



Policies & Procedures

SOHAIL UNIVERSITY

Policy for Protection against Sexual Harassment

Introduction:

Sohail University upholds the safety and security especially against sexual harassment of all the members of its community. It has developed an environment based on mutual respect and collaboration and sexual harassment is a serious violation of these principles.

This policy is in line with and gives credence to “The Protection against Harassment of Women at the Workplace Act (IV of 2010)” with Amendments (Act V of 2022) and “Policy on protection against sexual harassment in Higher Education Institutions 2020”. It safeguards members of all gender identities in the university from unwanted sexual advances and provide them with guidelines to report incidents.

Harassment is defined as any unwanted behavior, physical or verbal (or even suggested), that makes a person feel uncomfortable, humiliated, or mentally distressed. Sexual harassment can be physical and psychological in nature e.g unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

Purpose:

Sohail University acknowledging its moral responsibility to protect all of its members from sexual harassment endorses that sexual harassment is demeaning to human dignity and is unacceptable in a healthy teaching/ learning/ working environment.

When required, action shall be taken upon complaints of sexual harassment promptly, fairly, and with due regard to confidentiality for all parties concerned.

Any member of the university is liable to punishment if proved to be involved in any such offence.

Scope:

All students, researchers, interns enrolled with Sohail University, university employees of all levels be at teaching or administrative positions, deans, managers, teaching or clinical faculty, directors and others in supervisory or leadership positions, the service providers and visitors have an obligation to be familiar with and to uphold this policy and its procedures.

Policy Statement:

Sohail University endorses zero tolerance for any type of gender based or sexual harassment and upholds the security and freedom of teachers, researchers, scholars, students and other members of the HEI community to live and work in a safe environment in which their dignity is protected.

Prohibited conduct:

1. "Sexual harassment" means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature, or sexually demeaning attitudes, where:

a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual participation in any activity at the HEI;

b) Submission to or rejection of such conduct by an individual is used as a basis for academic or employment decision affecting that individual; or

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

2. Sexual harassment may be overt or subtle and can range from visual signals or gestures to verbal abuse to physical contact along with hand or sign language to denote sexual activity, persistent and unwelcome flirting etc.

3. The following behaviors are specifically prohibited under this policy. These are meant to provide specificity to the definition provided. However, it is not an exhaustive list, and other behaviors that fall within the scope of the definition above shall also be prohibited.

a) Especially Egregious Non-Consensual Acts: Acts that would be included in the category of rape. While such situations will be covered under the laws of the country, and law enforcement institutions and the courts will investigate and adjudicate accordingly, the HEI administration has a special obligation to take preventive measures, offer immediate assistance and take interim measures when required.

b) Non-Consensual Sexual Contact: Includes sexual contact with another person without consent.

c) Sexual Exploitation: Taking of actions that violate the sexual privacy of others or taking sexual advantage of another without their consent. For example, taking pictures, videotaping, viewing or distributing explicit images or sexual information of another person without their consent.

d) Other Pervasive or Severe Behaviors: It is not necessary that there be actual sexual contact for a behavior to be categorized as sexual harassment. Other unwelcome behaviors are also prohibited if (i) they are based on an individual's sex or gender (ii) are persistent or

highly serious and (iii) create an atmosphere which is intimidating or hostile. These include but are not limited to lewd remarks or gestures, highly offensive jokes of a sexual nature, commenting inappropriately about another's body, and stalking.

e) Sex Discrimination: Adverse treatment of individuals based on their sex or gender rather than on merit. This would include instances such as the singling out (for such adverse treatment as lower salary or grades, or more severe punishment) of person(s) on the basis of sex or gender.

4. All the actions categorized as sexual harassment when done physically or verbally would also be considered as sexual harassment when done electronically such as through the internet, e- mails, social media, texting, telephone, voicemail etc.

5. All actions of harassment or discrimination may be taken by a person of any gender against a person of the same or another gender, and would need to be considered by the HEI if the act qualifies as a prohibited act under the policy.

6. Sexual harassment is especially offensive when perpetrated by persons in authority, and when submission is made a condition toward any HEI activity or benefit (for example, when submission is made the basis of the evaluation of an individual).

