



**POLICY AGAINST SEXUAL
MISCONDUCT
UNIVERSITI KEBANGSAAN MALAYSIA**

AND

**CODES OF PRACTICE ON
COMPLAINT MANAGEMENT
AND**

**SEXUAL MISCONDUCT PREVENTION
UNIVERSITI KEBANGSAAN MALAYSIA
(AMENDMENT) 2021**





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TABLE OF CONTENT

No.	Title	Page
1.	Policy Against Sexual Misconduct Universiti Kebangsaan Malaysia	3
2.	Codes of Practice on Complaint Management and Sexual Misconduct Prevention UKM	4
3.	Interpretation	4
4.	Definition of sexual harassment, sexual exploitation, sexual abuse	5
5.	Scope of Codes of Practice	6
6.	Types of sexual misconduct	7
7.	Sexual assault	8
8.	Exemption	8
9.	Actions that may be taken by the Complainant	9
10.	Actions that may be taken by the Integrity & Ombudsman Unit	10
11.	Confidentiality	13
12.	Disciplinary action	13
13.	Investigation report	14
14.	Remediation and counselling	15
15.	Head of Department's Responsibility	15
16.	Impact of sexual misconduct	15
17.	Sexual misconduct prevention programs	17
18.	Appendix A	19
19.	Appendix B	20
20.	Appendix C	21
21.	Appendix D	23
22.	Appendix E	24
23.	Appendix F	25
24.	Appendix G	26

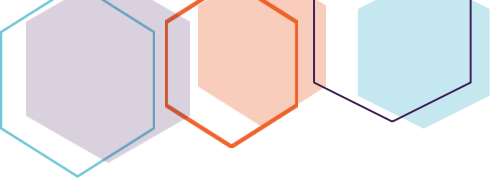


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POLICY AGAINST SEXUAL MISCONDUCT UNIVERSITI KEBANGSAAN MALAYSIA

1. Universiti Kebangsaan Malaysia (UKM) is committed to create a working and learning environment that is safe and free from sexual misconduct, and believes that everyone in UKM deserves to be treated fairly and with dignity, without discriminating against status, background, race, ethnicity and religion; and

2. UKM is taking the following measures to ensure successful implementation of this Policy:
 - (a) Highlighting the issues and efforts of sexual misconduct prevention as an important aspect in the management of UKM;
 - (b) Re-evaluating and increasing overall excellence of the sexual misconduct policy system in line with the provisions of law and relevant standard practices;
 - (c) Developing a comprehensive Codes of Practice on Complaint Management and Sexual Misconduct Prevention for members of the UKM community;
 - (d) Providing adequate resources, systems and trainings to increase awareness among members of UKM regarding sexual misconduct;
 - (e) Providing a trustworthy channel of complaint that warrants confidentiality of information and protection of complainant based on the UKM Informant Policy;
 - (f) Conducting fair and independent investigation, as well as enacting immediate punitive, reformative and preventive actions against sexual misconduct complaints; and
 - (g) Instilling, practising and embedding the zero tolerance against sexual misconduct as a culture.



1. CODES OF PRACTICE ON COMPLAINT MANAGEMENT DAN SEXUAL MISCONDUCT PREVENTION UKM

- 1.1 The Codes of Practice on Complaint Management and Sexual Misconduct Prevention UKM (Codes of Practice) are established in accordance to the Services Circular Number 5 2018: Workplace Sexual Harassment Case Management Guideline;
- 1.2 The Codes of Practice aim to clarify the complaint management and sexual misconduct prevention procedures that may be taken and implemented on staff, students and any individuals' dealings with UKM but not affiliated with this organisation; and
- 1.3 The Codes of Practice act as a guideline to Heads of Departments and Officers regarding sexual misconduct and actions that may be taken by relevant parties in handling sexual misconducts at the workplace; and
- 1.4 The Codes of Practice utilise the definition outlined by the United Nations, based on the IASC Six Core Principles Relating to Sexual Exploitation and Abuse 2019.

2. INTERPRETATION

In this Codes of Conduct, unless contextually requiring a different interpretation –

“Sexual Misconduct” includes sexual harassment, sexual exploitation and sexual abuse;

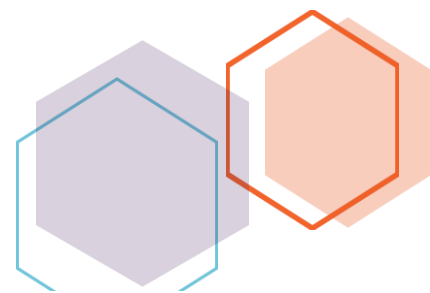
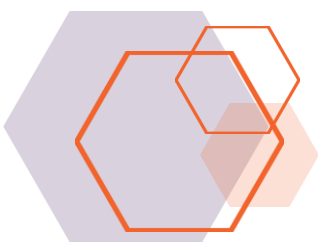
“Sexual Misconduct Complaint Investigation Committee (JAGS-UKM)” refers to a group of panels appointed by the Vice Chancellor for the purpose of investigating sexual harassment complaints in UKM;

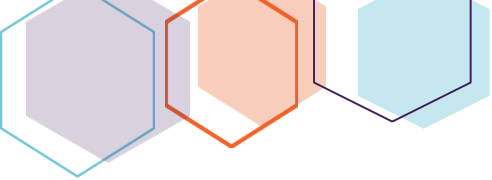
“Counsellor” refers to any Staff who performs his/her duties as a certified counsellor in UKM;

“Head of Department” refers to an officer responsible for a Faculty, Institute, Department, Centre, Unit or Division in UKM, including any officer in the Top Management Team and the Management and Professional Team, which has been duly authorized in writing by the officer in charge for that particular Faculty, Institute, Department, Centre, Unit or Division to act as a proxy;

“Outsider” refers to any individuals apart from UKM staff and students who have dealings with UKM, including visitors, invited lecturers, hospital patients, vendors and acquisition and generation contract workers, customers, UKM services users, members of community or any parties having any dealings with UKM;

“Psychology Officer” refers to Staff that is appointed in accordance to the Services Circular Number 29 2007: Change of the Counsellor and Assistant Counsellor Services Scheme to Psychology Officer and Assistant Psychology Officer Services Scheme;





“**Office of Student Affairs (HEP)**” refers to the office responsible towards the welfare, discipline and development of students;

“**Student**” refers to students who are registered with UKM, including students who are undergoing full-time and part-time study courses, attachment, industrial training, mobility, long-distance learning, off-campus learning, Centre of GENIUS@Pintar and children attending kindergarten in the UKM campus;

“**Complainant**” refers to the individual making a complaint of sexual harassment conduct performed towards him/herself (victim) or towards another person by a Staff/Student/Outsider or others;

“**Supervisor**” refers to a University academic staff or an academic staff from outside the University that is appointed to supervise research, preparation of thesis/dissertation and advises or evaluates students’ study progress, and may be comprise of a Main Supervisor and/or Co-Supervisors or a Committee of Supervisors;

“**UKM Authority**” refers to any persons or authority as outlined in Section 16 of the UKM Constitution 2010 or any authorities established in accordance to the statute or the Head of Department based on this Codes of Practice.

