

**DATA LINK INSTITUTE OF
BUSINESS AND
TECHNOLOGY**

**PREVENTION OF SEXUAL
HARASSMENT AND
ASSAULT POLICY**

INTRODUCTION

Data Link Institute of Business and Technology (DIBLT) is committed to providing an educational environment and workplace that is free from sexual harassment. Sexual harassment on campus and in the workplace is against the law of Ghana and will not be tolerated under any circumstances. When the organization determines that an allegation of sexual harassment is credible, it will take prompt and appropriate corrective action.

Data Link Institute of Business and Technology is aware that any tolerance of sexual harassment can spiral into normalization of the phenomenon and lead to a culture of sexual violence, which is totally against the objectives of the organization's existence.

The purpose of this policy is therefore to provide a framework for preventing sexual violence in all Data Link Institute of Business and Technology offices and campuses and to facilitate the provision of safe and comprehensive response services to victims, including justice, where necessary.

What Is Sexual Harassment?

For the purposes of this policy, Sexual Harassment refers to the unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature. These constitute sexual harassment when:

1. An admission or employment decision affecting that individual is made because the individual submitted to or rejected the unwelcome conduct; or
2. The unwelcome conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or abusive work environment.

Sexual harassment is any attempt, or exercise of power, to coerce an unwilling person into a sexual relationship, to subject a person to unwanted sexual attention, to punish a refusal to comply, or to reward compliance. Sexual harassment may be a single incident or a series of incidents involving a wide range of behaviours such as verbal innuendo, subtle suggestions, overt demands, and/or inappropriate conduct of a sexual nature. It is behaviour of a sexual nature that is known or ought to be known to be unwanted or unwelcome. It includes actions that contribute to an environment that is "poisoned" by persistent comments about sex, gender, appearance, marital status, sexual orientation, and/or pornographic pictures or cartoons.

Data Link Institute of Business and Technology holds that certain behaviours, such as conditioning promotions, awards, training or other job benefits upon acceptance of unwelcome actions of a sexual nature, are always wrong.

Unwelcome actions such as the following are inappropriate and, depending on the circumstances, may in and of themselves meet the definition of sexual harassment or contribute to a hostile work environment:

- Sexual pranks, or repeated sexual teasing, jokes, or innuendo, in person or via e-mail;
- Verbal abuse of a sexual nature;
- Touching or grabbing of a sexual nature;

- Repeatedly standing too close to or brushing up against a person;

- Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated he or she is not interested (supervisors in particular should be careful not to pressure their employees to socialize);

- Giving gifts or leaving objects that are sexually suggestive;

- Repeatedly making sexually suggestive gestures;

- Making or posting sexually demeaning or offensive pictures, cartoons or other materials in the workplace;

- Off-duty, unwelcome conduct of a sexual nature that affects the work environment.

A victim of sexual harassment can be a man or a woman. The victim can be of the same sex as the harasser. The harasser can be a supervisor, co-worker, other Department employee, or a non-employee who has a business relationship with the Department.

Data Link Institute of Business and Technology's Responsibilities Under This Policy

As part of the orientation of new employees into the organization, the SRHR and Gender Unit Department will give a detailed sensitization about sexual harassment and clearly indicate the consequences of perpetrating such an act within the office environment. It will also be made clear that Data Link Institute of Business and Technology has ZERO tolerance for sexual harassment and will not hesitate to pursue legal redress for victims as well as prosecuting culprits.

As an organization that promotes women's rights, Data Link Institute of Business and Technology shall take the necessary steps to ensure the women, who are more prone to sexual harassment, are protected. This will be done by providing extra sensitization to all staff who are women on self-protection and how to seek redress.

If the organization receives an allegation of sexual harassment, or has reason to believe sexual harassment is occurring, it will take the necessary steps to ensure that the matter is promptly investigated and addressed. If the allegation is determined to be credible, the Department will take immediate and effective measures to end the unwelcome behaviour.

The Department is committed to taking action if it learns of possible sexual harassment, even if the individual does not wish to file a formal complaint.

