

NATIONAL INSTITUTE OF MENTAL HEALTH, SRI LANKA

MULLERIYAWA NEW TOWN

Committee against sexual harassment in the work place

A committee is established at NIMH, Mulleriyawa New town as per the National Policy against Sexual Harassment in the work place developed by the Human Rights Commission of Sri Lanka.

Standard operating practices for the Committee

1. The functions of the committee shall be,
 - I. Entering, investigating and inquiring into complaints of sexual harassment and submitting reports along with relevant recommendations to the Director of NIMH
 - II. Prevention of incidents in connection with sexual harassments by improving the knowledge among staff regarding the matter in collaboration with the Gender Based Violence Prevention Unit of NIMH
 - III. Promotion of gender equity within NIMH

2. The committee shall consist of the following where both male and female representation is encouraged adequately. All such appointments can only be made by the Director of NIMH at the recommendation of the Management committee of NIMH as per the following guidelines.
 - I. 2 representatives of the medical staff
 - II. 2 representatives of the nursing staff
 - III. 1 representative of the clerical staff
 - IV. 1 representative of the paramedical and other staff
 - V. 2 representatives of the supportive staff

- VI. 1 nominee by the Consultant in Charge of the Gender Based Violence Prevention unit who is not a staff member of NIMH preferably from a legal background
3. The total number of the committee is 9 and the quorum shall be 6.
 4. The committee from its members shall appoint a Chairperson and Secretary to ensure continuous functioning of the committee.
 5. The committee shall be appointed for period of one year and renewed annually under the guidance of the Director.
 6. The name list of the Committee members must be displayed on the notice board of NIMH so that all staff is aware of them.
 7. A Committee member can resign at any time after informing the Chairperson and the Director of NIMH in writing.
 8. If a post is vacated, it should be immediately filled as per above guidelines.
 9. All decisions of the committee shall be by simple majority vote.
 10. If a complaint about sexual harassment is made against a member of the committee that Committee member must withdraw from all committee activities until such time he/she is cleared of such a charge.

11. Complaint and inquiry procedure

- I. A written or verbal complaint can be made to any of the committee members by any member of staff of NIMH.
- II. Complains received by the Director of NIMH may be forwarded to the Committee for review.
- III. Such complaints must only be with regard sexual harassment related to the work place.
- IV. Complaints are required to be made within 1 month of the alleged event.
- V. However the committee may at its discretion in exceptional circumstances consider reviewing complaints with regard to alleged event occurring prior to 1 month.
- VI. Anonymous complaints will be rejected in total.
- VII. All such made complaints will be forwarded to Committee filling out a format prepared with the signature of that committee member.
- VIII. The committee shall meet at least once a month to review complaints (every last Friday of a month). Special meetings can be held on special mitigating circumstances.
- IX. All such made complaints shall be reviewed by the committee with regard to necessity to proceed with further inquiry.
- X. If a complaint needs to be inquired further, a written complaint must be made prior to proceeding further with the signature of the complainer preferably attested by the Justice of Peace.
- XI. The inquiry process with regard to a complaint must be completed within 6 months of receiving a complaint.
- XII. The Director of NIMH shall ensure a safe and secure place for the meeting to be held without outside interference.
- XIII. Evidence from the alleged victim & alleged perpetrator shall be reviewed with due diligence and in detail.

- XIV. After giving due consideration to evidence the committee shall by simple majority vote decide whether the alleged perpetrator is guilty of the charge made.
- XV. After which the decision shall be forwarded to the Director of NIMH for disciplinary action.
- XVI. A suitable penalty may be recommended to the Director by the Committee for consideration to a person found guilty of the offence.
- XVII. Penalties may vary from verbal warning, written warning, internal transfer, transferring to another institution or interdiction depending on the severity of the offence.
- XVIII. If either party i.e. alleged victim or alleged perpetrator is dissatisfied with decision of the committee, such party can appeal to the Director of NIMH at which time the Director may at his/her discretion refer to the Ministry of Health review the appeal.
- XIX. If in case of a revenge alleged to have been taken on the complainant, the committee shall request the Director of NIMH to take immediate disciplinary action in this regard after reviewing the incident.

This is a trilingual document. In the event of any discrepancy between the three languages the English Version shall be taken as the primary source of reference.