“**Third Party**” refers to an individual who is aware of the sexual harassment conduct involving a Staff/Student/Outsider;

“**Person Suspected of Harassment (PSOH)**” refers to Staff/Student/Outsider and others who is complained about related to sexual harassment;

“**Staff**” refers to any individuals hired by UKM under the University Constitution 2010 and any statute, and includes officers and teachers (Section 2, University Constitution 2010);

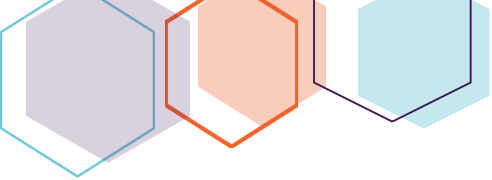
“**Workplace**” refers to the place where the Complainant works/studies at and includes areas outside of the work/study place for official and unofficial matters, or anything arising from the relationship and responsibility of work/study in or out of office/study hours;

“**UKM**” refers to Universiti Kebangsaan Malaysia; and

“**Integrity & Ombudsman Unit**” refers to the Integrity & Ombudsman Unit, UKM.

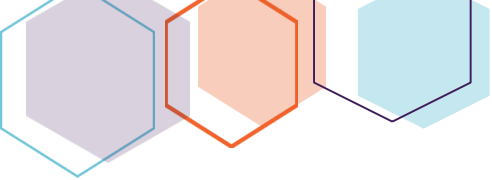
3. DEFINITION OF SEXUAL HARASSMENT, SEXUAL EXPLOITATION & SEXUAL ABUSE

3.1. Sexual harassment is behaviours or conducts, actions or statements that are sexual and unwarranted in nature that may leave negative psychological impacts and affect the motivation and performance of the work of a Staff or learning of a Student. Sexual harassment may be presented in the form of verbal, non-verbal, physical, visual or psychological harassment. It may include behaviours between individuals of the same or different sex and across status. Sexual harassment is an immoral action and is against the boundaries of social relationships as well as personal values and may disrupt the harmonious environment at work/study and may create fear, animosity, anger, insult or injury.

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- 3.2. “Sexual exploitation” refers to the action or attempt of abusing trust, difference in status and power against a subordinate for sexual purposes including, but not limited to, for monetary gains and social and political leverage; and
- 3.3. “Sexual abuse” refers to physical infringements that are sexual in nature, whether actual or threatened, by way of force or in the inequality of status, or by coercion.

4. SCOPE OF CODES OF PRACTICE

- 4.1 The Codes of Practice are applicable to all members of UKM and outsiders who have dealings with UKM, including the following relationships:
- (a) Head of department/unit with subordinate Staff
 - (b) Amongst all Staff
 - (c) Staff with Student
 - (d) Amongst all Student
 - (e) Staff or Student with Outsiders
- 4.2 Sexual harassment occurs when it involves a relationship between Head and subordinate Staff under these conditions:
- (a) *Quid pro quo*, which means the actor promises something to the victim as a recompense if the victim would engage in intimate relations or other with the actor. *Quid pro quo* sexual harassment is common in wrongdoer with power, for example the Head of subordinate Staff etc.
 - (b) The actor has the power to determine the recompense or restriction towards others.
 - (c) The actor is someone who assesses the work performance of others.
 - (d) The actor is a supervisor or responsible for the division of tasks for others.
- 4.3 Sexual harassment occurs when it involves a relationship between academic Staff and student under these conditions:
- (a) Making sexually connotated statements, forcing to go out on a date or to engage in sexual relations.
 - (b) Making sexual relations a pre-requisite for a performance review or handling related academic matters.
- 4.4 Sexual misconduct occurs when it involves a relationship between UKM Staff or Student and an Outsider under these conditions:
- (a) Sexual exploitation and abuse against any individuals during activities such as field work, research, community activities or any other activities related to UKM.
 - (b) Sexual activity with children (individuals below 18 years old) during activities such as field work, research, community activities or any other activities



related to UKM. Mistaken belief in the age of the child is not a defence.

- (c) Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.

4.5 The Codes of Practice do not limit the power of any authorities under applicable Law.

5. TYPES OF SEXUAL HARASSMENT

5.1 Sexual harassment may occur when someone, in personal or group capacity, performs a variety of behaviours such as follows:

(a) Verbal Harassment

This type of harassment includes the usage of profanities through conversation, storytelling, jokes, sounds, criticism, comments, praises or sexually connotated questions on someone's appearance, attire, behaviour and body, or implicitly or explicitly mentioning sexual activities, resulting in someone feeling disturbed, demeaned, offended, insulted or threatened.

Example:

- Repeated statements, jokes about someone's face, body and others.
- Request, suggestion for sexual relations or treatments.
- Asking out on a date even after repeatedly rebuked.
- Normal conversations and situations turning uncomfortable and embarrassing, with the inclusion of sexually charged words, comments, figurative language and jokes.

(b) Non-Verbal Harassment (Cues)

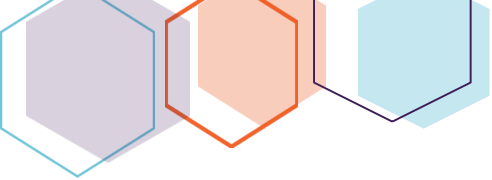
This type of harassment is exhibited through the attitude or behaviour of a Staff/Student/Outsider that signals the desire that is sexual in nature.

Example:

- Staring, side-eyeing or looking inappropriately, focusing on certain parts of the body.
- Hand or other signals that describe sexual actions.
- Coming on to someone in a sexual manner that is encroaching their personal space.

(c) Visual Harassment

The action of sending notes, letters, emails, short messaging system (SMSs), multimedia messaging system (MMSs), photos, posters, objects or reading materials that are sexual in nature via the usage of any form of social media (Whatsapp, Telegram, Wechat, Twitter, Facebook, Instagram and other) and electronic or communication devices to the complainant, resulting in the complainant feeling disturbed, demeaned, offended, insulted or threatened.



Example:

- Sending texts or emojis that are sexual in nature;
- Sending inappropriate photos to colleagues; or
- Exhibiting a sexy calendar/male or female figurine and other on the table & open work spaces.

(d) Psychological Harassment

Actions in the form of attempting or threatening to get sexually closer, persuading, urging, pushing, blackmailing or persuading and other, with the intention of satisfying the sexual urges of the harasser via letters, phone calls, emails or any other means of communication to the complainant, that results in emotional and psychological disturbances in the complainant.

Example:

- Asking to have sexual relations every time they meet with the victim;
- Threatening to post videos/photos of their relationship in social media;
- Revealing private parts while passing the victim at the Workplace; or
- Asking out on a date even after repeatedly rebuked.

(e) Physical Harassment

Physical act or touch that is sexual in nature, like moving towards someone, being in very close proximity and making them feel uncomfortable, as well as any instances of holding, tickling, hugging, tapping, rubbing, caressing, pinching, kissing, fondling, groping in an unwelcomed sexual way, resulting in the complainant feeling offended, insulted or undignified.

Example:

- Intentionally touching the victim's body parts; or
- Intentionally hugging the victim.

