

Sexual Harassment Policy

Transparency International Zambia



This document shall govern the Child Safeguarding Procedures of Transparency International Zambia, effective this.....day of..... in the year.....and will remain in force until such time that the Board of Directors advise otherwise.

Signed:.....
Priscilla C. Chansa
Chapter President

Signed:.....
Martha Sikasula
Chairperson Staff, Members and Welfare Committee

Signed:.....
Mr. Maurice K. Nyambe
Executive Director

November 2024

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SECTION 1 – PURPOSE AND SCOPE

- 1.1. The Transparency International Zambia (TI-Z) sexual harassment policy aims to safeguard employees of both sexes from unwanted sexually oriented advances, and provide them with guidelines to report such incidents.
- 1.2. It also explains how TI-Z handles sexual harassment complaints, takes action against offenders, and helps survivors to recover.
- 1.3. This policy applies to all those who work for or represent TI-Z in any capacity, including Board, Members, employees, secondees, consultants, volunteers, interns, and contractors.
- 1.4. TI-Z expects all those to whom this Policy applies to strive for the highest standards of integrity and accountability and to conduct themselves in line with the TI-Z Code of Conduct and this Policy.
- 1.5. Leaders within TI-Z have a particularly critical role to play in relation to this policy: role modelling good practice, driving a culture of dignity and respect, and ensuring that any breaches or potential breaches of this policy are addressed swiftly, effectively and in line with the relevant TI-Z procedures.

SECTION 2 - DEFINITIONS

2.1 Sexual harassment

Unwelcome conduct of a sexual nature, which has the purpose, or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.¹ Such conduct may take place on a single occasion or on several occasions. Sexual harassment may take the form of unwelcome physical, verbal or non-verbal conduct, which may include - but is not limited to - the following:

- Unwanted physical contact, ranging from touching to sexual assault and rape;
- Unwelcome innuendoes, suggestions and hints, sexual advances, comments with sexual overtones, sex-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed toward them;
- Unwelcome and inappropriate enquiries about a person's sex life and sexual orientation, directed at a person or group of people;
- Unwelcome gestures, whistling, indecent exposure, or the unwelcome display of sexually explicit pictures or objects;
- Unwelcome messages of a sexual nature sent via email, SMS, voice messages or any other platform, whether using TI-Z or personal equipment; and

¹ Anti-Gender Based Violence Act No.1 of 2011

- Any inappropriate behaviour linked to recruitment or employment opportunities, promotion, training or development opportunities, such as the offer of salary increments or other employee benefits in exchange for sexual favours.

2.2 Discriminatory and disrespectful behaviour

Other forms of harassment relating to a person's gender, marital status, race (including colour, nationality or ethnic or national origin), religion or belief, age or disability. These may involve:

- **Intimidation:** the unreasonable use of status or authority to require an individual to perform an act or task which the individual knows to be inappropriate, illegal or in direct conflict with TI-Z policy or procedures; and
- **Bullying:** any offensive, abusive, malicious or insulting behaviour that makes the recipient feel upset, threatened, humiliated or vulnerable.

SECTION 3 – POLICY IMPLEMENTATION

3.1 Principles and Standards

- TI-Z will not tolerate any form of sexual harassment or other discriminatory or inappropriate behaviour within its ranks.
- Employees and those representing TI-Z are prohibited from harassing others whether during or outside working hours.
- In addition to the standards of behaviour implied in the definitions above, the specific provisions of the TI-Z Code of Conduct apply to all employees and representatives at all times.
- The provisions in the Code of Conduct that relate to sexual harassment are:
 - *Not taking part in any form of abuse, including sexual abuse;*
 - *Not engaging in sexual relations with anyone under the age of 16.*
 - *Not exchanging money, employment, goods or services for sexual favours.*
- The provisions in the Code of Conduct that relate to other forms of discriminatory and disrespectful behaviour are:
 - *Not respecting the basic rights of all human beings regardless of gender, disability, ethnicity, religion, language, HIV status and other aspects of identity;*
 - *Not acting fairly, honestly and tactfully and not treating people with dignity and respect;*
 - *Not taking part in any form of discrimination, harassment, or abuse (physical or verbal), intimidation or exploitation, or in any other way infringing the rights of others;*

