



**ACCRA  
TECHNICAL  
UNIVERSITY**

# **SEXUAL HARASSMENT** POLICY

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## SUMMARY DETAILS TABLE

<b>Version</b>	<b>1.0</b>
<b>Short description</b>	This Policy provides strategies and procedures for preventing any form of sexual harassment at Accra Technical University.
<b>Relevant to</b>	University staff and students, and Third Parties who collaborate with the University, or with its staff and/or students.
<b>Issuing Authority (Approved by)</b>	This Policy has been approved by the Governing Council.
<b>Responsible officer</b>	Director of Guidance and Counselling
<b>Responsible office</b>	Guidance and Counselling office
<b>Related Technical University documents</b>	Accra Technical University Statutes, Conditions of Service
<b>Related legislation</b>	Technical Universities Act 922 as amended
<b>Key words</b>	Sexual, Harassment, Victim

## SECTION ONE

### 1. DEFINITION OF KEY TERMS

Harassment	any behaviour or act that is unwelcome and affects the dignity of those subjected to it.
Sexual Assault	any type of sexual contact or behaviour that occurs without the explicit consent of the recipient. The term "sexual assault" includes rape, attempted rape, acquaintance rape, and other misconduct, both forcible and non- forcible
Sexual Battery	The non-consensual sexual contact or touching of another's intimate parts (clothed or unclothed) without consent or against victim's will.
Sexual Coercion	Unwanted sexual activity that happens when you are pressured, tricked, threatened, or forced in a nonphysical way.
Sexual harassment	is any unwelcome, offensive or importunate sexual advances or request made. It encompasses acts of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. Sexual harassment also includes a request for sexual relations combined with threats of adverse consequences if the person refuses.

Rape	The carnal knowledge of a female of not less than sixteen years without her consent. When a person intentionally penetrates another's vagina, anus or mouth with a penis without the other person's consent.
Indecent Assault	An offensive sexual act or series of acts exclusive of rape committed against another person without consent. Any person who has indecent contact with another or takes indecent liberties with a person without his or her consent is guilty of indecent assault.
Sexual Abuse	Sexual Harassment and/or Sexual Violence and/or any other sexual activity involving a child (under the age of 16), beyond their understanding or contrary to currently accepted community standards.
Complainant	A victim of a sexual harassment case.
Acquaintance Rape	Rape that is perpetrated by a person who knows the victim.
Sexual Misconduct	A type of violence that uses power, control, and/or intimidation to harm another. It includes sexual harassment, sexual assault, domestic violence, dating violence, and stalking. It occurs when there is an absence of consent.
Third Party Complainant	A person reporting an incident of sexual harassment on behalf of the victim(s)

## SECTION TWO

### 2. POLICY

#### 2.1. POLICY STATEMENT

In furtherance of its mission, The Accra Technical University (ATU) operates a zero tolerance policy for any form of sexual harassment in the workplace, treats 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 or studies. All complaints of sexual harassment shall be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

The Policy on Sexual Harassment thereby provides the following framework to prevent any form of sexual harassment at the University:

- i. The Nature of Sexual Harassment
- ii. Implementation and Compliance Institutions
- iii. Administrative Procedures
- iv. Prevention Strategies
- v. Sanctions and Disciplinary Measures
- vi. Implementation of this Policy
- vii. Monitoring and Evaluation

#### 2.2. PURPOSE

The purpose of this policy is to ensure that ATU stays free of any incident of sexual harassment, and that every member of the University Community works or studies in an environment that is devoid of Sexual Harassment.

## 2.3. SCOPE

This Policy applies to all members of the University Community, and to any other person(s) receiving a service from or providing a service to the University.

## 2.4. PRINCIPLES

### 2.4.1. GENERAL PRINCIPLES

Accra Technical University shall:

- a) at all times operate a policy of zero tolerance for all forms of sexual harassment
- b) Identify what needs to be considered as sexual harassment in the University.
- c) Prevent sexual harassment and misconduct through education.
- d) Publish the procedures for reporting and strategies for preventing sexual harassment.
- e) Investigate all allegations and reports of incidents of sexual harassments.
- f) Ensure that those who suffer sexual harassment and those who participate in the investigation process do not face retaliation.
- g) Report the offenders to the relevant state authorities
- h) implement training programmes on sexual harassment and misconduct for University staff, students and relevant stakeholders
- i) Implement this policy impartially without prejudice to anyone for all activities both on and off campus.