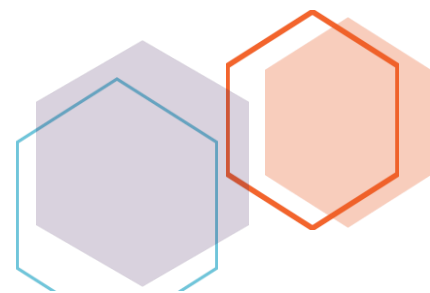
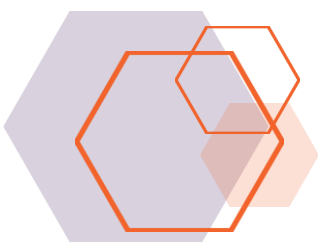
6. SEXUAL ASSAULT

Sexual assault refers to actions, threats, and attempts to touch another person's body; the act of forcing someone to perform sexual acts or forcefully taking someone's clothes off. Nevertheless, sexual assault is not limited to the acts stated here.

*(*Rape/ sodomy/ molestation are criminal acts under the purview of the Police)*

7. EXEMPTION

Actions like praising, hand shaking or wishing someone well, presentation of memos or congratulatory letters for a job well done, sexual discussion in an academic setting that are relevant to the job scope of the Staff/Student/Outsider that are conducted in good faith are not included in the definition of sexual harassment.





8. **ACTIONS THAT MAY BE TAKEN BY THE COMPLAINANT**

8.1 **Make a Complaint**

- (a) Any complaints regarding sexual harassment may be directed to the Integrity & Ombudsman Unit through any one of these channels:
- Email: aduangangguanseksual@ukm.edu.my
 - Phone: +603-8921 3812/5009
 - Visit the Integrity & Ombudsman Unit Office
 - Send a letter to:

**UNIT INTEGRITI & OMBUDSMAN
ARAS 5, BANGUNAN CANSELORI,
UNIVERSITI KEBANGSAAN MALAYSIA
43600 UKM, BANGI SELANGOR**

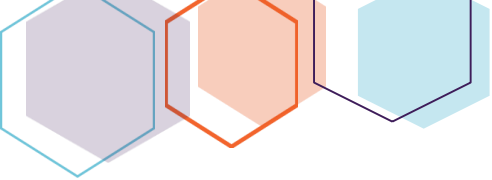
- (b) If the sexual harassment act institutes a criminal offence like molestation under Section 509 of the Penal Code, or requesting sexual treatment as bribe under the Anti-Corruption Commission Act 2009 etc., the Complainant may file a police report and forward the complaint to the Integrity & Ombudsman Unit UKM for our record and further action.
- (c) If the Complainant is not certain that sexual harassment has happened to him/her or if the Complainant believes that he/she has been sexually harassed but unsure of the next steps to be taken, the Complainant may reach out to any Psychology Officer/Counsellor as follows:
- Human Resources Division, Department of Registrar, UKM Bangi;
 - Human Resources Division, Hospital Canselor Tuanku Muhriz (HCTM);
 - Human Resources Division, Hospital Pakar Kanak-Kanak (HPKK);
 - Counselling Unit, Student Affairs Centre UKM.

Refer to the flow chart in **APPENDIX A**

8.2 **Evidence Gathering**

A good quality complaint could ease the process of taking action and Complainant may collect information and evidence based on the following guidance:

- (a) making notes about or recording the incident (date, location, time etc.) as necessary evidence;
- (b) keeping any notes, letters, emails, short messaging system (SMSs), multimedia messaging system (MMSs), photos, posters, objects or reading and visual materials that are sexual in nature distributed via social media platforms (information technology networking system) or via any applications that allow materials to be presented openly and publicly, or through the use of any media, electronic or communication devices, or anything that may act as evidence. Please note that the documents, materials or objects handed over may not be altered to protect the chain of evidence;

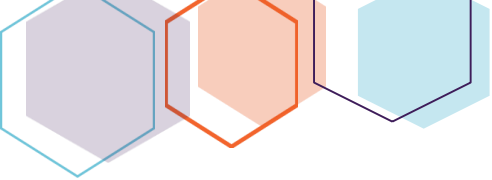
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- (c) informing close friends or relatives of the incident so they could act as witnesses for the purpose of the complaint but the number of witnesses must be kept to a minimum to maintain confidentiality of the case and uphold the honour of parties involved; and
 - (d) identify other individuals who have been victims, or who saw the incident occurring, or the first person told by the Complainant about the incident, so that these individuals may be called to testify (bearing witness) when necessary.

Refer to the flow chart in **APPENDIX B**

9. ACTIONS THAT MAY BE TAKEN BY THE INTEGRITY & OMBUDSMAN UNIT

9.1 Receiving the complaint

- (a) The officer receiving the complaint at the Integrity & Ombudsman Unit must fill in the **Sexual Harassment Misconduct Complaint Form (Appendix C)** and/ or use any suitable instruments or methods of recording the complaint;
- (b) The Integrity & Ombudsman Unit will acknowledge the receipt of the complaint within **three (3) working days** from the date of receiving the complete complaint;
- (c) The Head of the Integrity & Ombudsman Unit or the officer receiving the complaint must assess and decide if the complaint filed has a basis that merits further investigation within **three (3) working days** from the date of receiving the complaint.
- (d) The assessment of a complaint will consider these aspects:
 - Whether the PSOH may be identified;
 - The presence of elements of misconduct (disciplinary/ criminal/ bribery/ drugs etc.);
 - the sensitivity of the complaint towards the Complainant/Department/UKM; and/or
 - Whether further action regarding the complaint may be taken.
- (e) In the process of complaint assessment, the Integrity & Ombudsman Unit has the right to access all resources, information, documents, spaces and sites as necessary to fulfil the assessment objectives;
- (f) Adequate confidentiality and protection must be afforded the Complainant as outlined in the Informant Policy UKM in effect;
- (g) In the case of no basis for further investigation found based on the complaint assessment, the complaint will be closed and the Complainant will be informed of the decision (if relevant);
- (h) If the complaint is regarding any officers in the Integrity & Ombudsman Unit or involves the interests of any officers in the Integrity & Ombudsman Unit,



the Vice Chancellor may appoint another officer or a special assessment committee to conduct assessment and take action.

Refer to the flow chart in **APPENDIX D**

- (i) If agreed to or requested by the Complainant, the Integrity & Ombudsman Unit may refer for support and assistance, as follows:
 - i. Medical
If there are any signs of injury, pain, sexual assault, immediately refer to the University Health Centre, nearby clinic or hospital.
 - ii. Psychosocial support
If there are obvious signs of emotional and psychological trauma or behavioral changes after the abuse.
 - iii. Police
If the Complainant wants to make a police report or if there is a safety and security risk to the victim or others.
 - iv. Legal counsel
If the Complainant wishes to seek legal advice.

