



Living free from sexual harassment in public colleges of education

A Guide for Student Teachers

What NCTE's sexual harassment policy means in practice

The NCTE sexual harassment policy provides a robust and practical minimum standard that all Colleges of Educations (CoEs) in Ghana must meet to enhance the right to education, promote gender equality and empowerment in education, and to eliminate all forms of discrimination in education.

All Colleges of Education, from staff through to students should:

- Clearly understand what sexual harassment is
- Have formal and informal reporting systems in place and related guidance available
- Have a disciplinary process in place and related guidance available
- Know how to prevent sexual harassment in the future.

The policy builds on strategies outlined in NCTE's 2018 Gender in Education policy and provides a uniform approach to addressing and reducing sexual harassment for all Colleges of Education. Other tertiary institutions are also encouraged to adapt and adopt this policy.

What is sexual harassment?

Sexual harassment is any behaviour that involves unwanted sexual advances, requests and other verbal or physical conduct of a sexual nature. It can occur regardless of whether the harasser considers the behaviour to be offensive or not. Anyone can sexually harass someone, and anyone can be sexually harassed, but power and consent play a critical role here. Someone who experiences sexual harassment may consent to certain conduct because they feel pressure to do so, not because they want to. People who may once have been reciprocal in actions, can change their mind.

Types of sexual harassment you should be aware of:

- ❗ **Hostile environment:** Unwanted conduct which creates a hostile environment where students and/or staff members feel uncomfortable or unsafe.
- ❗ **'This for that' (quid pro quo):** When a student or staff member are promised, directly or indirectly, academic or career benefits in exchange for sexual favours. A student offering a sexual favour to a tutor in return for a good grade is another example of this.
- ❗ **Retaliation:** When a student or staff member is punished with a negative action related to their academic or professional career for rejecting sexual advances, reporting or assisting someone else with reporting sexual harassment.

Consequences



Unwanted sexual behaviour can have serious effects on teaching and learning in colleges, causing tense and unproductive environment in which to work and learn.

Students who experience physical and psychological distress may feel pressure to avoid a class or drop out altogether. Members of CoE staff experiencing sexual harassment experience decreased morale and job satisfaction, and irreparable damage to interpersonal relationships at work.

Examples to look out for

Actual, or attempted, rape or sexual assault is the most serious form of harassment and against the law.

Hostile environment harassment

When unwanted sexual conduct makes someone's environment unpleasant or uncomfortable.

- ! Unnecessary and unwanted nicknames
- ! Intrusive sexually explicit questions
- ! Spreading rumours about a person's sexuality or sexual activity including speculation about previous sexual experience
- ! Remarks of a sexual nature about someone's clothing or body
- ! Unnecessary and unwanted touching
- ! Suggestive states, sounds or gestures (winking, licking lips etc.)
- ! Sexually explicit jokes, internet images or pornographic materials
- ! Unwanted contact via telephone, texting, email and social media
- ! Unwanted propositions of a sexual nature – even if they began as reciprocal
- ! Spying on someone engaged in intimate behaviours (undressing, bathing, sexual activity).



'This for that' harassment

When someone in a position of power promises (directly or indirectly) that they will take positive action or decisions to support a student teacher or colleague in exchange for sexual favours. These promises include:

1. High grades, letters of recommendation or participation in an activity;
2. Job offers, promotion, housing, allowance, recommendation or good appraisal).

Retaliation harassment

When someone is subjected to negative consequences for rejecting an unwanted sexual advance, reporting sexual harassment or assisting someone else through a sexual harassment complaint. These consequences include:

3. Poor evaluations, low grades, social exclusion or poor treatment in the classroom;
4. Poor evaluations, failure to hire or promote, transfers, social exclusion and poor treatment in the workplace.



Steps for reporting sexual harassment

Informal reporting

1. Accuser reports incident to Safe Space focal person
2. Safe Space focal person clearly identifies and establishes type of SH, and confidentially advises, supports and leads negotiation of the reported harassment.
3. If harassment persists or has caused serious distress then...