7. Sexual harassment will be considered especially egregious when the accused knew or reasonably should have known that the victim was in an impaired or incapacitated state. However, impairment of the accused, such as a result of the use of any illegal substances, shall not diminish their responsibility for harassment under this policy.

Jurisdiction:

This policy applies to actions by any member of the university (mentioned in the Scope), when occurs:

- a) on the University property (i.e. on campus) or in its immediate vicinity;
- b) off the University property, if (i) the conduct occurs in connection with a University recognized program or activity or (ii) the conduct may create a hostile environment or pose a safety risk on campus; and
- c) using the university's computing or network resources accessed from an off-campus location, which shall be deemed to have occurred on campus.

Designated Resources:

Complaints and Reporting:

- Any person who has experienced sexual harassment as defined in the Prohibited Conduct can lodge a complaint to:
 - a. Her/his Head of the Department who will forward the complaint to the Registrar's office
Or directly to
 - b. The Registrar's office.

- For the purposes of safeguarding the university environment and believing that acts of harassment usually occur when someone is alone, any member of the university community can report an instance of sexual harassment that has been observed on the university premises even if a formal complaint has not been filed by the victim.
- Complaints shall be submitted as early as possible. Any complaint made after a 3 months lapse may not be entertained.
- Complaints of sexual harassment shall be submitted in writing giving a full description of the incidence and mentioning date, time, place of incidence, names of the eye witness/es if there is any. Complainant must give his/her name, class/ department/ program and sign the complaint.
- Confidentiality of the case must be maintained at all levels i.e from the filing of complaint to the final resolution.

Terms of Reference of Inquiry Committee:

- The Inquiry Committee shall be responsible for the investigation and adjudication of any complaint received in connection with the violation of this policy.
- The Inquiry Committee shall be constituted in the following manner:
 - The committee shall consist of three to five members, at least one of whom shall be a woman and one of the members shall be a member of the senior management of the university.
 - All members of the committee shall be employees of Sohail university and will be appointed by the Vice Chancellor (the “VC”) after the VC has taken nominations from senior members of the HEI administration. The VC may co-opt one or more members from outside the university, if required.
- Members of the Committee shall be individuals who are known for being principled, credible, fair, gender-sensitive and have a strong character (someone who will not change their decision due to pressure from friends, colleagues or seniors). They shall have no conflict of interest in particular cases, and shall be impartial and unbiased.
- Members of the Committee shall be appointed for a term of two years (shorter terms may be required occasionally to fill vacancies). No member shall serve for more than two consecutive terms. Former members will be eligible for reappointment after a lapse of two years.
- One of the members of the committee shall be appointed as the Chair by the VC, whose duties shall include, but are not limited to: maintaining order during hearings, answering procedural questions, granting or denying adjournments, maintaining proper documentation of the proceedings, which shall constitute the official record and reporting recommendations of the Committee to the VC. All these duties shall be undertaken in consultation with the Committee members.

- In case a complaint is made against one of the members of the committee, that member shall be replaced by another (impartial member) for that particular case.
- Meeting of the committee will be planned within 3 days of submission of the complaint.
- The committee shall give its report and recommendations to the VC in writing with full justifications, within 15 days of the filing of complaint.
- All meetings of the committee shall be held behind closed doors and strict confidentiality shall be maintained.
- Objective documentation of the proceedings of the Inquiry Committee shall be carried out and security and high confidentiality of the records and other such material shall be upheld at all times.
- Penalties imposed will depend upon whether the responder is a member of student body or faculty/ staff.
- The complainant as well as the respondent shall have a right to appeal the decision of the Inquiry Committee within a period of 30 days from the date of notification of the decision. Appeal for review shall be made directly to the VC office who after further deliberation may constitute a body that must have a female member and shall not have any member of the Inquiry Committee as a member.

References:

- The Higher Education Commission “Policy on protection against sexual harassment in Higher education institutions”. Effective July1 2020.
- The Protection against Harassment of Women at the Workplace Act (IV of 2010)” with Amendments (Act V of 2022).

Approved by:

Academic Council (12th Academic Council held on December 22nd, 2022)

Ratified by:

Board of Governors (13th Board of Governors held on December 28, 2022)