

MACHAKOS UNIVERSITY



GENDER-BASED VIOLENCE POLICY

SEPTEMBER, 2023

APPROVAL

Policy Title: Gender-Based Violence Policy

Policy Contact: Deputy Vice-Chancellor, Administration, Planning, and Finance

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Approved by the University Council:

Signature: Date:.....

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CHAIRMAN OF COUNCIL



FOREWORD

Machakos University aspires to be one of the best-performing centers of academic excellence and a reference point for social, cultural, and public morality growth in Kenya. This can only be achieved in an atmosphere of security, peace and academic freedom. Gender-Based Violence Policy will ensure a holistic environment where the physical, social, psychological and spiritual well-being of all staff, students, and any stakeholders associated with the University is assured irrespective of the status they hold within the University which encourages both female and male members of staff and students in every area of the University life to feel secure and free to produce at their very best.

The purpose of Policy at Machakos University is to ensure the safety and welfare of all staff, students, and other stakeholders who may be the subject of gender-based violence and provide impartial processes for dealing with such violence. This Policy is informed by various International and National legal and Policy documents including the Universal Declaration of Human Rights (UDHR, 1948), the International Covenant on Civil and Political Rights (ICCPR, 1976), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW, 1979), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) and the United Nations Convention on the Rights of Child (CRC, 1989). It also informed by the Beijing Platform for Action (1995), UN Resolution 1325 (2000), the Protocol to the Africa Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol, 2005) the Solemn Declaration on Gender Equality in Africa (2004), the Constitution of Kenya 2010; the Sexual Offence Act (2006); the Penal Code and its various amendments; the Prohibition of Female Genital Mutilation Act (2011); the Children's Act (2001); the Counter Trafficking in Persons Act (2010) and the HIV Prevention and Control Act (2006).

The general objective of Machakos University GBV Policy is to provide both male and female students and staff with the appropriate environment for the acquisition

of skills, knowledge, and opportunities for equal participation and competition in the world of work, leadership, and management. It is, therefore, the University's responsibility to create a secure environment devoid of sexual, physical emotional, and psychological violence or any other form of harmful traditional practices and or socio-economic violence for all stakeholders within the University Community.

PROF. JOYCE AGALO, PhD

VICE ~ CHANCELLOR

UNIVERSITY FUNDAMENTAL STATEMENTS

VISION

Excellence in transformative scholarship and community service

MISSION

To provide scholarship through teaching, training, research and innovation; and community service for sustainable industrial and socioeconomic transformation

Machakos University Identity Statement

Machakos University is an Academic Institution Committed to Generating and Transmitting Knowledge, Skills, and Attitudes through Science, Technology, Research, and Innovation for the Benefit of Humanity.

Machakos University Philosophy Statement

The Philosophy of Machakos University is ‘Education for Industrial and Economic Transformation’

Mandate

The mandate of Machakos University is to Teach, Train, Conduct research, Innovate, Collaborate, generate new knowledge and Community Service

Core Values

- Creativity:** We shall use imagination and original ideas to create value for our customers.
- Agility:** We shall embrace urgency and flexibility in responding to customer demands
- Meritocracy:** We shall promote merit-based services
- Professionalism:** We are committed to high standards of training, research and service delivery
- Integrity:** We shall uphold honesty and high moral standards
- Inclusivity:** We shall offer equitable access to opportunities and resources

ABBREVIATIONS AND ACRONYMS

CEDAW	~	Convention on the Elimination of all forms of Discrimination against Women
DVC/APF	~	Deputy Vice-Chancellor, Administration, Planning, and Finance
GoK	~	Government of Kenya
GBV	~	Gender-Based Violence
HIV/AIDS	~	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HODs	~	Heads of Departments
ILO	~	International Labor Organization
MksU	~	Machakos University
NGEC	~	National Gender and Equality Commission.
SOA	~	Sexual Offences Act
STDs	~	Sexually Transmitted Diseases
STGs	~	Sexually Transmitted Grades
UN	~	United Nations
VC	~	Vice-Chancellor

