



University of Lay Adventists of Kigali (UNILAK)

Equality, Diversity, Inclusion and Sexual Harassment Policy.

January 2024

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1. Glossary of Terms and Definitions

Bullying: repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others which could reasonably be regarded as undermining the individual's right to dignity. Once-off incidents are not considered a form of bullying.

Discrimination: treatment or potential treatment that is less favourable than another person in a comparable situation based on the nine equality grounds.. This includes direct and indirect discrimination.

Direct Discrimination: occurs when one person is treated less favourably than someone else due to one or more of the nine equality grounds.

Indirect Discrimination: occurs when an apparently neutral practice or policy puts someone belonging to one or more of the nine equality grounds at a disadvantage in comparison to someone else. This includes when there is a practice or policy that has a worse effect on certain groups or individuals.

Discrimination by Association: where a person is treated less favourably due to an association with someone belonging to one or more of the nine equality grounds.

Discrimination by Imputation: when a person is treated less favourably due to being labelled as belonging to one or more of the nine equality grounds.

Equality Grounds: The ground upon which people cannot be discriminated against and/or experience harassment/ sexual harassment includes:

- Gender – a person's identity as male or female
- HIV/AIDS
- Civil Status – single, married, separated, divorced, widowed
- Family Status – Parent or the resident primary carer of a person over 18 with a disability.
- Disability - temporary or permanent conditions impacting the physical, mental or emotional functioning of a person, including a range of medical conditions, learning, intellectual and cognitive disabilities.
- Race– including Race, Colour, Nationality, or Ethnic or National Origins.
- Religious Belief – including different religious affiliations as well as absence of religious beliefs.
- Age

Harassment: any form of unwanted conduct related to any of the nine equality grounds which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Once-off incidents can be deemed to constitute a form of harassment.

Positive Action: Measures maintained or adopted with a view to ensuring full equality in practice to prevent or level the impact of disadvantages linked to any equality grounds, to protect the health and safety of persons with a disability, or to create or maintain facilities for safeguarding or promoting the integration of such persons into the University.

Sexual Harassment: any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Equality, Diversity, Inclusion and Sexual Harassment Policy.

UNILAK is committed to being a University community that promotes and advances equality, respects and values diversity, and develops a collegiate environment of *excellence with equality*, in which the human rights, the responsibilities and diversity of all students and staff are recognised and respected.

The University values the enrichment that comes from a diverse community of students and staff and seeks to promote equality and prevent discrimination in the access, experience, progression and achievement of all students and staff through developing and implementing clear policies, processes, practices providing effective support to help realise equality in student experience and in employment.

This Equality, Diversity, Inclusion and Sexual Harassment Policy has been developed therefore, to realise the University's core values of equality, inclusiveness, social justice, dignity and respect, and in the context of fulfilling its significant obligations in these areas. This Policy will provide a framework for the University to meet its obligations as an equal opportunities employer and public service provider.

2. Aims

The promotion of equality and respect of all human rights is integral to the overall purpose of UNILAK, which aims to realise a University dedicated to people, ideas and culture, where we work together as educators, researchers, administrative, professional and technical staff along with students in a diverse scholarly community.

UNILAK's Equality, Diversity, Inclusion and Sexual Harassment Policy therefore seeks to:

- promote a culture of excellence through mainstreaming the principles of equality and diversity into all University activities, policies and planning;
- promote equality and ensure non-discrimination for all staff in relation to all aspects of employment;
- take positive action where appropriate to assist in advancing equality in employment and University activities to address under-representation;
- promote equality in education for all students across the education cycle, providing an excellent education for all, and enabling all students to maximise their potential; to take positive action in education to address widening participation and under-representation as appropriate;
- protect the human rights of all staff, students, associated persons and visitors;
- ensure compliance with legislation and adherence to standards of best practice and to eliminate unlawful discrimination; and
- provide processes for complaints and investigation.

3. Principles

UNILAK's Equality, Diversity, Inclusion and Sexual Harassment Policy is underpinned by the following key principles.

- All members of the University Community are expected to treat others with dignity and respect, in line with the relevant University policies.
- The University will fully comply with the Rwanda national equality and diversity policy for higher education.
- The University will fully comply with Law N° 66/2018 of 30/08/2018 regulating labor in Rwanda states that sexual harassment in any form against the supervisee is prohibited, as well as the dismissal of an employee for having reported or testified on sexual harassment committed by his/her supervisor.
- Law No.59/2008 on the Prevention and Punishment of Gender-Based Violence (GBV) : Prevents and punishes Gender Based Violence Crimes in all of its forms.

