

NUST PROTECTION AGAINST SEXUAL HARASSMENT POLICY

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1. **POLICY STATEMENT**

- a. Sexual harassment is prohibited at NUST and constitutes a punishable offence under the NUST Sexual Harassment Policy (the “Policy”) applicable by law namely The Protection Against Harassment of Women at the Workplace Act, 2010 (the “2010 Act”).
- b. Sexual harassment is demeaning to human dignity and is unacceptable in a healthy work and academic environment, specifically one in which scholarly pursuit may flourish. NUST will not tolerate sexual harassment of any member of the NUST Community and will strive through education and deterrence to create an environment free from such behaviour on its premises.
- c. NUST affirms the right of every member of the NUST Community to live, study, and work in an environment that is free from sexual harassment. Behaviour constituting sexual harassment as defined in the Policy and the 2010 Act is incompatible with all recognized standards of professional ethics and with behaviour appropriate to an institution of higher learning.
- d. All persons entrusted with authority by NUST have a particular obligation to ensure that there is no misuse of that authority in any action or relationship.
- e. NUST recognizes its legal and moral responsibility to protect all of its members from sexual harassment and to take action if such harassment does occur. To these ends, NUST has developed a Policy on, and procedures for, dealing with complaints of sexual harassment, including a range of disciplinary measures upto and including dismissal which are in line with the 2010 Act and HEC guidelines. NUST has also established an awareness raising program to educate its students and employees regarding sexual harassment.
- f. NUST prohibits reprisals or threats of reprisal against any member of the NUST Community who avails of this Policy or participates in proceedings held under its ambit. Any individual or body found to be making such reprisals or threats will be subject to disciplinary action.
- g. The intention of this Policy and its procedures is to prevent sexual harassment from taking place, and, where necessary, to act upon complaints of sexual harassment promptly, fairly, judiciously, and with due regard to confidentiality for all parties concerned.

- h. All administrators, deans, managers, department chairs, principals of schools or programs, and others in supervisory or leadership positions have an obligation to be familiar with, and to uphold, this Policy and its procedures, along with informing members of their staff about its existence and applicability.
- i. This Policy is adopted pursuant to the provisions of the 2010 Act.

2. DEFINITIONS

Unless the context otherwise requires, capitalized terms used in this Policy shall have the respective meanings given to them below:

“**2010 Act**” - The Protection Against Harassment of Women at the Workplace Act, 2010.

“**NUST**” – National University of Sciences and Technology.

“**Rector**” – The Rector of NUST.

“**NUST Community**” – The meaning ascribed as in clause 5 of the Policy.

“**C3A**” – Centre for Counselling and career Advisory offers counselling services to NUST community.

“**Harassment Complaint Cell**” – A reporting and facilitative body for harassment complaints

“**Code of Conduct**” – As described in 2010 Act.

“**Competent Authority**” – The Rector or his designated representative.

“**Inquiry Committee**” – The designated panel of officials to conduct inquiry. .

“**Minor and Major Penalties**” - The meaning ascribed in Clause 12.

“**Ombudsman**” – The Ombudsman appointed under the 2010 Act.

“**Policy**” – The NUST Sexual Harassment Policy.

3. UNDERSTANDING SEXUAL HARASSMENT

- a. Sexual harassment is a reality which can occur in classrooms, offices, research laboratories, and the NUST environment in general. Sexual harassment can range from visual signals or gestures, to verbal abuse, to physical contact along with hand or sign language to denote sexual activity, including persistent and unwelcome flirting. All the actions categorized as sexual harassment, when carried out physically or verbally, would also be considered as sexual harassment when carried out using electronic media, such as computers, mobile telephones, internet, and e-mails and through social media.

