**NATIONAL ASSEMBLY**

**QUESTION NO. 704-2018**

#### FOR WRITTEN REPLY

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 09 MARCH 2018 (INTERNAL QUESTION PAPER NO.06-2018)**

“MS T Stander (DA) to ask the Minister of Arts and Culture”

(1). Whether his department has a sexual harassment and assault policy in place; if not, (a) why not and (b) by what date will his department have such a policy in place; if so, (i) how are reports investigated and (ii) what are the details of the consequence management and sanctions stipulated by the policy;

(2)(a).What is the total number of incidents of sexual harassment and assault that have been reported in his department (i) in each of the past three financial years and (ii) since 1 April 2017, (b) what number of cases were (i) opened and concluded, (ii) withdrawn and (iii) remain open based on the incidents and (c) what sanctions were issued for each person who was found to have been guilty? NW778E

**REPLY:**

1. Yes, my department has a sexual harassment and assault policy in place signed on 25 March 2013, copy attached for easy reference.

(i). The Chief Directorate Human Resource Management has been designated by the accounting officer of the department to deal with alleged cases of sexual harassment. According to the policy, an employee has two options to choose from to resolve the allegation, i.e. informal or formal procedure. **See** item 6.2 and 6.3 of the departmental policy.

(ii). Item 7.5 stipulate that the Employee Assistance unit shall provide a support structure for both the victim and the alleged perpetrator and recommend appropriate ways of dealing with the problem. Direct employees on how to access 24 hours counselling services as well as advising them on how to get legal support.

Item 7.6 stipulate that the Labor Relations officer shall inform both parties of their rights and ensure that a fair and just process ids followed in dealing with the complaint without compromising the urgency and confidentiality it deserves.

The accounting officer of the department will designate a person to deal with the alleged case of sexual harassment, appoint an investigating officer to establish the facts and made a decision based on the report of the investigating officer. He will also communicate the decision to the victim and instruct that the necessary action be taken against the perpetrator based on sufficient evidence.

1. To date the department has not received any complaint of sexual harassment from the employees.