- The University will identify opportunities for positive action to ensure equality of participation for underrepresented groups in university activities.
- The University will support the preservation and promotion of the distinctive cultures of Rwanda.
- The University will observe our identified responsibilities under the Universities to promote equality generally (including gender balance) and access to education, particularly among under-represented groups such as mature students, students with disabilities and students at socio-economic disadvantage.
- The University will provide inclusive access to services and information to people with disabilities and promote the employment of people with disabilities.
- UNILAK will further act to ensure due regard to equality and human rights in all our activities as required by Rwanda Law.

4. Scope of the Policy

This Policy applies to Equality, Diversity, Inclusion and Sexual Harassment in all aspects of University life.

Student applicants, registered students and alumni are included by this Policy, which relates to decisions made in respect of access, experience, provision of teaching and related support services, assessment, progression and award.

All applicants for employment, all staff members (whether full-time, part-time, permanent, or temporary), and all those who work for or on behalf of the University in any capacity are included by this Policy, which relates to decisions made in respect of recruitment and selection, career progression, learning and development and terms and conditions of employment.

The Policy also applies to all UNILAK's visitors, customers, clients, third party service providers and contractors, and relates to the services we provide while carrying out our activities, whether internally or externally.

5. Equality in the provision of education and related services (Students, Service Users)

UNILAK is committed to equality and non-discrimination in relation to all aspects of the provision of education and related services, including access. The University will seek to accommodate diversity, promote inclusiveness, and make reasonable accommodations for people with disabilities.

The University will ensure equality of access, opportunity and experience for students by ensuring its procedures in relation to admission, delivery of education and related supports, assessment, progression and award, etc., do not discriminate directly or indirectly against any student on any of the equality grounds or on the basis of socio-economic disadvantage.

The University will encourage and seek applications from the widest pool of potential students, especially where representation is low and in order to widen participation. In doing so, the University will seek at all times to attract students of *high quality* and *potential* regardless of background. The University is committed to developing the learning potential of under-represented groups through institutional supports.

6. Equality in employment (Staff)

UNILAK is committed to equality and non-discrimination in all areas of employment, including recruitment and selection, promotions, learning and development and terms and conditions of employment.

- *Recruitment and Selection:* The University will ensure transparent recruitment procedures and will not discriminate directly or indirectly against any applicant in relation to any of the equality grounds or socio-economic disadvantage. This extends to internal or lateral career transitions. Candidates will be selected on the basis of merit and ability, consistent with the operational requirements of the role, and having regard to the principles of this Policy. Selection recommendations will be made by gender balanced selection boards in so far as reasonably practicable. All selection of senior management will be trained in the principles of equality, non-discrimination and implementation of this Policy. The University will encourage and seek applications from the widest pool of potential staff members so that the workforce reflects the diversity of the community it serves, taking positive action where appropriate and necessary to address disproportionate under-representation. Reasonable accommodation will also be provided to applicants with disabilities.
- *Promotions:* Candidates for promotion will be selected on the basis of merit and ability with due regard to transparent processes and criteria, consistent with the operational and strategic requirements identified, and having regard to the principles of this Policy. Such decisions will be made, in so far as reasonably practicable, by gender balanced Promotion Boards. All Promotion Board members will be trained in the principles of equality, non-discrimination and implementation of this Policy.
- *Learning and Development:* The University will ensure staff members have equal access to learning and development opportunities appropriate for their professional development regardless of any of the equality grounds. The University will endeavour to ensure that programmes provided are inclusive and accommodate the diversity of staff.
- *Terms and Conditions of Employment:* The University will periodically review employment practices and procedures to ensure they comply with this Policy and support equality of access, opportunity and participation for all, regardless of status (permanent, temporary, full-time, part-time). Equal access to flexible working arrangements and benefits will be provided, and every effort will be made to make reasonable accommodations for staff members with disabilities.

7. Sexual Harassment

In accordance with applicable law, sexual harassment is generally described as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic benefit; or
- Submission to or rejection of the conduct is used as the basis for an employment or academic decision affecting the person rejecting or submitting to the conduct; or
- The conduct has the purpose or effect of unreasonably interfering with an affected person's work or academic performance, or creating an intimidating, hostile or offensive work or learning environment.

