



**Spotlight
Initiative**
*To eliminate violence
against women and girls*



**MODEL GENDER AND ANTI SEXUAL HARASSMENT POLICY
FOR
HIGHER EDUCATION INSTITUTIONS (HEIs)
IN
MALAWI**

FINAL REPORT

June, 2021



Foreword

The role of academic institutions in building the capacities of individuals and institutions in ensuring institutionalization of tools for addressing Sexual and Gender-Based Violence (SGBV), Sexual and Reproductive Health and Rights (SRHR) and Harmful Practices (HP) in planning, programming and monitoring systems is critical. The UN has, since 2016 supported higher education institutions (HEI) integrate gender equality issues in their programmes and administrative processes to ensure that their outputs are gender aware and responsive. So far, a number of HEIs have developed gender policies that they have been implementing from 2018/19 for those that their senates and councils approved. The experiences and results from the development and implementation of the gender policies differ across the institutions. This means that there was no standard gender policy framework for HEIs. UNDP, in collaboration with NCHE therefore worked with a group of HEIs to develop this Model Gender Policy.

Under the EU Funded Spotlight Initiative Programme pillar 2 on strengthening institutions, UNDP partnered with NCHE to support building coordinated approaches for addressing gender related issues for Malawi public and private colleges and universities. This Model Gender Policy for Higher Education Institutions in Malawi has provided an opportunity for generating common approaches in addressing gender, sexual and gender-based violence, sexual and reproductive health and rights, harmful practices, gender inequality issues and violence against persons with disabilities in all higher education institutions in Malawi. This policy is informed by a systematic research which was carried out in diverse higher education institutions across the country and was specifically designed to collect information about gender and other related issues that affect higher education institutions in Malawi. It has been carefully formulated not only to address these critical gender issues but also related crosscutting issues that affect higher education institutions in Malawi.

The policy has five priority areas focusing on gender and students; gender and staff; ; sexual harassment and gender-based violence; inclusive education; and epidemics and pandemics. By extending the traditional areas of focus in a gender policy, this policy has taken a holistic approach in addressing issues that are closely interrelated to gender issues in any given higher education institution in Malawi. The policy outlines a number of strategies to address a number of problems including inequality in enrolment into higher education institutions among males, females and people with disabilities; sexual harassment among and between students and staff; gender insensitive and gender bias conditions of service among staff as well as gendered prevention and management of epidemics and pandemics have been addressed. Recognizing that deep rooted inequality cannot be resolved by one institution alone, this model policy also provides opportunity for partnership and collaboration with external actors, as well as a comprehensive monitoring and implementation plan. This policy must be adapted by HEIs to fit into the unique context of each higher education institution in Malawi. The policy has an implementation plan as an addendum to support operationalization of the strategies to higher education institutions coordinated by NCHE.

Acknowledgement

The successful development of this Model Gender Policy for Higher Education Institutions in Malawi is due to the combined effort of various organizations, institutions and individuals including the Ministry of Gender, Community Development and Social Welfare, gender experts, various universities representations among others. The formulation of this policy has been managed by the Task Force on Higher Education Institutions in Malawi, with funding from the United Nations Development Fund (UNDP) and was coordinated by the National council for Higher Education (NCHE)

The financial support from the UNDP made it possible to achieve the desirable quality of the policy through research, as well as the formulation of this policy-based on evidence gathered from the research. The support from NCHE through the coordination of the Task force on Higher Education Institutions in Malawi, as well as provision of the required information required by this policy has been of great value to the development of this policy.

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Acronyms

ACRONYM	FULL DESCRIPTION
AIDS	Acquired Immune Deficiency Syndrome
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
Chanco	Chancellor College
CoM	College of Medicine
COVID-19	Corona Virus Disease 2019
FDGs	Focus Group Discussions
GBV	Gender Based Violence
GEA	Gender Equality Act
HEIs	Higher Education Institutions
HIV	Human Immunodeficiency Virus
ICT	Information and Communications Technology
KCN	Kamuzu College of Nursing
LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer and Intersex
MDG	Millennium Development Goals
MDGS II	Malawi Growth and Development Strategy II
NCHE	National Council for Higher Education
NESP	National Education Sector Plan
ODL	Online Distance Learning
PWD	Persons with Disabilities
SADC	Southern Africa Development Community
SDGs	Sustainable Development Goals
UN	United Nations
UNESCO	United Nations Education, Scientific, and Cultural Organization
UNIMA	University of Malawi
SGBV	Sexual and Gender-Based Violence
SRHR	Sexual and Reproductive Health and Rights
HP	Harmful practices

DEFINITIONS

Affirmative Action: Policies or programs of taking steps to increase the representation of certain designated groups in all areas of life in institutions.

Curriculum: Outline of concepts to be taught to learners which also includes methods and resources used in teaching.

Cyber harassment: a form of harassment which uses electronic means.

Engender: The Process of ensuring that Planning and Programming is appreciative of and considers gender differences and concerns.

Gender Awareness: the recognition of the differences in the interests, needs and roles of women and men in society and how these result in differences in power, status and privilege.

Gender Balance: a situation where no gender is more dominant than the other in terms of numbers, influence and power among many factors.

Gender Based violence: any harmful act be it sexual, psychological or physical, that is perpetrated against a person based on their gender.

Gender Blindness: the conscious development of objectives, plans and programs in an organization or institution with no effort to recognize or incorporate gender issues that might influence the functioning of that organization, the production of plans, the implementation of programs and the outcomes of the programs.

Gender Discrimination: the unequal treatment of individuals or groups of people on the basis of their gender.

Gender Disparities: differences in women's and men's access to resources, status and well-being, which usually favor men and are often institutionalized through law, justice and social norms.

Gender Equality: The equitable treatment of males and females so that they can both enjoy the equal benefits of development including equal access to and control of opportunities and resources.

Gender Equity: The practices of fairness and justice in the distribution of benefits, access to and control of resources, responsibilities, power and opportunities.

Gender Gap: A difference in any aspect of the socio-economic status of women and men, arising from the different social roles ascribed by society for women and men.

Gender Issues: A gender issue/concern arises when there is a discrepancy, discrimination and injustice.

Gender Justice: full equality and equity between men and women in all spheres of life.

Gender Knowledge: Awareness of socially constructed relationships between men and women.

Gender Mainstreaming: The consistent integration of gender concerns into the design, implementation, monitoring, and evaluation of policies, plans programs activities and projects at all levels.

Gender Parity: A numerical concept referring to equal number of girls and women, boys and men relative to their respective numbers in the population

Gender Responsiveness: Refers to action taken to correct Gender Imbalances.

Gender Sensitivity: A mind set where people are aware of gender-based discrimination which hinders enjoyment of human rights.

Gender Transformation: programs and interventions that endorse people to challenge gender norms, promote women participation and address gender inequalities in the society.

Gender: A term used to identify social, cultural and psychological features that identify one as a man, woman, boy or girl.

Good Governance: processes and institutions producing results that meet specific needs of the society while working with available resources.

Human Rights: standards that recognize and protect the dignity of all human beings.

Harmful Practices: Social, cultural or religious practice which on account of sex, gender or marital status does or is likely to undermine – the dignity, health, or liberty of any person or – result in physical, sexual, or emotional or psychological harm to any person.

Inclusive Education: A model in education where students with special learning needs spend most or all learning time with students without special learning needs.

Patriarchy: a system of society in which males hold major power dominate in roles of political leadership, moral authority, social privilege and control of property.

Positive Discrimination: the process of favoring some members of a certain group because they possess a specific protected characteristic.

Sexual Harassment: Unwelcome acts, sexual advances, requests for sexual favours or unwanted physical, verbal or non- verbal conduct of a sexual nature.

Sex discrimination: Treating another person less favourably than he or she would treat a person of his or her own sex; or apply to the other person, an exclusion, distinction or restriction which applies or would apply equally to both sexes.

Women Empowerment: equipping women with knowledge, skills, and capacity to fully participate in decision-making and access to power

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1. INTRODUCTION

This Model Gender Policy has been developed in order to offer a reference document for Higher Education Institutions (HEIs) in integration of gender in its operations with students and staff members. It is a document that should be used as a model policy and to be adapted and contextualized based on the specific needs of each HEI. It highlights key areas that each institution must integrate in addressing gender related matters to ensure equality among all. The Model Gender Policy has identified priority areas based on evidence of specific prevalent gender issues in HEIs. These include, sexual harassment, sexual and gender-based violence (SGBV), sexual and reproductive health and rights (SRHR) issues, inequality in enrolment, retention, performance and participation of students; gender and curricula; inequality in recruitment, disability and female friendly facilities, and participation of staff; inclusive education and pandemics such as COVID-19 and HIV/AIDS. The policy also provides an implementation plan, monitoring plan, monitoring tool and budget.

