MUHIMBILI UNIVERSITY OF HEALTH AND ALLIED SCIENCES

Policy for Prevention and Response to Gender Based Violence

2023

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ACRONYMS………………………………

GBV	–	Gender-Based Violence
SH	–	Sexual Harassment
MUHAS	–	Muhimbili University of Health and Allied Sciences
WHO	–	World Health Organization

DEFINITIONS

Associates

> people who are neither MUHAS students nor staff but live or work within the MUHAS environment. They include service providers such as food caters, security guards, environmental keepers, staff children and relatives.

Vulnerability groups

> people who are at risk of facing GBV at MUHAS due to unequal power dynamics. They include students, academic staff, administrative, and technical staff, as well as their children.

Gender

> refers to the characteristics of women, men, girls, and boys that are socially constructed (WHO). This includes norms, behaviours and roles associated with being a woman, man, girl, or boy, as well as relationships with each other.

Violence against children

> Violence against children includes all forms of violence against people under 18 years old, whether perpetrated by parents or other caregivers, peers, romantic partners, or strangers (WHO).

Power Relations

> refers to relationships in which one person has social-formative power over another and is able to get the other person to do what they wish whether by compelling obedience or in some less compulsive and even a more subtle way.

Perpetrator

> a person who carries out Gender-Based Violence

Sextortion

> is the practice of demanding money or sexual favours from someone by threatening to reveal evidence of their sexual activity.

Cyber bullying

> is a type of bullying in which one or more individuals use digital technologies such as cell phones, computers, and tablets to cause harm intentionally and repeatedly to another person, for example typically sending messages of an intimidating or threatening nature.

Sexual Abuse

means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual Exploitation

means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Gender Based Violence

Gender-based violence refers to any type of harm that is perpetrated against a person or group of people because of their sex. Gender-based violence is based on an imbalance of power between women and men; and is carried out with the intention to humiliate and make a person or group of people feel inferior and/ or subordinate. Gender-based violence can be sexual, physical, verbal, psychological (emotional), or socio-economic and it can take many forms, from verbal violence and hate speech on the Internet, to rape or murder.

Sexual Harassment

Sexual harassment is a form of GBV which specifically refers to unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated in workplace or learning environment. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, academic achievement, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual harassment can involve one or more incidents and actions constituting harassment which may be physical, verbal and non-verbal. Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

Physical conduct such as:

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching.
- Physical violence, including sexual assault

- Physical contact, e.g., touching, pinching.
- The use of job-related threats or rewards to solicit sexual favours.

Verbal conduct:

- Comments on a worker's/ student's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker.
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct:

- Leering
- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Indecent exposure

Cyber Sexual Harassment

range of sexually aggressive or harassing images or texts delivered using digital media.

CHAPTER ONE: PURPOSE AND CONTEXT

1.1. Background

1.1.1. Introduction

The Muhimbili University of Heath and Allied Sciences (MUHAS), being one of the public institutions in Tanzania, works on behalf and in favor of the government policies and strategies. Thus, MUHAS has been implementing different gender-based issues including implementation of the policies and strategies to combat gender-based violence. Hence, after attaining its fully flagged status, the University developed a policy against Sexual Harassment and Discrimination in 2008, followed by the Gender Policy of 2013. Both documents aimed at guiding and mitigating any discrimination acts that would otherwise affect the learning environment and prosperities of the students, staff, and its associates.

The University management has set affirmative actions of gender inclusiveness and equity in all its processes including students' admission, staff recruitment, training, and promotion etc. Regardless of these intentional University provisions, both staff and students have not made proper use of this opportunity. However, with advancement in communication technology, sociocultural interactions, and the university expansion, needs arise to ensure that effective mechanisms are in place that best address **Gender Based Violence and Sexual Harassment** (GBV/HS) **prevention and response** in the MUHAS community.

The establishment of GBV Desks at MUHAS is part of the implementation and compliance of the National Guideline for Establishing, Implementing, and Monitoring of Gender Desks for Higher Learning and Tertiary Education Institutions in Tanzania (2021); Women and Gender Development Policy of the year 2000; Strategy for its implementation of 2005; and the National Action Plan for the Elimination of Violence against Women and Children (MTAKUWWA) for the year 2017/18 - 2021/22. Through this guide MUHAS establishes a Gender-based Violence information desk to educate, provide statistics and implement plans to eliminate gender inequalities among students, employees and service providers in

the Institution in their daily activities. The institutional Policy on Prevention and response to Gender Based Violence will provide instructions for the establishment, implementation, and monitoring of responses and support services to victims of GBV.