- b. Sexual harassment generally takes place when there is a difference in power or authority among the persons involved (Student/Teacher, Employee/Supervisor, Junior Teacher/Senior Teacher, Research Supervisee/Supervisor, Teacher/Research Assistant, and Teacher/ Teaching Assistant).. Its key elements are that the behaviour is uninvited, unwanted, and unwelcome. Notwithstanding the above, sexual harassment may also occur within a peer group (between Teachers of the same seniority level, Student/Student) and is deemed to have occurred if the key elements exist.
- c. NUST employees and students must be aware of the need for freedom of inquiry and openness of discussion in its educational and research programs, where they must also strive to create and maintain an atmosphere of intellectual decorum and mutual tolerance, in which these essential features of academic life can thrive. NUST cannot and will not guarantee that every idea expressed in its classrooms or laboratories will be inoffensive to all; pursued seriously, education and scholarship necessarily entail raising questions about received opinions and conventional interpretations. NUST does guarantee, however, that credible accusations, such as those accusations coupled with tangible evidence, witnesses, footage, and texts of inappropriate sexual remarks or actions will be investigated promptly, thoroughly, and fairly.
- d. Once a person in a position of authority at NUST has knowledge, or should have had knowledge, of conduct constituting sexual harassment, NUST is exposed to liability. Therefore, any administrator, supervisor, manager or faculty member who is aware of sexual harassment and condones it by action or inaction, would be held responsible for negligence towards maintaining a campus free from sexual harassment.
- e. Sexual harassment is ordinarily offensive sexual behaviour by persons in authority towards those who can be benefited or injured in an official capacity. Therefore, it is primarily an issue of abuse of power. Sexual harassment is a breach of a relationship of authority and trust. It is unprofessional conduct and undermines the integrity of the relationship. Sexual harassment is coercive behaviour, whether implied or actual. In effect, it is unwanted attention and intimacy in a nonreciprocal relationship. Sexual harassment is a violation of professional ethics and is also against the law.

4. **HARASSMENT IN GENERAL**

- a. Harassment is defined by Section 2(h) of the 2010 Act as any unwelcome sexual advance, request for sexual favours or other verbal or written communication or physical conduct of a sexual nature, or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment, admission and engagement.

- b. NUST has adopted the Code of Conduct, pursuant to Section 11 of the 2010 Act.
- c. To facilitate the understanding of sexual harassment and this Policy, the following are offered as examples:
 - (1) Asking female/male students to meet supervisors/authorities in-charge out of the institution's premises with the promise of improvement in grades.
 - (2) Financial and sexual gratification from graduate students (PhD, M-Phil, Masters) by their supervisors.
 - (3) Intimidation of faculty/staff by students/colleagues in order to tarnish the reputation (character assassination) of faculty/staff.
 - (4) Harassment or bullying, cyber bullying/ragging of students by other students. Faculty by students and vice versa
 - (5) Stalking through physical or cyber means.
 - (6) Unwelcome sexual advances – whether they involve physical touching or not.
 - (7) Asking female/male students to visit personal offices of their supervisors/authorities in-charge after standard office hours to discuss their grades and assignments. (standard office hours 5pm and 9pm for morning and evening shifts respectively).
 - (8) Sexual epithets, jokes, written or oral references to sexual conduct, or gossip regarding one's sex life.
 - (9) Comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess; displaying sexually suggestive objects, pictures, or cartoons.
 - (10) Unwelcome staring, whistling, brushing against the body, sexual gestures, or suggestive or insulting comments.
 - (11) Inquiries into one's sexual experiences.
 - (12) Discussion of one's sexual activities (even if males are discussing this, and is done deliberately in front of female students or colleagues).
 - (13) Using derogatory and abusive language that refers to others' mother's or sister's or daughter's bodies.
 - (14) Acts of sexual connotation relating to the same as a common usage in conversation.

