

Policy for Preventing and Addressing Harassment and Unacceptable Behaviour

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POLICY FOR PREVENTING AND ADDRESSING HARASSMENT AND UNACCEPTABLE BEHAVIOR

The Arab Open University will make every effort to promote and maintain a professional and safe environment in which all AOU Students and Staff members are protected from any form of harassment including sexual misconduct and unacceptable behavior.

Statement of Intent:

As a partner of OU-UK, AOU will adhere to the relevant Higher Education regulatory framework. This policy is developed as per the Office for Students (OfS) statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education. The policy is to be interpreted and applied within the legal framework of each AOU country and any other branch local accreditation requirements. The AOU thus commits itself to eliminate and prevent all forms of harassment and sexual misconduct.

Purpose: This policy is intended to help and guide AOU students to conform to the highest ethical standards and to enjoy a university life free from threats and assaults. The Arab Open University will take all the necessary measures and actions to prevent all forms of harassment including sexual misconduct and to respond to the needs of those affected.

Policy Statement:

AOU is committed to providing a safe environment in which the rights and dignity of all its community members are respected. AOU policy of equal opportunity and respect for diversity states that “all members of the university community must be treated fairly and with respect. It prohibits discrimination, harassment and victimization and provides equal opportunities for all community members and applicants regardless of their gender, religion, marital status, social or economic background, ethnic origin, age, or disability”. Consistent with this policy, all AOU students have the right to expect ethical and professional behavior from others and a corresponding responsibility to behave ethically and professionally toward others. All are expected to refrain from any form of discrimination, harassment and sexual misconduct (physically, verbally or electronically).

Harassment:

“Harassment includes unwanted behavior or conduct which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment”

Harassment may take many forms, obvious or subtle. It can involve verbal, written or physical conduct that are considered to be offensive, demeaning or unwelcome based on a grounds of discrimination set in the above mentioned policy.

Discriminatory harassment:

It includes the following:

Harassment based on gender

Harassment based on race

Harassment based on religion

Harassment based on disability

Age related harassment

Sexual harassment

Examples of Discriminatory harassment include (but are not limited to) the following:

- Abuse of power or authority to undermine, or intimidate a staff member or student
- Verbal or physical threats
- Abusive behavior or comments
- Offensive comments or body language
- Open hostility
- Persistent unjustified criticism

Sexual Misconduct and unacceptable behavior (sexual harassment):

Sexual misconduct relates to all unwanted conduct of a sexual nature; it can be gender-based form of harassment that can include the following examples:

- Offensive remarks about members of a specific gender
- Inappropriate sexual gestures
- Gender –related verbal abuse or threats
- Offensive or sexual comments about appearance, clothing or body characteristics
- Vulgar comments related to gender

- Propositions of physical intimacy
- Inappropriate behaviour (staring or unwelcome physical contact)
- Sending suggestive letters, emails or obscene message
- Publishing, circulating or displaying sexually offensive inappropriate images, posters, videos or other materials.

Some of the above mentioned acts may occur through the use of the internet, email, social media or telephone. All of the above examples may amount to bullying particularly when the conduct is coupled with the inappropriate exercise of power or authority over another individual or a student.

Scope:

The policy applies to all members of AOU community which includes students, students' councils, students' societies, alumni, academic and administrative staff members and third parties such as partners, agents, contractors, guests and visitors. It applies to all aspects of the university provision across various AOU campuses, academic programmes and related activities and events.

Reporting of Harassment & Sexual Misconduct:

No student or staff member shall be harassed; Students have the right to complain about harassment. Staff have the same rights to protection as students.

It is the responsibility of AOU Community members to report any incident of harassment, sexual misconduct and unacceptable behavior to the relevant concerned authority.

The University will respond to reports of harassment incidents whether it occurs on campus or off campus.

Students are encouraged to report these incidents as soon as it happens during the semester including semester breaks.

Harassment and sexual misconduct may be reported by a single student or group of students.

The student/complainant may choose to submit its complaint directly to the AOU Director/Branch Rector or through the students' affairs office.

Confidentiality:

Any reported incident will be kept confidentially in line with the AOU confidentiality and data protection policies. Both complainant and respondents have the rights to remain anonymous. However, the relevant committees have the duty to disclose the necessary information and details to the respective authority. All incidents will be properly documented and the respective records are kept safely as per the above mentioned policies.