1.1.2. Situational analysis

Gender based violence and Sexual Harassment (GBV/SH) is becoming a serious problem in the country especially among women and girls. The Tanzania Demographic and Health Survey (TDHS) of 2015/16 indicated that 40% of women aged 15-49 have ever experienced physical violence, and 17% have ever experienced sexual violence. Some of the victims in this age group include those in higher and tertiary education. Among the risk factors that exacerbate GBV in higher and tertiary education include unequal power dynamics between and within students and staff members which has left them vulnerable to sexual exploitation and harassment originating from semi-autonomous nature of the university processes. Also, a generation of younger students joining the university with insufficient life skills (including interpersonal negotiation skills) makes them more vulnerable to acts of GBV/SH. Additionally, financial insecurity caused by poverty and challenges in educational financing and securing loans put students at risk of GBV due to engaging in relationships with financial gains. Furthermore, technological advances in communication, especially social networks, are exposing students and staff to the risks of cyber bullying. However, in Tanzania, there seem to be an increase in awareness with incidents of gender violence. For instance, the reported incidences in 2020/21 were 20,025 compared to 18,270 incidents reported in the 2019/20 financial year.

1.2. Scope of application

This policy applies to all students, staff (academic and administrative members of staff), as well as individuals who have a contractual relationship with the MUHAS, including service providers. The policy applies to those in, or utilizing MUHAS resources, including but not limited to facilities, work sites, work-related travels

equipment, or vehicles. It is the responsibility of the MUHAS management to monitor, evaluate and support the Gender Desk Unit in operationalizing, informing, and educating the whole MUHAS community on this policy. Likewise, each community member of the University has a responsibility of familiarizing herself/himself with this policy to ensure that her/his conduct does not violate the values and the spirit of this policy.

1.3. Policy objectives

1.3.1. General Objective

The overall objective of the MUHAS policy on prevention and response to Gender Based Violence is to progressively eliminate GBV/SH in its community through the development of a preventive, protective, supportive, and transformative environment.

1.3.2. Specific Objectives

The specific objectives of the MUHAS policy on prevention and response to Gender Based Violence address three core areas.

i. **Prevention**

- Foster a prevention-focused learning and working environment where GBV is not tolerated
- Reduce vulnerability of groups most at risk to GBV/SH

ii. **Response**

- Ensure that perpetrators of GBV/SH have appropriate sanctions applied to them following investigation and hearing processes.
- Facilitate the provision of comprehensive services to victims of GBV/SH.
- Improve accountability and eliminate impunity for GBV/SH.
- Improve sustainability of GBV/SH prevention and response interventions.

iii. **Linkage**

- Promote accessibility to all available GBV/SH support services within and outside the University.

CHAPTER TWO: POLICY PROVISIONS

2.1.   GBV prevention:

2.1.1. *Policy Objective 1:*

Foster a prevention-focused learning and working environment where GBV/SH is not tolerated

2.1.2. *Policy Statement:*

Promote a GBV/SH free learning and working environment for MUHAS community members

2.1.3. *Strategies:*

i.   Create awareness among academicians, administrative and technical staff, students, and associates using various approaches to ensure they understand what constitutes GBV/SH and the available support services at MUHAS.

ii.   Ensure effective administrative, infrastructural, and interpersonal mechanisms to prohibit GBV/SH at MUHAS are in place and appropriate sanctions are provided such as staff and student codes of conduct and use of the gender unit and GBV desk for handling GBV matters.

iii.   Establish a mechanism that will make all staff, students and associates maintain an acceptable environment in which GBV/SH is perceived as an unacceptable behaviour to maintain an environment that is hospitable, equitable and conducive for safe and decent MUHAS community life.

iv.   Clarify expectations of MUHAS community members' behaviour in relation to our zero-tolerance approach as outlined in the existing Students By-Laws, Code of Ethics and Conduct for MUHAS Staff, Gender Mainstreaming Policy, and other national Acts and regulations such as Public Service Act No. 8 of 2002, Standing orders for the Public service (2009), Public Service Regulations (2022).

v.   Build capacity of those who are involved in addressing GBV/SH at MUHAS such as GBV desk service providers and Gender Unit

vi.   Allocate resources to support GBV/SH preparedness.