2. LEGAL AND POLICY FRAMEWORK

This Model Gender Policy for HEIs is premised on an international and national legal framework including the Convention on Ending Discrimination Against Women (CEDAW), The Women's Rights Protocol to the Africa Charter on Human and Peoples Rights, the Maputo Protocol, the Malawi Constitution, the Gender Equality Act, the HIV AID Prevention and Management Act, the Prevention of Domestic Violence Act, and the Penal Code which outlines most criminal laws in Malawi among others. Under the CEDAW which Malawi is State Party to, discrimination in all forms is prohibited. Similarly, under the Maputo Protocol the sexual and reproductive health rights are upheld among all persons. Consequently, Malawi adopted the CEDAW and the Maputo Protocol through its various gender related laws. Section 4 of the Gender Equality Act outlaws sex discrimination by prohibition of unequal treatment or exclusion on the basis of one's gender or sex. Anyone committing sex discrimination offence is liable to maximum of K1 million kwacha fine and 5 years imprisonment. Needless to say, that the issue of sex discrimination has existed in Malawi education institutions relating to enrolment and access to secondary and tertiary education.

Section 5 of the Gender Equality Act criminalizes harmful practices in form of religious, social or cultural practices and any offender is liable to maximum penalty of K1 million fine and 5 years imprisonment.

The Gender Equality Act further also outlaws sexual harassment and imposes a fine of K1 million- and 5-years imprisonment. Cases of sexual harassment have been rampant in the country relating exchanging grades for sex against some female students. The study by Malawi Human Rights Commission in 2021 also revealed existence of sexual harassment cases against female employees in academic institutions in addition to female students versus their tutors or lecturers. The Act in section 19 accords the right to sexual and reproductive health and rights for all and the right to choose whether or not to have a child without being forced. Some schoolgirls are forced to abort or keep pregnancies against their will from boyfriends or men lecturers among others. The law is meant to provide as a basic right for everyone to make own decisions about their health, body and sexual life. Additionally, the Marriage Divorce and Family Relations Act mandates men who impregnate any girl whether in marriage or outside marriage to provide the

necessary care to the pregnancy in all stages and provide child maintenance to the born child. There are many cases of abandoned pregnant girls by the men and boys, the law was meant to address them.

The Prevention of Domestic Violence Act provides for protection from any violence between intimate partners whether married or in a love affair. Cases of violence between intimate partners has not left out educational institutions. The more reason why this policy addresses such issues to ensure that everyone enjoys the rights accorded to them whilst in school or after.

The list of legal and policy instruments is included as Addendum 1. This Policy complements the legal and policy framework by integrating key concepts such as human rights and gender equality into HEI. There is often a gap between HEIs and national or international gender frameworks due to lack of provisions addressing issues specific to HEIs and this Policy seeks to bridge that gap.

3. RATIONALE

This Gender Policy is a statement of the University's commitment to taking positive steps in gender planning for the institution's sustenance and the promotion of gender equality, gender justice, the management and prevention of gender-based violence, discrimination and exclusion. This Policy commits the University to making human and financial capacity and resources available to support the quest for gender equality.

The attainment of gender equality is regarded as vital from a human rights perspective. The Spotlight Initiative aims at ending violence against women and girls (EVAWG) in the communities, institutions and the society at large. It thrives on the willingness of institutional authorities to act as touch bearers in EVWAG. The commitment to achieving equality demonstrates that HEIs are considering the human rights of all staff and students, including women, persons with disability and other marginalized groups. This Policy reaffirms the rights, responsibilities and duties of all stakeholders in HEIs.

Furthermore, this policy acts as a tool of measuring HEIs institutional advancement. In today's society, commitment to equality is one of the most significant indicators of a progressive institution. As such, a gender policy is a benchmark. The gender-responsiveness of HEIs as well as implementation and monitoring contribute to the overall advancement of the institution.

4. VISION

The vision for the policy aligns with the University's vision. The University vision is to enable students and staff to accomplish their academic and professional passions in an environment that is diverse and inclusive and fosters equality for all students and staff. The vision for this Gender Policy therefore is to facilitate and provide for a gender equal environment for the effective management of staff and students, as well as teaching and learning.

5. SITUATIONAL ANALYSIS

Both students and staff face gender disparities in higher education institutions. For staff, one of the major issues is low female representation and participation in decision making. Women's participation in employment is consistently low in Malawi. A Labour Force Survey conducted in

2013 showed that out of those people who reported to be employed, only 11.3 percent were in formal employment, from which 6.4 percent were women and 16.2 percent were men (Chikapa, Gender Regime and Policies in Malawi: A Literature Review 2017). The situation is not different in HIEs. According to University of Malawi Gender Policy, a research that was conducted at UNIMA shows that in 2016 at the College of Medicine, there were no female deans. At the University Office, there had never been female Vice Chancellor, University Registrar, or Finance Officer. At Chancellor College, only 8.33% of Deans, Vice Deans, Heads and Deputy Heads of Departments were females. Some other issues include sexual harassment and general lack of regard for the unique needs of female staff such as sanitation facilities, essential child care facilities, and maternity leave. Students on the other hand face gender disparities with respect to enrolment, performance, participation, accommodation and curricula that are not gender sensitive. From 1992 to 2000, the enrolment of female students was less than 30 percent in public universities in Malawi with the highest enrolment percentage of 25 percent in 2000 (University of Malawi Gender Policy, December 2016). As the grade level of education increases, the number of female students starts to decline. The very few women that are fortunate enough to join higher learning institutions can be characterized by lower academic performance and higher forced withdrawal.

Sexual harassment is also one of the issues which disproportionately affect female students and other marginalized groups. Sexual harassment is perpetrated by both staff and students and affects both men and women although predominantly women. Research conducted at Ebonyi State University, South East, Nigeria showed 67% of students suffered sexual harassment on campus and 12.6% of the students were raped (Ogbonnaya LU, Ogbonnaya CE, Emma-Echiegu 2011).

Another problem is lack of access to tertiary education for PWD particularly females. While the data is very scarce, the information that is available paints a dire picture. For example, studies indicate that far fewer women with disabilities attend school (59 per cent) than both women without disabilities (79 per cent) and men with disabilities (71 per cent). Another problem for PWD is lack of inclusive education. Persons with disabilities face challenges such as lack of accessibility, cultural biases, lack of special needs education services, and lack of full and effective participation.

University students also engage in behavior that increases the risk of contracting HIV/AIDS. HIV/AIDS prevalence rate in African higher learning institutions is among the highest in the world. HIV/AIDS is stigmatized resulting in minimal access to sexual and reproductive health services and information. Additionally, the recent Covid-19 pandemic has resulted in disparities due to distance learning.

Although many higher education institutions have policies in place to ensure gender equality, they have been ineffective as a result of ineffective implementation. This has been due to a lack of awareness of the policy and its contents, negative institutional attitudes towards equality as well as a general lack of understanding of the importance of gender equality. It has also been challenging to measure progress as many institutions have not put in place effective mechanisms of monitoring and evaluation, let alone mechanisms that are gender sensitive. Lastly, in some instances there has been a lack of financial resources to facilitate the implementation and

monitoring of the policies. While budgets are made, financial resources are often channeled towards other priorities of the institution, to the detriment of the institution's gender policy.

6. GUIDING PRINCIPLES AND APPROACHES

This gender policy will be guided by the following principles and values:

- Right to education
- Gender equality
- Non-discrimination
- Affirmative action / positive discrimination
- Gender mainstreaming
- Transparency, accountability and good governance
- Partnership and collaboration

The policy adopts mixed approaches, including the following:

- A human rights and social legal approach: In the context of the current legal framework, it is critical for the policy to adopt a human rights and social legal approach which reflects applicable normative content of the relevant rights and principles as espoused in the various Conventions and laws.
 - An appreciative inquiry and perceptive: This allows for the policy development process to be guided by positive experiences drawn from the HEI and the people concerned.
 - A transformative approach: considering the many efforts that go into developing blue prints that are rarely translated into reality, it is important to develop a policy that is implementable, budgeted and can be easily monitored in order to bring about the desired change.
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7. POLICY OBJECTIVES

The overall goal of this policy is to create a gender-transformative environment in HEIs for the betterment of all staff and students, particularly women and persons with disabilities.

The specific objectives of this Gender Policy are:

- to ensure equality of male and female students in enrolment, performance, retention, participation;
- to ensure equal representation of male and female staff in recruitment and decision making, to eradicate discriminatory conditions of service and to strengthen reporting and disciplinary systems;
- to effectively prevent and respond to sexual harassment and GBV;
- to ensure PWD's full and effective accessibility to higher education, infrastructure and materials, and to eradicate discrimination against PWD and
- to prevent the spread of HIV/AIDS, and COVID-19, and access to effective sexual and reproductive health services and information.

8. PRIORITY AREAS

The Gender Policy identifies five key priority areas:

- Gender and Students
- Gender and Staff
- Sexual Harassment and GBV
- Inclusive Education
- Pandemics and Epidemics: HIV/AIDS and COVID-19

8.1 PRIORITY AREA 1: GENDER AND STUDENTS

Objectives: The key objectives on gender and students are:

- to ensure that gender is a key consideration in enrollment of students;
- to ensure that curriculum is gender sensitive and responsive;
- to improve student's academic performance and retention with a focus on female students especially those in sciences and technology;
- to ensure safe and convenient accommodation and other facilities for students especially female students and
- to enhance equal participation in decision making by students with a special focus on participation of female students.