Refer to the flow chart in **APPENDIX G**

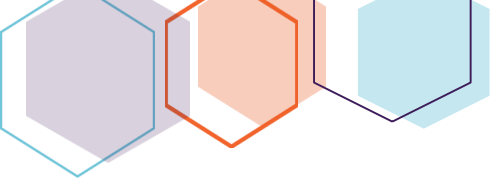
9.2 Referring the Case to a Psychology Officer/Counsellor

- (a) If the result of the complaint assessment finds a basis for further investigation, the Integrity & Ombudsman Unit may refer the Complainant or/and the PSOH (as necessary) to a Psychology Officer/Counsellor within **three (3) working days** from the date the assessment result was available;
- (b) The Psychology Officer/Counsellor must conduct the psychological assessment within **three (3) working days** from the date the referral letter was received from the Integrity & Ombudsman Unit; and
- (c) The Psychology Officer/Counsellor needs to provide the psychological assessment report to the Integrity & Ombudsman Unit within **four (4) working days** from the date the assessment was made.

Refer to the flow chart in **APPENDIX E**

9.3 Establishing the Sexual Misconduct Investigation Committee UKM (JAGS-UKM)

- (a) The Vice Chancellor, under the advisement of the Integrity & Ombudsman Unit, may appoint a Sexual Misconduct Complaint Investigation Committee UKM (JAGS-UKM) with the membership of at least **three (3) members**, comprising of a chairperson and two other members who are higher in designation compared to the PSOH;
- (b) The Integrity & Ombudsman Unit may act as the secretariat for JAGS-UKM and may appoint any other officer in UKM that has no conflicting interest and



is impartial towards the PSOH and the complaint being investigated, as a member of the JAGS-UKM secretariat;

- (c) JAGS-UKM members must declare their interests and take an impartial stand towards the PSOH and the complaint being investigated. Members with conflicting interests must withdraw from being a member of JAGS- UKM;
- (d) JAGS-UKM members must uphold the confidentiality of all information and may not misuse the information for other purposes;
- (e) The Chairperson of JAGS-UKM may invite other parties deemed necessary to provide counsel to JAGS-UKM involving specific procedures and expertise outside of the capacity of JAGS-UKM, to achieve the investigation objective;
- (f) JAGS-UKM must conduct the investigation to obtain information and verify the details of a complaint, including:
 - assessing and checking the complaint, report and other related records;
 - calling in and interviewing the PSOH, witnesses or other individuals necessary pertaining to the investigation;
 - accessing all resources, information and documents, and conducting space and site inspection as necessary;
 - deliberating on the case based on all available information;
 - summarising the findings of the investigation;
 - providing recommendations on appropriate actions to be taken; and
 - preparing the complete investigation report.
- (g) Adequate confidentiality and protection must be afforded the Complainant as outlined in the Informant Policy UKM;
- (h) JAGS-UKM is given **sixty (60) days** to conduct investigation and to complete the investigation report within **fourteen (14) days** from the date the investigation is concluded;
- (i) If JAGS-UKM recommends a disciplinary action, the investigation report and the recommendation must be communicated to the Disciplinary Committee Secretariat (any one that is relevant, either Staff or Student) for further action according to the disciplinary procedure;
- (j) If JAGS-UKM recommends actions other than disciplinary in nature, including for Outsiders, the investigation report and the recommendation must be communicated to the UKM Authority for further action;
- (k) The Integrity & Ombudsman Unit is responsible for coordinating and providing feedback to the Complainant or any relevant parties regarding the status of the action taken on any complaints it receives; and
- (l) The Integrity & Ombudsman Unit may provide feedback to the Complainant, PSOH, Head of Department or any UKM Authority regarding the status of the action taken from time to time (if necessary).

Refer to the flow chart in **Appendix F**



10. CONFIDENTIALITY

- 10.1. A sexual harassment claim is serious and may affect a person's reputation, even when it may not be proved. Thus, the aspect of confidentiality is prioritized at every stage of action taken by all parties involved, to preserve the dignity and reputation of the Complainant, PSOH and UKM in general.
- 10.2. Regardless of the provision of confidentiality, anyone involved in the case management may be subpoenaed to testify in court, if necessary, under any applicable law.
- 10.3. The UKM Informant Policy and the UKM Informant Procedure must be read alongside the Codes of Practice.

11. DISCIPLINARY ACTION

11.1 **Staff Disciplinary Punishment [Statutory Bodies Act 605 (Discipline and Surcharge) 2000]**

In case of a Staff is found guilty of an offence by the Disciplinary Committee, he/she may be subject to any one or a combination of two or more suitable punishments as follows:

- (a) warning;
- (b) fine;
- (c) stripping of Emolument Right;
- (d) deferment of Salary Increment;
- (e) reduction of Salary;
- (f) Demotion, and/or
- (g) termination.

11.2 **Student Disciplinary Punishment [UKM Rules (Student Discipline) 1999]**

In case of a student is found guilty of an offence by the Disciplinary Committee, he/she may be subject to any one or a combination of two or more suitable punishments as follows:

- (a) warning;
- (b) fine not exceeding RM200.00;
- (c) banned from any or some parts of UKM for a stipulated duration;
- (d) suspension from being a UKM student for a stipulated duration, and/or;
- (e) terminated from UKM.

11.3 **Action Taken on Outsiders**

In case of any Outsiders who are found guilty by JAGS-UKM, the UKM Authority may take any one or a combination of these actions as follows:


- (a) prohibited from dealing with any members of UKM;
- (b) termination of services contract with UKM;

- (c) prohibited from entering any parts of campus; and/or
- (d) other decisions as decided by the UKM Authority.
- (e) reporting the Outsider to a law enforcement agency.

12. INVESTIGATION REPORT

JAGS-UKM must prepare the complete investigation report within **fourteen (14) days** from the date the investigation was completed, containing these items:

No.	Item	Note
1.	Purpose/Objective of Investigation	<ul style="list-style-type: none"> ▪ Provide the purpose or objective of the investigation
2.	Information of PSOH	<ul style="list-style-type: none"> ▪ Name ▪ UKM(PER)/Matrix No./Identity Card No. ▪ Designation when the misconduct occurred ▪ Current designation
3.	Case Background	<ul style="list-style-type: none"> ▪ Describe how the case reached the attention of the UI/ PTJ ▪ Summarise the case in chronological order
4.	JAGS-UKM Membership	<ul style="list-style-type: none"> ▪ List the members of JAGS-UKM, starting with the Chairperson ▪ Describe in short, the referential role/terms of JAGS-UKM
5.	Investigation Methods	<ul style="list-style-type: none"> ▪ JAGS-UKM holds a meeting ▪ Explain the investigation methods employed, for example: <ul style="list-style-type: none"> ○ Witness interview (conducted verbatim/reconstructed as statement); ○ References to document (Attach together with the investigation report); ○ Evidence inspection (Attach together with the investigation report).
6.	Investigation Findings	<ul style="list-style-type: none"> ▪ Examine all witness statements and evidence collected; ▪ Make a comparison of all related issues or any newly surfaced issue to the statements and evidence available; and ▪ Prepare an assessment of all statements and evidence before drawing the findings of the investigation.



7.	Investigation Constraints	<ul style="list-style-type: none"> State all the constraints faced during the process of investigation (if any).
8.	Summary	<ul style="list-style-type: none"> Summarise the whole case.
9.	Recommendation	<ul style="list-style-type: none"> List all recommendations from JAGS-UKM on the case, be it corrective, punitive, or both; List the disciplinary / surcharge / criminal / SPRM / civil actions (if necessary) List recommendations of improvement (if relevant).
10.	Document Attachment	<ul style="list-style-type: none"> Attaching all related documents in an organised manner in the report.
11.	JAGS-UKM Verification	<ul style="list-style-type: none"> Provide space for the signature of all JAGS-UKM members to verify the report.