2.1.4. *Policy Objective 2:*

Reduce vulnerability of groups most at risk to GBV/SH

2.1.5. *Policy Statement:*

Implement measures to reduce vulnerability of individuals who are most at risk of GBV/SH at MUHAS

2.1.6. *Strategies:*

i. Create awareness among staff and students about friendly mechanisms for reporting potential and/or actual GBV/SH occurrence

ii. Undertake to assure staff and students of administrative protection upon reporting potential and/or actual GBV/SH

iii. Undertake to protect all children against abuse that may occur on the University's campuses, on property owned or leased by the University, in accommodation areas for students outside the university or while members of staff or students' body are participating in a University connected activity off campus.

iv. Publish the policy on GBV as a booklet and disseminate it to all members of staff and students

v. Require all University staff and students to undertake to abide by the GBV policy

2.2. GBV Response

2.2.1. *Policy objective 1:*

Ensure that perpetrators of GBV/SH have appropriate sanctions applied to them following investigation and hearing processes.

2.2.2. *Policy Statement:*

Enforce *By-Laws*, regulations, rules, guidelines, and policies towards GBV/SH response.

2.2.3. *Strategies:*

i. Establish detailed procedures for reporting, documenting cases of GBV/SH

2.2.3.1. *Procedure:*

- Strengthen the unit that receives, and processes reports on GBV/SH
- Train members of the GBV/SH on how to handle reports on GBV/SH

- Put in place Standard Operating Procedures for receiving, handling, and processing complaints [Upon receiving a report a member of the GBV/SH Committee shall immediately record dates, times, and facts of the incident(s); and keep a confidential record of all discussions]

- Ensure functional counselling services in all campuses.

- Install effective and user-friendly online and offline mechanisms for reporting perpetual GBV/SH incidents or any other available means

- Facilitate collection of evidence upon getting reports about impending GBV/SH acts.

ii. Carry-out a detailed and sensitive investigation on cases of GBV/SH

2.2.3.1. Procedure:

- Appoint a standing committee to rigorously investigate cases of GBV/SH

- Put in place mechanisms to ensure that all complaints are conducted with due regard to key principles including impartiality, objectivity, timelines, accuracy, and thoroughness (The committee members shall interview the victim and the alleged harasser separately; interview other relevant third parties separately; produce a report detailing the investigations, findings and any recommendations).

- Ensure proper documentation of evidence provided during investigations.

- Train members of the committee to effectively investigate cases of GBV/SH Act promptly and effectively on recommendations from the investigation committee

- Articulate institutional disciplinary measures and laws of the land to various types of GBV/SH cases to ensure that perpetrators are disciplined accordingly

- Put in place a special internal disciplinary committee to handle cases of GBV/SH

- Take appropriate action on perpetrators, pending investigation once a case has been reported. Such actions may include, but not limited to warnings, suspension or termination of service/student status depending on the nature and severity of the offence

- Categorize cases of GBV/SH offences according to their severity
- Communicate the categories of offences and corresponding penalties to all staff and students
- Ensure the safety of all records concerning cases of GBV/SH
- Severely discipline any persons who threatens or victimizes individuals who report cases of GBV/SH
- Provide an opportunity for appeal procedures

iii. Revise Students By-Laws and Staff Regulations to reflect zero tolerance against GBV/SH

2.2.2. *Policy Objective 2:*

Facilitate the provision of comprehensive services to victims of GBV/SH.

2.2.3. *Policy Statement:*

Provide comprehensive services to victims of GBV/SH

2.2.4. *Strategies:*

i. Strengthen support mechanisms for victims of GBV/SH

2.2.4.1. *Procedure*

- Expand the capacity of the existing guidance and counselling services to specifically address cases of GBV and/SH include both students and staff
- Encourage all staff and students to report to appropriate authorities any cases of GBV/SH, which they have experienced or heard of, involving members of staff or students at the University.
- Put in place mechanisms to protect parties involved in GBV/SH proceedings from any intimidation, threats, or repercussion once an incident has been reported
- Ensure access to quality and comprehensive supportive services to all victims across different sectors. These shall include, but not limited to medical, psycho-social support, legal services.

ii. Document all services provided to GBV victims.