Sexual harassment can include physical touching, verbal comments, non-verbal conduct such as leering or inappropriate written or electronic communications, or a combination of these things. Examples of sexual harassment may include, but are not limited to:

- Seeking sexual favors or a sexual relationship in return for the promise of a favorable grade or academic opportunity;
- Conditioning an employment-related action (such as hiring, promotion, salary increase, or performance appraisal) on a sexual favor or relationship; or
- Intentional and undesired physical contact, sexually explicit language or writing, lewd pictures or notes, and other forms of sexually offensive conduct by individuals in positions of authority, co-

workers or student peers, that unreasonably interferes with the ability of a person to perform their employment or academic responsibilities.

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against, or poking another person's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning a target's job performance evaluation, a promotion or other job benefits or detriments, or an educational benefit or detriment;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile environment.
 - Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on computers or cell phones and sharing such displays while in the workplace or classroom.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform his or her employment or academic duties;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Such behavior can constitute sexual harassment regardless of the sex, gender, sexual orientation, self-identified or perceived sex, gender expression, status of being transgender, or gender identity of any of the persons involved. Sexual harassment is considered a form of employee and student misconduct which may lead to disciplinary action. Further, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Employees and students who believe they have been subjected to sexual harassment may use the University's Discrimination and Sexual Harassment Complaint Procedure for more details on how to have their allegations reviewed, including a link to a complaint form.

Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure, is unlawful, is strictly prohibited and may result in disciplinary action. Retaliation is an adverse action taken against an individual as a result of complaining about or provides information regarding unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Adverse action includes being discharged, disciplined, discriminated against, or otherwise subject to adverse action because the individual reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Participants who experience retaliation should contact the Deputy Vice Chancellor – Finance and Administration (for staff), and Director of Student Affairs (for Students) and may file a complaint pursuant to these procedures. The university will act positively to investigate alleged harassment and to affect remedy when an allegation is substantiated.

UNILAK shall take the necessary steps to ensure that this Sexual Harassment Response and Prevention Policy Statement is distributed, implemented, and enforced in accordance with their respective policies.

8. Implementation

In delivering this Policy, the key operational priorities are:

- building equality and respect for human rights into all strategic and operational plans at University, Faculty, Department and Office levels;
- integrating equality and diversity in all areas of policy development relating to employment, education and research;
- focusing on results by including equality and diversity indicators and key performance indicators – including gender equality initiatives – in our quality assurance processes; monitoring and reviewing performance, publicly reporting on achievements and taking action where needed;
- making training available to all staff on equality and diversity issues as part of wider programmes from induction, recruitment and selection through to management, development and leadership;
- encouraging gender balance on all University Senior Management and Committees as well as awareness of the principles of equality and non-discrimination on all grounds;
- ensuring that the language used in University communications is inclusive and non-discriminatory;
- linking equality in employment and how we deliver equality in education and in research, recognising that how we treat our staff has an effect on how our education and research activity are experienced and seen by others;
- engaging with the diversity of our staff and students and taking account of the different experiences of people in our policy development and implementation. Assessing the effect of proposed policies on all staff and students as appropriate;
- providing designated peer staff contact points where advice can be sought and given on issues that arise in relation to equality and diversity;
- providing effective and trusted complaints procedures for staff, students and the public who are concerned about people breaching this Policy and other relevant policies; and
- working in partnership with the UNILAK Students' Union and the student body to further work on equality and diversity and to celebrate successes in delivering on equality and diversity.

9. Roles and Responsibilities

All Governing Authority members will full support the implementation of this Policy by the University Executive, Department Heads, Staff and Students and the creation of a University environment that values equality and diversity.

The Senior Management and its relevant committees are responsible for:

- agreeing on the overall Equality and Diversity Policy;
- ensuring the Equality and Diversity Policy is reviewed and updated by the University; and
- ensuring that human rights and equality considerations are central to the work of the Governing Authority and its committees as proposals are considered and agreed.

Equality, Diversity and Inter-culturalism Committee is responsible for:

- determining Equality and Diversity strategy, in consultation with the University, and assessing progress by reference to the Policy at the highest levels;
- providing a platform for consultation on new initiatives, programmes and policies;

The University Senate are responsible for:

- championing the equality and diversity agenda to make sure the policy is developed and put into practice;
- promoting a culture of respect for human rights, equality and diversity in the development of the University vision and strategy;
- agreeing the resources needed to achieve the objectives as identified in this Policy, at the highest levels;
- providing senior level communication on the Equality and Diversity Policy and activities within and outside the University; and
- holding Faculties, Departments and other Service areas to account by reviewing performance, celebrating success, and identifying weaknesses.

