

COVENANT UNIVERSITY

CANAANLAND - OTA

OGUN STATE

POLICY DOCUMENT

ON

ETHICS AND HARASSMENT

SECTION ONE

ETHICS

1. DEFINITION

Ethics refers to standards of conduct, standards that indicate how one should behave based on spiritual and moral duties and virtues, which themselves are derived from principles of right and wrong. It is a code of values which guide our choices and actions and determine the purpose and course of our lives. Ethics can also be considered as the moral standards by which people judge behaviour. It can be summed up in what is termed the “golden rule”—do unto others as you would have them do unto you.

2. ETHICAL BEHAVIOUR:

Nature of moral obligations considered intrinsic to ethical behaviour. The following are obligations which ethical codes often address and they include:

- Honesty
- Objectivity
- Integrity
- Carefulness
- Openness
- Respect for intellectual property
- Confidentiality
- Responsible publication
- Responsible mentoring
- Respect for colleagues
- Social responsibility
- Non-discrimination
- Competence
- Legality
- Human subjects protection

3. CODE OF ETHICS

Covenant University code of ethics is borne out of its motives and emotions of love, joy, generosity and compassion. It is founded on the University's Core Values which are: Spirituality, Possibility Mentality, Capacity Building, Integrity, Responsibility, Diligence, and Sacrifice. These are integrated into all facets of behaviours, functions and operations at Covenant University.

The University ethics of behaviours and operations designed to achieve best practices includes but is not limited to the following:

- a. A high degree of professionalism at all times;
- b. Display of loyalty, mutual respect and faith at all times;
- c. full cooperation with colleagues;

- d. Obedience of the rule of confidentiality (not to divulge any information at his/ her disposal);
- e. Acceptable conduct at all times;
- f. Playing of in-loco-parentis role at all times;
- g. Display of sympathy, love and magnanimity to all in the University community;
- h. Place premium on self respect and self discipline as the principle of personal behavior in all relationship with others and in all situations.

4. ASPECTS OF ETHICS

There are two aspects to ethics: the first involves the ability to discern right from wrong, good from evil, and propriety from impropriety; the second involves the commitment to do what is right, good and proper. Ethics is an action concept; it is not simply an idea to think and argue about. It places a demand on people to do the following among other things:

- a. **Act with integrity.** Never put your own gain above the welfare of your clients or others to whom you have a professional responsibility. Respect their confidentiality at all times and always consider the wider interests of society in your judgments.
- b. **Always be honest.** Be trustworthy in all that you do – never deliberately mislead, whether by withholding or distorting information.
- c. **Be open and transparent.** Share the full facts with your clients, making things as plain and intelligible as possible.
- d. **Be accountable.** Take full responsibility for your actions, and don't blame others if things go wrong.
- e. **Act within your limitations.** Be aware of the limits of your competence and don't be tempted to work beyond these. Never commit to more than you can deliver.
- f. **Be objective at all times.** Give clear and appropriate advice. Never let sentiment or your own interests cloud your judgment.
- g. **Always treat others with respect.** Never discriminate against others.
- h. **Set a good example.** Remember both your public and private behavior could affect your own, your organization and other members' reputations.
- i. **Have the courage to make a stand.** Be prepared to act if you suspect a risk to safety or malpractice of any sort.

SECTION TWO

DEFINITION AND FORMS OF HARASSMENT

1. Definitions

- a. Generally, harassment is any unwelcome, offensive or discriminator conduct in the workplace, which no reasonable employee should have to endure. These conducts must be such that also create an intimidating, offensive, abusive or hostile work environment either for the victim who is the target of the unwelcome conduct or employees who witness it. Harassment could also be seen as a repeated or continual conduct that is unwanted by the recipient, and which the perpetrator knows (or ought to know) is annoying or offensive.

Offensive conducts may include, but are not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

- b. Sexual Harassment at educational institution is an unwelcome conduct that is sexual in nature and denies or limits the ability of the harassed to participate in or benefit from the institution's activities. Sexual Harassment at work is an unwelcome conduct that affects a person's job on the basis of gender. This include sexual advances, request for sexual favours and other verbal or physical conduct that is sexual in nature.

2. Forms of Harassment

- a. Harassment can take different forms and shapes:
- b. Sexual harassment takes different forms depending on the environment of occurrence.