DEFINITIONS

Gender	Refers to the socially/culturally determined power, relations, roles, responsibilities and entitlements for men and women. The social constructs vary between cultures as well as over time.
Gender-Based Violence	An umbrella term for any harm that is perpetrated against a person as a result of gender power inequalities that exist among males and females. It refers to any violence inflicted on the survivor primarily because of their gender. GBV is often a display of male power that manifests itself in various forms including physical, economic, psychological and sexual. It can also be a display of female power, especially where the man does not seem to conform to the standards of masculinity. GBV also includes unwarranted behavior directed towards another person which disrupts that person's work or reduces their quality of life. The commonest forms of GBV include bullying, physical abuse, shouting, domestic violence, threats, name-calling, stalking, isolation and actual or threatened physical harm.
Gender Discrimination or	Refers to unequal or preferential treatment of individuals or groups based on their gender that results in reduced access to or control of resources and opportunities.
Gender-sensitization	This is the process of developing people's awareness, knowledge, and skills on gender issues.

Gender Transformative Policy A Policy that takes into account the needs of men and women and

seeks to transform the existing relations to be more equitable through the redistribution of resources and responsibilities.

Sex

Refers to the biological and physiological differences between males and females as determined by nature. It is determined at conception, universal and non-changeable.

Sexuality

This refers to social processes by which society/individuals create, organize, express, and direct sexual desires. But broadly speaking, sexuality goes beyond sexual desire. It is a form of power and a linchpin of gender inequality. Sexuality is a key factor in power relations and one of the ways society uses to sustain gender hierarchy. The ingredients of sexuality include gender roles, sexual activity, choice of partner, sexual ideology, fantasy, pleasure, desire, gender identity and reproduction.

Sexual Harassment

Sexual harassment is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of sexual nature by way of words, acts, gestures, or comments that would embarrass, humiliate, demean, or compromise a reasonable person at whom such advances, requests or conduct are directed. It also refers to the imposition of sexual requirements in the context of a relationship of unequal power. Sexual harassment is the abuse of power and an assault on one's right to dignity, respect and freedom.

Sexual harassment may consist of any or all but shall not be limited to the following illustrative examples:

- a) Sexual jokes, innuendos, noises, lewd suggestions, foul language and obscene gestures.
- b) Belittling comments on a person's anatomy;
- c) Persistent demands for dates;
- d) Requesting for sexual favors in return for rewards, favours, exclusions, or inclusions;
- e) Telling lies or spreading rumors about a person's sex life to assassinate the character of the survivor;
- f) Unwanted physical contact of any sort which is sexual in nature, especially touching of any body parts, brushing against another's body, hair, or clothes, kissing, pinching, patting, grabbing or cornering;
- g) Displaying to a person pornographic and sexually suggestive pictures and/or sexual objects;
- h) Transmitting offensive written telephone or electronic communications;
- i) Indecent exposure;
- j) Indecent curiosity such as peeping, eavesdropping, persistent unwanted brazen questioning into a person's sexual matters.

Sexual Assault
sexual conduct

This refers to a wide range of forms of non-consensual ranging from sexual coercion, attempted rape, rape, marital rape, and date rape. Sexual assault involves unwanted sexual experiences, sexual aggression, and sexual abuse, ranging from non-consensual kissing to non-consensual sexual intercourse. It also refers to the use of objects (other than sexual organs) to cause penetration. According to Section 5 of the SOA, it is an act where a person unlawfully:

Sexual Abuse

Sexual abuse is the misuse of sex. It refers to unlawful forceful sexual contact or intercourse. It is an abuse of a

sexual nature including acts such as rape, incest, fondling and indecent exposure.

Sexual Exploitation

This refers to the use of one's authority and power position, either explicitly or implicitly to force or cause another into unwanted sexual relations or to punish another for his/her refusal to submit. Such authority or power may include threats of harm or the use of actual physical force. Although anyone in a powerless position such as young boys and poor men can also be survivor of sexual exploitation, the commonest survivors are women and girls.

Sexual and Gender-Based Violence

Any act that is perpetrated against a person's will and is based on gender norms and unequal power relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or sexual in nature. It inflicts harm on women, girls, men, and boys

Defilement

Having sexual intercourse with a minor (anyone below 18 years of age) with or without the child's consent.

“Indecent act”

An unlawful intentional act which causes: a) any contact between any part of the body of a person with the genital organs, breasts, or buttocks of another, but does not include an act that causes penetration; b) exposure or display of any pornographic material to any person against his or her will.

