



NWU®

NORTH-WEST UNIVERSITY
NOORDWES-UNIVERSITEIT
YUNIBESITI YA BOKONE-BOPHIRIMA

GENDER-BASED VIOLENCE POLICY

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Policy owner	Director: Employee Relations Directors: Student Life
Responsible division	Employee Relations Unit Student Life Protection Services
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GENDER-BASED VIOLENCE POLICY

Preamble

Against the background of the dream to be an internationally recognised university in Africa, distinguished for engaged scholarship, social responsiveness and an ethic of care, the Council of the North-West University (NWU) has adopted this policy on 17 June 2021 for the purpose of regulating the handling of gender-based violence (GBV) within the university.

1 Scope of the application

This policy is applicable to all employees and students of the university.

2 Interpretation and application

2.1 This policy must be interpreted and applied in a manner consistent with the:

2.1.1 Constitution of the Republic of South Africa, 1996, with specific reference to sections 9, 10 and 12;

2.1.2 And Related Matters Amendment Act, 32 of 2007;

2.1.3 Domestic Violence Act, 116 of 1998;

2.1.4 Employment Equity Act, 55 of 1998;

2.1.5 Promotion of Equality and Prevention of Unfair Discrimination, Act, 4 of 2000;

2.1.6 Protection from Harassment Act, 17 of 2011;

2.1.7 Continuing Education and Training Act, 16 of 2006.

2.1.8 Skills Development Act, 97 of 1998;

2.1.9 Higher Education Act, 101 of 1997.

2.1.10 Commission on Gender Equality Act, 39 of 1996;

2.1.11 Statute of the North-West University (2020) (the Statute);

2.1.12 Labour Relations Act, 66 of 1995;

2.1.13 Code of Good Practise on the Handling of Sexual Harassment in the Workplace as published in the Government Gazette of 4 August 2005, Notice 1357 of 2005;

2.2 The Executive Directors: People and Culture & Student Life must develop, maintain and publish a standing operating procedure for dealing with gender-based violence, which must be applied and interpreted in accordance with this policy.

3 Policy statement

It is the policy of the NWU that –

3.1 GBV in any form might not be tolerated;

3.2 recognise the GBV affects not only women, but all gender identities and sexual orientations, including the LGBTQIA+ individuals and marginalised minorities;

3.3 all employees and students are required to support the effective implementation and application of this policy;

3.4 all employees and students are expected to contribute to the creation of an institutional cultural against GBV;

- 3.5 all allegations and instances of GBV must be addressed in a manner which is fair, equitable, consistent, objective, confidential and transparent;
- 3.6 Any employee or student who is a victim of GBV may, without fear or prejudice or victimisation lodge a complaint with the relevant structures of the university.

4 Purpose

The purpose of this policy is to –

- 4.1 create an enabling environment to inform, prevent, support and monitor GBV within the NWU;
- 4.2 promote the safety of all employees and students and to prevent instances of GBV;
- 4.3 address all forms of GBV, inclusive of sexualised discrimination, violence and arrangement;
- 4.4 recognise that GBV affects not only women, but all gender identities and sexual orientations, including the LGBTQIA+ individuals and marginalised minorities.

5 Guiding principles.

This policy is informed by the following principles:

- 5.1 The need for a comprehensive and multi-faceted approach addressing instances and complaints of GBV, including integrated and comprehensive prevention and safety measures and education and awareness programmes, while recognising the fundamental rights of all employees and students to equality, dignity, freedom and security of a person, as well as the protection of bodily and psychological integrity.
- 5.2 Instances of GBV must be addressed in a manner which takes into account matters related to gender sensitivity, cultural beliefs or traditions, language capacities, sexual orientation, and disability.
- 5.3 All responses to gender-based violence must maintain the confidentiality and privacy of those involved, whose trust, safety, physical and psychological needs must be prioritised.
- 5.4 The university must take appropriate and swift action in accordance with this policy when GBV are reported.
- 5.5 This policy must be implemented in accordance with the relevant disciplinary policies, practises and rules applicable to employees and students of the university.