8.1.1 Enrollment

8.1.1.1 Problem: Unequal representation of male and female students in enrolment into higher education institutions.

8.1.1.2 Policy Statement: The selection board shall ensure that the enrolment process into HEI, programmes or modules result in a gender balance of students, and that special consideration is given to female students (or male students where applicable), especially those from rural and poor background and those with disabilities.

8.1.1.3 Strategies:

The enrolment/ selection body shall:

- (i) take gender equality as a consideration in selection;
- (ii) ensure that there is equitable access to information about the enrollment process for both males and females;
- (iii) ensure a gender-conscious enrollment process that encourages female or male students to enroll into programmes that the specific group of students is underrepresented;
- (iv) develop and implement outreach programs to support females and PWD careers choices into non-traditional fields through outreach motivational programmes, confidence building and role modeling;
- (v) publicize values that promote inclusive enrollment;

- (vi) use affirmative action to ensure improved gender-balance based on the minimum standard of 40 – 60 representation provided under the Gender Equality Act and
- (vii) monitor enrolment statistics in all programmes and modules to ensure that the gender balance is sustained or improved.

8.1.2 Curriculum

8.1.2.1 Problems:

- Few standalone gender programmes and courses, or gender sensitive courses and
- Lack of gender transformative teaching, learning and assessment methods.

8.1.2.2 Policy statement: Curricula, teaching methods, and systems of monitoring and evaluation of course content and delivery shall be gender sensitive and transformative.

8.1.2.3 Strategies:

- (i) Every Dean / Head shall ensure that gender is mainstreamed in all courses, programmes and/or provided as a core course in all programs at first year or as appropriate.
- (ii) Every Dean / Head shall ensure that students are exposed to concepts and theories that enable them to understand and appreciate gender and its implications for society at first year.
- (iii) Every Dean/ Head shall ensure that all curricula are reviewed to integrate gender and respond to changes in gender related issues relevant within each course.
- (iv) Every College Quality Assurance Director shall ensure that gender inclusivity is a key consideration in quality assurance management and administration of all programs.
- (v) Every Vice Chancellor /Principal shall ensure that gender responsiveness is used as one of the criteria for assessing quality of courses in all programs.
- (vi) Every Dean / Head shall ensure that all lecturers receive gender orientation and training
- (vii) Every principal shall ensure support, with appropriate resources, for further training and education of its academic staff in Gender Mainstreaming.
- (viii) Every Dean / Head shall ensure gender sensitive teaching, materials and learning methods.
- (ix) Every Dean/ Head shall ensure that lecturers use gender-sensitive language that is inclusive of both females and males.
- (x) Every principal shall ensure support of publication of books, textbooks and other teaching materials, from a gender-balanced perspective.
- (xi) Every Dean /Head shall promote gender transformative approaches in pedagogy that challenge negative gender culture, attitudes and practices.

8.1.3 Performance and Retention

8.1.3.1 Problem: Poor performance of students, especially female students, due to unique female needs, leading to low retention of female students

8.1.3.2 Policy Statement: There shall be special effort to improve the academic performance and retention of female students.

8.1.3.3 Strategies:

- (i) Every Dean/ Head shall ensure that students who are underperforming, especially females, are given full academic support from both academic and support staff such as offer of tutorials and bridging courses.
- (ii) The Vice Chancellor / Principal shall ensure that programmes embark on activities designed to raise the profiles of female scholars and professionals.
- (iii) The Vice Chancellor / Principal shall ensure that female students interact with positive female role models in university-sponsored activities.
- (iv) All responsible authorities for granting students loans shall give priority to needy female students.
- (v) The Vice Chancellor / Principal shall ensure that all college facilities are female friendly, by for example, providing adequate clean sanitation facilities with equipment that supports female menstruation needs and reusable sanitary pads.
- (vi) The Vice Chancellor / Principal shall ensure that sexual and reproductive health services are available and accessible to all students, especially females at all times and facilitate back to school policy for students that withdrawal from college due to pregnancy.
- (vii) The Vice Chancellor/ Principal shall ensure that there is availability and accessibility of counselling services at all times and that all students, especially females, are aware of the existence of such services.

8.1.4 Access to safe and convenient accommodation and other facilities

8.1.4.1 Problem: Inadequate on-campus safe accommodation for female students and substandard off-campus accommodation and limited access to college facilities such as the library and internet, especially for female students staying off-campus.

8.1.4.2 Policy Statement: There shall be safe and secure accommodation for both on-campus and off-campus students and equal access to College facilities for both on-campus and off-campus students.

8.1.4.3 Strategies:

- (i) The authority responsible for the allocation of campus accommodation shall allocate at least 40% of accommodation spaces to either males or females with priority being accorded to first year students and those with special needs.
- (ii) The Dean of Students shall ensure periodic inspection of accredited private off-campus accommodation to determine the premises' gender-appropriateness, fitness for purpose, and safety.
- (iii) The Registrar shall ensure adequately lit campuses.
- (iv) The Vice Chancellor /Principal shall lobby for installation and maintenance of streetlights on main streets leading to major off-campus accommodation.
- (v) The Vice Chancellor /Principal shall ensure the provision of effective security services on campus i.e. security guards and surveillance cameras at strategic points.
- (vi) The Vice Chancellor / Principal shall ensure an extension of college internet services to on campus and at least major off-campus accommodation facilities.

- (vii) The Vice Chancellor/ Principal shall ensure that students have overnight access to all books, reports, journals etc. from college libraries.

8.1.5 Equal Participation in decision making

8.1.5.1 Problem: Low female representation and participation in decision making structures, curricular and extracurricular activities

8.1.5.2 Policy Statement: Institutions shall promote female students' participation in decision making structures, curricular and extra-curricular activities.

8.1.5.3 Strategies:

- (i) The responsible authorities shall ensure that females are encouraged, prioritized and supported in accessing and voicing out their views in all decision-making platforms in college.
- (ii) Every dean of students shall ensure that females are encouraged and supported to contest in influential positions in the Students' Union and other bodies.
- (iii) Every dean of students shall ensure that the Students Union's elections are peaceful, fair and gender sensitive and responsive.
- (iv) The Vice Chancellor / Principal shall ensure that negative stereotyping of women who contest or hold influential positions is not tolerated by raising awareness and punishing offenders.
- (v) The Vice Chancellor / Principal shall ensure that female students' welfare associations and men for gender clubs are encouraged and supported.
- (vi) The Vice Chancellor / Principal shall encourage and support female students to participate in curricular and extracurricular activities at the college.
- (vii) The Vice Chancellor /Principal shall ensure gender mainstreaming of all college curricular and extracurricular activities.

8.2 KEY PRIORITY AREA 2: GENDER AND STAFF

Objectives:

- To ensure equal representation of male and female staff in employment recruitment;
- to eradicate discriminatory conditions of service;
- to strengthen reporting and disciplinary systems.

8.2.1 Equal Access and Recruitment

8.2.1.1 Problems: Minimal representation of females at all levels especially at leadership levels, and gender-blind recruitment processes.

8.2.1.2 Policy Statement: There shall be equal representation of men and women at all levels.

8.2.1.3 Strategies:

- (i) The university shall develop guidelines on implementing 40-60 employment representation requirements of the Gender Equality Act and other affirmative action measures.
- (ii) All Deans shall ensure that no programme or module has students or staff of only one sex.
- (iii) Gender shall be a primary consideration in recruitment and all recruitment panels shall have female representation.

8.2.2 Equality in Conditions of Service

8.2.2.1 Problem: Gender blind conditions of service including promotion criteria, inadequate maternity leave, lack of paternity leave, lack of essential childcare facilities & nurseries, poor sanitation facilities.

8.2.2.2 Policy Statement: Conditions of service shall be gender sensitive, and institutions shall provide for adequate maternity leave, paternity leave, essential childcare facilities and sanitation facilities.

8.2.2.3 Strategies:

The University shall:

- (i) apply conditions of service and promotion criteria in a gender sensitive and responsive manner and where appropriate provide and undertake affirmative action to ensure equitable access to promotions, trainings, scholarships, research grants and other opportunities especially for female staff;
- (ii) prioritize females in further education opportunities and research grants;
- (iii) ensure equal pay for work of equal value;
- (iv) provide pre and postnatal maternity leave of not less than two months as provided by law;
- (v) make provision for paternity leave of not less than two weeks;
- (vi) provide childcare facilities;
- (vii) provide clean, private, accessible sanitation facilities with suitable bins for used sanitary wear; and
- (viii) adapt working conditions and adjust working organization to suit the needs of women with family responsibilities.

8.2.3 Equal Participation in College Decision Making Structures

8.2.3.1 Problem: Unequal representation of males and females in decision making processes.

8.2.3.2 Policy Statement: Promote equal representation and participation in decision making bodies especially for female member of staff.

8.2.3.1 Strategies:

The principal shall:

- (i) ensure that there is no less than 40 percent of men and women in all committees and sub-committees at the college;

- (ii) provide leadership training to staff especially females, in leadership positions to ensure that they effectively speak out and influence decisions when they sit on decision making bodies; and
- (iii) ensure gender mainstreaming of all decisions made by any decision-making body of the college.

