

## **UNIVERSITY OF LAGOS POLICY ON SEXUAL HARASSMENT, SEXUAL AND ROMANTIC RELATIONSHIPS**

The University of Lagos (the University) is an academic and educational institution committed to providing a non-sexist, non-discriminatory, non-exploitative working, living and study environment to all members of its community and visitors to its community. As part of its commitment to providing a safe and secure environment for all, protecting the core values of human dignity, and reassuring the public of its unwavering commitment to academic integrity, the University adopts this Policy on Sexual Harassment, Sexual and Romantic Relationships.

### **INTRODUCTION**

1. The University is fully committed to respecting the right to privacy of individuals and does not generally concern itself with the private lives and conduct of members of its community unless where and when such affect its proper operation; management of risk or its reputation.
2. The University holds the position that the relationship between staff and students should at all times be professional in nature. In addition, the fiduciary relationship between staff and students as well as the associated position of trust which staff hold in respect of students, impose on both parties certain moral and ethical obligations. Neither staff nor students should at any time exploit or endeavour to exploit, the position of trust between the parties, to the detriment or benefit of any other party.
3. The University is aware of cases in which some of its staff have become involved with undergraduate and postgraduate students in a pattern that distorts the pedagogical paradigms and undermines the wellbeing of students as well as harms its institutional reputation. While the University does not dispute that some of these relationships may have been consensual, the inherently unequal power relationship between staff and students often calls to question the genuineness of claims of such consent.
4. The University is committed to creating and maintaining a community where all persons who participate in its academic programmes and related activities can work, learn and live together in an atmosphere free from all forms of abuse or harassment, exploitation or intimidation.
5. Sexual harassment is not mutual and is never welcome or acceptable under any circumstance. It is rude, demeaning behaviour and usually involves abuse of power. Sexual harassment psychologically hurts its direct and indirect victims. In the context of educational institutions, persistently high rates of sexual harassment in which students are victims disrupt students' ability to learn and

succeed in their studies and have a damaging effect on the educational experience of many students. The far-reaching effects of such damage is best imagined when it is recognised that students' experiences in schools shape their lives' values and behaviour. Sexual harassment directed at staff by their peers or students is no less harmful as it renders the workplace unsafe for mutual interaction and the kind of interdependency that is characteristic of learning and teaching environment as a University. In all, sexual harassment undermines the integrity of the academic system, threatens safety within the community and reflects negatively on the image and reputation of an institution.

6. The University's position is that sexual harassment is a misconduct, as such, it will respond promptly and effectively to all reports of sexual harassment and take appropriate action to prevent, correct and if necessary, discipline such behaviour.

### **GUIDING PRINCIPLES**

7. This policy is guided by the principles of
  - a) Mutual respect
  - b) Fair hearing
  - c) Prompt attention and response
  - d) Respect for privacy rights
  - e) Respect for freedom of expression including academic freedom
  - f) Integrity of the academic system
  - g) Confidentiality
  - h) Neutrality and objectivity
  - i) Protection from retaliation
  - j) Effective sanctions for policy violation

### **SCOPE OF POLICY**

8. This Policy applies to all students, staff (academic and non-academic) whether engaged on full-time or part-time basis, anyone who acts on behalf of the University in any of its programmes and activities including those taking place on-campus and off-campus, all contractors, sub-contractors, service providers, vendors, traders, clients, admission seekers, job applicants, staff of companies or firms operating on campus and all other visitors to the University.

### **OBJECTIVES**

9. The objectives of this Policy are:
  - a) To sensitize the University of Lagos community to the evils of sexual harassment and thereby engender collective responsibility for eradicating it,
  - b) To ensure that every member or visitor to the University is aware that the University is strongly opposed to sexual harassment and that such behaviour is prohibited,

- c) To establish an **institutional** framework that encourages victims of sexual harassment to exercise their rights, maintain their dignity and resist submission to its pressures.
- d) To take action to eliminate sexual harassment at the University,
- e) To ensure the victims of sexual harassment do not suffer additional harm and are provided appropriate redress and support to help them to overcome the effects of victimisation as quickly as possible.
- f) To dissuade romantic and sexual relationships among staff and students,
- g) To prevent the occurrence or recurrence of sexual harassment, to protect victims of sexual harassment and to provide appropriate sanctions, corrective actions and remedies.