### 2.4.2. THE NATURE OF SEXUAL HARASSMENT

The Accra Technical University defines sexual harassment to include but not limited to (an) unwelcome behavior of a sexual

nature that relates to the gender or sexual identity of an individual and that has the purpose or effect of creating an intimidating, offensive or hostile environment for study, work, or social living. Sexual harassment is a conduct that focuses on a person's sexuality and/or gender, rather than on that person's contributions, as a student or employee, to the University. It encompasses the full range of coercive, unwelcome behavior, from subtle psychological force, to gross physical abuse. These acts may be visual (e.g., leering, ogling, and physical gestures conveying a sexual meaning), verbal (e.g., sexual innuendoes, suggestive remarks, sexually derogatory jokes), written (e.g., sexually suggestive e-mail, cartoons or letters), or physical (e.g., hugging, pinching or fondling), as well as acts of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. Sexual harassment also includes a request for sexual relations combined with threats of adverse consequences if the person refuses.

Sexual harassment therefore includes, but is not limited to the following:

- a) sexual jokes, innuendoes, slurs or sexually suggestive comments other than in an appropriate academic study of such activity;
- b) Unwelcome, unsolicited advances and/or propositions of a sexual nature;
- c) unwanted sexual advances, propositions, invitations, or other forms of pressure (either blatant or subtle) for sexual activity;
- d) Unwelcome and inappropriate affectionate gestures;
- e) Unwanted and persistent propositions for dates;
- f) offensive touching, including engaging in unwanted hugging, patting, kissing, or brushing up;
- g) displaying sexually suggestive pictures, objects, posters, cartoons, or calendars other than in an appropriate academic study of such activity;
- h) sexual assault, sexual battery, stalking, sexual exploitation, and

intimate partner violence and abuse as defined in the policy.

- i) Unwelcome leering, whistling, heckling, hooting at an individual, including name calling;
- j) Circulation of pornographic material in print or electronic form or written offensive messages of a sexual nature (including e-mails, WhatsApp and text messages);
- k) Insults, jokes or anecdotes that belittle or demean an individual or a group's sexuality or gender;
- l) Unwelcome sexually-oriented gestures, verbal expressions, or comments of a sexual nature about an individual's body, clothing, or sexual experience

## **SECTION THREE**

### **3. PROCEDURES**

#### **3.1. IMPLEMENTATION AND COMPLIANCE INSTITUTIONS**

##### **3.1.1. Sexual Harassment Committee**

a) There shall be a Sexual Harassment Committee that will be responsible for educating staff and students on the issues of Sexual Harassment in the University. The Committee shall also have the mandate to receive and investigate such issues as when they occur. The Committee shall also plan and implement training programmes on sexual harassment and misconduct on the Campuses.

b) Membership shall be as follows: a Chair who has technical knowledge in the area, a Vice Dean of Students, the Head of Counselling, two Senior Members Teaching (one male and one female), two Senior Members Non-Teaching (one male and one female), Two Students Representatives (one male and one female) and a Secretary without voting rights whose rank should not be lower than Assistant Registrar.

c) The functions of the Sexual Harassment Committee are to:

i. keep record of all complaints reported and/or submitted by staff and students.

ii. submit annual reports on all the issues of Sexual Harassment to the Vice-Chancellor.

iii. submit the Investigative Report to the Vice- Chancellor.

iv. plan and implement training programmes on sexual harassment and misconduct in the University.

### **3.1.2. Quorum for the Sexual Harassment Committee**

The quorum for the Committee meetings shall be two-thirds of membership and shall include the Chairman. In case a student is the petitioner or respondent, the quorum shall include the SRC representatives. When the petitioner(s) and respondent(s) is/ are staff, the SRC representatives shall be excluded from the meetings.

### **3.1.3. Leadership Duties**

- a) The Vice-Chancellor shall appoint the Chair and Secretary. The Committee at its first meeting will appoint a Vice-Chair from amongst its members. The Vice-Chair shall act in the absence of the Chair.
  - a. The Secretary of the Committee (who is in attendance) shall ensure that all records of the Committee's meetings and proceedings are properly taken and documented.
  - b) The Chairperson shall be summoning meetings, initiating enquiry processes and ensuring the integrity of all proceedings relating to investigation of grievances.

### **3.1.4. Term of office of the committee**

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

### **3.1.5. Oversight Responsibilities**

#### **3.1.5.1. The University Council**

The University Council shall have the overall responsibility for ensuring that the University complies with the Sexual Harassment Pol-

icy. It includes ensuring that the University Statutes, policies and regulations are in compliance with the Sexual Harassment Policy.