Sexual offense gang

This refers to any offense such as rape, attempted rape, rape, sexual assault, compelled or induced indecent acts, defilement, attempted defilement, acts which cause

penetration or indecent acts committed within the view of a family member, child or person with mental disabilities, promotion of sexual offenses with a child, child sex tourism, child prostitution, and pornography, exploitation of prostitution, prostitution of persons with mental disabilities and incest by male and female persons.

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INTRODUCTION

1.1 Preamble

Gender-based Violence is a serious global health, human rights, and development issue. It is a symptom of underlying gender inequalities and power imbalances that goes beyond geography, race, culture, class, and religion, touching virtually every community in every corner of the globe. Gender-based violence is often condoned by customs and reinforced by institutions that are thriving on impunity. Gender can be seen as the allocation of roles, attitudes, and values that are deemed by the community to be appropriate for each sex. These roles define power relations between men and women regarding who makes decisions and who owns resources. They are learned and reinforced through interactions in the home and community.

Gender-Based Violence (GBV) has been defined as any act of gender-based violence that results in physical, sexual, or psychological harm or suffering, including threats of such acts, coercion, or arbitrary deprivations of liberty, whether occurring in public or private life. GBV is based on socially ascribed (gender) differences between males and females. GBV affects women, girls, men, and boys. However, women are more disproportionately affected by GBV. This has a direct correlation between women's subordinate status in society and their greater susceptibility to violence.

In situations of conflict and humanitarian and disaster situations, women and girls are more vulnerable to different forms of GBV where acts such as rape, confinement, and sexual slavery are used as weapons of war. GBV has serious and far-reaching negative effects including physical injuries resulting in death or

disfigurement, psychological trauma, infection with HIV/AIDS, unwanted pregnancies, social stigmatization and exclusion, and economic deprivation among others.

As a Chartered University in Kenya, Machakos University plays a role in the development of Kenya by offering innovative academic programs to students from diverse areas of life. The work environment is that of excellence, competence, and knowledge. In delivering on the promise of excellence, the University is committed to eliminating Gender- based Violence and Sexual Harassment (GBV) within its environment by ensuring that no gender faces discrimination or harassment. The main purpose of this Policy is to ensure a holistic environment where the physical, social, psychological, and spiritual well-being of all staff, students, and any stakeholders associated with the University is to ensure everyone has equal access to opportunities for personal growth, training, and career advancement. Prevention of sexual and gender-based violence shall be considered an integral part of all Machakos University policies, programs, and projects. To this end, the University shall have zero tolerance for GBV at any organizational level, be it formal or informal and/or at an individual level. The University is devoted to creating and maintaining a conducive working and learning environment free from any form of GBV.

1.2 Justification of the Policy

Machakos University staff and students need a safe environment devoid of all manner of violence. GBV has serious and far-reaching negative effects including physical injuries resulting in death or disfigurement, psychological trauma, infection with HIV/AIDS, unwanted pregnancies, social stigmatization and exclusion, and economic deprivation and may lead to ineffectiveness and

inefficiency among staff and students. It is therefore imperative that the University puts mechanisms in place to prevent such violence, hence this Policy.

1.3 Purpose

The main objective of this Policy is to progressively accelerate, reinforce and maintain efforts towards the elimination of all forms of GBV and improve the quality of life and well-being Machakos University community

1.4 Policy Objectives

The Specific Objectives of the Policy include:

- a) To sensitize the University community on what constitutes GBV.
- b) To create awareness of the reporting procedure for survivors of GBV including circumstantial evidence.
- c) To promote professional and harmonious relations between different categories of staff and students at the University to prevent GBV
- d) To provide prompt, effective, consistent, and fair guidelines for handling cases of GBV at the University.
- e) To promote research and publications of research findings and recommendations regarding GBV.
- f) To promote a progressive public debate on GBV both within and outside the University to uphold fundamental human rights.