## **DEFINITION OF SEXUAL HARASSMENT**

10. Sexual harassment is unwelcome sexual advances, request for sexual favours and other visual, verbal or physical conduct of a sexual nature which:
  - a) when submitted to or rejected, implicitly or explicitly affects a person's psychological wellbeing, employment opportunity, educational opportunity, or unreasonably interferes with a person's work or educational performance; or
  - b) implicitly or explicitly suggests that submission to or rejection of the conduct will be a factor in academic or employment decisions or evaluation, permission to participate in any university activity or grant of any other privilege connected with the University's business: or
  - c) has the purpose of -or creating the effect an intimidating, hostile or offensive working or learning environment.
  
11. Sexual harassment may be direct or indirect and includes procuring or attempting to offer a person to another for sexual activity. It also includes grooming, which involves an action or series of actions, which can initially appear to be conducted within the context of the legitimate activity, but are taken with the overall aim of befriending and establishing a psychological and/or material connection with a person in order to facilitate subsequent sexual harassment and/or to hinder the reporting of various acts of harassment or assault. Sexual harassment extends to 'online grooming/ which refers to grooming by means of modern-day technology, such as mobile phones and the internet.
  
12. Sexually harassing behaviour may be physical conduct of a sexual nature or a verbal or non-verbal conduct of a sexual nature and includes but is not limited to:
  - a) Unwelcome touching
  - b) Sexually suggestive comments or jokes

- c) Sexual innuendos such as hooting, sucking, lip-smacking
  - d) Intrusive questions about a person's life or body
  - e) Compelling or requesting a person to narrate sexual history, preferences or fantasies
  - f) Unnecessary familiarity such as deliberately brushing up against a person
  - g) Incessant unwanted invitations (pressures! to go out on dates)
  - h) Requests for sex or other forms of sexual services
  - i) Feigned "accidental" brushing sexual parts of the body
  - j) Insults or taunts based on sex/gender
  - k) Sexually explicit physical contact  
Obscene phone calls
  - l) Sending sexually explicit emails, SMS or messages or posts on any social media platform,
  - n) Stalking
  - o) Sexual assaults
  - p) Forcing or inducing a person to watch or make pornographic or X-rated movies or take such pictures
  - q) Unwarranted redirection of academic or occupational discussions into sexual discussions
  - r) Observing, photographing, videotaping, audio recording or making any other visual records of sexual activity or nudity where there is a reasonable expectation of privacy without the knowledge and consent of all parties
  - s) Sharing visual or auditory' records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipients
13. Sexual harassment may occur between persons of the same sex or persons of opposite sex.
14. Sexual harassment may arise, from a single incident or consist of repeated actions taking place over a period of time. In determining whether a reported conduct constitutes sexual harassment, due consideration will be given to the nature of the conduct and the totality of the circumstances including the context in which it occurred.
15. Sexual harassment, however, does not refer to the occasional compliment of a socially acceptable nature. It refers to behaviour that is not welcome, is personally offensive, debilitates morale and therefore interferes with a safe learning or working environment.

### **CONSENSUAL SEXUAL OR ROMANTIC RELATIONSHIPS**

16. Although the University recognises the right to privacy and does ordinarily not concern itself with sexual or romantic relationships in which there is no power imbalance, the University is concerned with sexual and romantic relationships

between staff and student which may involve conflict of interest between the parties and their obligations to the University.

Conflict of interest is presumed but not exclusive to all instances when staff of the University is in a position to grade, evaluate, or supervise a student (whether undergraduate or postgraduate) or allocate opportunities to a student such as access to university accommodation and participation in work-study programme.

17. A staff who is already married to or involved in a committed romantic or sexual relationship with a student as at the time this Policy comes into effect or who as at the time of his/her employment by the University is already married to or involved in a committed romantic or sexual relationships with students or who subsequent to the time this Policy comes in force commence and intends to continue a committed romantic relationship, shall have the obligation to disclose in writing the relationship to the Vice-Chancellor or such other officer/office as the Vice-Chancellor may designate for the purpose to seeking an exemption. Failure to make a disclosure of such relationship shall be deemed non-compliance with this Policy and may give rise to disciplinary action.
18. Where an exemption is sought for a relationship commencing after this Policy come into effect, the exemption process may involve the concerned parties being interviewed and counselled as appropriate.
19. In all cases where an exemption is sought, it shall be the duty of the University to take appropriate steps to address the risk of conflict of interests inherent in such relationship.