- (15) Male head of department deliberately touching or hitting the body of female employee with a stationery item or vice versa.
- (16) Male teacher referring to female bodies and reproductive cycles to embarrass female students during class lectures.
- (17) Ogling at female students.
- (18) Needy female students given financial support by faculty member in exchange for sexual favours.
- (19) Teacher telling vulgar jokes with sexual innuendos during classes.
- (20) Supervisors/teachers spending long hours locked away in office with a young female/male colleague or student.
- (21) A male student making vulgar comments about a female student on social media or verbally relating vulgar material about her to his fellow students or vice versa.
- (22) Students sending written notes and emails with requests for intimacy in exchange for grades.
- (23) Character assassination of female/male teachers to gain political, academic, or financial gains.
- (24) Female/male student initiating intimacy for benefits of grades, employment or finances.
- (25) Using vulgar language to address students, faculty and other employees.
- (26) To touch one's intimate parts in the presence of others.
- (27) Transferring a younger member of the faculty to another department against her/his will by the authorities as a punitive measure for not complying with undue requests for sexual favours.
- (28) Threatening male/female students by using forged/fake documents and pictures to blackmail them into compliance.
- (29) Anonymous letters/pamphlets/e-mails leading to defamation or character assassination of employees/teachers/students.

5. NUST COMMUNITY AND COMPLAINTS AGAINST THE NUST COMMUNITY

- a. For the purpose of this Policy, members of the NUST Community are defined as:

- (1) All administrative, research, teaching and non-teaching employees of NUST, as well as students (including interns).
 - (2) Someone working at NUST through a service provider that has a contract or arrangement with NUST.
 - (3) Stakeholders such as students/employees seeking to join the NUST Community.
- b. A complaint of sexual harassment can be filed against any member of the NUST Community.
 - c. All responsible personnel/students who received reports or otherwise become aware of harassment are required to promptly report such misconduct to the concerned authority.
 - d. The complainant can be anyone who is aggrieved by the conduct of any member of the NUST Community when harassment takes place on the NUST premises or in the context of NUST-related activities on any other premise.
 - e. If sexual harassment is proved against someone who is working at NUST through a service provider that has a contract with NUST, NUST can, if the behaviour warrants it, prevent the accused from working at NUST.
 - f. NUST will inform all external agencies/service providers who do business on the NUST campus of the existence of this Policy and NUST shall also obtain undertakings from them that they shall ensure the implementation of this Policy within their organisations while providing services to NUST.
 - g. Students engaged in NUST-sanctioned academic activities on premises/off-campus (including placement, internship and research) will have access to the provisions of the policies of the hiring or supervisory agencies, where such policies exist.

6. **ASSURANCE OF FAIR TREATMENT**

- a. It is mandatory to treat all complaints and identity of complainants as highly confidential throughout the process.
- b. The complainant, the accused, and any other parties to proceedings under this Policy are to be treated fairly. This may involve the making of special arrangements, two (2) examples of which are described below.
 - (1) Where the complainant at the time of making a complaint is either a student or instructor of the accused, NUST may, in appropriate circumstances, after the accused has been informed that a complaint has been made, and after receiving recommendations from the Inquiry Committee, make arrangements with the

appropriate administrator for certain work and examinations of the student to be supervised and evaluated by a neutral person.

- (2) Where the complainant is a staff member whose performance is normally evaluated by the accused, the complainant is to receive fair employment treatment and protection from adverse employment-related consequences during the procedures of the trial. To that end, NUST may, after the accused has been informed that a complaint has been made, and in consultation with the complainant, have the complainant's performance assessed by another administrator and where practicable temporarily reassign the complainant/accused until the complaint is resolved; or delay the complainant's performance appraisal and/or awarding of merit pay until the complaint is resolved, in which case subsequent payment for merit shall be retroactive to the date it would normally have been received, and mark-up shall be paid on the amount owed. These assurances shall also be offered to witnesses in a case.

7. **THE HARASSMENT COMPLAINT CELL**

- a. NUST, acting through its Rector has constituted a Harassment Complaint Cell which consists of the following members:-

- (1) Director (Advisor/ Harassment Monitoring Officer)
- (2) Two (2) female Psychologists

- b. Objectives of the cell are:

- (1) Formal registration of verbal or written complaint
- (2) Resolution through counselling as a preliminary step.
- (3) Facilitating Inquiry Committee.