1.5 Scope of the Policy.

This Policy applies to all members of the Machakos University community that include:

- a) Teaching staff (full-time, on contract, Part-Time, and visiting staff)

- b) Non-teaching staff (permanent, temporary, and casual)
- c) Administrators including management
- d) Students (resident and non-resident)

1.6 Guiding Principles

This Policy takes cognizance of the fact that abusive behavior thrives in secrecy and that Machakos University is not immune to this problem, consequently, in the implementation of this Policy, the following principles shall be upheld:

- a) The principle of transparency, accountability, confidentiality, and sensitivity in the implementation of this Policy
- b) The principle of partnership and collaboration between staff and students to ensure the realization of a conducive learning and working environment free from GBV
- c) The principle of zero tolerance to GBV

1.7 Legislative and Regulatory Framework

This Policy is informed by various National, regional, and International legal and Policy documents including:

- a) The United Nations Declaration of Human Rights (1948)
- b) The Convention on the Rights of the Child (1989)
- c) The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)
- d) The African Charter on the Rights and Welfare of the Child (1990)
- e) The United Nations Declaration and Elimination of Violence against Women
- f) The Beijing Declaration and Platform for Action (1995)

- g) The International Covenant on Civil and Political Rights, 1966
- h) The African Charter on Human and Peoples' Rights, 1986
- i) The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990.
- j) The International Covenant on Civil and Political Rights (ICCPR, 1976),
- k) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984),
- l) The UN Resolution 1325 (2000),
- m) The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (2000),
- n) The ILO Convention 182 on the Worst Forms of Child Labor; and
- o) The Optional Protocol on the Convention of the Rights of the Child on Child Trafficking, Child Prostitution, and Child Pornography.
- p) The Protocol to the Africa Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol, 2005),
- q) The Solemn Declaration on Gender Equality in Africa (2004),
- r) The International Conference of the Great Lakes Region Protocol; and
- s) The African Charter on the Rights and Welfare of the Child.
- t) The Constitution of Kenya, 2010
- u) National Policy for prevention and response to gender-based violence,(2014)
- v) The Prohibition of Female Genital Mutilation Act (2011);
- w) The Children's Act (2001);
- x) The Counter Trafficking in Persons Act (2010) and
- y) The HIV Prevention and Control Act (2006).
- z) The Sexual Offences Act, 2006 (SOA)
- aa) The Protection Against Domestic Violence Act (2015)
- ab) Marriage Act, (2014) and
- ac) The Matrimonial Property Act, (2013)

2.0 ADMINISTRATION OF THE POLICY

The Vice- Chancellor shall appoint a Gender- based Violence Monitoring (GBVM) committee being guided by the prevailing statutes and this Policy. The Deputy Vice- Chancellor (APF) will be responsible for the interpretation and full implementation of this Policy. In the administration of the policy, the University management undertakes:

- a) To promote and provide a work environment that is free from all types of gender-based violence.
- b) Communicate the Policy to all employees.
- c) Take appropriate action to resolve any complaints or claims brought to their attention.
- d) Monitor situations where complaints have been substantiated to ensure corrective measures have been successful.
- e) Establish and operationalize a GBV unit within the University

3.0 POLICY IMPLEMENTATION

Implementation of this policy shall be the responsibility of the management through the Gender-based Violence Monitoring Committee (GBVMC), the Departmental Gender-Based Violence Monitoring (GBVM) champions, the staff the students and the general public. The roles and responsibilities of each of these is as below:

3.1 Gender- based Violence Monitoring Committee

The GBVM Committee shall play a pivotal role in the prevention, reduction, and elimination of GBV in the University by:

- a) Sensitizing the members of staff on the GBV Policy and other relevant laws
- b) Overseeing the implementation of the GBV Policy and relevant laws
- c) Evaluating the implementation of the Policy and GBV-relevant laws

- d) Continuously reviewing the GBV Policy to comply with relevant laws, acts, and conventions
- e) Organizing capacity building of staff and students on GBV

3.2 Departmental GBVM Champions

- a) Overseeing implementation of the Policy in their respective departments/ sections
- b) Facilitate reporting of GBV incidences from their respective departments/ sections to the relevant authorities
- c) Evaluate the implementation of GBV Policy in their departments and prepare required information/ reports on the same

3.3 Staff Members

Workers and their representatives shall take all reasonable care to prevent, reduce and eliminate the risks associated with gender violence in the workplace. In fulfilling this objective, they shall:

- a) Familiarize themselves and comply with the GBV Policy.
- b) Cooperate with formal investigations, facilitate discussions and mediations conducted under this Policy.
- c) Treat complaints and investigation or mediation processes on GBV as confidential.
- d) Report all acts of gender-based violence and sexual harassment at the workplace.