8.2.4 Prevention and Response to Gender Discrimination in Employment

8.2.4.1 Problem: Prevalence of patriarchal attitudes, segregated roles, and gender discrimination.

8.2.4.2 Policy Statement: Institutions shall eradicate patriarchal attitudes, segregated roles, and gender discrimination in general.

8.2.4.3 Strategies:

The University shall:

- (i) intensify awareness on gender, negative and positive discrimination, and gender equality;
- (ii) ensure implementation of gender policies and gender sensitive criteria and guidelines
- (iii) have systems/guidelines to ensure no negative repercussions for those that report gender discrimination;
- (iv) have grievance & disciplinary systems and structures that are effective, expeditious, sensitive and confidential;
- (v) grievance and reporting structures shall have equal representation of males and females;
- (vi) ensure that appropriate disciplinary action is taken for reported cases of discrimination;
- (vii) provide training to staff on gender and gender discrimination at work;
- (viii) Institutions should deliberately engage either sex in non-traditional sectors; and
- (ix) institutions should avoid occupationally segregated provision of training.

8.2.5 Equality in Association and Collective Bargaining

8.2.5.1 Problem: Underrepresentation of women in trade unions especially in leadership roles.

8.2.5.2 Policy Statement: Institutions shall promote equal representation and participation in trade unions.

8.2.5.3 Strategies: All institutions shall:

- (i) ensure that all trade unions in HEI are complying with the 20% minimum quota for women provided for in the Labour Relations Act or the higher standard of the 40- 60 quotas as provided under the GEA;
- (ii) support training and awareness on equality in association and collective bargaining;
- (iv) promote the representation of females as members and leaders; and
- (v) support trade union activities including check –off systems.

8.3 PRIORITY AREA 3: SEXUAL HARASSMENT AND GENDER BASED VIOLENCE (GBV)

Objectives:

- To prevent and adopt a zero-tolerance approach against sexual harassment and GBV.
- To establish effective reporting and complaints mechanisms.
- To swiftly respond to reports of sexual harassment and GBV.
- To protect victims and survivors of sexual harassment and GBV.
- To provide support systems such as rehabilitation and counselling for victims and perpetrators.

8.3.1 Prevention and Awareness of Zero Tolerance against Sexual Harassment and GBV

8.3.1.1 Problem: Lack of awareness of the different forms, nature and harm caused by sexual harassment and other forms of GBV.

8.3.1.2 Policy Statement: The institution shall raise awareness amongst staff and students on prevention of and zero tolerance against sexual harassment and GBV, including the definition of sexual harassment in the Gender Equality Act.

8.3.1.3. Strategies:

a. Students

- (i) There shall be ongoing sensitization of students on sexual harassment, and corresponding regulations and policies with a focus on those that suffer multiple discrimination including people with disabilities, the poor, transgender and LGBTQTIs.
- (ii) New students shall receive information on sexual harassment together with other information given during orientation.
- (iii) New students shall fill in questionnaires to enable the institution to analyze their attitudes and beliefs regarding gender issues and GBV to enable the institution tailor training and orientation to raise awareness amongst new students.
- (iv) The institution shall establish gender transformative, student-led initiatives such as legal clinics, clubs, societies and extra-curricular programs that engage in research, awareness and gender equality advocacy.

- (v) The institution shall form partnerships with programs that address shared risk factors for violence e.g. drug and alcohol abuse prevention, pregnancy prevention, sexually transmitted infection prevention etc.
- (vi) There shall be adequate security in places of accommodation and at all social events.
- (vii) Security staff shall undergo training on response to sexual harassment.
- (viii) A full-time staff person shall be designated to focus on prevention of Sexual harassment and GBV and shall work with a multi-disciplinary team that will respond to violence when it occurs, as well as work on shifting the culture of the campus to prevent violence.
- (ix) Social events shall be used as opportunities to spread awareness about sexual harassment e.g. merchandise such as cups and t shirts with messaging on sexual harassment that could be distributed at social weekends.
- (x) Material shall be developed on sexual harassment to be distributed to students, and shared on the institution's website, social media platforms, and in all places of accommodation. All the material shall be accessible to students with disabilities.
- (xi) Prohibition of and zero tolerance against sexual harassment and GBV shall be a clearly stated in all rules, regulations and codes of conduct of student societies.

b. Staff

- (i) Questions on GBV and sexual harassment shall be incorporated into the recruitment process including application and interviews.
- (ii) Newly recruited staff shall undergo vetting to check their history regarding sexual harassment and GBV, and also their attitudes and beliefs and this shall include a written self-declaration on record of non-involvement in any case of sexual harassment.
- (iii) Newly recruited staff shall undergo training in sexual harassment and GBV.
- (iv) All staff shall undergo annual training in gender issues, especially sexual harassment and GBV.
- (v) Staff shall be empowered to report GBV.
- (vi) The institution shall provide all staff with accessible materials with information on sexual harassment and GBV, as well as reporting and complaint procedures.

- (vii) The institution shall develop guidelines and codes of conduct for staff relations and also staff –students’ relations, clearly describing power dynamics in consensual relationships, and prohibiting sexual harassment and GBV.
- (viii) Staff with disabilities shall have full access to GBV information.

c. Online Harassment

- (i) The institution shall raise awareness on and prevent cyber –harassment.
- (ii) The institution shall raise awareness of the meaning of cyber-harassment including the provisions of the Electronic Transactions and Cyber Security Act, 2016.
- (iii) Awareness shall comprise of simplified messaging in common languages.
- (iv) All gender curricula shall include cyber-harassment.
- (v) Staff, as well as the team designated to handle sexual harassment, shall be trained in cyber harassment to enable them to deal with such cases.
- (vi) Institution shall have regulatory framework for cyber-harassment.
- (vii) ICT personnel shall be oriented and consulted in decisions to do with cyber-harassment.

d. Male Victims of Sexual Harassment and GBV

- (i) The institution shall raise awareness on males being victims of sexual harassment and GBV.
- (ii) The institution shall encourage holistic understanding of GBV, including power dynamics and deconstruction of gender stereotypes.
- (iii) The institution shall dispel myths about men not being victims of GBV through gender initiatives and programming.
- (iv) All gender training shall emphasize that both men and women can be victims of GBV.
- (v) Male students shall be given safe spaces to talk about sexual harassment and GBV, and the institution shall support this by establishing societies, clubs and other initiatives.
- (vi) The institution shall raise awareness on positive masculinities.
- (vii) Male students in minority groups such as those with disabilities shall be supported and encouraged to speak out against sexual harassment and GBV.

e. Students Harassing Fellow Students and Non-Students Off-Campus

- (i) The institution shall raise awareness on sexual harassment amongst students living off-campus.
- (ii) The unique circumstances of students living off-campus shall be considered in all sexual harassment and GBV-related decisions, initiatives and guidelines.
- (iii) Landlords of off-campus accommodation shall be made aware of the institution's sexual harassment and GBV policies, as well as reporting and complaints systems.
- (iv) Landlords shall be furnished with relevant contact details of the institution to use in cases of sexual harassment and GBV amongst and by their student-tenants.

f. Community Members: Off-Campus

- (i) The institution shall safeguard students who live off-campus from sexual harassment and create a safe environment.
- (ii) The institution shall foster relationships with local support services, counselors, community rape crisis centers, and advocates- particularly those in areas where students live.
- (iii) Within the team designated to deal with sexual harassment, there shall be one office specifically dedicated to students living off campus who shall ensure that sexual harassment is being prevented, and that when it occurs, there is an effective complaints system in place to hold perpetrators accountable.
- (iv) The institution may act as a link between landlords and students by having a database of pre-approved accommodation which they have already reviewed in terms of safety.
- (v) The institution shall have annual review of off-campus accommodation by way of survey. Data will be collected from students, landlords, and community members.

g. Lecturers Demanding Sexual Favours from Students in Exchange for Grades

- (i) The institution shall prevent sexual harassment by staff and ensure an effective reporting system in response to complaints.
- (ii) Institution shall have guidelines for student-staff relations. These guidelines will detail what conduct is and is not allowed, and will explicitly prohibit sexual harassment related to teaching, learning, supervision and assessment.

- (iii) Each staff member, especially those just joining the institution, must make a declaration that they have never committed a sexual offence including sexual harassment. This will act as a way of checking one's history, and also showing the institution's commitment to safeguarding staff and students from sexual harassment.
- (iv) Every staff member will have a responsibility to prevent sexual harassment and to report it when brought to their attention including through anonymous reporting.
- (v) Recognizing that students may not always be comfortable reporting a matter directly to the institution's authorities, lecturers to whom a report has been made about a fellow lecturer shall report the matter.
- (vi) A Complaints Form shall be available to everyone, both in hard copy and soft copy. It shall be anonymously accessible i.e. one may download it from their student portal or may collect it from a place on campus where their identity is not compromised. This form shall require details about the staff-member alleged to have sexually harassed a student.

8.3.2 Reporting and Responding to Cases of Sexual harassment and GBV

8.3.2.1 Problem: Lack of reporting of sexual harassment cases.

8.3.2.2 Policy Statement: There shall be an effective and accessible informal and formal complaints system.

8.3.2.3 Strategies:

- (i) The institution shall ensure that programming for prevention and response is survivor-centered and trauma-informed and that at all times, the complainant's right to dignity and privacy shall be respected.
- (ii) In the event of rape, sexual assault and any other criminal sexual offence, the victim should immediately report the incident to the nearest police station and thereafter attend the nearest health facility.
- (iii) An anonymous complaints box shall be set up in a place on campus that is private in order to protect the complainant's identity. The Complaints Form shall be accessible either online through their portal or from the same place where the complaints box is.

