



*Inspiring Innovation and Leadership*

**KARATINA UNIVERSITY**

**GENDER BASED VIOLENCE POLICY**

**JUNE 2013**

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**SIGNATURE PAGE**

This Gender Based Violence Policy was approved by Karatina University Council on 26<sup>th</sup> July 2013.

A handwritten signature in black ink, consisting of several vertical strokes followed by a series of smaller, more fluid strokes, positioned above a horizontal dotted line.

**Prof. Mucai Muchiri**  
**Vice Chancellor**

## **VISION**

To be a University of global excellence, meeting the dynamic needs and development of society.

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## **MISSION**

To conserve, create and disseminate knowledge through training, research, innovation and community outreach.

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## **CORE VALUES**

Equity  
Teamwork  
Meritocracy  
Academic Freedom  
Accountability  
Excellence  
Probity

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## DEFINITIONS OF TERMS AND CONCEPTS

For the purposes of this policy, the following definitions are used:

**Gender:** Refers to the array of socially constructed roles and relationships, personality traits, attitudes, behaviours, values, and relative power and influence that society ascribes to the two sexes on differential basis. Gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures. Gender is relational and refers not simply to women or men but to the relationship between them.

**Gender-based Violence** - violence that is directed at an individual based on his or her biological sex, gender identity, or perceived adherence to socially defined norms of masculinity and femininity.

**Employer** - Karatina University.

**Perpetrator** - Any person who engages in workplace violence.

**Sexual Harassment:** Unwelcome acts of a sexual nature that cause discomfort to the targeted person. These include words, persistent requests for sexual favors, gestures, touch, suggestions coerced sexual intercourse and rape.

**Workplace** -Any place (including part of a building, structure or vehicle) where any person is to work, is working for the time being, or customarily works for gain or reward'. It is a place, such as an office or factory, where people are employed.

**Worker** - Any person who performs work, either regularly or temporarily, for an employer

## **1.0 INTRODUCTION**

### **1.1 Preamble**

Workers spend a significant proportion of their adult life in the work place. It is therefore paramount that deliberate efforts should be expended to make the work place environment safe and conducive for the wellbeing of the workers as well as the organization at large. This policy document provides guidelines on how to prevent, deal with, mitigate, and manage gender violence at the work place.

### **1.2 Gender Violence at work place**

This refers to any form of violence at the work place related to social expectations and social positions based on gender. It also includes any kind of violence at the work place based on nonconformance to a socially accepted gender role. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.

Gender violence like other forms of violence at work place, has serious negative ramifications to the parties involved, their families, other workers and the organization at large. Affront to human dignity, death, injuries, stress, destruction of property, poor working relationships, loss of revenue, absenteeism, low morale are just but a few of these consequences.

Where abuse is currently being experienced there may be a requirement for an urgent response, safety planning, flexible working arrangements and the provision of information. Where abuse has occurred historically the required response will be on supporting the employee to identify and address the long term consequences of the abuse.

### **1.3 Sexual Harassment**

An employee is sexually harassed if the employer of that employee or a representative of that employer or a co-worker;

- i. Directly or indirectly requests that employee for sexual intercourse, sexual contact or any other form of sexual activity that contains an implied or express promise of preferential treatment in employment, threat of detrimental treatment in employment or threat about the present or future employment status of the employee.
- ii. Uses language whether written or spoken of a sexual nature.
- iii. Uses visual material of a sexual nature; or
- iv. Shows physical behavior of a sexual nature which directly or indirectly subjects the employee to behavior that is unwelcome or offensive to that employee and that by its nature has a detrimental effect on that employee's employment, job performance, or job satisfaction.

### **1.4 Guiding principles**

The policy is guided by the following principles;

- i. Prevention of GBV and sexual harassment from occurring in the first place and from recurring at the work place.
- ii. Protection from GBV and sexual harassment by identifying and providing services to victims.
- iii. Accountability to ensure that the perpetrators are disciplined.

### **1.5 Objectives of the policy**

The creation of a specific policy on gender-based violence demonstrates the commitment of Karatina University to improving the safety and welfare of all staff at the workplace. Having an explicit policy will enable the university to:



- i. Raise awareness on gender based violence (GBV) and sexual harassment as a serious health and social issue, highlighting its hidden nature and the impact on those affected by it.
- ii. Send a positive message to employees with experience of abuse that they will be listened to and supported.
- iii. Project a clear signal that the actions of employees who perpetrate gender violence within or outside the work place are unacceptable.
- iv. Provide a framework for addressing the behavior of employees who may be perpetrators of gender violence and who may pose risk to other workers within the work place.
- v. Clarify the scope for managers to interpret and apply provisions within existing Karatina University policy documents when responding to gender based violence.

## **2.0 ROLES AND RESPONSIBILITIES**

To achieve the above objectives the various stakeholders shall play the following roles:

### **2.1 Management**

Through this policy the management of Karatina University undertakes

- i. To promote and provide a work environment that is free from all types of gender based violence.
- ii. Communicate the policy to all employees.
- iii. Take appropriate action to resolve any complaints or claims brought to their attention.
- iv. Monitor situations where complaints have been substantiated to ensure corrective measures have been successful.

## **2.2 Workers**

Workers and their representatives should take all reasonable care to prevent, reduce and eliminate the risks associated with gender violence at workplace. In fulfilling this objective, they should:

- i. Be aware of and comply with the policy.
- ii. Treat all persons in the work place with dignity and respect.
- iii. Cooperate with formal investigations, facilitated discussions and mediations conducted under this policy.
- iv. Treat complaints and investigation or mediation process as confidential.
- v. Report all acts of gender based violence and sexual harassment at workplace.