3.4 Students

Students shall have a responsibility in ensuring a gender-based violence-free environment. To achieve this they shall:

- a) Familiarize themselves and comply with the GBV Policy.
- b) Cooperate with formal investigations, facilitate discussions and mediations conducted under this Policy.

- c) Treat complaints and investigation or mediation processes on GBV as confidential
- d) Report all acts of gender-based violence and sexual harassment at the University

3.5 General Public, Customers, and Clients

Customers, clients, and the general public are key stakeholders in the prevention of gender violence and sexual harassment in the workplace. The customers of the University have a right to be treated with respect and dignity while within the University. The customers are equally expected to abide by the provisions of various policies in place at the University. Any form of violence including gender-based violence perpetrated by or directed at the staff, students, or customers shall be dealt with per the provisions of the Policy in place. The stakeholders are expected to:

- a) Report all acts of gender-based violence at the University to the management.
- b) Cooperate with management during an investigation and disciplinary proceedings
- c) Refrain from acts that might promote gender violence at the University.

4.0 THEMATIC/POLICY AREAS

GBV has serious and far-reaching negative effects including physical injuries resulting in death or disfigurement, psychological trauma, infection with HIV/AIDS, unwanted pregnancies, social stigmatization and exclusion, and economic deprivation among others. This Policy will put in place a framework to accelerate the implementation of laws, policies, and programs for prevention and response to GBV in the University including;

4.1 Creation of Awareness on GBV

Many survivors and perpetrators of GBV are usually ignorant about the vice and thus become easy prey or predator due to a lack of adequate and relevant information. In some cases, owing to gender insensitivity and socialization, the survivors and perpetrators are not aware that such acts are unacceptable and punishable. Deliberate efforts shall be made to create awareness to all stakeholders.

4.2 Safety and Security

The University community has a duty to create and maintain a healthy environment in which GBV is unacceptable and not tolerated. All members should also discourage unacceptable behavior on the part of others to maintain an environment that is hospitable, equitable, and conducive to safe and decent University community life.

4.3. Capacity Building and Training

An adequate number of persons trained to handle GBV incidences is critical for the implementation of this Policy. The university management will put in strategies to capacity build its staff and students through regular trainings on GBV.

4.4 Staff -Students Relationships

Staff members are prohibited from engaging in a romantic and/or sexual relationship or romantic and/or sexual conduct with any student enrolled at the University. academic members of staff should never be involved in any exploitation, harassment, or other discriminatory treatment of students. They foster honest academic conduct and ensure that any evaluation of students reflects the student's true merit. A student shall not coerce any member of the University community into any sexual relationship or exhibit behavior that may compromise the integrity of any member of the University community.

4.5 Student-Student Relationships

No student shall coerce another student into a sexual relationship or exhibit behaviors that may compromise the integrity of any other student.

4.6 Staff-Staff Relationship

No member of staff shall coerce another member of staff or any member of the University community into a sexual relationship or exhibit behaviors that may compromise the integrity of any member of the University. No staff involved in any sexual relationship with another member of staff shall have any direct responsibility for making decisions regarding the promotion, tenure, or compensation of the other party in the relationship. No member of staff shall discriminate against another member of staff because of their gender.

5.0 MONITORING AND EVALUATION

Effective institutional arrangements for monitoring and evaluation are key components for achieving the objectives of this Policy. This can only be achieved by instituting an effective mechanism for monitoring and evaluating the system to ensure adherence to this Policy. The Chairperson of the GBVM Committee shall submit quarterly reports on the implementation of the policy to the council through the university management.

6.0 REVIEW OF POLICY

This Policy shall be reviewed by the Management every five (5) years or as the need arise to take into account emerging issues and trends and any legislative and Policy changes.