13. REMEDIATION AND COUNSELLING

The Complainant or/and PSOH may be asked to attend a counselling/remediation session as recommended by JAGS-UKM, UKM Disciplinary Committee, Head of Department, Integrity & Ombudsman Unit or any UKM Authority.

14. HEAD OF DEPARTMENT'S RESPONSIBILITY

- 14.1. The Head of Department may refer the Complainant and PSOH to a Psychology Officer/Counsellor to help both parties deal with negative consequences resulting from the decision made regarding a sexual harassment claim.
- 14.2. Any Heads of Department who fail to take action on a sexual harassment case reported to him/her may be subject to disciplinary action under the Statutory Bodies Act 605 (Discipline and Surcharge) 2000.

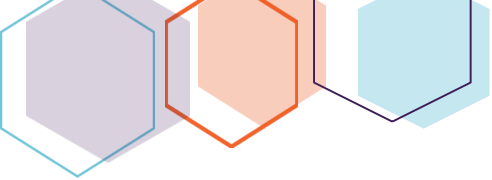
15. IMPACTS OF SEXUAL MISCONDUCT

15.1. Impacts of Sexual Misconduct on the Complainant/Victim

A person who has experienced sexual harassment tends to make decisions in a way that is not beneficial to them, and furthermore creating negative impacts towards them and UKM, for example:

(a) Psychological Impact

A person who has experienced sexual harassment is prone to experience depression, anxiety, anger, fear, frustration, shame, confusion, phobia, panic, low self-esteem, helplessness, isolation, nightmares, instability in body weight, change in appetite or self-blaming.



(b) Career Impact

A person who has experienced sexual harassment is more likely to self-isolate, avoid going to the office, experience a decreased level of satisfaction or performance at work, lose their job or miss the opportunity for promotion and tends to change their career goals.

(c) Moral Decline Impact

In a situation where no help or support was given to the victim of sexual harassment, they may succumb to the issue of moral decline that may affect the image of UKM.

(d) Societal Impact

A person who has experienced sexual harassment will not only be impacted in their careers, but also in their relationships, especially with their families.

15.2. The Impact of Sexual Misconduct of PSOH

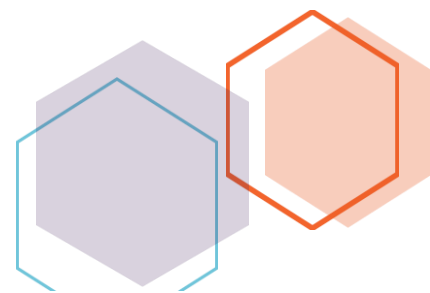
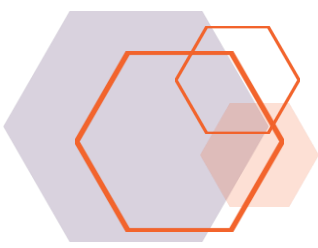
The PSOH may also experience negative impact, such as:

- (a) jeopardising the PSOH's career and future;
- (b) the well-being and family dynamics between the PSOH and their families, whereas they may feel shame, low self-esteem, frustration, difficulty in accepting reality, losing trust and self-isolating; and
- (c) experiencing depression, anxiety, fear, frustration, shame, confusion or self-isolation, if the complaint that was registered is false.

15.3. The Impact of Sexual Misconduct Cases on UKM

UKM may be negatively impacted in these ways:

- (a) a person who has experienced sexual harassment tends to exhibit decreased productivity, performance, quality and motivation in carrying out their duties/studies;
- (b) Staff or Student is likely to tender their resignation /give up their studies as a last resort if they feel that the sexual harassment has escalated or become more serious;
- (c) Staff that resigns may increase the operational costs because the Head of Department may have to train a new staff; and
- (d) the image of UKM may be affected when the public is aware of the sexual harassment issue, in the event the case involves an Outsider.





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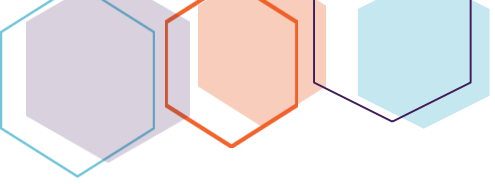
16. SEXUAL MISCONDUCT PREVENTION PROGRAMS

Sexual harassment may be prevented, in line with the concept of prevention being better than a cure. Some of the programs that may be implemented include, courses, seminar series, road shows and programs to instil moral values, for example exhibitions, awareness campaigns as well as periodic announcements, that may include these aspects:

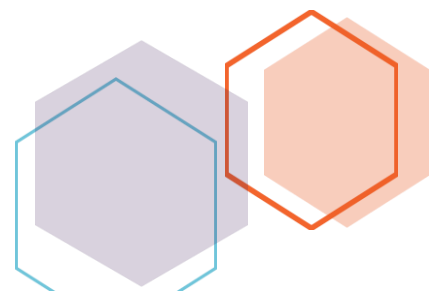
- (a) the forms of sexual harassment, exploitation and abusive behaviours;
- (b) UKM's accountability and stringency in handling sexual harassment complaints;
- (c) procedure for handling sexual harassment cases in UKM;
- (d) negative impact on UKM Staff and Student;
- (e) negative impact on UKM's image;
- (f) assistance and support available to someone experiencing sexual harassment, exploitation or abuse; and
- (g) the types of disciplinary actions that may be taken against any individuals found guilty of committing sexual harassment, exploitation or abuse.

APPROVAL RECORD & LIST OF AMENDMENTS

No.	Item	Approval Date	Date of Effect
1.	Policy Against Sexual Harassment Universiti Kebangsaan Malaysia 2019	LPU Meeting No. 6/2020 dated 3 rd September 2020	3 rd September 2020
2.	Codes of Practice on Complaint Management & Sexual Harassment Prevention Universiti Kebangsaan Malaysia 2019		
3.	Codes of Practice on Complaint Management & Sexual Harassment Prevention UKM (Amendment 2021)	MJPU No.12/2021 dated 27 th July 2021	1 st August 2021

