as outlined at the end of this form.

COMPLAINANT INFORMATION

Name: _____

Home Address: _____

School Address: _____

Home Phone: _____

Department: _____

Course of Study: _____

Year of Study: _____

Email: _____

Select Preferred Communication Method: In person ; Phone ; Email

SUPERVISORY INFORMATION

Head of Department's Name: _____

Title: _____

Work Phone: _____

Work Address: _____

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against:

Name: _____

Title: _____

Work/School Address: _____

Phone: _____

If student;

Department: _____

Course of Study: _____

Year of Study: _____

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred: _____

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

The last two questions are optional, but may help facilitate the investigation.

5. Have you previously complained or provided information (verbal or written) about sexual harassment at the Centre of Excellence in Reproductive Health Innovation? Yes No

If yes, when and to whom did you complain or provide information?

6. Have you filed a claim regarding this complaint with a federal, state or local government agency? Yes No

Have you instituted a legal suit or court action regarding this complaint? Yes No

Have you hired an attorney with respect to this complaint? Yes No

I request that the Director, Centre for Gender Studies investigate this complaint of sexual harassment in a timely and confidential manner as outlined below, and advise me of the results of the investigation.

Sign and date