Escalation to formal reporting

4. Notification of escalation
5. Convening the grievance committee
6. Acknowledgement of complaint (1 week)
7. Response from accused (1 week)
8. Confidential formal hearing (2 weeks after initial acknowledgement of complaint)
9. Decision taken



Appeal

Lodge written appeal (1 week after outcome of original hearing)

Response from the other party (1 week)

Appeal hearing (1 week after response received)



I've been sexually harassed. What should I do?

- 1 Speak with one of the Safe Space focal people at your college.
- 2 Submit a formal written notice of complaint to your Safe Space focal people, which should be acknowledged within one week. This written complaint should include the following supporting evidence:
 - Dates/times/locations of harassment
 - Type(s) of harassment (hostile, quid pro quo, retaliation, or other) and descriptions of what happened
 - Witnesses. If there was no witness who observed the harassment, a witness can be used to at verify the victim's dates/times/locations.
 - Material evidence, if available (like emails, text messages, letters, recordings, etc.)
 - Documents from any informal reporting/mediation that may have been attempted
- 3 You will then be asked to attend a formal hearing. A colleague or friend can come with you if you so wish.
- 4 Recount your story to the committee. The accused will not be in the room.



I want to appeal the outcome of the formal hearing. What should I do?

- 1** You have the right of appeal for any decision reached. If there is new evidence or witnesses, then you have grounds for appeal. The decision reached at an appeal hearing is final.
- 2** Write an appeal, including the new evidence and witnessed and why they were not originally included.
- 3** Lodge your written appeal to the Principal no later than one week from notification of the hearing outcome.
- 4** Wait for a response from the other party, who will be notified of the appeal.
- 5** Attend the appeal hearing.

I think I have experienced retaliation harassment. What should I do?

- 1** Request a marking appeal in which 8-10 ten randomly selected scripts from the same class/assignment are re-marked along with your own.
- 2** A tutor with relevant subject knowledge will be given the marking criteria for the assignment and mark the 8-10 anonymised scripts.
- 3** If your mark is clearly higher than the original mark (and the marks for the other scripts remain generally the same), this is adequate evidence to claim that the tutor had engaged in retaliation harassment against you and can be used in a formal report hearing.

Guidance on disciplinary action

Actual or attempted rape or sexual assault is a criminal offence. Call the police immediately and ensure the harasser is expelled or has their work contract terminated.

Hostile environment harassment	Suggested disciplinary action
Unnecessary and unwanted nicknames Intrusive sexually explicit questions Spreading rumours about a person's sexuality or sexual activity including speculation about previous sexual experience Remarks of a sexual nature about someone's clothing or body	<ol style="list-style-type: none">1. Verbal reprimand, warning to not repeat behaviour and a written query documenting that a warning has been given.2. Ensure harasser understands why the behaviour deserves disciplinary action (it was unwanted, inappropriate and made the accuser uncomfortable) and writes a letter of apology.3. If complaint happens again, harasser should be put on probation.

Suggested disciplinary action for all other examples of hostile environment, 'this for that' and retaliation harassment

1. Verbal reprimand, warning to not repeat behaviour and a written query documenting that a warning has been given.
2. Ensure harasser understands why the behaviour deserves disciplinary action (it was unwanted, inappropriate and made the accuser uncomfortable) and writes a letter of apology.
3. Put harasser on probation for one year. If another case occurs during probation, termination or expulsion should be considered. *

Suggested disciplinary action for false accusations

1. Verbal reprimand, warning to not repeat behaviour and a written query documenting that a warning has been given.
2. Ensure accuser understands why the behaviour deserves disciplinary action (it constitutes lying and deceit) and writes a letter of apology to the alleged harasser.

** If there are no complaints after one year of probation, the harasser should no longer be susceptible to termination/expulsion. If complaints recur after the probation has been completed, a second hearing should be conducted. The past offense should be noted and termination/expulsion should be considered.*