- *Failing to strive for high standards of excellence, not taking responsibility for actions and abusing a position of power as a TI-Z representative; and*
- *Behaving in a way that is likely to bring TI-Z into disrepute or ridicule.*

3.2 Dealing with Sexual Harassment

- Any employee subjected to sexual harassment has the right to raise a grievance or complaint and to have their complaint treated seriously, swiftly, sensitively and confidentially.
- In the case of other types of discrimination or disrespectful behaviour, the provisions of relevant national laws and procedures will apply.
- In all cases, employees will be protected as far as is reasonably possible against victimization, retaliation or false accusations that may arise as result of reporting sexual harassment or other forms of discriminatory or disrespectful behaviour.
- In cases of sexual harassment, abuse or assault, given the deeply sensitive and personal nature of such abuse, the employee will have access to several options for reporting his or her concern, according to what the employee believes is most appropriate in his her context. The options are:

3.1.1 The Informal route:

In the case of sexual harassment that the employee may consider to be a one-off or a relatively mild example of misconduct, the employee concerned may choose to explain to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends them or makes them uncomfortable. The employee may also explain to the person that the unwelcome conduct interferes with their work, and that if it is repeated, it will have the effect of converting unwanted attention into harassment.

3.2.1 The Formal route:

- In cases that the concerned employee deems more serious, they may report the concern directly to the most senior manager in the location (e.g. the Executive Director) or to the Supervisor in the location (e.g. the Finance and Administration Manager). Where the concern is against the Executive Director, the employee may report to the Chairperson of the Staff and Members Welfare Committee, who will in turn inform the Chapter President.
- Where the concern is against a TI-Z Member, it may be reported to the Executive Director if the offended party is an employee or to the Chapter President if the offended party is also a TI-Z Member. If the complaint is by a TI-Z Member and is about the

Chapter President, it may be reported to the Chairperson of the Staff and Members Welfare Committee.

- If an employee raises a concern verbally, he/she should follow up by submitting the complaint in writing, in line with the relevant local reporting procedure.
- Where a complaint is formally reported, TI-Z will conduct an investigation as soon as possible, and in compliance with the standards set out in the relevant local reporting procedure.
- Any attempt at intimidation, victimization or retaliation towards the complainant, witnesses or any other party involved in an investigation may be subject to a separate disciplinary action.
- Managers or supervisors must deal expeditiously and fairly with any allegation of sexual harassment that has been formally reported.
- Managers or supervisors who knowingly allow or tolerate sexual harassment or retaliation, or who fail to immediately report such misconduct, will be deemed to have breached this policy.
- Employees who violate this policy will be subject to appropriate disciplinary action, up to and including dismissal, and any potentially criminal actions may be reported to the relevant authorities.

SECTION 4 - ORGANISATIONAL COMMITMENT

- TI-Z is committed to ensuring a safe working environment for all those who work for us and for all those who come into contact with our staff and representatives.
- A similar commitment to creating an environment that is free of discrimination, disrespect and any other form of inappropriate behaviour is something that we expect of each individual who works for TI-Z in any capacity. We are individually responsible for our own behaviour at all times, for ensuring that we adhere to the standards of conduct set out in this Policy, the Code of Conduct and related policies and procedures, and for reporting any concerns about conduct within the TI-Z workforce which may be in breach of this Policy.
- TI-Z takes a zero tolerance approach to sexual harassment and any conduct that is discriminatory or disrespectful of others. All concerns that are reported to us will be addressed quickly and effectively, with due regard to the confidentiality of those raising a concern. Policy breaches will be investigated in line with relevant procedures; and disciplinary action - up to and including dismissal – will be implemented.
- This Policy forms a core element of a wider TI-Z framework aimed at further developing a culture that is safe for everyone and where all are treated with dignity and respect. As part of this wider framework, we will further develop our practice on raising awareness

of this Policy and related policies and procedures through induction, relevant training, and how best to support staff who may have been subject to sexual harassment or other forms of discriminatory treatment.

- We will also formally monitor and report on breaches of this Policy, and will not tolerate sexual harassment in any form.