

SEXUAL HARASSMENT POLICY

1.1 Policy Statement

ACUMEN4D is committed to providing a work environment that is free from any form of harassment including sexual harassment. Sexual harassment is sanctioned by local and international labor laws and is against ACUMEN4D's values. ACUMEN4D applies a zero tolerance policy against any verbal or physical conduct by any employee either on or off premises that harasses, disrupts, or interferes with another employee's work performance or that creates an intimidating, offensive, or a hostile environment or which intimidates any third parties that ACUMEN4D deals with.

No form of inappropriate sexual conduct will be tolerated or condoned. Each and every employee will be treated with respect and dignity, irrespective of their status in ACUMEN4D.

ACUMEN4D shall not condone behavior by non-employees in the work place that subjects an employee to inappropriate verbal or physical behavior that may be intimidating, offensive or hostile. All ACUMEN4D staff are expected to understand the contents of this Policy and abide by its requirements.

1.2 Scope of the Policy

This Policy applies to:

- a.** all categories of staff including management, internationally, regionally and nationally recruited staff, temporary staff and prospective employees;
- b.** all third parties dealing with ACUMEN4D including consultants, grantees, suppliers, service providers, partners or any other associates. All third parties are responsible for providing their representative, personnel, agents or officials with a copy of this Policy.

Definitions

Sexual harassment is the unacceptable and unwanted conduct of a sexual/gender nature that when objectively assessed, affects the dignity of any person.

Sexual harassment may occur in various forms including:

- a. Verbal:** unwelcome innuendoes, suggestions and hints, comments with sexual overtones, requests for sexual favors, sex-related jokes or insults, unwelcome graphic comments about a person's body made in their presence or to them and inappropriate queries or comments about a person's sex life;
- b. Non-Verbal:** unwelcome gestures or postures, inappropriate staring at a person's body, indecent exposure and the display of sexually explicit pictures and objects, distribution of inappropriate discriminatory or sexual material, in some instances using electronic media for distribution;
- c. Physical:** unwanted physical contact ranging from touching to sexual assault and rape; may begin with less invasive interactions such as casual touching and escalate to grabbing, fondling, kissing, physical restraint and forced sexual intercourse. Note that strip searches of any form are not legal, but in particular in the presence of persons of the opposite sex. (Security on site must have strict written protocols in this respect);

d. Use of influence or position: occurs where any employee undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increments or other benefits of an employee or applicant for employment in exchange for sexual favors;

e. Sexual favoritism: occurs where a person who is in a position of authority rewards those who respond to an employee's sexual advances whilst other deserving employees are denied advancement, benefits or increases due to their refusal to submit to sexual advances; and

f. Any other offensive conduct directed at individuals because of their race, sex, national origin, religion, disability, pregnancy, age or sexual orientation is also prohibited.

1.3 Harassment Complaint Procedure

a) Guiding Principles

The following principles shall apply to this Policy:

- **Confidentiality.** All inquiries, complaints and investigations shall be treated in a confidential manner. Information shall be solely and strictly revealed to persons designated to investigate sexual harassment cases under this Policy. The identity of a complainant may be released to the respondent and witnesses. All parties are expected to keep the identity of persons and details of the complaint confidential. All parties shall be required to enter into non-disclosure agreements prior to commencement of the complaints procedure.
- **Mutual Respect.** All ACUMEN4D staff are expected to promote a culture of mutual respect at the workplace and carry the same standards throughout any proceedings initiated under this Policy.

b) Complaints Procedure

Any staff member who alleges any form of harassment is encouraged to communicate to the person causing the unwelcome behavior that their action(s) are unwelcome. Failing to do so does not however prevent the staff member from filing a formal complaint.

To file a complaint, the staff member must report verbally or in writing to either the immediate manager or the next level manager; to a staff member within the Human Resources Unit, or directly to the Director, Human Resources.

The staff member should report the facts of the incident(s) citing names of individual(s) involved. An investigation will commence without the risk of reprisal to the staff member for filing the complaint.

Both ACUMEN4D staff and third parties may file a complaint by reporting in writing to ACUMEN4D's leadership through info@Acumen4D.org. ACUMEN4D encourages the person making the complaint to report the facts of the incident(s) citing names of individual(s) involved. An investigation will commence provided the report has the details required to be able to conduct a full investigation.

c) Sexual Harassment Investigation Guidelines

All complaints shall be investigated, even when the complainant requests that action should not be taken or when the complaint wants to remain anonymous or is anonymous.

The investigation shall be completed as promptly as possible and in any event no later than thirty (30) days ("Investigation Period") for several reasons as follows:-

- The disruption caused by actual harassment or rumours can be substantial;
- As time passes, evidence can be lost and witnesses' memories become less accurate;
- The longer a resolution is delayed, the more stressful the situation becomes for the complaining employee and accused individual if accused unjustly.

d) The Investigation Committee

The Manager or employee receiving the complaint should refer the complaint to the Human Resources Unit without delay. An Investigation Committee shall be duly constituted in the following manner:

- The Director, Human Resources shall appoint one manager outside the complainant's or respondent's division;
- A HR representative
- A Legal representative (participating in observer capacity)

In the event that the complainant or respondent is a member of the Human Resources division, the Managing Director shall appoint the relevant Investigation Committee member.