The Head of SRHR and Gender Unit is the main contact point for questions or concerns about sexual harassment. The Head of SRHR and Gender Unit has responsibility for investigating or overseeing investigations of alleged sexual harassment. The Head of SRHR and Gender Unit is committed to ensuring that all investigations of sexual harassment are conducted in a prompt, thorough, and impartial manner.

However, if for any reason a staff member is uncomfortable dealing with the head of SRHR and Gender Unit on this subject, the President will be available to handle such concerns, oversee an investigation into it and provide safe and comprehensive response to the complainant.

Supervisors and other responsible Department officials who observe, are informed of, or reasonably suspect incidents of possible sexual harassment must immediately report such incidents to the head of SRHR and Gender Unit, who will either initiate or oversee a prompt investigation.

Failure to report such incidents to the head of SRHR and Gender Unit will be considered a violation of this policy and may result in disciplinary action. The head of SRHR and Gender Unit will provide guidance as needed on investigating and handling the potential harassment. Supervisors should take effective measures to ensure no further apparent or alleged harassment occurs pending completion of an investigation.

Data Link Institute of Business and Technology will seek to protect the identities of the alleged victim except as reasonably necessary (for example, to complete an investigation successfully). The Data Link Institute of Business and Technology will also take the necessary steps to protect from retaliation those employees who in good faith report incidents of potential sexual harassment. It is a violation of the law and this policy to retaliate against someone who has reported possible sexual harassment. Violators will be subject to discipline.

Employees who have been found by the SRHR and Gender Unit Department to have subjected another employee to unwelcome conduct of a sexual nature, whether such behaviour meets the legal definition of sexual harassment or not, will be subject to discipline or other appropriate management action, including a possible termination of appointment. Discipline will be appropriate to the circumstances, ranging from a letter of reprimand through suspensions without pay of varying lengths to separation for cause. A verbal or written admonishment, while not considered formal discipline, may also be considered.

Employees' Rights and Responsibilities Under This Policy

Any employee who believes he or she has been the target of sexual harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop.

If the employee does not wish to communicate directly with the offending person, or if such communication has been ineffective, the employee has multiple avenues for reporting allegations of sexual harassment and/or pursuing a resolution.

Employees are encouraged to report the unwelcome conduct as soon as possible to a responsible Department official. It is usually most effective — although it is not required—that the official be within the employee's supervisory chain. Responsible Department officials include first- or second-line supervisors, the offending person's supervisor, the post's management officers, the President, or the Office of SRHR and Gender Unit Management).

In addition to reporting sexual harassment concerns to a responsible Department official, employees who believe they have been subjected to sexual harassment may elect to pursue resolution in several ways, including:

Mediation: Mediation is an informal way to resolve office problems using a trained mediator who facilitates communication between the parties to the dispute. If an employee chooses to attempt resolution through mediation, management is obligated by policy to send a representative to the table. If a resolution is not reached, the parties may continue to pursue their rights by seeking legal redress or reporting to the police.

Grievances: Every employee of Data Link Institute of Business and Technology is covered by this policy, regardless of race, colour, ethnicity and sex, and has the right to redress all internal redress procedures of registering their grievances, having the case investigated and getting a comprehensive response

□ In the event where a victim suffers physical harm as a result of sexual violence, the victim is entitled to medical care under Data Link Institute of Business and Technology's medical insurance policy as an initial step while legal redress is pursued.

CONFIDENTIAL REPORTING

Staff members in the field or in the office who wish to make complaints or report a case of sexual harassment can call the following line:

+233 (0) 241139600 or by email at registrar@datalink.edu.gh

All Data Link Institute of Business and Technology employees, including but not limited to staff, supervisors, and senior officials, are required to comply with this policy. Employees are also expected to behave professionally and to exercise good judgment in work-related relationships, whether with fellow employees, business colleagues, or members of the public with whom they come into contact in the course of official duties. Further, all employees are expected to take appropriate measures to prevent sexual harassment. Unwelcome behaviour of a sexual nature should be stopped before it becomes severe or pervasive and rises to a violation of law