10. Roles and Responsibilities

All Senior Management members will full support the implementation of this Policy by, Department Heads, Staff and Students and the creation of a University environment that values equality and diversity.

The Senior Management and its relevant committees are responsible for:

- agreeing on the overall Equality and Diversity Policy;
- ensuring the Equality and Diversity Policy is reviewed and updated by the University Executive; and
- ensuring that human rights and equality considerations are central to the work of the Governing Authority and its committees as proposals are considered and agreed.
- determining Equality and Diversity strategy, in consultation with the University Executive, and assessing progress by reference to the Policy at the highest levels;
- reporting on the impact of this Policy to the University Executive and Governing Authority; and
- providing a platform for consultation on new initiatives, programmes and policies;
- championing the equality and diversity agenda to make sure the policy is developed and put into practice;
- promoting a culture of respect for human rights, equality and diversity in the development of the University vision and strategy;
- agreeing the resources needed to achieve the objectives as identified in this Policy, at the highest levels;
- providing senior level communication on the Equality and Diversity Policy and activities within and outside the University; and
- holding Faculties, Departments and other Service areas to account by reviewing performance, celebrating success, and identifying weaknesses.

Deans and Department Heads are responsible for:

- putting the policy and strategy into practice on a day-to-day basis;
- including equality and diversity issues in the Departmental/Service plans and performance review of their part of the University;
- checking on equality and diversity issues when assessing Departmental or Service area performance;
- ensuring that all staff are cognisant of their responsibilities with regard to respect for human rights, equality and diversity in line with this Policy, providing support and direction when needed; and
- dealing quickly and effectively with concerns and complaints and referring where appropriate.

Each member of Staff is responsible for:

- actively addressing equality and diversity issues in practical ways in their day-to-day work;
- making sure their own behaviour is appropriate in face-to-face and digital interactions;
- upholding a standard of behaviour which respects human rights and the principles of equality and diversity;
- providing an education, research or other public service which respects and takes account of diverse needs and backgrounds of student, staff and members of the wider community;
- meeting any equality and diversity targets agreed in their work plan or departmental plan; and
- contributing towards the University's overall performance on equality and diversity.

Each member of the Student body is responsible for:

- actively addressing equality and diversity issues in practical ways in their day-to-day lives on and off the campus;
- making sure their own behaviour is appropriate in face-to-face and digital interactions;
- upholding a standard of behaviour which respects human rights and the principles of equality and diversity;
- respecting and taking into account the diverse needs and backgrounds of students, and making efforts to be inclusive of all students

Human Resources is responsible for:

- working through the Equality Officer to develop and update policies, practices and plans on equality and diversity that represent best practice in the sector for staff;
- supporting the review of how the University is performing on equality and diversity initiatives for staff; and
- taking a lead on the issues on behalf of the University Executive, both within and outside the University to achieve a diverse workforce.

11. Achievement Indicators and Outcome Areas

Key indicators and targets will be implemented on a phased basis with consideration for the operational and strategic needs of the institution. These will be in the areas of:

- diversity in the workforce free from discrimination
- inclusive policy making which represents staff and student diversity
- university governance and committee composition
- creating a university community which reflects the diversity of modern society
- student engagement and experience from first contact

12. Benefits

UNILAK's ongoing commitment to building an inclusive environment through embedding a culture of equality and diversity will result in the following benefits.

As an Education Provider

- enabling us to recruit students of the highest standards from the widest talent pool;
- affirming the diversity of the student population and enabling us to take action where necessary to address disproportionate under-representation;
- making sure that we are targeting our education opportunities appropriately;
- expanding on the reputation of UNILAK as an inclusive education provider;
- helping us to reduce incidents of discrimination in education and research activity and providing a safe environment within which to bring forward concerns;
- helping us to be more aware of possible equality issues before they arise; helping us to develop better informed policies, practices and research activity; allowing us to make more informed decisions.

As an Employer

- preventing discrimination in employment;
- improving staff morale, satisfaction, engagement and productivity;
- having a workforce that better represents the communities we serve at all levels;
- attracting and keeping qualified and talented staff from all backgrounds;

13. Non-compliance with Policy

Staff complaints regarding bullying, harassment and sexual harassment are encouraged to engage the mechanisms outlined in the Bullying, Harassment and Sexual Harassment Policy.

For all other complaints or equality issues, staff can contact the Deputy Vice Chancellor- Finance and Administration

14. Review and Reporting

The University will show transparent commitment to equality and diversity through the following reporting measures.

- will be reviewed periodically to reflect legal standards, government policy and practice and will be ideally reviewed every 5 years.