3. Harassment within the University

This may take different forms, depending on the harassed, the harasser and the nature of the harassment. The conduct can be carried out by a staff of the University (both academic and non-academic), the students, and non-employee (third parties) such as the visitors to the University.

The victims can be both male and female, and the harasser and the victim can be of the same sex. The conduct can occur in school activity or program and can take place within the University premises and other off-campus locations such as school excursion or training programs at other locations.

The conduct can be verbal, nonverbal and physical. The sense of value and judgment of Management and administrators is very paramount to the determination or otherwise, of the occurrence of sexual harassment.

4. **Harassment in the Work Place**

For employed staff, submission to the conduct is made implicitly or explicitly as a term or condition for performance evaluation or promotion and thereby creating an intimidating, hostile or offensive working environment.

5. **Hostile Environment**

This is a gender-based unwelcome conduct of supervisors, co-workers, customers, vendors or anyone else with whom the harassed employee interacts on the job, thus resulting to hostile environment of work.

6. Examples of Sexual misconduct include:

- unwelcome touching, hugging or kissing;
- sexually explicit pictures, screen savers or posters;
- unwanted invitations to go out on dates or requests for sex;
- intrusive questions about an employee or student's private life or body;
- sexually explicit emails or SMS messages;
- accessing sexually explicit Internet sites;
- behaviour which would also be an offence under the criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.
- making sexual propositions or pressuring students/an employee for sexual favours;
- performing sexual gestures or touching oneself sexually in front of others;
- telling sexual or dirty jokes;
- spreading sexual rumors or rating other students as to sexual activity or performance; or
- Unfulfilled threats to impose a sexual quid pro quo.
- sabotaging the victim's work;
- granting job favors to those who participate in consensual sexual activity; and
- Sexual assault.

7. **Conduct Not Considered Sexual Harassment**

- a. There is a wide range of ambiguous behavior that might offend some people but not necessarily others. In this category comments on clothing,

compliments about improved appearance and even jokes that most people find reasonable;

- b. A negative performance report should not be seen as harassment particularly if the harassed is the opposite sex. Faculty, staff, supervisors, and heads of departments /units have a responsibility to give appropriate feedback and to take appropriate corrective action(s). However, such feedback should be made in a reasonable and corrective manner and should not be used as retaliation; and
- c. In the context of a work place, heads of departments/units have a responsibility to take difficult decisions involving moving people or changing work assignments. These decisions should not be seen as constituting harassment.

SECTION THREE

GENERAL PRINCIPLES/PROCEDURES FOR LODGING COMPLAINTS

1. INTRODUCTION:

Covenant University will adopt a firm policy against any form of harassment. Step shall be taken to prevent professional misconducts or harassment of any form from occurring. To this end, all complaint of any form of harassment should be channel through the head of Department of such employees to the office of the Registrar.

2. *Making Reports of Harassment or violations of professional ethics*

- a. All members of the University community are encouraged to contact the **Registrar through their Head of Department** if they observe or encounter conduct that may be subject to the University's *Policy on Harassment or violations of professional ethics*. Reports of these violations may be brought to any designated employee responsible for responding to reports of such. If the person to whom harassment normally would be reported is the individual accused of harassment, reports may be made to a superior officer. Such an officer shall be required to notify the Registrar when a report is received.
- b. Reports of professional misconducts or harassment shall be brought as soon as possible after the alleged conduct occurs, optimally within seven working days. Prompt reporting will enable the University to investigate the facts, determine the issues, and provide an appropriate remedy or disciplinary action. Colleges or Units shall respond to reports of this kind brought within the stipulated period to the greatest extent possible, taking into account the amount of time that has passed since the alleged conduct occurred.
- c. When reasonable, inform the harasser that the behavior is unwelcome and ask her/him to stop. Management cannot be held liable if a case of professional misconducts or harassment has not been reported.
- d. Appropriate authority assigned the responsibility of looking into such cases should immediately be contacted. Efforts should initially be made to resolve issues discreetly and informally.

Note: Once the University receives identifying information that professional misconducts or harassment may be occurring, it has a legal responsibility to take appropriate action to stop the behavior and to investigate the allegations.)