8. **THE INQUIRY COMMITTEE**

- a. The Inquiry Committee shall comprise as follows:

- (1) NUST, acting through its Rector, has constituted a standing Inquiry Committee to look into complaints of sexual harassment. The Inquiry Committee consists of three (3) members of whom the same has been duly approved by the board of Governors. The Rector has also designated the Chair of the Inquiry Committee from those appointed.

- (a) Pro-Rector Academics - Chairman

- (b) Director HR - Member
- (c) Senior Female Faculty Member - Member

(2) Members will be appointed to the Inquiry Committee for staggered terms to provide for continuity of experience. These will be two (2) year terms. Shorter terms may be required occasionally to fill vacancies. Former members will be eligible for re- appointment after a gap of two (2) years since the last appointment.

(3) The Rector may consider reappointing at least one (1) member of the Inquiry Committee for two (2) consecutive terms for institutional continuity.

(4) In case a complaint is made against one (1) of the members of the Inquiry Committee that member should be replaced by another for that particular case. The Rector may also alter the composition of the Inquiry Committee on a case by case basis to address the valid objections of any of the parties involved in the inquiry.

- b. The duties of the Chair of the Inquiry Committee include, but are not limited to, maintaining order during hearings, answering procedural questions, granting or denying adjournments, arranging for a permanent audio recording of the proceedings, which shall constitute the official record of those proceedings, and reporting decisions and recommendations of the Inquiry Committee to the Competent Authority. All these duties shall be undertaken in consultation with the other members of the Inquiry Committee.
- c. Members of the Inquiry Committee will attend training by professionals in the field to learn about the particular sensitivities that surround issues of sexual harassment, the procedures that effect fair resolutions, gender equality, trauma management, and the penalties and sanctions appropriate to the various breaches of this Policy or violations of the law and deterrents to further such breaches or violations. This training will not deal with specific cases currently before the Inquiry Committee and is in no way meant to fetter the independence of any Inquiry Committee member to decide any case on the basis of the evidence presented in that case and according to his or her understanding and conscience.

9. POWERS OF THE INQUIRY COMMITTEE

- a. The Inquiry Committee shall have the power to:
 - (1) summon and enforce attendance of any person and examine him on oath;
 - (2) require the discovery and production of any document;
 - (3) receive evidence on affidavits; and
 - (4) record evidence.

- b. The Inquiry Committee shall have the power to inquire into the matters of harassment under this Policy, to get the complainant or the accused medically examined by an authorized doctor, if necessary .
- c. The Inquiry Committee may recommend for appropriate action against the complainant if allegations leveled against the accused are found to be false and made with malafide intentions.

Explanation: Allegations of sexual harassment made out of malice or intent to hurt the reputation of the person against whom the complaint is filed are considered complaints made with malafide intentions. Making a malafide allegation of sexual harassment knowing it to be false, whether in a formal or informal context, constitutes a serious violation of this Policy. However, a case that is not proved cannot be taken as a false claim or as an illustration of malafide intention.

- d. The Inquiry Committee may, if deemed fit, issue interim no-contact or other orders between the complainant and the alleged accused. NUST can also decide to send the accused on leave, or suspend the accused in accordance with the applicable procedures for dealing with the cases of misconduct, if required.
- e. Decisions of the Competent Authority on the recommendations of the Inquiry Committee shall be binding and cannot be appealed within NUST. They can be appealed before the Ombudsman.

10. HARASSMENT COMPLAINTS

If someone feels that they are being harassed and need to report the matter it can be done verbally (informal complaint) or in writing (formal complaint) simply by using any one of the following available routes/channels:-

- a) School Authorities (Student Advisor/HoD/female faculty/focal person)
- b) Harassment Complaint Cell at C3A
- c) Campus Care Helpline

11. PROCEDURE FOR LODGING COMPLAINTS

Complaint can be lodged formally or informally

a) Procedure for Informal Complaint:

Step 1

Verbal complaint to any of the above channels i.e. designated members of the school, harassment complaint cell at C3A or campus care helpline.

Step 2

An informal action will be taken to resolve the issue between the two parties

b) Procedure for Formal Complaint:

Step 1

A written complaint to any of the above channels.