#### **RESPONSIBILITIES OF THE UNIVERSITY**

20. The University is responsible for taking all reasonable steps to prevent sexual harassment and ensuring wide dissemination of this Policy to all levels of its activities. In furtherance of this, the University will, in addition to providing training on the contents and standards of this Policy, introduce other measures such as gender sensitivity training for students and staff at all levels and orientation training for new students and staff on appropriate behaviour.
21. The University will ensure that appropriate procedures are established to handle sexual harassment complaints and the specific officers responsible for dealing with complaints are specified and trained to mediate and conciliate grievances.

22. The University is further responsible for ensuring that
  - a. Complaints are treated in an impartial, sensitive, fair, timely and confidential manner
  - b. Sexual harassment reporting is encouraged regardless of the status of the offender
  - c. Appropriate training is provided to those who manage and implement this policy
  - d. Widespread awareness and understanding of sexual harassment is created.
  - e. This policy and its procedures are monitored and reviewed regularly.
  
23. All students, staff and other persons associated with the University are responsible for complying with this Policy and as such all are encouraged to read it thoroughly and ensure that they have a good understanding of the issues surrounding sexual harassment, particularly in recognising in themselves as well as in others behaviour which constitutes sexual harassment.

## **REPORTING SEXUAL HARASSMENT**

### **24. *Who may report sexual harassment?***

- (a) Any persons, whether or not a member of the University community, may report sexual harassment which took place in breach of this Policy and whether or not such breach occurred on or off campus.
- (b) Any person to whom a report of sexual harassment has been officially made must forward the report to appropriate organs of the University listed in Paragraph 26.

### **25. *To whom reports may be made***

The University recognises the importance of providing a choice of reporting mechanisms and officers (male and female) to complainants in order that they may feel comfortable to come forward to discuss or report an incident. It also recognises that in some instances, the immediate officer to whom a report may be appropriately made may be too close to the problem to serve without bias. As such, the University avails a network of individuals and offices that may receive reports namely;

- a) Academic Tutors (Course Advisers)
- b) Heads of Departments
- c) Deans of Faculties. Provosts of Colleges and Dean of Student Affairs
- d) University Counsellors in the Counselling Unit/Centres,
- e) Doctors in the University Medical Centre
- f) The Deputy-Vice-chancellors

- g) The Vice Chancellor
- h) The Ombudsperson
- i) Servicom Officers
- j) Chaplains of the Chapel of Christ, Our Light (Protestant) and St. Thomas More Catholic Chaplaincy and Imams of the University of Lagos Mosque

## **26. *Format of a report***

There is no prescribed format for reporting sexual harassment. It may be reported verbally but it is preferable that it be in writing.

## **METHODS OF DEALING WITH SEXUAL HARASSMENT**

- 27. The University is committed to providing an effective complaints procedure which offers a range of options for dealing with sexual harassment, All options are, however, designed to ensure the right to fair-hearing for everyone involved in a dispute relating to sexual harassment as well as eliciting the truth of every complaint.
- 28. The University offers a range of formal and informal methods for dealing with sexual harassment. The methods which are stated below need not be followed in a specific order. However, recognising that early informal methods are often effective in correcting questionable behaviour, they are encouraged by this Policy.

### ***Consultation***

- 29. Consultation about sexual harassment is available from the Deans of Faculties and Provosts of Colleges, Dean of Student Affairs, Heads of Academic Departments and Academic Tutors, Counsellors in the Counselling Centres. Hall Wardens/Mistresses/Masters, Chaplains in the University Chapels and Imams of the University Mosque, the Medical Centre and the University's Ombudsperson.
- 30. Any member of the University Community against whom an allegation of sexual harassment has been made may seek the counsel of any person listed in paragraph 30 provided that the same person may not counsel both an alleged harasser and a complainant.