- e. As harassment complaints are referred to the designated office, other University contacts and options will be determined. For example:

- If faculty and students are involved, the appropriate designated staff will be contacted at the College level immediately.
- Depending on the nature of the behavior and the circumstances, fact-finding, mediation, or an investigation may be initiated.
 - f. If an investigation is initiated, the complaint, including identity of the complainant, will be disclosed to the accused. The complaint at this point will be a written statement completed by the complainant, or completion of appropriate complaint forms.
 - g. If the conclusions result in probable cause that professional misconducts or harassment occurred, corrective action will be taken in accordance with the circumstances. Disciplinary actions will be handled in keeping with existing policies governing the status of the accused: or in accordance with applicable personnel policy; and for students, policies outlined in the Student Handbook.
 - h. If the complaint is not corroborated, or if the complainant is dissatisfied, a formal grievance may be filed with the appropriate University office. Information about this option must be made available with the designated **office** handling harassment matters in the university.

3. Students Harassed by University Employees

A student who believes he or she has been the victim of harassment by an employee (faculty member or non-faculty member, is encouraged to attempt to resolve the matter through Administrative Review by informing the **appropriate designated office**), excluding the person accused of harassment or professional **misconduct**, within 7 days of the alleged harassment. A student who chooses not to use Administrative Review Procedures may instead proceed directly to the Dean of Student, as specified in the Student Handbook.

4. Students Harassed by Other University Students

If a student believes he or she has been the victim of harassment by another student, and the harassment has occurred in the course of the latter student's University career, the student complainant should proceed according to the Instrument of Student Handbook, i.e. make a formal report to the Dean, Student Affairs or any of his designated Officers **in the Hall of Residence**.

5. Staff Harassed by other university Staff

A faculty member or non-faculty employee who believes he or she has been the victim of professional misconducts or harassment must attempt to resolve the matter initially through Administrative Review by informing the administrative official most directly concerned, e.g. Head of Dept or Dean excluding the person accused of the act, within 7 working days of the alleged harassment. During the period a faculty or non-faculty complainant participates in Administrative Review, time limits for filing an internal grievance will be suspended.

6. University Staff or Students Harassed by Non-Employees or Non-Students

A staff or student who believes that, in the course of employment or study at the University, he or she has been a victim of sexual harassment by someone other than another University employee or student should contact the Compliance Coordinator (Sexual Harassment Officer) who will direct the University Security Dept. on the necessary step to take.

Non-employees or non-students who might be parties involved in sexual harassment complaints that may fall under this Policy include, but are not limited to, agents working under contract for the University, patrons or patients using University facilities or services, or supervisors of internships or visitors.

7. OPTIONS FOR RESOLUTION:

- a. Individuals making reports of professional misconducts or harassment shall be informed about options for resolving potential violations of the *Policy on Harassment*. These options shall include procedures for Early Resolution, procedures for Formal Investigation, and filing complaints or grievances under applicable University complaint resolution or grievance procedures. Individuals making reports also shall be informed about policies applying to confidentiality of reports under this policy. Colleges are to respond, to the greatest extent possible, to reports of harassments or violations of professional ethics brought by a victim or brought by third parties not directly involved in the harassment. However, the response to such reports may be limited if information contained in the report cannot be verified by independent facts.
- b. The Compliance office can also serve as a Mediator to bring to notice any act that can be defined as professional misconducts or harassment by the complainant in a situation where the complainant is not interested in investigative or grievance procedures.
- c. All notices in relation to this, to the respondent must be signed upon receipt of same. However if the outcome of the mediation is not satisfactory to the complainant, she/he could file a request for a full scale investigation to the Vice-Chancellor.

SECTION FOUR

PENALTIES FOR HARASSMENT

1. Introduction

Professional misconduct shall be treated according to the rules and regulations guiding such profession and in any case according to the rules and regulation of Covenant University.

Harassment whether sexual or otherwise is a behavior that cannot be tolerated in the University environment. Therefore, strict penalties are applied once a case of harassment or sexual harassment (SH) is established against any faculty, staff, student or third party. The various forms of penalties for harassment include but not limited to the following: monitoring, counseling, warning/reprimand, salary reduction, demotion, suspension, termination of appointment, studentship or contractual relationships.