- (iv) The institution shall ensure that persons with disabilities have full and equal access to the reporting and complaints mechanisms. This includes access for persons with visual impairments, hearing impairments and other physical disabilities.
- (v) A complaints committee shall be established to formally preside over sexual harassment matters.
- (vi) The committee shall have rules and regulations which govern it and shall consist of staff, student representatives trained in sexual harassment management and also independent members of the community around the institution who are not members of staff in order to avoid the likelihood of bias.

a. Informal Complaints

The institution shall provide for settlement of sexual harassment and GBV cases by informal mechanisms where the case is not of a criminal nature and the complainant prefers such informal settlement.

The complaints committee shall:

- afford the alleged perpetrator the right to be heard;
- if need be, and with the consent of the victim, facilitate dialogue between both parties in order to achieve an informal resolution which is acceptable to the complainant
- ensure that confidential records are kept of the complaints process;
- follow up after the outcome to ensure that the harassment has stopped;
- ensure that the procedure is carried out within reasonable time, in any case, not later than two weeks from the date that the incident is reported, depending on the circumstances.

b. Formal Complaints

The complaints committee shall:

- interview the victim and the alleged perpetrator separately;
- interview relevant third parties;

- make the final decision on whether or not the incident(s) of sexual harassment took place;
- produce a report detailing the investigations, findings and any recommendations;
- decide what the appropriate remedy including an apology, a change to working arrangements, training for the perpetrator or to refer the matter to a disciplinary committee;
- follow up to ensure implementation of the recommendations, that the behavior has stopped and that the victim is satisfied with the outcome;
- If it is not determined that harassment took place, recommendations may still be made to ensure proper functioning of the workplace;
- Keep a record of the process and all actions taken on cases of sexual harassment and GBV;
- Ensure that the all records concerning the matter are confidential; and
- Ensure that the procedure is carried out within reasonable time, in any case, not later than two weeks from the date that a complaint was lodged, depending on the circumstances.

8.3.3 Protection and Support to Victims and Survivors of Sexual Harassment and GBV

8.3.3.1 Problem: Lack of protection and support to survivors of gender-based violence.

8.3.3.2. Policy Statement: Victims and survivors shall be protected upon reporting a case of sexual harassment and GBV, and shall be offered support by the institution.

8.3.3.3 Strategies:

The institution shall:

- (i) ensure that victims are given adequate medical attention where physical violence has occurred including emergency contraceptives and post- exposure prophylaxis treatment as appropriate;
- (ii) provide victims with psychological support such as counseling;
- (iii) provide a safe house to temporarily accommodate students whose safety and well-being is at immediate risk;

- (iv) take swift action against perpetrators and ensure they are no longer a risk to the victim's safety and well-being;
- (v) suspend the perpetrator from the institution until the determination of the case;
- (vi) put in place a tracking mechanism to check in with survivors and ensure their safety;
- (vii) protect sexual harassment victims and witnesses from intimidation or threats of any kind;
- (viii) identify, in consultation with the employers' and workers' organizations concerned and through other means, the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment and taking measures to effectively protect such persons.
- (ix) take all necessary measures to prevent the victimization, intimidation or reprisal of victims and witnesses of sexual harassment; and
- (x) Victims of violence and harassment in the world of work should have access to compensation in cases of psychosocial, physical or any other injury or illness which results in incapacity to work
- (xi) Perpetrators of violence and harassment must also be punished but also offered appropriate rehabilitation services where appropriate to prevent reoccurrence
- (xii) ensure that there are links with and details of referral systems closest to the institution.

8.4 PRIORITY AREA 4: INCLUSIVE EDUCATION

Objectives:

- To ensure that PWD have equal access to opportunities to be enrolled or recruited.
- To provide appropriate infrastructure and information.
- To ensure equal treatment of PWD.
- To mainstream disability.

8.4.1 Access to Opportunities Including Tertiary Education

8.4.1.1 Problem: Lack of equitable access, no formal quotas and inadequate recruitment of PWD.

8.4.1.2 Policy Statement: There shall be equitable access, formal quotas & enrolment/recruitment of persons with disabilities.

8.4.1.3 Strategies: The Institution shall:

- (i) ensure that primary consideration in selecting candidates to the institution;
- (ii) reserve a percentage of places for PWD;
- (iii) apply affirmative action measures & develop relevant guidelines; and
- (iv) acquire key inclusive learning facilities.

8.4.2 Accessibility to People with Disabilities as Workers

8.4.2.1 **Problem:** There is nominal access to PWD as workers and nominal reasonable accommodations for workers with disability.

8.4.2.2 **Policy Statement:** There shall be equitable access to people with disabilities as workers.

8.4.2.3: **Strategies:** Institutions shall-

- (i) have deliberate policies to integrate PWD in employment at all levels;
- (ii) make recruitment information accessible in all formats accessible to PWD;
- (iii) distribute recruitment information in disability networks and organisations;
- (iv) undertake affirmative action measures to integrate PWD as workers;
- (v) provide material and non-material accommodations for workers with disabilities; and
- (vi) promote the representation and participation of workers with disabilities in trade unions.

8.4.3 Access to Facilities, Services, Materials and Other Resources

8.4.3.1 Problem: Inaccessible infrastructure and lack of resources including: key disability facilities, educational materials, inclusive teaching methods, and specialist personnel or qualified learning support assistants.

8.4.3.2 Policy Statement: The institution shall ensure PWD's full and effective accessibility to infrastructure and materials.

8.4.3.3 Strategies:

The institution shall ensure that:

- (i) new infrastructure is disability friendly including access to buildings and appropriate sanitation facilities and that old infrastructure shall be modified to suit PWD;
- (ii) it allocates a percentage to support inclusive education in their budgets;
- (iii) it purchases all key disability facilities;
- (iv) academics shall be incentivized to produce educational materials for PWD;
- (v) all academics shall be trained and oriented on PWD friendly teaching methods;
- (vi) they employ specialist personnel or qualified learning support assistants;

- (vii) there is established an inclusive education unit or focal person;
- (viii) all leaders shall be trained and oriented on inclusive education;
- (ix) inclusive education shall be a key consideration in all planning and allocation of resources;
- (x) information about services is available in a variety of media; and
- (xi) institutions shall develop and acquire relevant distance learning accessibility facilities and services for PWD.

8.4.4 Support, Adaptation and Accommodation

8.4.4.1 Problem: There is minimal practical support/adaptation for PWD to enable them to learn. PWD are only afforded chances in limited programmes that traditionally enrolled PWD.

8.4.4.2 Policy Statement: The institution shall provide practical support for PWD.

8.4.4.3 Strategies:

- (i) The institutions shall set out a 2-year plan to acquire practical support and facilities as well as adaptations to start enrolling PWD or increase the number of PWD staff and students.
- (ii) Institution shall provide non-material accommodation for PWD.
- (iii) All academics shall receive training on non-material accommodations and all new staff shall be oriented in the same.
- (iv) The institution shall have individualised education plans for PWD developed by a multi-disciplinary team of specialists and make yearly reports on inclusive education activities and support.
- (v) The institutions shall develop reasonable alternatives to facilities and services wherever standard access mechanisms are unavailable.
- (vi) The institutions shall develop clear equitable access procedures to be followed by PWDs to request accommodations and these shall be made known to all students and staff.
- (vii) The Institutions shall provide counselling and psychological support for PWD and ensure availability of all aids, appliances, technologies and support systems that facilitate healthy functioning of PWD.

8.4.5 Discrimination

8.4.5.1 Problem: Negative attitudes and systematic discrimination of PWD continues.

8.4.5.2 Policy Statement: Negative attitudes and norms, and systematic discrimination shall be eradicated.

8.4.5.3 Strategy

- (i) All institutions shall regularly facilitate continued trainings and orientations in inclusive education and enroll PWD every year.

- (ii) All institutions shall raise awareness on disability rights and facilitate sensitization of students.

8.4.6 Participation

8.4.6.1 Problem: There is no full and effective participation for PWD.

8.4.6.2 Policy Statement: PWD shall have full and effective participation in decision making bodies.

8.4.6.3 Strategies:

- (i) A place shall be reserved for a PWD representative in all student unions; disability shall be a key factor in staff recruitment.
- (ii) PWD shall be encouraged to participate in decision making and shall be supported by the institution.
- (iii) All institutions shall ensure that the nature of electoral processes of the students' union are inclusive and consider needs of PWD candidates.
- (iv) Office in students' union designated to PWD shall be empowered and given special attention to ensure its effectiveness.

8.4.7 Disability Mainstreaming

8.4.7.1 Problem: There is minimal disability mainstreaming in programmes, planning and operations of the institution.

8.4.7.2 Policy Statement: The institution shall ensure disability mainstreaming.

8.4.7.3 Strategies:

- (i) The institution shall undertake disability mainstreaming and disability responsive curriculum content and delivery and this shall be a key consideration in all future curriculum development and reviews.
- (ii) All human rights related programmes shall include disability rights as a key component of the curriculum.
- (iii) Extracurricular activities such as clubs, societies and legal clinics shall incorporate disability rights information and inclusion.

