**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 726**

**INTERNAL QUESTION PAPER [NO 6-2018 FIFTH PARLIAMENT]
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**726. Mr R K Purdon (DA) to ask the Minister of Rural Development and Land**

**Reform:**

1. Whether her department has sexual harassment and assault policy in place; if not, (a) why not and (b) by what date will her 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 her 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past three financial years and (ii) since 1 April 2017, (b) what number of cases were (i) opened and concluded, (ii) withdrawn and (iii) remain opened based on the incidents and (c) what sanctions were issued for each person who was found to have been guilty? **NW800E**

**THE MINISTER OF RURAL DEVELOPMENT AND LAND REFORM:**

(1) Yes, the Department has a sexual harassment policy in place.

(a),(b) Falls away.

1. In terms of the departmental Discipline Policy, read in conjunction with PSCBC Resolution 1 of 2003 (Disciplinary Code and Procedure) sexual harassment cases are investigated and managed as misconduct cases.
2. Consequence management is addressed through the investigations on the sexual harassment cases and the subsequent application of the Disciplinary Code and Procedure. Clause 12.5.1 of the Departmental Sexual Harassment Policy addresses types of sanctions in respect of findings of sexual harassment cases. These may include, but are not limited to counselling, verbal warning, written or final written warning for six (6) months, a combination of the aforementioned, suspension from work without pay for a maximum period of three (3) months and dismissal. Criminal charges may also be instituted against the employee by the Department depending on the nature and severity of the case.

(2) (a) (i),(ii) Nil for the past three financial years and since 1 April 2017.

 (b) (i),(ii),(iii) Nil.

 (c) Falls away.