### **3.1.5.2. The Vice-Chancellor**

The Vice-Chancellor, as the Chief Disciplinary Officer of the University is responsible for ensuring compliance with the Sexual Harassment Policy and shall:

- a) Constitute the Sexual Harassment Committee established under the Policy and appoint its membership in compliance with section 3.1.
- b) Receive reports of findings and recommendations of the Sexual Harassment Committee and ensure that the necessary actions are promptly taken;
- c) Ensure that the Sexual Harassment Policy is published including on the University website.
- d) Organise regular trainings for members of the sexual harassment committee to enable them perform their educative and investigative functions. This is necessary because the membership is tenured.

### **3.1.5.3. Guidance and Counselling Directorate**

The Guidance and Counselling directorate shall give special attention to University staff and students who have become victims of sexual harassment or assault.

## **3.2. ADMINISTRATIVE PROCEDURES**

There will be formal and informal approaches to dealing with incidents of sexual harassment:

### 3.2.1. Informal Approach to dealing with sexual harassment

- a) A complainant may attempt to resolve a case of sexual harassment directly with the alleged offender by advising that the harassing behavior must not occur again.
- b) A complainant may choose a trustworthy person to address the issue directly on a strictly confidential basis.
- c) In cases of incidents that are considered to be severe such as rape, attempted rape, sexual battery, sexual with a virus and the like, the Complainant shall be counselled to report the issue to the Police

### 3.2.2. Formal Approach: Launching and receiving formal complaints

- a) A complainant who is dissatisfied with the outcome of the informal approach shall make a formal complaint in writing to the Sexual Harassment Committee for redress through the Registrar to the Chairperson.
- b) The written statement shall give details of the incident/incidents as indicated on Sexual Harassment Complaint Form attached as Appendix I.
- c) The Committee shall notify the Respondent about the matter for he/she to respond within seven working days.
- d) The Committee shall conduct verbal hearings with the Complainant and the Respondent and their representatives if available, all proceedings shall be recorded.
- e) The Committee may take testimonies of other relevant persons and witnesses where available and review the evidence.
- f) Where a Respondent is found to have engaged in the sexual harassment behaviour, the case shall be referred to the University's Disciplinary Committee for appropriate action and sanctions.

### 3.2.3. Anonymous/Third Party Reports

- a) Anonymous or Third Party Reports of misconduct made by a third party can also be submitted to the Sexual Harassment Committee. A third party here refers to someone other than the complainant.
- b) The Committee may be unable to proceed with an investigation involving anonymous or third party allegations due to a lack of evidence from the direct victims.
- c) The Committee may take other steps, including an approach through the third party to see if the victim would consider making a Report.
- d) If the Committee is unable to proceed with an investigation involving anonymous or third-party report, it will be kept strictly confidential and access to it will be limited.

## 3.3. PREVENTION STRATEGIES

### 3.3.1.

Faculty, staff, students, or visitors to the campus who feel sexually harassed may object directly to the offending person. This may be sufficient to prevent reoccurrence of the offensive behavior. If it does not or if you feel unable to object, you are encouraged to seek assistance from a trusted person or through established sexual harassment reporting procedures. Early efforts to control a potentially harassing situation are very important. Behavior believed to be sexual harassment should be reported immediately, especially if it is recurring. The University must know about incidents of sexual harassment in order to stop them and to prevent future incidents.

### 3.3.2.

All Deans, Directors, HODs and HOU's shall ensure that:

- a) staff and/or students in their outfits are educated and sensitized about sexual harassment issues and to take appropriate steps to prevent and stop sexual harassment in their areas of responsibility;
- b) individuals seeking to file a complaint about sexual harassment in their unit or area of responsibility are given needed assistance when approached.
- c) know the University's sexual harassment policy; distribute and explain the policy to employees.
- d) educate employees about behaviors that constitute sexual harassment.
- e) discuss issues of sexual harassment in faculty/staff meetings.
- f) take immediate and appropriate action when sexual harassment is brought to their attention and follow through.
- g) look out for potential sexual harassment behaviors at work or in the classroom; even if the behavior does not seem severe or pervasive enough to constitute sexual harassment, they must take steps to eliminate it before it causes serious problems.
- h) After a complaint of sexual harassment is filed, watch for acts of retaliation against the complainant(s) or witness(es) and report to the Sexual Harassment Committee.
- i) they serve as a role models for those under them by exhibiting appropriate workplace behavior; be aware of the intimidating effects your power as a supervisor may have on subordinates or your power as a faculty member may have on students.