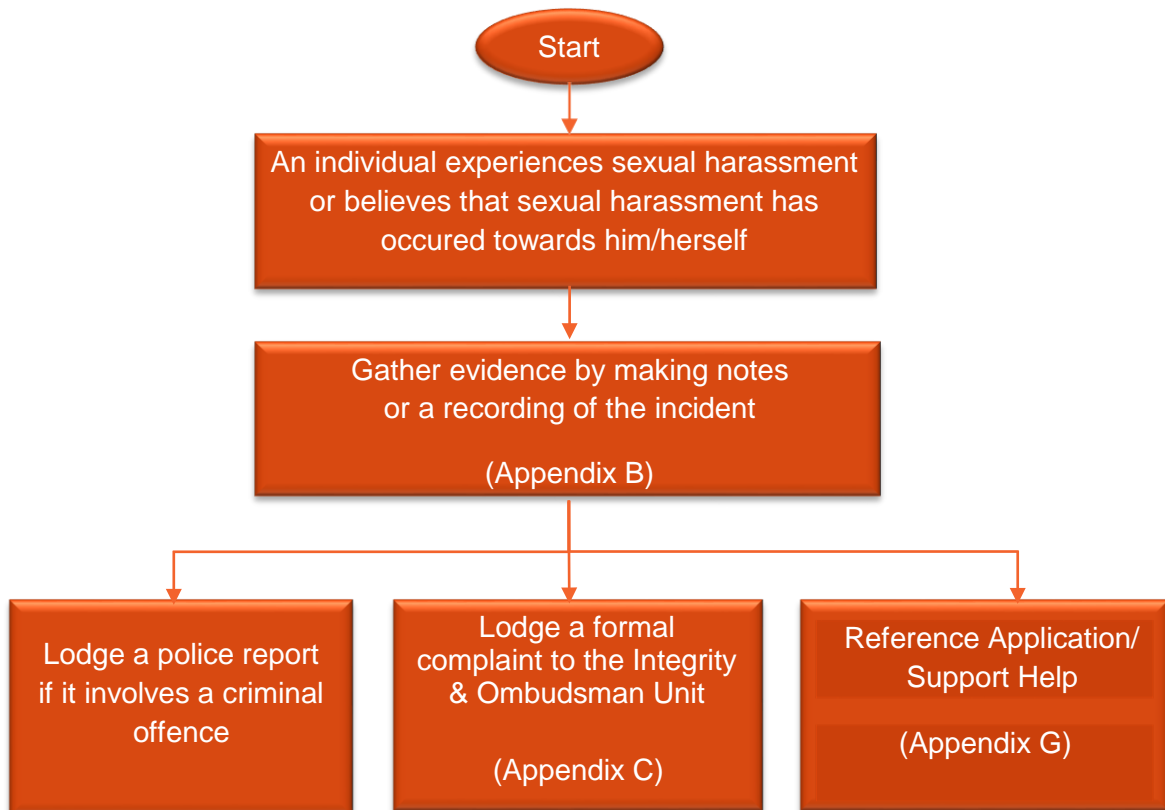


APPENDIX

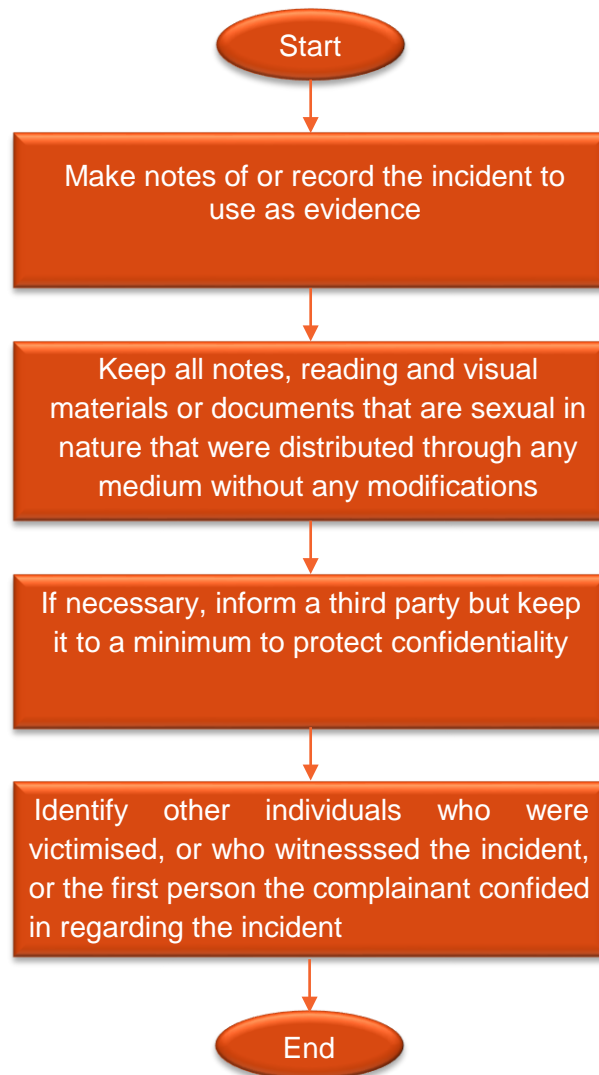


FLOW CHART

ACTIONS THAT MAY BE TAKEN BY THE COMPLAINANT



**FLOW CHART
ACTIONS THAT MAY BE TAKEN FOR THE PURPOSE OF
EVIDENCE GATHERING (COMPLAINANT)**

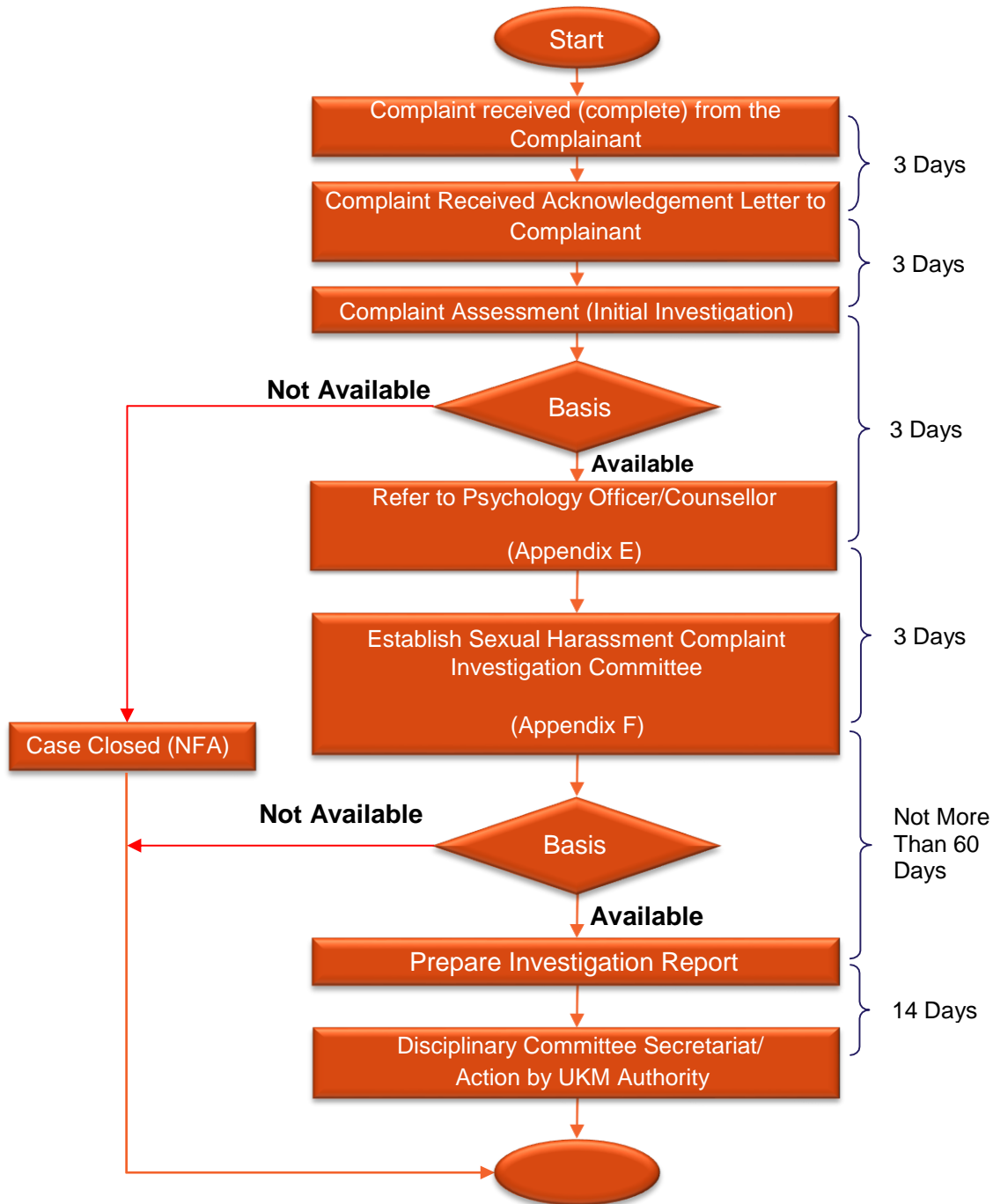


SEXUAL HARASSMENT MISCONDUCT COMPLAINT FORM			
(To be Filled-in by the Complaint Receiving Officer)			
INFORMATION OF COMPLAINANT			
Name			
UKM(Per) / Student No. / IC No. (If applicable)		Designation (If applicable)	
Faculty / Centre / Institute / Department (If applicable)			
Phone No.		Email	
INFORMATION OF PERSON SUSPECTED OF HARASSMENT			
Name			
Faculty / Centre / Institute / Department (If applicable)			
Designation (If applicable)			
DETAILS OF COMPLAINT			
Date of Incident		Location of Incident	
Time of Incident:		Frequency of Harassment	
History of Harassment:	<input type="checkbox"/> First Occurrence		<input type="checkbox"/> Repeated Case
Sexual Harassment Misconduct That Was Performed (Please explain in detail/attach a copy of the complaint):			
Impact Experienced			
ADDITIONAL INFORMATION (IF APPLICABLE)			
Name of Witness(s)			
Phone No.			
ACKNOWLEDGEMENT			
<input type="checkbox"/> I acknowledge that the information provided above is correct and I am aware that this complaint will not be processed if the information provided is not accurate or incomplete.			
Name of Complainant: Date:	Name of Officer Receiving Complaint: Date:		

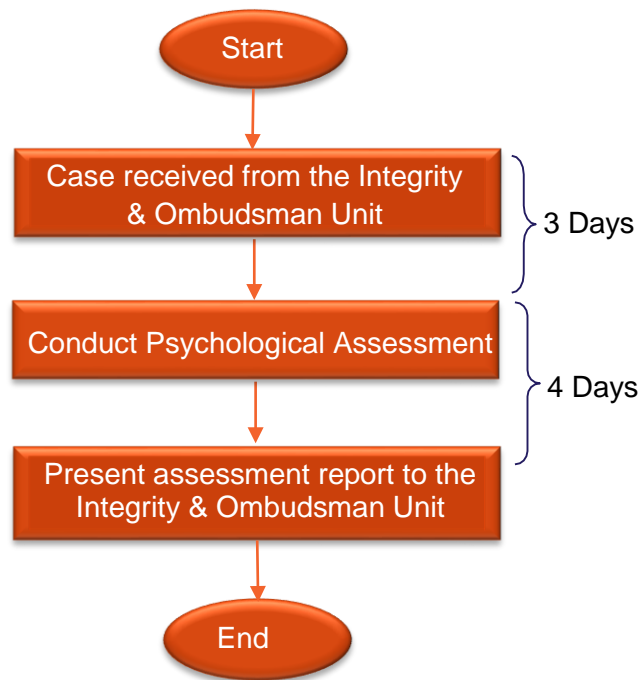
REFERRAL FOR SUPPORT AND ASSISTANCE	