Step 2

A formal inquiry will be initiated. The process will be completed within 30 working days and recommendations will be sent to the Competent Authority for implementation.

Step 3

Implementation of decision will be within 7 days of receipt of recommendations by the Competent Authority

11. PROCEDURE FOR HOLDING INQUIRY

- a. The Inquiry Committee in coordination with the Harassment Complaint Cell, within three (3) days of receipt of a written complaint, shall:
 - (1) Communicate to the accused the charges and statement of allegations levelled against him, the formal written receipt of which will be given;
 - (2) Require the accused within seven (7) days from the day the charge is communicated to him to submit a written defence and on his failure to do so without reasonable cause, the Inquiry Committee shall proceed ex parte; and
 - (3) Enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as the Committee may consider necessary and each party shall be entitled to cross-examine the witnesses against him.
- b. The Inquiry Committee will hear statements from the complainant(s) and accused, and the witnesses (as required) and examine any other documents and/or evidence as presented by the relevant parties.
- c. The Inquiry Committee has discretion to limit testimony and questioning of witnesses to those matters it considers relevant to the disposition of the case. The Chair of the Inquiry Committee also has the power to compel a witness to attend, and the complainant(s) and/or accused may request the Chair's aid in this regard.
- d. The Inquiry Committee has the right to acquire any relevant piece of evidence to further their understanding of the case and the relevant parties, witnesses, and administration are required to provide them with this documentation and/or evidence to facilitate the investigation.

- e. The following provisions shall be followed by the Inquiry Committee in relation to inquiry:
 - (1) The statements and other evidence acquired in the inquiry process shall be considered as confidential;
 - (2) Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a representative, a friend or a colleague;
 - (3) Adverse action shall not be taken against the complainant or the witnesses;
 - (4) The Inquiry Committee shall ensure that NUST or the accused shall in no case create any hostile environment for the complainant so as to pressurize him/her from freely pursuing the complaint; and
 - (5) The Inquiry Committee shall give its findings in writing by recording reasons thereof.
- f. The Inquiry Committee shall submit its findings, recommendations, and final decisions to the Competent Authority within thirty (30) days of the initiation of inquiry. This written report shall record the reasons for the decision, including any note of dissent. If the Inquiry Committee finds the accused to be guilty it shall recommend to the Competent Authority for imposing one (1) or more of the penalties.
- g. Appeals against Minor and Major Penalties shall be conducted as per Policy.
- h. The Competent Authority shall impose the penalty recommended by the Inquiry Committee within one (1) week of the receipt of the recommendations of the Inquiry Committee.
- j. The Inquiry Committee shall meet on regular basis and monitor the situation regularly until they are satisfied that their recommendations subject to decision, if any, have been implemented by the Competent Authority appointed under the 2010 Act.
- k. In case the complainant is in trauma NUST will arrange for psycho-social counselling or medical treatment and for additional medical leave.
- l. NUST may also offer compensation to the complainant in case of loss of salary or other damages.
- m. Where any procedural matter is not provided in this Policy, the Inquiry Committee may, after hearing submissions from the parties, and guided by the principles of fairness, and by the letter and spirit of the 2010 Act, establish any appropriate procedure.

- n. Objective documentation of the proceeding of the Inquiry Committee should be maintained by audio/video recording, and high confidentiality of the records and other such material shall be upheld at all times.
- o. All parties will bear their own costs related to the proceedings. The Inquiry Committee will not order or recommend the payment of costs, including any legal costs, of the proceedings to any party.
- p. Closed hearings shall take place as a rule.
- q. NUST shall prohibit reprisals or threats of reprisal against any member of the NUST Community who formally or informally avails of this Policy as there is a possibility of further victimization or hindrance in the launching of complaints. NUST prohibits threats or actions against anyone who participates in proceedings held under its ambit.
- r. Retaliation or any other action against the complainant is to be taken seriously under the provisions of this Policy. All allegations of retaliation would be investigated formally under the purview of this Policy, and if substantiated, would result in appropriate disciplinary action.
- s. The complainant may also request for informal proceedings of the case.
- t. Final verdict to be promptly shared with both parties.