2.2.5. *Policy Objective 3:*

Improve accountability and eliminate impunity for GBV/SH

2.2.6. Policy Statement:

Ensure accountability and elimination of impunity for GBV/SH.

2.2.7. *Strategies:*

i. Protect of all parties in GBV/SH proceedings from intimidation, threats or repercussion once an incident has been reported

2.2.7.1. Procedure

- Putting in place mechanisms for protecting whistle blowers who provide information in-order to protect them from reprisals and harm
- Maintaining utmost confidentiality in respect of both the complainant and the respondent throughout any investigations and/or proceedings

ii. Promote integration of GBV/SH risk mitigation strategies into MUHAS annual action plans of the Schools/Directorates such as establishing GBV committee in each School/ Directorate

iii. Establish investigative units or mechanisms for thorough gathering of information about GBV/SH

iv. Institute timely effective investigations and the prosecution of any member of the University Community, regardless of academic or social position.

v. Allocate resources to support GBV/SH response measures.

2.2.8. Policy Objective 4:

Improve sustainability of GBV/SH prevention and response interventions.

2.2.9. *Policy Statement:*

Ensure sustainability of GBV/SH prevention and response interventions.

2.2.10. *Strategies:*

i. Ensure that GBV/SH concerns, priorities, and updates are regularly part of statutory meetings.

ii. Ensure sufficient budgetary allocation for coordination, capacity development, awareness creation evidence generation, monitoring and evaluation to achieve this policy's objectives.

2.3. GBV Linkage

2.3.1. *Policy Objective 1:*

Promote accessibility to all available GBV/SH support services within and outside the University.

2.3.2. *Policy statements:*

Ensure available services for GBV/SH victims within and outside the University are accessible by all staff and students who may need them.

2.3.3. *Strategies:*

i. Map and regularly update all available services for GBV/SH survivors.

ii. Sensitize staff and students to utilize available GBV/SH services to survivor at MUHAS through different communication channels.

iii. Support GBV victims to access all available services within and outside MUHAS.

iv. Facilitate utilization of available GBV/SH support services outside MUHAS through referrals and other relevant collaborative activities

v. Provide enough resources for education and sensitization of students and staff, and GBV/SH committees about available GBV/SH support services within and outside the University.

vi. Document all linkages and referrals provided to GBV/SH victims.

vii. Maintain utmost confidentiality in respect of both the complainant and the respondent throughout any investigations and/or proceedings.

CHAPTER THREE: PROCEDURE FOR RESOLUTION OF COMPLAINTS OF ALLEGED GENDER BASED VIOLENCE/ SEXUAL HARASSMENT

3.1. Reporting of Gender Based Violence/ Sexual Harassment

The policy has adopted the procedures laid down by the *Mwongozo wa uanzishwaji, uendeshaji na ufuatiliaji wa dawati la jinsia katika taasisi za elimu ya juu na elimu ya kati* (2021) for reporting of a gender based/sexual harassment complaint and or allegation. The Gender desk shall prepare a friendly/ convenient system for receiving reports about GBV/SH and process them through the following procedure:

i. GBV/SH report will be received through various modalities, including: one on one interview, e-mail, short message on the phone, phone call, suggestion box, other means that will be put in place by the University, or any approach that the informant may prefer to use**.**

ii. Any person has a responsibility to report an incident of GBV/SH to the gender desk.

iii. A student, staff, service provider shall timely report GBV/SH incident or behaviours of GBV/SH to the gender desk.

iv. Under the circumstances where students, staff, or a service provider is unable to report the GBV incident, her/his close relative/ friend/ any person can report the incident(s) through confidential mechanisms.

v. The complainant/ victim or the informant of GBV/SH shall report to the GBV/SH desk any threats, barriers, or behaviors suggestive of retaliation from the accused, or his/her close relatives/ friend.

vi. In the circumstances of delivery of justice to the victim or the person accused of GBV/SH; detailed information should be obtained, and thorough investigation be conducted so that the verdict doesn't not leave any doubt or doesn't render justice to any party.

3.2. Safety of the GBV/SH victim or the accused person

The period after the GBV/SH incident(s) or behaviours suggestive of GBV/SH are reported, the GBV/SH desk shall do the following:

i. Ensure safety of the Complainant, the victim, the accused, or the informant using existing administrative and accountability mechanisms.

ii. Ensure confidentiality during investigation and legal handling of the GBV/SH matters.

iii. Ensure the victim, the informant, or the accused are not harmed because of the proceeding of the GBV/ SH matter at hand.