Have you been informed regarding the referral for assistance/support?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No (Please state reason(s) of choosing no)
SERVICE(S) REQUESTED FOR	
<input type="checkbox"/> Medical care	<input type="checkbox"/> Psychosocial Support Services
<input type="checkbox"/> Temporary Relocation	<input type="checkbox"/> Safety and Security Services
<input type="checkbox"/> Child Welfare Services	<input type="checkbox"/> Legal Support
<input type="checkbox"/> Other (Please state):	
Please explain further on the type of service(s) requested for:	
COMPLAINANT'S CONSENT TO RELEASE INFORMATION	
(Read with Complainant/guardian and answer all questions before signing this form.)	
Sign on behalf of the Complainant/guardian if consent is given verbally and the Complainant/guardian is unable to sign this form.	
I, _____ (Complainant's name), understand that the purpose of the referral and of disclosing this information to _____ is to ensure safety and continuity of care among service providers. Universiti Kebangsaan Malaysia (UKM) has clearly explained the referral procedure to me and has listed the exact information that is to be disclosed. By signing this form, I consent to the exchange of this information.	
Signature:	Signature:
Name of Complainant:	Name of Officer Receiving Complaint:
Date:	Date:

Clause 2 of the Codes of Practice defines “**Complainant**” as the individual making a complaint of sexual harassment conduct performed towards him/herself (victim) or towards another person by a Staff/Student/Outsider or others.