2. Penalties for Offenders

- a. In the case of harassment, disciplinary action would be initiated against the offender once it is established. Penalties may be in the form of counseling, monitoring and warning. In only very severe case of physical assault can suspension, demotion or termination of appointment be envisaged.
- b. If is established that SH has been committed, it shall be the duty of the management to take reasonable, timely, age-appropriate and corrective measures to redress and end the harassment. Penalties for SH are given according to the seriousness of the offence. In line with Section 5.2 of this document, the penalties are as follow:
 - i. Looking Offence: Verbal warning, reprimand or counseling
 - ii. Language Offence: Strong warning, monitoring/counseling
 - iii. Touching Offence: Suspension, counseling
 - iv. Language and Touching Offence: Demotion, monitoring/counseling
 - v. Sexual Assault: Termination of appointment of faculty/staff of studentship.

3. Penalties for Third Party

- a. Third parties to the university who are found to have sexually harassed a faculty, staff or student will be faced with proportionate penalties.
 - (i) Looking Offence: Verbal warning and counseling
 - (ii) Language Offence: Strong warning

- (iii) Touching Offence: Termination of contractual agreement
- (iv) Language and Touching Offence: Termination of contractual agreement
- (v) Sexual Assault: Delisting of the company name.

b. Conducts which are not considered harassment as stipulated in Section 2.7 of this document do not attract penalties since they may be related to performance or work-related issues. Such cases are dealt with under the relevant provision of the rules and regulations of the university.

4. Corrective

- a. Seeking help from Counseling Centre
- b. Seeking help from Chaplaincy
- c. Seeking help from selected members of faculty
- d. Involvement of parents and guardians

SECTION FIVE

ANTI-RETALIATORY MEASURES

(Protecting the Complainant from Backlash)

RETALIATION

1. DEFINITION:

"Retaliation" means any adverse action or credible threat of an adverse action taken by the University, or member thereof, in response to a complainant's good faith disclosure of harassment or related misconduct. It does not include the University's decision to investigate a good faith disclosure of act or perceived acts of harassment or ethical misconduct.

2. FORMS OF RETALIATION:

- a. Retaliation occurs when employee or student suffers a *negative action* after he or she has made a report of harassment, file a grievance, assist someone else with a complaint, or participate in Harassment prevention activities. Negative actions can include being fired, demotion, suspension, denial of promotion, poor academic evaluation, unfavourable job re-assignment--any adverse employment/academic decision or treatment that would be likely to dissuade a "reasonable worker" from making or supporting a charge of Harassment. Retaliation is as illegal as the sexual harassment itself. **Retaliation is illegal and must not be condoned even if the original charge of harassment was not proven.**
- b. Covenant University encourages its faculty, staff, and students to make good faith disclosures of University-related misconduct. The commitment to improve the quality of the University through such disclosures is vital to the well-being of the entire community. Retaliation as a response to such disclosure will not be tolerated. Retaliation, whether actual or threatened, destroys a sense of community and trust that is central to a quality environment. The University, therefore, should make it clear that it considers acts or threats of retaliation in response to such disclosures to constitute a serious violation of University policy and act of gross misconduct which will be treated as such under relevant University laws.
- c. Retaliation can also be said to have occurred when a victim of harassment suffers a *negative action* as a result of the harassment. For example, a complainant could be given poor evaluations or low grades, have their projects sabotaged, be denied work or academic opportunities, have their work hours cut back, and other actions against them which undermine their productivity, or their ability to advance at work or school. They may be suspended, asked to resign, or be dismissed

from their jobs altogether. Moreover, a professor or employer accused of harassment of any kind, or who is the colleague of a perpetrator, can use their power to see that a victim is never allowed a fair opportunity to progress. Retaliation can even involve further harassments, and also stalking of the victim.

- d. Retaliation against an individual for attempting to resist harassment, filing a complaint, attempting to stop harassment against another individual, or for participating in any way in an investigation of violation of professional ethics or harassment complaint cannot be tolerated. Retaliation by faculty or staff is a violation of this policy. Employees should report suspected retaliation to Compliance office, the department head or the Human Resources Department. Students should report suspected retaliation to the Dean of Students or the Student Council Office. A claim of retaliation may result in a subsequent investigation.