### 3.3.3.

All members of the University community shall avoid behavior or conduct toward another member which can be interpreted as sexual harassment. Every member of the University community shall:

- a) know and support the University's sexual harassment policy.
- b) conduct themselves in a professional, business-like manner that is appropriate for your work/academic environment.
- c) be aware of how their behavior might have a negative impact on others;
- d) Be respectful and courteous of other faculty, staff and students.
- e) avoid telling jokes, using sexual innuendos and sexual gestures.
- f) avoid making sexual comments about a person's clothing, anatomy or appearance
- g) avoid the display or circulation of suggestive pictures and other materials.
- h) avoid repeatedly asking a person out on a date after that person has repeatedly declined.
- i) desist from unnecessarily touching, kissing or hugging of other persons.

### 3.3.4.

Victims of Sexual Harassment shall take the following steps:

#### **a) Object –**

Make your feelings known since silence may be viewed as consent.

#### **b) Put it in writing –**

If the offensive behavior continues and you still chooses to handle the situation personally, then you must reinforce your demand for the behavior to stop with a follow-up letter. Describe the offensive behavior and how you felt about it, state that you want it to stop and you will take additional action if it is not stopped. A copy of the letter must be kept.

### **c) Seek assistance or intervention –**

If the offensive behavior does not stop or you do not feel capable of confronting the harasser, seek assistance from your supervisor (or next higher supervisor if your supervisor is the harasser) or the Sexual Harassment Committee.

#### **3.3.5.**

Potential offenders shall understand that sexual harassment is a serious matter that can have serious consequences in the University and the lives of the victims. Potential offenders shall:

- a) Pay attention to the response of others in order to avoid unintentional offence.
- b) If the offence is unintentional, one must pledge apologize and not repeat the behavior.
- c) not assume that employees, colleagues or students enjoy or want to hear risqué jokes or sexually oriented comments about their appearance, to be touched or flirted with, or to be propositioned for dates or sexual favours
- d) Cooperate with complaint investigations. A respondent shall have an opportunity to explain the situation from your perspective if you think your behavior was acceptable or that you are being falsely accused.
- e) not retaliate in any way against the individual who complained or others who participated in the investigation of the complaint.

#### **3.3.6.**

### **Confidentiality**

To protect the privacy of both the complainant and the accused, complaints of sexual harassment shall be handled with confidentiality insofar as it does not interfere with the University's obligation to investigate and resolve issues of sexual harassment. All parties involved in a sexual harassment investigation have an obligation to

cooperate with the Sexual Harassment Committee.

### 3.3.7.

#### **Retaliation is prohibited**

Retaliation against any faculty, staff or student for reporting or providing information about sexual harassment is strictly prohibited and can subject the offender to disciplinary action independent of the merits of the sexual harassment allegation. 3.3.8.

#### False or Frivolous Allegations

a) An intentionally false or frivolous allegation of sexual harassment is a serious matter. Any person who willfully makes or participates in making a false or frivolous complaint of sexual harassment or knowingly provides false information during the investigation of a sexual harassment complaint is subject to disciplinary action.

b) Failure to prove a claim of sexual harassment is not equivalent to a false allegation.

## 3.4. SANCTIONS AND DISCIPLINARY MEASURES

a) Anyone found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

- i. Verbal or written warning
- ii. Adverse performance evaluation
- iii. Reduction in wages
- iv. Demotion
- v. Suspension
- vi. Dismissal

b) The nature of the sanctions will depend on the gravity and extent of the harassment.

c) Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial.

d) Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

### **3.5. IMPLEMENTATION OF THIS POLICY**

The Accra Technical University will ensure that this policy is widely disseminated to all relevant stakeholders. It will be included in the staff and student handbook. All new employees shall be oriented on the content of this policy as part of their induction into the institution.

### **3.6. MONITORING AND EVALUATION**

The Accra Technical University recognises 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. Supervisors, 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 institution will evaluate the effectiveness of this policy and make any changes needed.

Monitoring and evaluation will be done through different means, including questionnaires completed by employees, feedback from victims or those who work in the complaints procedure. This is important to review the effectiveness of the policy and the complaints procedure.

## TABLE OF AMENDMENTS

Version number	Date	Short description of amendment

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