8.5 PRIORITY AREA 5: PANDEMICS AND EPIDEMICS (HIV/AIDS AND COVID-19)

Objective:

- To prevent the spread of pandemics such as HIV/AIDS and COVID-19.
- To increase access to sexual and reproductive health services and information.
- To ensure equal participation of students during the COVID-19 pandemic.

- To effectively respond to gendered effects of COVID-19

8.5.1 Prevention, Access to Information, Awareness and Behavioral Change

a. HIV/AIDS

8.5.1.1 Problems: Continued risky behaviour amongst students, unavailability of condoms, lack of awareness on HIV/AIDS.

8.5.1.2 Policy Statement: The institution shall prevent risky behavior amongst students, make condoms available, and raise awareness on HIV/AIDS.

8.5.1.3 Strategies:

The institution shall:

- (i) organize training in HIV/AIDS prevention and management during first year students' orientation and for newly recruited staff;
- (ii) regularly have HIV/AIDS awareness talks and encourage students and staff to get tested for HIV;
- (iii) adopt innovative methods such as the use of drama, music and art in HIV/AIDS and COVID-19 awareness;
- (iv) involve students in every stage of development of awareness campaign strategies;
- (v) incorporate HIV/AIDS sensitization into social events e.g. distribution of male and female condoms and HIV/AIDS information during social weekends;
- (vi) ensure that all places of accommodation have both male and female condoms;
- (vii) ensure that all needy female students are supported materially including supporting them in the process of obtaining a loan; and
- (viii) clinics near religious institutions shall ensure easy availability or access to condoms.

b. COVID-19

8.5.1.4 Problems: Lack of enforcement of preventive measures, lack of holistic online learning.

8.5.1.5 Policy Statement: The institution shall effectively enforce all COVID-19 preventive measures and ensure holistic online learning for all students.

8.5.1.6 Strategies

The institution shall:

- (i) establish a task force for COVID-19 management;
- (ii) convene task force meetings on a monthly basis;
- (iii) ensure that there are adequate sanitation points at all major entries on campus;
- (iv) ensure that all students have access to face masks;
- (v) ensure that there is adequate social distancing in all classrooms, offices and all other places on campus;
- (vi) provide holistic online learning;
- (vii) develop online distance learning materials;
- (viii) provide support to needy students to access online learning; and
- (ix) ensure that students with disabilities have full and equal access to online learning.

8.5.2 Provision of Resources and Support

8.5.2.1 Problem: Lack of transparency, information sharing and support.

8.5.2.2 Policy Statement: The institution shall ensure that information sharing is transparent, and that there is support for those with HIV/AIDS or COVID-19.

8.5.2.3 Strategies:

The institution shall:

- (i) ensure transparency regarding the institution's management of HIV/AIDS and COVID-19;
- (ii) create transparent and effective information sharing systems for all pandemics;
- (iii) ensure that all information is accessible to staff and students with disabilities;
- (iv) organize awareness campaigns, using media such as social media, radio, and television;
- (v) ensure that students and staff have access to HIV/AIDS and COVID-19 testing;
- (vi) support student-led clubs, societies, legal clinics etc. to engage in research, advocacy and awareness on HIV/AIDS and COVID-19;
- (vii) have isolation centres for students with COVID-19;

- (viii) provide counselling to those with HIV/AIDS or COVID19; and
- (ix) create support groups for staff and students with HIV/AIDS or COVID-19.

8.5.3 Nondiscrimination and Mainstreaming

8.5.3.1 Problem: Discrimination, stigmatization of HIV/AIDS, lack of HIV/AIDS curriculum mainstreaming.

8.5.3.2 Policy Statement: Institutions shall ensure there is no HIV/AIDS discrimination and stigma, and that HIV/AIDS is appropriately mainstreamed into curricula.

8.5.3.3 Strategies:

The institutions shall:

- (i) develop an HIV/AIDS policy;
- (ii) ensure non-discrimination on the basis of HIV/AIDS or any pandemic;
- (iii) ensure there is no pre-employment HIV/AIDS testing or testing for educational opportunities;
- (iv) comply with all obligations under the HIV/AIDS (prevention and management) Act, 2018;
- (v) integrate and mainstream HIV/AIDS into the curriculum;
- (vi) allocate a percentage towards pandemics support in the budgets;
- (vii) provide material and nutritional support to HIV positive students and willing staff;
- (viii) develop guidelines on pandemics planning, support and management; and
- (ix) provide regular counselling and support to all students and staff who are HIV/AIDS or COVID-19 positive.

8.5.4 Response to Gendered Effects of COVID-19

8.5.4.1 Problems: Increased domestic violence due to more time spent at home; higher risk of teenage pregnancies and failure of female students to keep up with academic obligations due to household chores.

8.5.4.2 Policy Statement: Institutions shall provide support for students experiencing domestic violence during online distance learning, continue to share sexual and

reproductive health information and services, and support students failing to keep up with their studies.

8.5.4.3 Strategies:

The Institution shall

- (i) put in place remote support mechanisms for victims of domestic violence such as hotlines, facilitating remote communication between counsellors and students, etc.;
- (ii) partner with local health care providers to facilitate safe and easy access to contraceptives for students during the COVID-19 pandemic;
- (iii) conduct research on the unique needs of female students in online learning due to domestic circumstances; and
- (iv) provide support to female students struggling to keep up with new teaching methods.

9. IMPLEMENTATION PLAN

9.1 Implementation Principles

The implementation plan will be guided by a number of principles including the following:

- **Efficiency:** Available resources should be transformed into intended results in terms of quantity, quality and timeliness.
- **Effectiveness:** Effectiveness relates to the extent to which results of the policy achieve its outcome and the purpose. Impactful implementation requires that the purpose and outputs positively affect the lives of large numbers of the institution's community and that the wider policy objectives are achieved.
- **Sustainability:** Sustainability considerations ensure that the positive results of the policy's implementation are long lasting and contribute to the long-term functioning of the institution and well-being of staff and students.

9.2 Implementation Structure

In its implementation, the policy shall follow the logic of the University committee and administrative system, chaired by responsible office. At Faculty level, there will be faculty focal points that will work with Heads of Department, under the Dean or as appropriate.

There shall also be a committee to ensure gender sensitivity and responsiveness at the University. This committee will comprise of members with a variety of expertise in order to ensure intersectionality. It shall also have both staff and student representatives.

9.3 Collaboration

All staff, students and affiliates of the institution have a role to play in realizing the objectives of the gender policy, and in creating and maintaining an environment free from injustice, harassment and discrimination.

All partners, associates, contractors, and those who offer services to the institution shall be responsible for complying with the Policy.

The institution shall work closely with the Ministries responsible for education and gender, as well as NCHE to ensure that the policy is implemented in line with the National Gender Policy and other legal frameworks. The institution shall also work with development partners and institutions.

The institution, through the office responsible for communication, shall also engage the media in publicizing gender activities at the University.

9.4 Coordination unit

A Gender Co-ordination Unit shall be established. The role of the Gender Co-ordination Unit shall be:

- To facilitate the achievement of gender policy objectives at departmental, faculty and university level.
- To operate as a source of expertise on gender mainstreaming at the institution.
- To keep gendered records, track and facilitate implementation and monitoring of the policy
- To liaise with Ministries responsible for Gender and for Higher Education, NCHE, Development Partners and NGOs on current gender reforms at local, national, regional and global levels.

Each Faculty and/or Department shall appoint a Gender Mainstreaming Coordinator/Desk Officer.

Further, the Students and Staff Unions shall each, establish positions of gender mainstreaming co-coordinators /Desk Officer.

9.4 Financial Resources

Resource accumulation: Human, technical, material and financial resources are needed for effective policy implementation.

Effective resource management shall require:

- **Identifying appropriate funding requirements** to be used throughout the implementation process. All material relating to financial resources developed during the policy design phase should be used in the implementation phase. This is to ensure that resourcing strategies continue to be fit for purpose and also to enable decision-makers to see how the implementation is tracking against key milestones.

- **Formulating a resource management strategy** outlining the delivery and management approach. The strategy should detail how all resources will be managed to support delivery. Further detail of resources required to achieve the policy's broader outcomes must be provided, including acquisition and management of resources, how long they will be needed for and estimated costs.
- **Establishing agency resourcing requirements:** Human resources are fundamental in effective implementation, so there must be an appropriate variety of skills and expertise. Different types of expertise will be required for different phases of implementation.

9.5 Capacity: People with Expertise and Training

In order for the policy to be effectively implemented, there is a need for people with a wide variety of expertise, training and experience in different fields, such as:

- Experts in sexual harassment prevention, protection and response
- Financial accounting experts
- Trained HIV/AIDS experts, particularly those experienced in HIV/AIDS management in universities
- Community members experienced in gender-based violence interventions
- Experts in gender sensitive monitoring and evaluation
- Experts in advocacy and awareness of policies and gender issues
- ICT experts
- Communications experts for awareness and facilitating sharing of information
- Experts in inclusive education

9.6 Dissemination and Awareness of policy and its contents

A sensitization programme shall be organized on the gender policy for the University community, including both staff and students. The policy will be made available to all. Contents of the policy as well as implementation structures shall be prominently posted on University websites; sent electronically to the school community; available at various locations throughout the campus; and included in the university's major publications such as handbooks, codes of conduct and catalogs for students, faculty and staff.