## **2.3 General public, customers and clients**

Customers, clients and the general public are key stakeholders in the prevention of gender violence and sexual harassment at workplace. The customers of Karatina University have a right to be treated with respect and dignity while within the University. The customers are equally expected to abide by the provisions of various policies in place at Karatina University. Any form of violence including gender based violence perpetrated by or directed to the staff, students or customers shall be dealt with in accordance with the provisions of the policy in place. The stakeholders are expected to:

- i. Report all acts of gender based violence at Karatina University to the management.
- ii. Cooperate with management during investigation and disciplinary proceedings
- iii. Refrain from acts that might promote gender violence at Karatina University.

### **3.0 COMPLAINT AND RESOLUTION PROCEDURE**

Where gender violence or sexual harassment has occurred, either formal or informal complaint and resolution procedures can be followed.

#### **3.1 Informal process**

Where the parties involved deem it fit the following informal process can be followed.

**i) Direct response**

Where safe and reasonable to do so, an employee who believes that he or she is subject to GBV should inform his or her head of department. The head of department will review the situation and where necessary take appropriate action. If the perpetrator is the head of department, the employee should inform the next level of management.

**ii) Facilitated discussion**

Managers may choose to use facilitated discussion as a resolution tool.

**iii) Mediation**

Formal mediation may also be facilitated by an outside party who is acceptable to both parties and can occur at any time during the process when agreed to by both parties.

#### **3.2 Formal Process**

Either party can choose to follow the formal complaint and resolution procedure as follows;

**i) Written Complaint**

A formal written complaint may be made to the immediate supervisor. The complaint will specify the details of the allegation, including;

Name, title and location of the respondent;

A description of the action/circumstances of the complaint

Date(s) of incident(s)

Name of witnesses, if any.

If the complaint is against the supervisor, it can be filed with the next level of management.

The supervisor will send formal written complaints to the Department of Human Resources.

The department of HR shall write to the DVC PF&A through the registrar (administration) on the same and request for constitution of an investigating panel. The DVC PF&A shall appoint an investigating panel constituting of the registrar(administration) as the chair, HR officer as the secretariat with one representation from academic departments, one from non-academic divisions and legal officer. In case any of the above officers is the complainant or the accused, the DVC PFA shall substitute them with other suitable officers.

#### **ii) Investigation**

The investigation panel shall investigate the allegations of gender violence and make recommendations through a written report to the DVC PFA. The investigations shall involve giving a fair hearing to all the parties. The panel may summon such witnesses who may hold necessary evidence to the benefit of the investigations.

Based on the investigations, disciplinary action will be taken in line with the terms and conditions of service for staff members and as per students' rules and regulations.

### **3.3 Retaliation**

The University will not tolerate retaliation, reprisals or threats as a result of filing a complaint or speaking as a witness. Any acts of retaliation will be dealt with as per the terms and conditions of service.

### **3.4 Privacy and confidentiality**

The management shall ensure that any information relating to grievances and disciplinary procedures, medical treatment, debriefing, counseling and rehabilitation is kept confidential, in accordance with national laws and regulations.

### **3.5 Reporting to the police**

Karatina University has a responsibility to report a suspected crime to the police. Where gender violence constitutes a criminal offence then Karatina University shall report and cooperate with the police in ensuring justice and fairness to both the victim and the accused.

### **3.6 Medical treatment and support**

Appropriate medical treatment shall be availed, where required, to workers affected by gender violence at workplace. Counseling services shall also be made accessible to such victims and their close family members as appropriate.

## **4.0 INFORMATION AND TRAINING**

Implementation of the policy will be accompanied by training for Line Managers to raise awareness of the issues surrounding gender-based violence. Personnel officers will be provided with more in-depth training and resources in relation to dealing with workplace issues related to gender based violence and will act as a source of information and support for managers.

### **4.1 Promotion of the Policy**

The employees shall be made aware of this policy through a range of methods such as providing information about the policy on notice-boards, notices, newssheets, in canteens, restaurants, websites, through training courses and more creatively where possible via the media of drama, promotional DVDs and staff seminars etc. Information

on the policy should be included in employee handbooks, induction packs, pay slips, and relevant in-house training. The policy shall be promoted by senior staff in partnership with employee representatives.

#### **4.2 Recording acts of violence at the workplace level**

Incidences of gender violence at workplace in Karatina University shall be recorded. This is important for Karatina University to learn from those experiences. The management shall review these experiences in order to identify patterns and trends, including:

- i. Identifying sources of workplace violence as being internal or external, where possible;
- ii. Categories and severity;
- iii. Incidence of violence in particular area/task categories;
- iv. Perpetrator and victim characteristics;
- v. Forms of violence;
- vi. Possible contributing factors, such as delays in service provision;
- vii. Situational contexts;
- viii. Other risk factors such as time of day or night.

## 5.0 IMPLEMENTATION, MONITORING AND REVIEW

- 5.1 The responsibility for the implementation of this policy lies with the Vice Chancellor on behalf of Council. However, the functions responsibilities outlined in the policy shall be delegated according to the structure of the University.
- 5.2 Information will be recorded and collated on the use of this policy, ensuring anonymity of employees (i.e. numbers of staff seeking support, action taken, outcome for employee). Other information will include feedback from staff through training sessions and questionnaires / surveys.
- 5.3 In order to measure how successful the policy has been in operation, it is important to establish a baseline position. This will be achieved by carrying out a baseline survey at the beginning and undertaking a comparison study at the end of the first year. The main indicators to monitor include:
- i. Staff awareness that a policy exists and they have an understanding of how it works.
  - ii. Management and staff using the policy.
  - iii. Evaluation of training for key staff.
  - iv. Improvements in responding to the issue of gender-based violence.
- 5.4 This policy will be reviewed from time to time.

