



Fogarty International Center
Advancing Science for Global Health



HEPI-TUITAH

GRANT No: R25TW011210

SHarPResT



Topic 6

Sexual Harassment policy

Remedies, appeals, interpretation



Remedies

- Remedies shall be calculated to make good the wrong done. The ASHC shall be guided by the existing laws of Uganda, rules and regulations of the University as and where applicable. Possible resolutions of the formal or informal complaints to recommend to the TMC to include but are not limited to:
 - a) A finding that the University's Sexual Harassment Policy was not violated and dismissal of the charge;
 - b) If the charges are proved to have been malicious the person who lodged the complaint shall be reprimanded by the disciplinary committee
 - c) A finding that the University's Sexual Harassment Policy has been violated, leading to the imposition of disciplinary action as determined and recommended by the Disciplinary Committee to the University Top management. Disciplinary actions for University members and employees can include oral or written reprimands, a recommendation for suspension without pay and termination.

Remedies cont'd

- a) For students, disciplinary actions can include probation, bars on the issuance of transcripts, grades, degree or readmission or any other penalty prescribed by the University disciplinary committee for students. Disciplinary actions shall not rule out handing over criminal cases to court or the police for handling according to laws of Uganda
- b) The University shall ensure that disciplinary action taken is commensurate with the offence, stops the harassment, and ensures that the harassment does not re-occur and create an environment free of sexual harassment.
- c) A no-contact order shall be issued by the University Top Management on the recommendation by the ASHC. This is intended to protect a complainant from sexual harassment, or the possibility of sexual harassment, whether or not a formal disciplinary process is instituted or contemplated. Violation of a no-contact order constitutes serious misconduct and may be subject to disciplinary action if proved to be breached in accordance with the disciplinary rules of both staff and students depending on the offender.

Appeals

- The complainant or alleged perpetrator will have the right to appeal directly to the University Top Management or the University Council see below.
- a) Failure to reach an amicable settlement or resolution in an informal procedure the complainant or alleged perpetrator will have the right to appeal directly to the University Top Management within twenty-one (21) days of the conclusion of that process who will assess the matter and take a decision to refer the matter to the Students Welfare Committee or the Appointments Board through their relevant committees in the case of student or staff respectively;
- b) Following the formal procedure, an aggrieved party may appeal a decision of the Disciplinary Committee. Such appeal shall be requested in writing to the University Council within twenty-one (21) days of such decision.

Policy interpretation

- a) This Policy shall, not override any Act, Statutory Instrument, Instructions or guidelines issued by the Government of Uganda from time to time. It shall, therefore, be interpreted in the context of existing national and international laws on sexual harassment as well as other institutional rules and regulations.
- b) The Accounting Officer with the technical guidance of the university legal office shall have the power to give interpretation or guidance on any matter, paragraph, clause or terminology in this policy that is deemed to be misleading, ambiguous or whose meaning is not clear or not clearly understandable to any person, group or section of users.
- c) In case of any doubts of the Accounting Officer's interpretation, the final recourse for interpretation of any matter, paragraph, clause or terminology shall be with the University Council through the appropriate committee(s).
- d) The University Council shall from time to time when deemed necessary issue guidelines to fill the gaps in this policy.

Policy monitoring and evaluation

- Effective institutional arrangement for monitoring and evaluation are key components for achieving the objectives of this policy. This can only be achieved by instituting an effective mechanism for monitoring and evaluating the system to ensure adherence to this policy. To appraise the steps taken and the success in the implementation of the policy, the University Management shall:
 - a) Establish a committee to monitor and evaluate the performance of the University in implementing this policy;
 - b) Put in place appropriate monitoring and evaluation systems to ensure that the necessary measures are taken promptly;

Policy monitoring and evaluation cont'd

- a) Put in place monitoring indicators with time frames to measure the implementation process. The following are some of the indicators:
 - i. Cases reported and resolved
 - ii. Training and sensitization workshops held
 - iii. Research activities carried out
- b) Undertake to review the policy from time to time based on informed research ;
- c) Put in place a forum for receiving views from members of the university regarding the policy.



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Policy review

- The Policy will be reviewed in line with the University strategic plan and also to take into account emerging issues and trends.



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*Please channel your questions to the
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