### ***Direct communication***

- 31. An individual may act on sexual harassment concerns personally by addressing the other party directly in person or by writing a letter describing the unwelcome behaviour, its effect and asking that it be stopped. A reprisal

against any individual who in good faith initiates such a communication violates this policy.

### ***Third Party Intervention***

32. Depending on the circumstances, third party intervention may be explored. Third party interveners may be any of the persons listed in paragraph 30 or other staff of the university (academic or administrative) appointed for that purpose by the Vice Chancellor.
33. When third party intervention is used, the third party or third parties will meet with each of the persons involved, try to clarify perceptions and attempt to develop a mutually acceptable -understanding that can ensure that they are comfortable with each other in their future interactions

### **Formal mediation sessions may be explored in appropriate cases.**

34. Possible outcomes of third party interventions include explicit agreements about future conduct, changes in classes or other reliefs as may be appropriate e.g. apologies and a commitment not to engage in such behaviour again. The third party intervener will establish a follow-up programme to ensure the behaviour does not reoccur.
35. Even if the case is being resolved informally, so long as it is handled by any of the specified officers, it is the responsibility of the third party intervener to prepare a detailed report on the proceedings and outcome and submit it in confidence to the Vice Chancellor and although these proceedings may be deemed informal, depending on the seriousness of the case, incidents of sexual harassment which constitute serious misconduct will be subject to disciplinary action.

### **Internal Grievance, appeal and Disciplinary Processes**

36. Where all the earlier mentioned processes fail or are not preferred by the complainant, the formal internal grievance process may be invoked. The applicable procedure depends on the circumstances of the case but it generally consists of the following:
  - a) Complainant submits written statement in strict confidence to Vice-chancellor describing the specific offensive acts or acts, the time, location and circumstances under which they took place, and any other information relevant, to the case. The complaint should identify the alleged harasser as well as any witnesses to the act(s) or anyone else to whom the incident has been mentioned. The statement must be signed and dated by the complainant:
  - b) The Vice-Chancellor provides alleged harasser with a copy of the



complaint submitted by the complainant in order to advise him or her of the allegation;

- c) Alleged harasser is given the opportunity to respond in writing
- d) A process of fact-finding or investigations by a University committee or representative is instituted.
- e) A decision of the fact-finding or investigating committee or designated representative of the University is submitted to the Vice-Chancellor and both the complainant and the alleged harasser shall be informed of the decision.

37. The complaint shall be brought within three months of the alleged incident of sexual harassment although an extension of time may be granted where the circumstances of the case justify such. An appeal for extension of time shall be submitted in writing to any of the persons authorised to receive a complaint. Such appeal shall contain reasons for the delay in reporting

38. Informal resolution efforts will not automatically extend the time limit for filing a grievance or appeal although in appropriate circumstances, the period used for such informal resolution efforts may be considered in granting extension of time."

### ***Disciplinary Action and Sanctions***

39. In appropriate cases, disciplinary action may be commenced and the applicable disciplinary procedure will depend on the status of the individual whose conduct is in question. For the avoidance of doubt where appropriate, discipline imposed may lead to expulsion in the case of a student or termination of employment in the case of an employee. Such disciplinary action may include:

- a) Verbal or Written Warning,
- b) Counselling or Therapy
- c) Campus Access Restriction
- d) No contact directive
- e) Loss of privileges
- f) Loss of oversight, teaching and supervisory responsibilities
- g) Probation, Demotion, Loss of pay increase
- h) Revocation of Offer of Admission or Employment or Licence to trade (in the case of vendors on Campus)
- i) Rustication
- j) Nullification or Revocation of Degree
- k) Termination of Contract for Contractors
- l) Termination of Employment
- m) Referral by the University to Law Enforcement Agents for Prosecution

The Table of disciplinary measures/sanctions appended to this Policy as Appendix 1 shall apply to the different forms of sexually harassing conduct,

### **Appeal**

40. Either the complainant or the alleged harasser who is dissatisfied with the outcome of a proceeding may appeal to the University Ombudsperson within one week of notification of the outcome. Outcome of a proceeding in this paragraph includes the decision to grant or refuse an appeal for an extension of time to lodge a complaint.