12. **OTHER GUIDELINES**

- a. to ensure the safety and promote well-being of both the parties (complainant and accused) interim measures will be taken that may include, but are not limited to : adjusting work schedules/job assignments/other work accommodations, changing academic schedules, paid/unpaid leave, rescheduling examinations, allowing withdrawal from or retaking classes without penalty, temporary suspension from employment/academic enrollment/student status.
- b. All persons who allege sexual harassment under the provisions of this Policy or Harassment Complaint Cell and the 2010 Act must be advised to contact the Inquiry Committee. This provision will ensure that all such complainants will have access to a common source of consistent and expert advice and that reliable data may be gathered on the incidence of discrimination and harassment in the NUST Community. In the event a complainant is reluctant to contact any member of the Inquiry Committee, the complainant may contact a colleague or instructor, or the employment supervisor, manager, department Chair, Dean or Rector.
- c. It will be the responsibility of the individual contacted to report the case to the Inquiry Committee without identifying either the complainant or the alleged offender and to

ask for advice on procedure and policy from them to effect a solution, if a solution is deemed necessary.

- d. A staff member (e.g. from the Human Resource Department) may be appointed to assist the Inquiry Committee with their work. This work may include responsibilities such as organizing meetings and/or hearings, acting as a liaison between the Inquiry Committee and the other parties involved, record keeping, making and updating a database to track the processing of complaints, and ensuring appropriate awareness raising about the issue of sexual harassment at NUST.
- e. Confidentiality shall be enjoined on the Inquiry Committee and those who are working with them. This does not preclude the discreet disclosure of information in order to elicit the facts of the case, or to implement and monitor properly the terms of any resolution. In the event that the complaint is prima facie valid and the complainant wishes to keep the complaint confidential and not proceed with any kind of complaint resolution then the entire peer group/department of the accused, such as fellow teachers or students of the same batch, shall be required to attend workshops/trainings that address the general, not specific, issue of sexual harassment and why sexual harassment is harmful, if the Inquiry Committee so requires and deems appropriate.
- f. The Inquiry Committee and their support staff will be subject to administrative disciplinary action for inappropriate breaches of confidentiality on their part.
- g. The complainant and the accused may at any stage of any of the procedures outlined in this Policy be represented and/or accompanied by another person of her/his choice.
- h. Teaching, research, and non-teaching staff who participate in the procedures outlined in this Policy shall be given release time to consult with the Inquiry Committee and attend formal hearings pertaining to their cases. Students will be assisted in adjusting schedules as necessary to attend their formal hearings.
- j. No one shall be compelled to proceed with a complaint.
- k. All staff and students of NUST should receive orientation/introduction at the commencement of their association with NUST with respect to inter alia, sexual harassment, reporting, preliminary actions to be taken, confidentiality. The staff and students should be provided with basic information such as names, titles and contact information of those persons or the office designated to receive complaints, and where victims can report sexual harassment. Moreover, the teachers, staff, administration should be competent to handle situations where if a complainant does not know where to report an incident, or does not feel comfortable reporting directly to the designated person, then they can report the incident to any person on campus

that they trust and that person can then guide the complainant and facilitate reporting of the complaint for resolution.

13. PENALTIES, SANCTIONS AND REMEDIES

a. If the Inquiry Committee finds the accused to be guilty it shall recommend the imposing of one (1) or more of the following penalties to the Competent Authority:

(1) Minor penalties:

- (a) Issuance of written warning\explanation.
- (b) Withholding, for a specific period, promotion\increment\semester.
- (c) Recovery of the compensation payable to the complainant from pay or any other source of the accused;
- (d) Letter to students' parents.
- (e) Relegation of the student.

(2) Major penalties:

- (a) Prohibition of the respondent from attendance in a course(s)\ programme or a teaching division for a period of not more than (1) one year.
- (b) Reduction to a lower post or time-scale, or to a lower stage in a time-scale;
- (c) Withdrawal of student from the University.
- (d) Dismissal from service, and
- (e) Fine to be given to NUST. A part of the fine can be used as compensation for the complainant.