For first year students in particular, sensitization of the policy and its contents shall take place during their orientation period when they are acquainted with key information about the institution. The students shall be given information packs which include both a detailed version of the policy, as well as a simplified version. Newly recruited staff shall also be furnished with the policy info-pack in both hard and electronic copies.

9.7 Implementation Barriers

A barrier is an obstacle which prevents a policy from being effectively implemented, or limits its implementation. In the extreme, barriers may lead to a policy being completely overlooked, and the intended strategies being ineffective. It is therefore fundamental to identify barriers to implementation and corresponding mitigation strategies.

Barriers	Mitigation	Enablers
<p>Resistance</p> <p>Implicit individual resistance can be expressed by an individual's insufficient action or lack of action or disengagement/disinterest in the Policy.</p> <p>Explicit individual resistance can be expressed by an individual's overt actions and statements which can target the Policy or actively seek to discredit or dismantle it.</p> <p>Institutional resistance consists of a systematic and sustained pattern of non-engagement with gender equality and a lack of support for the Policy. Quotas or other actions deemed radical may be particularly vulnerable to resistance.</p>	<p>All levels of staff must be enabled to realise the value of gender equality work. This may involve training or specific time allocation for policy-related work or initiatives.</p> <p>Highest levels of management must demonstrate unequivocal and visible commitment to overcome resistance and to ensure progress in relation to gender equality.</p> <p>Various stakeholders must play a role in identifying problems and proposing solutions. This way ownership of the solutions is not only held by one group or person.</p>	<p>Highest level of leadership</p> <p>Critical mass of staff and students</p>
<p>Lack of understanding of gender equality and the Policy</p> <p>There exists a fundamental lack of understanding of the need for and importance of gender equality. This can lead to lack of engagement and involvement of key actors, minimising the importance of the work and considering gender equality a 'woman's issue'.</p>	<p>It must be clearly reiterated that gender equality is not a minority, marginal issue but concerns all who work in the institution.</p> <p>Gender equality may also need to be framed as critical to a successful, open and progressive institution, that respects and enables all who work and study in it</p>	<p>Communication Policy</p>
<p>Lack of sufficient, on-going resources: human and financial</p> <p>A lack of human and financial resources for gender equality work and for implementing and monitoring the Policy is a common obstacle. This may lead to under-resourcing of the work, which may lead to only 'cost-neutral' actions and policies being resorted to.</p>	<p>To overcome this obstacle, the value of gender equality work should be clearly outlined and emphasized, such as increased staff retention, more gender balance in decision making, and more diversity in staff make up.</p>	<p>Gender Budgeting</p>

<p>Allocating tasks to inexperienced or junior staff and not financially supporting the Policy actions gives a strong impression that gender equality is not valued at an institutional level.</p> <p>Not funding training on gender and allowing for time in staff schedules to attend such training is also a form of not resourcing gender equality work.</p>		
<p>Not engaging potential key allies and actors in the Policy implementation process.</p>	<p>The Policy has identified collaborators/partners who need to be communicated with and engaged in the roll-out stages of the Policy. This ensures sustainability of the Policy objectives and gender equality within the institution.</p> <p>Additionally, involving middle management is vital to reducing potential obstacles that may hinder progress and full implementation of the Policy. Middle management may also be key sources of the data, statistics and sex-disaggregated information required to establish baseline figures and monitor trends and progress in relation to gender equality.</p>	<p>Coordination and cooperation with partners</p>
<p>Ensuring sustainability and resilience</p> <p>Progress and success in relation to the implementation of the Policy can be vulnerable to changes, especially where decisions or progress is reversed or halted.</p>	<p>To overcome this obstacle, emphasizing commitment to both gender equality and the work related to the Policy into the institutional structures is key.</p> <p>This means that support for the Policy will need to be sought from multiple stakeholders and not</p>	<p>Monitoring and accountability by HEL governance structures</p>

<p>This is likely when key supporters or drivers at senior management level change functions/roles or leave. Budget changes, cutbacks, re-structuring and apathy can also lead to reduced or limited sustainability of the Policy.</p>	<p>only allocated to a specific department.</p> <p>Allocating gender equality related work, a specific multi-annual budget that does not only originate from one department alone also contributes to sustainability.</p>	
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10. MONITORING

Monitoring is one of the most important aspects of a gender policy because it is the only way to know whether or not a policy is effective and achieving its objectives. The University’s monitoring plan shall be guided by the following principles; tracking progress based on responsiveness of the university curricula, structures and systems in the advancement of gender equality; reporting on results referring to targets and the totality of the results chain; reporting on both quantifiable results and indications of relational and status changes at the Department, Faculty and College levels; distinct reporting on current activities and results as well as the sustainability of results; and student and staff involvement in monitoring and evaluation.

10.1 Monitoring plan

The implementation of the policy shall be evaluated every five years. At University level, evaluation shall be done by an internal team of experts to be appointed by the college through its Quality Assurance Committee, while NCHE will be responsible for the evaluation of this policy at national level. Monitoring and evaluation shall be conducted using provided monitoring tools applicable at different levels within the University /college and national level to track and assess effectiveness and the level of compliance to this policy.

Data shall be collected through both quantitative and qualitative methods and shall be updated at least annually by responsible persons and authorities. A review of the data collected and reported shall be conducted. Review of provided data shall be based on validity, reliability, timeliness, precision and integrity. This data will be used to evaluate compliance to this policy both at University /college level and national level.

Level of compliance and non-compliance to this policy shall affect the accreditation status of the institution by NCHE.

Specific Objectives	Indicators	Source of data	Responsible for implementation	Frequency
To ensure equality of male and female students in enrolment, performance, retention, and participation	<ul style="list-style-type: none"> • Proportion of females enrolled in colleges, programmes and modules • Proportion of faculties offering gender as a core course • Proportion of gender mainstreamed courses at faculty and college levels • Rate of gender-based curriculum review at faculty level • Proportion of students by sex accessing college accommodation • Incidents of robbery or security threats both on campus and off campus • Rate of inspection of accredited private off campus accommodation • Proportion of female students holding decision making positions • Proportion of students by sex with below average performance • Proportion of students by sex withdrawn on academic grounds 	<ul style="list-style-type: none"> • NCHE publications • Reports from Colleges, Departments and Centres 	<ul style="list-style-type: none"> • NCHE • Principals • Deans • Heads 	Annually
To ensure equal representatio	<ul style="list-style-type: none"> • Proportion of women hired in HEIs 	<ul style="list-style-type: none"> • Reports from Colleges, 	<ul style="list-style-type: none"> • Principals • Deans 	Annually

<p>n of male and female staff in recruitment and decision making, to eradicate discriminatory conditions of service and to strengthen reporting and disciplinary systems</p>	<ul style="list-style-type: none"> • Proportion of females holding three top positions at faculty, departmental and administrative levels • Proportion of women offered scholarships, trainings, promotions and other opportunities • Representation by gender in decision making platforms • Proportion of staff by gender accessing maternity/paternity leave, child care services and recreational activities 	<p>Departments and Centres</p>	<ul style="list-style-type: none"> • Heads 	
<p>To effectively prevent and respond to sexual harassment and GBV</p>	<ul style="list-style-type: none"> • Number of reported sexual harassment cases • Increased rate of sexual harassment reporting • Level of awareness of sexual harassment issues 	<ul style="list-style-type: none"> • GBV reports • Reports and cases on gender related issues 	<ul style="list-style-type: none"> • Principals • Deans • Heads 	<p>Annually</p>
<p>To ensure PWD's full and effective accessibility to infrastructure and materials, and to eradicate discrimination against PWD.</p>	<ul style="list-style-type: none"> • Proportion of students with special needs by sex enrolled in college • Proportion of students with special needs by sex with below average grades • Proportion of students by sex withdrawn on academic grounds 	<ul style="list-style-type: none"> • NCHE Publications • Reports from Colleges, Departments and Centres 	<ul style="list-style-type: none"> • NCHE • Principals • Deans • Heads 	<p>Annually</p>
<p>To prevent the spread of HIV/AIDS, an</p>	<ul style="list-style-type: none"> • Proportion of students by sex 	<ul style="list-style-type: none"> • Reports from Colleges, 	<ul style="list-style-type: none"> • Principals • Deans 	<p>Annually</p>

COVID-19, and access to effective sexual and reproductive health services and information	infected by HIV/AIDS and COVID-19 <ul style="list-style-type: none"> • Level of awareness about HIV/AIDS and COVID-19 	Departments and Centres <ul style="list-style-type: none"> • Media Reports 	<ul style="list-style-type: none"> • College COVID Task Forces 	
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10.3 Facilitation Process

In order to facilitate the implementation, monitoring and evaluation of this policy, responsible bodies and persons shall have the following key responsibilities;

Body/person	Responsibilities
NCHE	<ul style="list-style-type: none"> • Recording detailed, complete and updated gender-based data on enrollment process and results • Conducting monitoring and evaluation of this policy a national level
College Principals	<ul style="list-style-type: none"> • Facilitating monitoring and evaluation of this policy by providing financial and technical support • Providing data at College levels required for monitoring and evaluation of this policy • Tracking of all activities designed to respond to this policy • Providing college monitoring and evaluation reports for this policy
Faculty Deans	<ul style="list-style-type: none"> • Facilitating monitoring and evaluation of this policy at faculty level • Providing data at faculty level required for monitoring and evaluation of this policy • Providing faculty monitoring and evaluation reports
Dean of Students	<ul style="list-style-type: none"> • Facilitating monitoring and evaluation of this policy • Providing data required for monitoring and evaluation of this policy • Providing monitoring and evaluation reports

11. BUDGET

This policy will be implemented in a manner that ensures the mainstreaming of gender in all areas of the institution rather than through ad hoc activities that demand separate costs. This entails that while some of the activity results will not require additional financial resources, those that require the mainstreaming of gender in all key areas would need resource mobilization and provision.