### ***External Mechanisms***

41. Where sexual harassment is prohibited *by* law, in addition to the internal processes, an individual may pursue complaints directly with any appropriate formal agency authorised to receive such complaints by law. The university will offer appropriate support to lawful external processes. However, a violation of this policy may exist even when the conduct in question does not violate the law

## **OTHER PROCEDURAL MATTERS RELATING TO THE GRIEVANCE PROCESSES**

### ***Investigation***

42. If significant facts are contested, an investigation will be undertaken. The investigation will be conducted in a way that respects, to the extent possible, the privacy of all persons involved. For example, unless significant differences exist in the information obtained during this stage of the investigation, third party witnesses should not be brought into the investigation. Both the complainant and the alleged harasser should be briefed once the investigation is completed and a determination made.

### ***Confidentiality***

43. The officials of the University responsible for implementing this policy will keep confidential the names and details related to sexual harassment complaints unless disclosure is necessary as part of the disciplinary or corrective process.

## **RETALIATION**

44. This policy prohibits retaliation against a person who reports sexual harassment and assists someone with a report of sexual harassment or participates in any manner in an investigation or resolution of a sexual harassment report. Retaliation includes threat, intimidation of any kind, reprisals and or other forms of adverse actions related to employment or education.
45. Retaliation violates one of the guiding principles of this Policy and is a misconduct for which the perpetrator may be subject to disciplinary measures irrespective of the merits of the sexual harassment allegation.

## **INTENTIONAL FALSE REPORT**

46. Sexual harassment frequently involves interactions between persons that are not witnessed by others. This often means that allegations may be difficult to prove but lack of corroborating evidence should not discourage reporting under this Policy.
47. Individuals who make reports that are later found to have been intentionally or maliciously made without regard for the truth, will be subject to disciplinary action. Such measure shall be without prejudice to the obligation of a person who falsely accuses another to publicly clear the name of the person against whom the false complaint was made.

## **EDUCATION AND TRAINING**

48. The University believes that the single most effective deterrent against sexual harassment in the workplace is awareness. Persons who are aware of conduct which constitutes sexual harassment are less likely to behave in a manner that is offensive to their colleagues. Unwilling victims who are aware of their rights and avenues of recourse will be more assertive and forthcoming in putting a stop to the offensive behaviour.
49. As part of its commitment to providing; a sexual harassment-free working and learning environment, this policy shall be widely disseminated to the University community through publications in print, Websites, new employee orientations, student orientations and other appropriate channels of communications.
50. All individuals designated to receive allegations shall be provided with training relating to handling sexual harassment allegations.

## **WHISTLE - BLOWING**

51. To strengthen compliance and to promote the enforcement of this policy, the University encourages third parties other than direct victims or those having an obligation to report under Paragraph 19 to report incidents of breaches known to them.
52. While a third party is encouraged to put his/her name to any report made by him/her, the University may exercise its discretion to follow up an anonymous report taking into account factors such as seriousness of the issue raised: credibility of the allegation; and likelihood of confirming the allegation. Whistle blowers are encouraged to provide sufficient information to provide a lead for investigation and any contact details that can be used should further information be required in the course of investigation.
53. The University shall take all necessary steps to ensure that whistle blowers are protected from reprisal or victimization for whistle-blowing.

## RECORDS AND STATISTICS

54. The Vice Chancellor shall establish or designate an office/officer to track reports of sexual harassment for statistical purposes, monitor enforcement of this policy and prepare a written report for Senate at least annually on the incidence, patterns and trends relating to sexual harassment in the University.

## REVIEW AND EVALUATION

55. This policy shall be subject to monitoring and periodic review provided that a first review shall take place not more than three years from the date of its coming into effect.