ANNEX 1

Implementation Guidelines and Procedure

Machakos University has the major responsibility of promoting and creating an enabling environment free from GBV through the implementation of this Policy by putting in place well-articulated policy implementation guidelines and procedure for the effective handling of GBV cases whenever they occur. The successful implementation of this Policy will require a collaborative effort between the Machakos University council, Management, staff as well as students. Specifically, this Policy shall be implemented through the GBVM Committee and Gender- based Violence Monitoring Champions who shall be answerable to the DVC-APF.

This Policy recognizes that acts of GBV are usually sensitive and very distressing and may affect any member of the University Community. To ensure psychological security for the victims, all persons involved in cases of GBV shall treat the matter as strictly confidential. The University will disclose information regarding cases of GBV only as required by the law or a Court order and as necessary to meet its legal obligation to investigate and take action to end the vice. Confidentiality shall be ensured by:

- a) Instituting mechanisms to ensure confidentiality in handling cases of GBV
- b) Ensure the privacy of the complainant, perpetrator, and witness as much as possible

The following guidelines shall facilitate implementation of the policy

1.1 Creation of Awareness on GBV

To enhance better understanding and appreciation of GBV throughout the entire University community the University undertakes to:

- a) Conduct regular sensitization workshops on GBV for all staff and students to do better understand the forms and do away with stigma on GBV
- b) Create and support an advocacy group to advance issues of GBV
- c) Mandate the Head of the Health Unit to put in place relevant programs to deal with staff and students concerning reproductive health , HIV/AIDS and GBV
- d) Publish the Policy on GBV as a booklet and display it on the University webpage, and disseminate it to new members of staff and students joining the university
- e) Require all University employees and students to abide by the GBV Policy
- f) Invite guest speakers well versed in matters GBV to talk to members of the University community
- g) Utilize technology to address GBV issues with regard to reporting and sensitization

1.2 Safety and Security

To strengthen safety and security measures for the entire University community, especially female students and staff members to prevent the occurrence of GBV the University Shall:

- a) Provide adequate lighting on all corners of the University compound.
- b) Introduce and enforce a visitors' registry book on all University premises
- c) Train employees and students on safety and security measures concerning GBV
- d) Create awareness among students and staff on personal security and safety measures.
- e) Display GBV hotlines in strategic places in the University compound

- f) Maintain separate female and male hostels and enforce the 10 am to 10 pm visiting hours in the students' halls of residence, besides other stipulated rules
- g) Put in place mechanisms for an open-door working environment

1.3 Capacity Building and Training

To enhance the capacity of members of the University community and managers to support the implementation of the GBV Policy, the University undertakes to:

- a) Train all members of the University community to facilitate the implementation process
- b) Institute empowerment programs to protect all members of the University community from GBV
- c) Strengthen the current guidance and counseling unit to deal effectively with cases of GBV
- d) Facilitate training of the University health providers to recognize and be responsive to the emotional and psychological needs of staff and students

1.4 Dissemination of the Policy

Disseminating this Policy is crucial to its success in reducing cases of GBV. To ensure effective dissemination of the Policy to all members of the University community the University shall:

- a) Place copies of the Policy in strategic places such as Schools, Departments, Sections, Hostels, Libraries and the **university digital repositories for policies**.
- b) Undertake to publicize the anti-GBV message through its website
- c) Make the Policy part of the outreach programs of clubs and societies
- d) Incorporate the Policy in the orientation of new students and mentoring programs
- e) Make the Policy part of the terms and conditions of employment at the University for Staff; and admission for students

1.5 Internal Monitoring and Evaluation

Effective institutional arrangements for monitoring and evaluation are key components for achieving the objectives of this Policy. To facilitate this , the University:

- a) Shall establish a Board to monitor and evaluate the performance of the University in implementing this Policy
- b) Shall put in place appropriate monitoring and evaluation systems to ensure that the necessary measures are taken promptly
- c) Shall put in place monitoring indicators with time frames to measure the implementation process
- d) Shall have quarterly report submitted to the council through the university management
- e) Shall put in place a forum for receiving views from members of the University regarding the Policy
- f) Undertakes to review the Policy from time to time based on informed research or changes in policies and legislation

2.0 REPORTING , INESTIGATION AND DISCIPLINARY PROCEDURES

2.1 Reporting Mechanisms

While it is recognized that cases of GBV occur in Universities, Machakos University not being an exception very few survivors report such cases. Reasons for not reporting include fear, intimidation, stigma, and embarrassment. To facilitate reporting while upholding confidentiality, the University commits to:

