A sexual harassment complainant will have the right to access three levels of recourse:

**1. Informal Advice Procedure**

Complaints of alleged sexual harassment must be lodged with a [Sexual Harassment Advisor (SHA)](http://tme.nmmu.ac.za/Sexual-Harassment/Sexual-Harassment-Advisors-%28SHAs%29) as soon as reasonably possible. The SHA must submit a completed Sexual Harassment Incident Form (see annexure A) to the Chairperson of the SHC, for record-keeping purposes. All records of the complaint will be destroyed under the following circumstances:

Withdrawal of the complaint by the complainant. A written withdrawal must be submitted by the complainant to the SHC Chairperson.

When the alleged perpetrator has been acquitted. The Employee Relations Office (in the case of staff) and the Legal Office (in the case of students) must inform the SHC Chairperson of the outcome of the grievance procedure.

It may be sufficient for the complainant concerned to have an opportunity where he/she can explain to the alleged offender that the behaviour in question is not welcome that it offends them or makes them feel uncomfortable, and that it interferes with their work, studies, business or social interactions. The complainant may choose to do this in one of the following ways, namely:

1. By approaching the accused on his/her own.
2. By requesting one of the SHA’s or a staff member or a student to accompany him/her.

Should a SHA receive a complaint, and the complainant request that the informal advisory committee approach the alleged perpetrator, the SHA must inform the chairperson of the SHC [will be informed] of such a submission (Annexure A to be completed in presence of complainant describing the incident/s).

The chairperson will constitute an informal advisory committee comprising of 2 to 4 members of the SHC, within 5 working days of receiving the completed form, to consult on the submission.

The informal advisory committee will thereafter meet with the complainant (preferably within the 5 working day period) and [advise him or her of the different levels of recourse available and discuss the way forward.] thereafter meet with the alleged perpetrator, either separately or jointly (should the complainant so wish), to discuss the complaint what was lodged.

A member of the University community acting on the complainant’s behalf may approach a SHA (with the complainant’s permission).

**2. Formal Grievance Procedure**

**Staff members**

Should the complainant be a *staff member* and the informal approach has not provided a satisfactory outcome to the complainant, and/or if the conduct continues, it will be more appropriate, for the complainant to embark upon the University’s formal grievance procedure applicable to staff.

**Students**

Should the complainant be a *student*, and the informal approach has not provided a satisfactory outcome to the complainant, and/or if the conduct continues, it will be more appropriate, for the complainant to embark upon the University’s formal grievance procedure applicable to students, and submit a complaint directly to the Executive Dean – Student Affairs, or if the incident occurred in any of the residences, to the Director - Residences.

**Disciplinary steps will be taken against any person who victimizes or retaliates against a complainant who, in good faith, lodges a sexual harassment grievance**.

**3. Formal Mediation Procedure**

Should a dispute regarding alleged sexual harassment not be resolved through the NMMU’s formal grievance procedures, the University may at its discretion, hire the services of an acceptable, independent, impartial mediator to assist the disputing parties to arrive at an agreed solution. Should the formal mediation process fail to resolve the dispute, paragraph 12 below will apply.