(3) False Allegations:

Allegations of sexual harassment made out of malice or intent to hurt the reputation of the persons against whom the complaint is filed are to be dealt with as serious offences. Making malafide allegation of sexual harassment knowing it to be false, whether in a formal or informal context, is a serious offense under this policy and action would be taken under the University disciplinary regulations/ as per provisions of the University ACT.

Any Charge found to have been intentionally dishonest or made in willful disregard of the truth, and to malign or damage the reputation however, will subject the complainant (student, staff or faculty) to severe disciplinary action.

Withdrawal of a false complaint after a wide dissemination of, or publicity of the purported offense carried out intentionally to malign the character of the person accused, and done with willful intent to cause physical, psychological or mental harm or stress has to be dealt with more serious penalties. This will ensure that no injustice is meted out.

14. APPEAL AGAINST MINOR AND MAJOR PENALTIES

- a. Any party aggrieved by the decision of the Competent Authority/Inquiry Committee on whom Minor or Major Penalty is imposed may within thirty (30) days of written communication of decision prefer an appeal to an Ombudsman established under the 2010 Act.
- b. A complainant aggrieved by the decision of the Competent Authority/Inquiry Committee may also prefer appeal within thirty (30) days of the decision to the Ombudsman.
- c. The Ombudsman may, on consideration of the appeal and any other relevant material, confirm, set aside, vary or modify the decision within thirty (30) days in respect of which such appeal is made. It shall communicate the decision to both the parties and NUST.

15. PROCEDURE WHERE COMPLAINANTS ARE UNWILLING TO FILE A WRITTEN COMPLAINT

- a. If the Inquiry Committee receives repeated allegations of offenses against the same person but each of the persons making allegations is unwilling to file a written complaint and appear as complainant, and if the circumstances are considered by the Inquiry Committee to be such that a complaint should be lodged, they will inform the Rector and a fact finding initiative shall commence.
- b. The Inquiry Committee can summon potential witnesses in the context described in this respect and make all efforts to make the circumstances safer for anyone who may wish to come forward with a formal complaint.
- c. If the Inquiry Committee finds evidence of sexual harassment but a formal complaint is not filed / processed, they will try to find solutions and take steps to make the environment harassment free.

16. MEASURES FOR PREVENTION

- a. Education is essential for sensitizing the NUST Community in order to eliminate sexual harassment on campus. This may be done in multiple ways that include, but are not limited to the following.
- b. This Policy shall be:
 - (1) available on the NUST website
 - (2) be a part of the package that all new employees / students receive
 - (3) displayed in prominent locations on campus
- c. The names of the members of the Inquiry Committee shall be made visible/accessible to the NUST Community through its website and other methods of prominent display.
- d. Setting up of an urgent response system to timely and efficiently handle such situations. This should comprise of senior faculty members who are duly trained and sensitized on the issue.
- e. All departments at NUST must disseminate and display information on what constitutes sexual harassment, how to respond to it and what to do when someone asks for advice about sexual harassment.
- f. NUST shall endeavour that its relevant members (such as members of the Inquiry Committee, and HR personnel) attend a training to educate themselves on sexual harassment and the laws. Once trained, designated HR personnel shall be made responsible for educating all personnel/staff/faculty that enter the NUST employment. This will be an ongoing activity.

17. CONSENSUAL RELATIONSHIP WITHIN THE NUST COMMUNITY

In contrast to sexual harassment conduct, personal relationships among consenting adults of the NUST Community that do not breach the social and cultural norms of the society and occur outside NUST premises are, in general, a private matter. However, under this Policy it is highly inappropriate for any member of the NUST Community to establish an intimate relationship with a student, subordinate or colleague on whose academic or work performance he or she will be required to make professional judgments. This Policy requires that the individual may not involve themselves in such conduct as the professional responsibility for supervision or oversight would be affected in case such an intimate relationship develops during the working relationship. Relationships with a difference in power and authority can seriously affect the institutional working as well as the credibility of all concerned.