## AUTHORITY

56. This Policy is approved by the Senate of the University of Lagos on this day 30<sup>th</sup> of August, 2017.

### Appendix 1: Table of Disciplinary Measures and Sanctions

	<b>SEXUAL HARASSMENT CONDUCT</b>	<b>DISCIPLINARY MEASURES/SANCTIONS</b>
	<ol style="list-style-type: none"><li>1. Sexually suggestive comments or jokes, Sexual Innuendos such as hooting, sucking and lip-smacking</li><li>2. Unwarranted redirection of academic or occupational discussions into sexual</li></ol>	Verbal Warning or Written Warning Counselling or Therapy "These measures may be used in the alternative or jointly.
<b>A</b>	<ol style="list-style-type: none"><li>3. Obscene Phone calls</li></ol>	** Repeated misconduct after use of any of the measures mentioned above may attract a more severe sanction commensurate to the seriousness of the misconduct: Rustication for students) Loss of oversight, teaching and supervisory responsibilities, Demotion Loss of pay increase or promotion Loss of privileges
<b>B</b>	<ol style="list-style-type: none"><li>1. Unwelcome Touching</li><li>2. Unnecessary Familiarity</li><li>3. Unwarranted Invitations</li><li>4. Sexually explicit physical contact</li><li>5. Feigned "accidental" brushing</li></ol>	Verbal Warning or Written Warning No contact Directive Counseling or Therapy "These measures may be used in the alternative or jointly. **Repeated misconduct after the use of this measure may attract a more severe sanction commensurate to the seriousness of the misconduct

	<ol style="list-style-type: none"> <li>1. Requests for Sex</li> <li>2. Sending sexually explicit emails, SMS or messages or posts on any social media platform</li> </ol>	<p>Written Warning  Counselling or Therapy  Probation  Demotion  Loss of Pay Increase or promotion  Loss of Privileges  “These measures may be used in the alternative or jointly.  “Repeated misconduct after the use of these measures may attract more severe sanctions  Rustication for 1 semester (for students)  Loss of oversight, teaching and Supervisory responsibilities  Termination of employment</p>
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<b>D</b>	Stalking	<p>No Contact Directive  Campus Access Restriction  Counseling or Therapy  Demotion  Loss of Pay Increase or promotion  Loss of Privileges  These measures may be used in the alternative or jointly, provided that counseling and therapy may not be used as the sole disciplinary measure.  **Repeated misconduct after the use of these measures may attract more severe sanctions such as: Rustication up to a maximum of 2 semesters (for students)  Termination of employment</p>
<b>E</b>	<ol style="list-style-type: none"> <li>1. Intrusive questions about a person’s life or body</li> <li>2. Compelling or requesting a person to narrate sexual history, preferences or fantasies</li> <li>3. Insults or Taunts based on sex/gender</li> </ol>	<p>Verbal or written warning counseling or Therapy  Loss of oversight, teaching and supervisor responsibilities  “These measures may be used in the alternative or jointly provided that counseling and therapy may not be used as the sole disciplinary measure.  **Repeated misconduct after the use of these measures may attract a more sever sanction  Rustication up to a maximum of 2 semester (for students)  Termination of employment  Report to Law enforcement agents for prosecution</p>
<b>F</b>	<ol style="list-style-type: none"> <li>1. Forcing or inducing a person to watch or make pornographic or X-rated movies or take such pictures.</li> <li>2. Observing, Photographing, Videotaping, Audio Recording or making any other visual records of sexual activity or nudity where there is a reasonable expectation of privacy without the knowledge and consent of all parties.</li> <li>3. Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties arid recipients.</li> <li>4. Sexual Assault</li> </ol>	<p>Rustication for 4 semesters (for students)  Expulsion (for students)  Termination of Employment  Report to Law enforcement agents for prosecution</p>

<b>G</b>	<p>Where the University is satisfied that any of its degree or certificates or appointment or promotion or issuance of a licence to trade or approval of a contract or conferment of any privilege of any sort was obtained as a reward or benefit based on any act defined as a misconduct under this policy, the University may apply any of the following measures as appropriate:</p> <ul style="list-style-type: none"> <li>• Nullification or Revocation of Degree/Certificate</li> <li>• Revocation of Licence to trade (in the case of vendors on Campus)</li> <li>• Termination of Contract for Contractors</li> <li>• Termination of Employment</li> <li>• Revocation of privilege conferred</li> </ul>
<b>H</b>	<p>Where any of the misconduct listed under this Policy is committed by an agent of the University or a vendor, contractor or other licences or agent of such vendor, contractor or licence?, the appropriate disciplinary measure shall be depending on the seriousness of the misconduct.</p> <ul style="list-style-type: none"> <li>• Verbal or written warning</li> <li>• Revocation of Licence</li> <li>• Termination of Contract</li> <li>• Report to law enforcement agency for prosecution (where appropriate)</li> </ul>

***Senate Approved Date: August 30, 2017***