It is recommended that any given time, the Investigation Committee shall be made up of members of both genders/sexes to the greatest extent possible as this assists with the collection of evidence, interviewing of witnesses and assists in the providing a balanced perspective.

In order to investigate fully, the Investigation Committee must have an understanding of what constitutes sexual harassment under both ACUMEN4D policy and the law to evaluate the complaint properly.

e) Investigation Process

The Investigation Committee is required to use the following investigation process:

- The complainant and respondent shall be summoned separately to provide details regarding the complaint. The process shall provide a fair method for both sides to be heard and to receive information.
- The Committee shall ensure that both the complainant and respondent under the complaints process and possible outcomes. In cases where physical violence or sexual assault are alleged, the investigator will inform both parties that reports will be made to the appropriate legal authorities and criminal charges may be pursued.
- As many witnesses as possible shall be interviewed within the investigation period.
- All responses are documented and signed by the persons providing the information. In addition, all participants shall be expected to adhere to strict confidentiality and their cooperation shall be required. No retaliation or intimidation shall be entertained.

f) Investigation Outcome

- Once the investigation process has been completed, the Investigation Committee will evaluate the evidence and prepare a report communicating the investigations conducted, findings and recommendations within the Investigation Period to the Director, Human Resources
- If the Director, Human Resources is agreeable to the Investigator's report, the decision will be communicated to parties involved within seven (7) days of the report from the Committee
- If the Director, Human Resources disagrees with the findings or recommendations of the Committee, the HR Director shall convene a meeting between the HR Director, the Investigations Committee and the Managing Director to review the findings and recommendations and reach a resolution. Where a resolution is reached, the HR Director shall inform the parties of the outcome of the investigation. Where the meeting fails to reach a resolution, the HR Director shall make the final decision and inform the parties of the outcome.
- If there are no sufficient grounds to prove/disapprove the allegations, the Investigation Committee state so in its report to the HR Director who shall explain to both parties factually why the evidence was inconclusive and give the complainant the opportunity to submit any additional information. If there is sufficient evidence that the allegations are verifiable, ACUMEN4D shall take appropriate action against the Respondent.
- The Director, Human Resources shall keep a confidential record of all sexual harassment complaints registered.

1.4 False and frivolous complaints

ACUMEN4D shall not tolerate any false and/or frivolous sexual harassment allegations made against any staff member. Making a false or frivolous claim shall constitute ground for disciplinary action however a complaint made in good faith which cannot be proven shall not be considered as either false or frivolous.

1.5 Roles and Responsibilities

a) ACUMEN4D Board

- Setting broad-based policies containing preventive and redress measures reflecting ACUMEN4D's zero tolerance policy on sexual harassment;
- Provide leadership and direction to the Company in implementing this Policy.

b) ACUMEN4D Management

- Ensuring that adequate mechanisms are put in place to meet the standards under this Policy
- Ensuring that all staff under their supervision understand this Policy and are trained and supported to fulfil their role in preventing and dealing with sexual harassment
- Take appropriate action where any incidences of sexual harassment is brought to their attention.

c) Human Resources Function

The Human Resources Department is responsible for promoting a conducive work environment that is free from sexual harassment. The Human Resources Department shall be responsible for:

- Inducting and continuously educating (at least once a year) all staff on ACUMEN4D's zero tolerance policy on sexual harassment and the procedures and requirements that fall within the Policy;
- Ensuring that all reported incidences of sexual harassment are dealt with in a professional and confidential manner, promptly and transparently.
- Ensuring that reported incidents are handled sensitively and with respect for the dignity of the persons involved
- Ensuring fair remediation towards the complainant and respondent.
- Ensuring that there is no one suffers reprisals for reporting a sexual harassment allegation.
- Periodically reviewing the effectiveness of the policy in deterring sexual harassment and updating the Policy as needed.

d) Investigations Committee

The Investigations Committee is an ad hoc body solely constituted for receiving and handling complaints of sexual harassment on behalf of ACUMEN4D. The individuals designated in the Investigations Committee to receive complaints of sexual harassment on behalf of ACUMEN4D will be required to:

- document the sexual harassment case referred to them including (i) complainant's case; (ii) respondent's case; (ii) any witness statements or other forms of evidence.
- conduct prompt and neutral investigations into any allegations brought before the committee and prepare a report of the findings and recommendations to HR;
- observe the timelines of investigating and finalizing a sexual harassment case under this Policy;
- keep the cases referred to them confidential to the extent practicable under the circumstances;

e) ACUMEN4D staff

All staff are expected to:

- refrain from any behavior that constitutes sexual harassment;
- promote a culture of mutual respect at the workplace;
- maintain confidentiality concerning any complaint or investigation on sexual harassment of which he/she is aware;
- consult with and/or report any incident of sexual harassment of which he/she may be aware, to the persons designated to handle sexual harassment complaints under this Policy.