11.1 Financing Principles

This policy has been premised on the following efficiency principles:

- The institutional budget shall include funding for gender mainstreaming and shall
- Meet the costs of gender mainstreaming through collaborative inputs from partners

11.2 Gender Budgeting

Besides specific policy demands that require financing, this policy demands gender budgeting. This is a strategy to achieve gender equality by focusing on how resources are generally collected and spent, and an extent which this addresses gender inequality within institutions. Gender budgeting aims at dealing with budgetary gender inequality issues, such as gender hierarchies and discrepancies between male and female salaries, allowances and opportunities. It is therefore a requirement of this policy for all Departments to apply the following gender budgeting elements in preparation of periodic budgets;

- Analysing budgets and policies from a gender perspective
- Linking gender budgeting to overall gender equality objectives
- Restructuring HIEs and amending policies
- Integrating gender perspectives throughout budget circles
- Monitoring and evaluation of achievements
- Transparency of the budgeting process
- Equal participation in the budgeting process through stakeholder consultation and use of gendered data.

11.3 The Cost of Implementing the Policy

Below are some of the policy demands that require financing;

Priority Area	Activities
Staff	<ul style="list-style-type: none"> • Data collection and management • Special training • Support of women welfare associations • Creation of new positions for gender balance • Establishment of child care facilities • Policy review
Students	<ul style="list-style-type: none"> • Support of female students' associations; and gender related clinics, clubs and societies • Awareness campaigns • Improvement of access to college resources for off-campus students • Support of female student leaders and aspirants • Security boost on campus and off campus • Curriculum review • Teaching, learning and assessment resources
Sexual Harassment	<ul style="list-style-type: none"> • Training • Awareness campaign • Gender related clinics, clubs and societies • Support systems such as counselling

	<ul style="list-style-type: none"> • Support to complaints handling structures • Policy review
Inclusive Education	<ul style="list-style-type: none"> • Curriculum review • Teaching, learning and assessment resources • Training academic staff, support staff and students • Support of students with special learning needs' associations
HIV/AIDS & COVID-19	<ul style="list-style-type: none"> • Awareness campaigns • Training • Counselling and testing • Management materials and resources • Data collection and management • Online learning management

The following table provides a breakdown of the estimated budget by year and output:

PRIORITY AREA	2021	2022	2023	2024	2025	TOTAL
Staff						
Students						
Sexual Harassment						
Inclusive Education						
HIV/AIDS & COVID-19						
Monitoring and evaluation						
TOTAL						

12. ADDENDUM

12.1 SELECTED KEY LEGAL AND POLICY INSTRUMENTS

- (i) Constitution of the Republic of Malawi, 1994
- (ii) Education Act, Chapter 30:01 Laws of Malawi
- (iii) Employment Act, Act No. 6 of 2000
- (iv) Gender Equality Act, Act No. 3 of 2013
- (v) Higher Education Students' Loans and Grants Act, Chapter 30:14 Laws of Malawi
- (vi) Legal Education and Legal Practitioners Act, Chapter 3:04 Laws of Malawi
- (vii) Lilongwe University of Agriculture and Natural Resources (LUANAR) Act, 30:11 Laws of Malawi
- (viii) Malawi Institute of Management (MIM) Act, Chapter 30:07 Laws of Malawi
- (ix) Malawi University of Science and Technology (MUST) Act, Chapter 30:13 Laws of Malawi
- (x) Mzuzu University (MZUNI) Act, Chapter 30:09 Laws of Malawi
- (xi) National Council for Higher Education Act, Act No. 15 of 2011
- (xii) Prevention of Domestic Violence Act, Act No 5 of 2006
- (xiii) University of Malawi (UNIMA) Act, Chapter 30:02 Laws of Malawi
- (xiv) ILO Convention 190
- (xv) ILO Recommendation 260

12.2 MONITORING TOOL

This monitoring tool has been developed with the explicit objective of assisting Higher Education Institutions in Malawi to implement Gender Policies for their institution. The monitoring tool was developed with a specific purpose of providing reference document for Higher Education Institutions (HEI) which will have to be contextualized based on the specific realities of each HEI. The aim of the tool is to firstly, provide HEIs with a common understanding of how to assess gender issues within their institutions in order to create a sound basis of comparable data for the gender policy. Monitoring is an ongoing systematic process of assessing and measuring achievements towards the agreed-upon indicators of achievement of the policy.

PRIORITY AREAS

1. GENDER AND STUDENTS

Key objectives under Gender and Students

- To ensure that gender is a key consideration in enrollment of students;
- To ensure that curriculum is gender sensitive and responsive;
- To improve student's academic performance and retention with a focus on female students especially those in science and technology;
- To ensure safe and convenient accommodation and other facilities for students especially female students and

- To enhance equal participation in decision making by students with a special focus on female students.

Questions and data to collect

- How many female and male students are enrolled in the University, college, programmes and modules?
- What is the ratio of female to male students?
- How many faculties are offering gender as a core course?
- what is the proportion of faculties offering gender as a core course to faculties not offering gender as a core course
- How many courses have mainstreamed gender? What is the proportion of gender mainstreamed courses at faculty and college levels to courses that have not mainstreamed gender at faculty and college levels?
- What is the rate of gender-based curriculum review at faculty level?
- What is the proportion of students by sex accessing college accommodation?
- What is the number of incidents of robbery or security threats both on campus and off campus per year?
- How many times per year is accredited private off campus accommodation inspected?
- What is the proportion of female students holding decision making positions?
- What is the proportion of students by sex with below average performance?
- What is the proportion of students by sex withdrawn on academic grounds?

2. GENDER AND STAFF

Key objectives under Gender and Staff

- to ensure equal representation of male and female staff in employment recruitment
- to eradicate discriminatory conditions of service
- to strengthen reporting and disciplinary systems.

Questions and Data to Collect

- what is the proportion of men and women hired in HEIs?
- What is the proportion of females to males holding three top positions at faculty, departmental and administrative levels?
- What is the proportion of women offered scholarships, trainings, promotions and other opportunities?
- What is the representation by gender in decision making platforms?
- What is the proportion of staff by gender accessing maternity/paternity leave, child care services and recreational activities?
- How many cases on gender discrimination have been reported and / or taken to disciplinary hearing at the institution?

3. SEXUAL HARASSMENT AND GENDER BASED VIOLENCE

Objectives under Sexual Harassment

- To prevent sexual harassment and GBV
- To establish effective reporting and complaints mechanisms
- To swiftly respond to reports of sexual harassment and GBV
- To protect victims and survivors of sexual harassment and GBV
- To provide support systems such as rehabilitation and counseling for victims

Questions and Data to Collect

- What is the number of reported sexual harassment and GBV cases by gender?
- Is there an increased rate of sexual harassment and GBV reporting? why?
- What is the level of awareness of sexual harassment issues and GBV among students and staff?
- How effective has the response to sexual harassment and gender-based violence been?
- How has the institution supported victims and survivors?

4. INCLUSIVE EDUCATION

Objectives under Inclusive Education

- To ensure that PWD have equal access to opportunities to be enrolled or recruited
- To provide appropriate infrastructure and information
- To ensure equal treatment of PWD
- To mainstream disability

Questions and Data to Collect

- What is the proportion of students with special needs by sex enrolled in college?
- What is the proportion of students with special needs by sex with below average grades?
- How disability friendly is the infrastructure at the institution?
- What is the proportion of students with special needs by sex withdrawn on academic grounds?

5. PANDEMICS (HIV/AIDS AND COVID-19)

Objectives under Pandemics (HIV/AIDS and COVID-19)

- To prevent the spread of HIV/AIDS and COVID-19
- To increase access to sexual and reproductive health services and information
- To ensure equal participation of students during pandemic
- To effectively respond to gendered effects of HIV/AIDS and COVID-19

Questions and Data to Collect

- What is the proportion of students by sex infected by HIV/AIDS and COVID-19?
- What is the level of awareness about HIV/AIDS and COVID-19?

- Are staff and students involved in decisions on prevention and management of the pandemic?
- How effective was the response to recent pandemics by the institution?