3. PROTECTING THE COMPLAINANT FROM RETALIATION OR BACKLASH:

No members of the University community shall engage in retaliation in response to the bringing of a harassment complaint.

- a. Actions are considered retaliatory if they are in response to a good faith disclosure of real or perceived harassment or related misconduct and the actions have a materially adverse effect on the working or academic conditions of the complainant, or if the faculty, staff member, or student can no longer effectively carry out his or her University responsibilities.
- b. The University will make every reasonable effort to stop retaliation immediately, to conduct a complete and thorough investigation of alleged acts of retaliation in a timely manner, to provide remedies to victims of retaliation, and to sanction the perpetrators of retaliation as appropriate.
- c. The act of a good faith disclosure of University-related misconduct shall not be used to make any decision to the complainant's detriment, or to subject the person to harassment such that it creates a hostile work or learning environment.
- d. To encourage and protect the complainant, the University shall not make reference to the good faith disclosure of harassment in his personnel files, letters of recommendation, performance appraisals, or any other permanent evaluative documents without the concurrence of the complainant.

- e. Reports of alleged harassment or misconduct that are not made in good faith must not be protected under this policy. Those who make disclosures not in good faith will be disciplined as appropriate through regular University procedures. Irrespective of the origin or the intent of the allegations, in the event the allegations are not substantiated, the University in consultation with the accused shall take all reasonable steps within the control of the University to restore the reputation of the accused to the extent that it was damaged by the investigation and proceedings, for example, expunging all references to the allegations in the personnel records of the accused.

4. **MEASURES TO REDUCE EXPOSURE TO HARASSMENT COMPLAINTS:**

In addition to conducting Mandated Harassment or professional ethics violation Seminars in a bid to create necessary awareness in the university populace, the university shall implement the following proactive measures to reduce exposure to harassment complaints.

- a. Distribution of the Harassment policy and employees to sign acknowledging receipt of the policy.
- b. Maintain an internal complaint procedure with an "open door policy" encouraging employees to bring grievances to management.
- c. Complaints shall be responded to in a thorough and confidential manner.
- d. Take immediate disciplinary action against employees who have committed harassment or ethical misconducts.
- e. The University is committed to zero tolerance of any form of harassment in the workplace and shall document mandated training on harassment and those that participated in the training.

FORM #2

PROFESSIONAL MISCONDUCT OR HARASSMENT REPORT

(FOR STATISTICAL PURPOSE)

Please record no names or identifying details in this report in order to ensure confidentiality.

Date of Report:

Sex of Complainant:

Age (approximate) of Complainant:

Status of Complainant (Faculty, Staff, Student):

Sex of Subject of the Complaint:

Age (approximate) of Subject of the Complaint:

Status of Subject of the Complaint:

Type of Misconduct or Harassment (Please Tick One or More):

Verbal Physical:

Other (Please Describe):

Duration of Misconduct or Harassment (Please Tick):

Single Incident:

Repeated Over Several Days:

Repeated Over Several Weeks:

Repeated Over Several Months:

Repeated Over Several Years:

Where did the Incident(s) Occur?

Course of Action:

Confront and Warn Resolved? Yes? No?

Write Resolved? Yes? No?

Neutral Interveners Resolved? Yes? No?

Formal Hearing Resolved? Yes? No?

Deadlock:

PREVENTIVE MEASURES

The policy should be written in a user friendly language

- Students should be educated on psychology and emotional effects of harassment.
- Parents should be informed about this policy
- The information dissemination should be preferably by gender
- Induction of new faculty should also include this
- The policy should be reviewed regularly
- Faculty, staff and students must be made to realize that punishment would be equitably meted out.

Coordinating awareness on campus through seminars, workshops, flyers, counseling, periodic interactions, Chaplaincy, core values, spirituality, etc.

Students should be discouraged from:

- Seeking undeserved academic assistance
- Indecent dressing
- Putting themselves in compromising situations
- Any show of sexual aggression
- Viewing it as normal
- Use of vulgar language

They should be encouraged to:

- Report to the appropriate authority immediately
- Understand the policy very well
- Firmly refuse
- Understand that knowledge of sexual harassment without reporting attract a penalty
- Maintaining detailed account of instances of harassment