Supportive Measures:

Both Complainants and Respondents have the rights to seek a reasonable support from the university during grievance process including protection from retaliation and access to educational services and guidance and support on the relevant process and procedures.

Supportive measures will include reasonable accommodation for special needs students and staff to ensure their full and equal participation.

Committees/panels dealing with harassment and sexual misconduct incidents:

1. Investigation Committees/panel:

a. Committee investigating student/group of students' complaints against another student:

The Committee shall be formulated by the Branch Director/Rector as follows:

- Two experienced academic staff members including a female staff member. The most senior staff member will be selected as the Chair of the Committee.
- Head of the Student Affairs Office.
- The University Legal Advisor (for consultation if required).

b. Committee investigating student complaints against any staff member:

- Assistant Director for Academic Affairs as the Committee Chair
- Two Senior Academic staff members including a female staff as member.
- The University Legal Advisor (for consultation if required).

Duties of the investigation Committees/panel:

- Meet with the student/group of students(Complainant/s) to investigate the incident.
- Call any other witnesses for verifying the incident.
- Call the respondent and hear his/her response to the allegations.
- Consult with the legal advisor if deemed necessary.

- Submit its recommendation including suggested remedial/punitive measures to the Disciplinary Committee.

Disciplinary Committee:

Membership of the Committee:

Branch Director/Rector: Chair of the Committee

Assistant Director/Rector for Administrative Affairs: Member

Two senior Academic Staff: Members

Responsibilities of the Disciplinary Committee:

The disciplinary committee will review the investigation committee reports and recommendation and take the appropriate action.

The committee may consult with the University legal advisor if necessary.

The Committee is entitled to apply any of the penalties that were included in the student code of conduct and disciplinary procedure or the staff disciplinary bylaws.

Compliance with the policy:

All Members of the AOU community are accountable for their actions and as members of the University community, are collectively accountable for upholding professional and Ethical standards of behavior and for compliance with this policy. Any conduct that departs from the stated policy and AOU Codes of Conduct is unacceptable and is subject to appropriate actions.

False complaints, reporting or retaliation are considered a violation of the policy and AOU codes of conduct. Complainants, respondents, witnesses and

other involved parties, knowingly or deliberately providing false or misleading information during the grievance and investigation process will be subject to disciplinary action.

Implementation of the Policy:

AOU senior management team and directors are accountable for the execution of the policy throughout the university campuses. They shall ensure active compliance with the policy by all students, staff and other stakeholders.

The University Senior management will provide the necessary support to ensure that AOU Branches have in place the necessary staff training, proper guidance for putting this policy in place including investigations' procedures, reporting mechanisms and assistance support.

Senior management team is responsible for maintaining a proper oversight of the implementation of the policy across board and for reviewing, evaluating and updating the policy as deemed necessary.

Specific details for the effective implementation of the policy

Senior Management team must ensure the following:

- Adequate budget is allocated and necessary administrative infrastructure is set up for the implementation of this policy throughout the AOU.
- A robust monitoring mechanism to ensure that the policy is adhered to across all branches and HQ.

- The policy is widely disseminated and discussed with all stakeholders through appropriate formal channels including students' guides, the university website and induction sessions.
- Raising awareness campaigns and the relevant training are conducted on regular basis.
- Information related to grievance process and procedures are clear and readily available to students, staff and other stakeholders.
- Complaints and grievances are dealt with objectively, fairly and within a reasonable time frame.
- Investigation and decision making committees operate according to their remits and that the members are carefully selected and adequately trained.
- Members of the relevant committees maintain confidentiality and disclose any conflict of interest.
- Students' representatives are properly trained and consulted with when appropriate.
- Feedback from complainants, respondents and other parties involved is properly registered to inform the relevant decision making process including any additional corrective measures.

Acknowledgement

This policy is informed by the following sources:

1. Office for Students statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education.
2. Equality Act 2010–legislation.GOV.UK
3. Sexual Harassment, Sexual Misconduct and Sexual Violence:
www.imperial.ac.uk.
4. Bullying and Harassment Policy, 2019, The Open University–UK :
www.open.ac.uk.
5. Dignity and Respect Policy, 2017, The Open University: www.open.ac.uk.
6. The Ethics Framework, 2018, The Open University: www.open.ac.uk.
7. Harassment and sexual misconduct: www.farrer.co.uk.