CHAPTER THREE: POLICY IMPLEMENTATION

4.1. ADMINISTRATIVE STRUCTURE

There shall be a Coordinator for gender-based violence desk who will be appointed by the Vice Chancellor. The coordinator shall oversee, monitor, and evaluate the processes regarding GBV matters at MUHAS. The gender desk coordinator together with the appointed committee shall spearhead the MUHAS GBV prevention, response, and linkage activities, which includes all implementation units and all measures they take to maintain and ensure a GBV free environment at MUHAS.

4.2. THE LINKAGE WITH OTHER UNITS

The Gender desk unit shall be a technical unit responsible for control and response to GBV at the institutional level. It shall maintain a close working relationship with the Gender Mainstreaming Unit, Directorate of Students Services, and Directorate of the Human Resources and administration. The Gender desk shall also maintain a close working relationship with all units, academic and non-academic, on matters pertaining to control and response to GBV. Moreover, the Gender Desk shall be a link organ between the University and external Gender based violence agencies such as the Ministry of Community Development, Gender, Women and Special Groups (MCDGWSG), the Police Gender Desk, One-Stop-Centres in health facilities, and Municipal Social Welfare offices. It shall prepare and submit the MUHAS GBV report to MCDGWSG and other external bodies involved in prevention and response to GBV.

4.3. ROLES OF THE IMPLEMENTING UNITS

4.3.1. MUHAS management

i.   Implementation of the GBV unit activities shall be under the office of the Vice Chancellor (VC) (*Mwongozo wa uanzishwaji, uendeshaji na ufuatiliaji wa dawati la jinsia katika taasisi za elimu ya juu na elimu ya kati* 2021).

ii.   Therefore, the office of the VC shall inclusion of GBV activities in the University's institutional strategic plan and budget.

iii.   The VC shall present a summary of achievements and challenges related to GBV prevention and response to the University Management and Council meetings.

4.3.2. Gender desk committee

The GBV Committee shall:

i.   Meet quarterly

ii.   Receive discuss and deliberate on implementation of issues related to GBV and approve the report to be submitted to the VC.

iii.   Oversee implementation of activities and follow up of issues reported to the unit.

4.3.3. The Gender Desk Coordinator

The GBV desk coordinator shall:

i.   Oversee the implementation of GBV policy

ii.   Submit reports of implementation quarterly to the VC who will review and give directives for improvement of GBV prevention and response,

4.4.   POLICY STATUS

This is a new policy document for the University.

4.5.   KEY STAKEHOLDERS

Key stakeholders for this policy include the following:

i.   University Management

ii.   Staff, both temporary and permanent, who are active in teaching, research and providing any form of support service to the core functions of the University

iii.   Students registered with the Muhimbili University of Health and Allied Sciences

iv.   Government ministries and departments

v.   Researchers, funders and other partners and collaborators of the Muhimbili University of Health and Allied Sciences

vi.   Muhimbili University of Health and Allied Sciences associates

4.6. APPROVAL AND ENDORSEMENT

The University Council will approve and endorse this policy.

4.7. RELATED POLICIES AND DOCUMENTS

Effective implementation of the gender-based violence policy will depend on other policies include:

  i. The University charter, 2007
 ii. Gender-mainstreaming policy, 2023
iii. Code of ethics and conduct for MUHAS staff, April 2016
 iv. Students social welfare policy, 2018
  v. Staff regulations,
 vi. Student By-Laws

4.8. EFFECTIVE DATE

This policy will be effective from the date of its approval by the University Council.

4.9. NEXT REVIEW

In the event that any statement in the policy provision is outdated or a need to introduce new statements arises as a result of the changing University environment, or any other reason, such statements may be changed or modified and approved by the MUHAS Council. In any case the entire document will be reviewed after every 3 years.

4.10. POLICY CUSTODIAN

The Gender Based Violence Unit shall be the custodian of this policy.

4.11. CONTACT PERSON

Coordinator- Gender Based Violence desk,

Muhimbili University of Health and Allied Sciences,

P.0 Box 65001, Dar es Salaam Tanzania

Tel: +255 22 2150096

Email: genderdesk@muhas.ac.tz