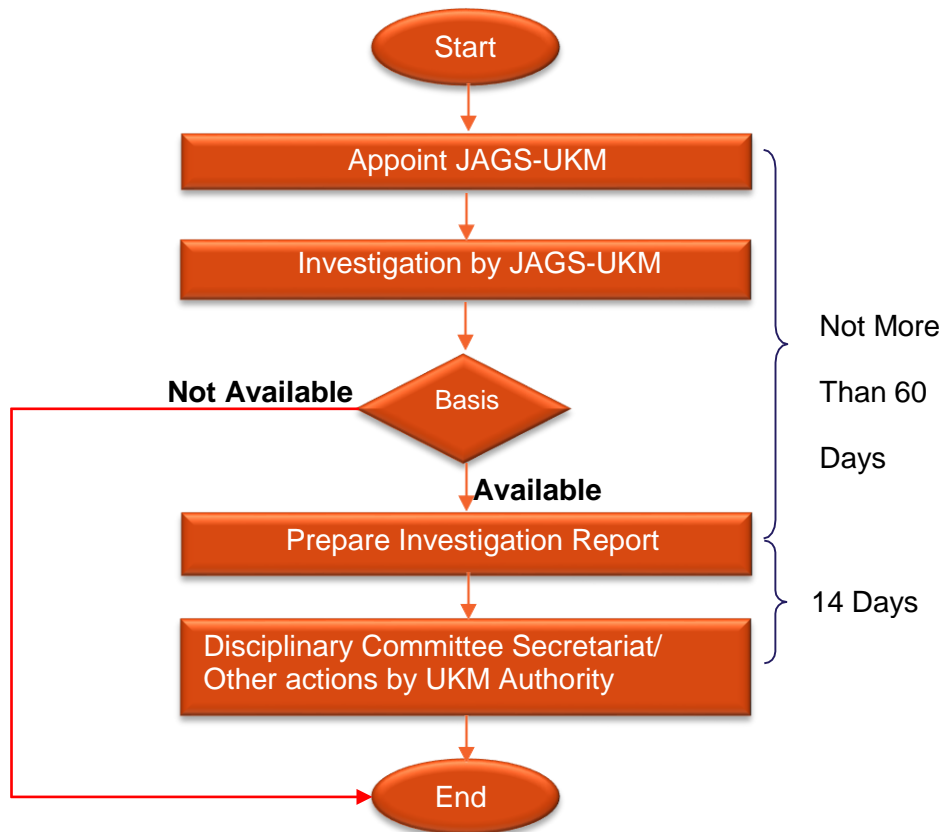
**FLOW CHART
ACTIONS TO BE TAKEN BY THE INTEGRITY & OMBUDSMAN UNIT**



FLOW CHART
ACTIONS TO BE TAKEN BY PSYCHOLOGY OFFICER/COUNSELLOR



**FLOW CHART
SEXUAL HARASSMENT COMPLAINT INVESTIGATION
COMMITTEE UKM (JAGS-UKM)**



LIST OF SUPPORT/REFERENCES

The information provided is intended as a guide and correct at the time of release

Enforcement Agencies/ Emergencies	Medical	Legal	Welfare Services	UKM Counselling/Psychology
<p>Talian Kasih Malaysia</p> <ul style="list-style-type: none"> Hotline: 1599 WhatsApp: 019 261 5999 <p>Emergency Line Malaysia</p> <ul style="list-style-type: none"> Hotline: 999 <p>Kajang Police Station</p> <ul style="list-style-type: none"> Tel: 03 8736 2222 Email: kpb_kajang@rmp.gov.my <p>Bangi Police Station</p> <ul style="list-style-type: none"> Tel: 03 8925 8222 Email: kpb_bangi@rmp.gov.my <p>Internet-related Abuse Malaysia Computer Emergency Response Team (MyCERT)</p> <ul style="list-style-type: none"> 1-300-88-2999 (office hours) SMS to 15888 using the following format: CYBER999 REPORT (email) (report). Each SMS will be charged at RM0.15 per message. 	<p>UKM Health Centre</p> <ul style="list-style-type: none"> Tel: 03 8921 3666/ 5115 Pusat Kesihatan Universiti, Universiti Kebangsaan Malaysia, 43600 UKM Bangi, Selangor <p>Hospital Canselor Tuanku Muhriz UKM</p> <ul style="list-style-type: none"> Tel: 03 9145 5555 Email: prohukm@ppukm.ukm.edu.my Jalan Yaacob Latif, Bandar Tun Razak, 56000 Cheras, Kuala Lumpur. <p>Hospital Pakar Kanak-Kanak UKM</p> <ul style="list-style-type: none"> Tel: 03 9174 8679 Jalan Yaacob Latif, Bandar Tun Razak, 56000 Cheras, Kuala Lumpur. 	<p>Kuala Lumpur Legal Aid Centre</p> <ul style="list-style-type: none"> Tel: 03 2991 1121/ 03 2692 1122 Union3.03, Level 3 Wisma Badan Peguam Malaysia, No.2 Leboh Pasar Besar 50050 Kuala Lumpur <p>For Legal Aid Centres in other states:</p> <p>https://www.malaysianbar.org.my/article/find/bc-legal-aid-centres/legal-aid-centres/find-legal-aid-centres</p> <p>Telenita - All Women's Action Society Malaysia (AWAM)</p> <ul style="list-style-type: none"> 016 237 4221 (Mon-Sat, 10 am till 5 pm) 	<p>Women's Aid Organisation (WAO)</p> <ul style="list-style-type: none"> Hotline: 03 7956 3488 SMS/WhatsApp: 018 988 8058 <p>Crisis Preparedness and Response Centre (CPRC)</p> <ul style="list-style-type: none"> Tel: 03 88810200/ 0600/ 0700 Email: cprc@moh.gov.my <p>P.S. The Children (PSC)</p> <ul style="list-style-type: none"> Hotline: 016 721 3065 SMS/WhatsApp: 016 721 3065 <p>Tenaganita (focused on refugees and migrants experiencing human rights violations)</p> <ul style="list-style-type: none"> Hotline: 012 335 0512/ 012 339 5350 (24 hours) Email: general@tenaganita.net 	<p>Human Resources Division, Department of Registrar, UKM Bangi</p> <p>Tel: 03 8911 8224 Email: ctatiqah@ukm.edu.my</p> <p>Human Resources Division, Hospital Canselor Tuanku Muhriz (HCTM)</p> <p>Tel: 03 9145 5186 Email: azwa@ppukm.ukm.edu.my</p> <p>Human Resources Division, Hospital Pakar Kanak-Kanak (HPKK)</p> <p>Tel: 03 9174 8661 Email: hlld@ppukm.ukm.edu.my</p> <p>Psychological Health Clinic Faculty of Health Sciences UKM</p> <p>Tel: 03 2687 8198 Email: kpk_fsk@ukm.edu.my</p> <p>Counselling Unit Student Affairs Centre UKM</p> <p>Tel: 03 8921 5066 Email: yuslina@ukm.edu.my</p>



Special Appreciation

Policy Review, Work Protocol & Training on The Prevention of Sexual Exploitation and Misconduct in UKM 2021 Committee

Prof. Dato' Noor Aziah Mohd Awal (Chairperson)
Prof. Dr. Bariah Mohd Ali
Assoc. Prof. Dr. Emma Mirza Wati Mohamad
Assoc. Prof. Dr. Bahiyah Dato' Haji Abdul Hamid
Assoc. Prof. Dr. Rohayu Abdul Ghani
Assoc. Prof. Dr. Mohd Suhami Mohamad
Assoc. Prof. Dr. Haniff Ahamat
Assoc. Prof. Dr. Normah Mustaffa
Dr. Hanita Othman
Dr. Nasrudin Yunos
Mr. Muhammad Walid Osman
Mr. Abdul Aziz Abu Bakar
Mr. Hairuzzaki Mohd Yusof

Secretariat:

Mr. Rajan Munusamy
Ms. Nurhanani Yahya
Ms. Anis Syahirah Abdul Karim

Codes of Practice for Sexual Harassment Prevention UKM 2019-2020 Review Committee

Assoc. Prof. Bariah Mohd Ali
(Chairperson)
Assoc. Prof. Dr. Romlah Jaffar
Assoc. Prof. Dr. Bahiyah Dato' Haji Abdul Hamid
Dr. Rohani Abdul Rahim
Assoc. Prof. Dr. Khadijah Alavi
Assoc. Prof. Dr. Nor Zalina Harun
Assoc. Prof. Dr. Mohammad Rahim Kamaluddin
Ms. Siti Atiqah Moamat Mastam
Ms. Nor Azwa Ahmad

Secretariat:

Mr. Rajan Munusamy
Mr. Raja Muhammad Azlan Shah Raja Alang Muhammad
Ms. Azlina Mat Ludin
Ms. Anis Syahirah Abdul Karim