- a) Come up with innovations that make reporting incidents GBV easier such as mobile Apps.
- b) Establish a hotline through which victims of GBV can report such incidents

- c) Encourage victims and survivors of GBV to use the established hotlines or mobile Apps to report such incidents
- d) Strengthen the office that receives reports on GBV
- e) Induct the confidential advisors on procedures for receiving reports from survivors/witnesses of GBV
- f) Put in place steps to be followed from the time of receiving a complaint to the action stage
- g) Install suggestion boxes in all buildings in the University through which GBV cases/ incidences can be reported
- h) Conspicuously post the names and contacts of all confidential advisors
- i) Create a Gender- based Violence Reporting Centre at the Health Unit

2.2 Investigation Procedures

It is imperative to conduct a proper GBV investigation procedure for cases of GBV to ensure fair treatment of all parties involved in the case. Investigations include but are not limited to, interviews with and written statements made by or with the complainant, the perpetrator, and third parties. All investigations will be conducted discreetly and confidentially to the extent that is legally possible. The investigating committee will consider, inter alia, the circumstances leading to the incident, the nature of the incident, the relationship between the parties, and the past behaviors of the parties. To achieve this the University authority shall:

- a) Appoint a standing committee to rigorously investigate cases of GBV
- b) Train members of the committee to effectively investigate cases of GBV
- c) put in place mechanisms to ensure that all complaints are investigated with due regard to key principles including impartiality, objectivity, transparency, timeliness, accuracy, and thoroughness
- d) Ensure proper documentation of evidence provided during investigations
- e) Act promptly and effectively on the recommendations of the investigation committee

2.3 Disciplinary Measures

Machakos University has the responsibility to institute disciplinary measures against perpetrators as may be appropriate whenever complaints are filed, investigated, and substantiated. Any employee or student of the University found violating this Policy shall be subject to severe disciplinary action up to and including termination of service or student status with the University. Such individuals shall also be removed and/or barred from the University premises and forwarded to the Kenya law enforcement officers. The University prohibits retaliation against or harassment of individuals who act in good faith by reporting real or perceived GBV cases. The University also prohibits individuals from deliberately making false or misleading reports/statements or concealing information/material on GBV cases under this Policy. Cases beyond the University's jurisdiction shall be forwarded to the relevant government authorities. To articulate internal disciplinary measures that shall be applied to various types of GBV cases and ensure that perpetrators are disciplined accordingly, the University shall:

- a) Take appropriate action on perpetrators, pending investigation, once a case has been reported. Such actions may include but are not limited to, warnings, suspension, or termination of service/student status depending on the nature and severity of the offense
- b) Categories cases of GBV offenses according to their severity
- c) Communicates the categories of offenses and corresponding penalties to all staff and students
- d) Ensures the safety of all records concerning cases of GBV
- e) Severely disciplines any persons who threaten or victimize individuals who report cases of GBV
- f) Provides an opportunity for appeal procedures

2.4 Support for Survivors of GBV

Due to the stigma associated with GBV, most survivors opt to suffer in silence to avoid ridicule from friends and colleagues. Such survivors often require special support to help them overcome the trauma associated with the experience. If there is evidence that alleged abuse, GBV, or sexual harassment has occurred, the University shall assist in obtaining appropriate counseling for the survivor and members of the survivor's family where appropriate. Appropriate shelter for the survivor may also be provided where necessary. To strengthen the support mechanism, the University:

- a) Shall expand the capacity of the existing guidance and counselling services to specifically address cases of GBV and include both students and staff
- b) Undertakes to encourage all staff and students to report to appropriate authorities any cases of GBV which they have experienced or heard of, involving members of staff or students of the University
- c) Shall put in place mechanisms to protect parties involved in GBV proceedings from any intimidation, threats, or other negative repercussions once an incident has been reported
- d) Shall collaborate with the Machakos County Government to provide appropriate shelter at the County's Gender Based Violence Recovery Centre.
- e) Shall link the university Health Unit with the County's Gender Based Violence Recovery Centre through a hotline for easier coordination incase of GBV cases.