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Department:
Community Safety and Transport Management
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



NORTH WEST DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT

HARASSMENT POLICY

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Definitions of Terms	
Department	Department of Community Safety and Transport Management
Head of Department	The Head of the Department, him/herself or his delegated authority on his/her designated office
Employee	All employees of the Department employed in terms of Public Service Act of 1994, the Basic Conditions of Employment Act of 1998, as amended
Complainant	The person alleging that conduct constituting harassment as defined in this policy has occurred. The person may or may not be the victim and may not necessarily be an employee of the department;”
Mediation	An informal and confidential process where parties can participate in a search for a fair and workable solution
Perpetrator	The person who is alleged to have perpetuated harassment
Respondent	The person against whom the harassment complaint has been logged and who is responding to the allegation
Victim	The person against whom an act or acts of harassment as defined in the policy have allegedly been perpetrated
Victim’s Charter	An important instrument for promoting justice for victims of crime in South Africa
Harassment	any inappropriate conduct that abuses workplace relationships or authority and creates an unsafe, hostile, or degrading environment for employees.
Harassment Advisor	A designated official who is respected and trusted by staff across different levels, trained in harassment policies, procedures, and interpersonal skills, who provides confidential guidance and support to employees who experience or witness harassment and helps them understand their rights,

	options, and the procedures for addressing such conduct.
World of work	The full environment in which work takes place, whether conducted on-site, off-site, or during official duties such as meetings, trainings, travel, or events

ACRONYMS	
LRA	Labour Relations Act 66 of 1995
EEA	Employment Equity Act 55 of 1998
OTP	Office of the Premier
LGBTQIA+	Lesbians, Gays, Bi-sexual, Transgender, Queer, Intersex, Asexual
LRO	Labour Relations Officer

PREAMBLE

WHEREAS the Department of Community Safety and Transport Management views harassment in the work-place as violation of human rights which undermines equality of opportunities

THEREFORE it commits to provide a safe environment for all its employees.

1. PURPOSE

Is to Combat all forms of harassment in the department to ensure a safe environment for all

2. OBJECTIVES

- Prevent, eliminate and manage all forms of harassment and violence in the department
- Provide guidelines and procedures on the effective management of harassment within the Department;
- Create awareness and sensitization of employees on prevention and elimination of harassment.

3. LEGISLATIVE FRAMEWORK

- Constitution of the Republic of South Africa, 1996.
- Protection from Harassment Act No. 17, 2001
- Public Service Act, No. 103 of 1994, as amended.
- White Paper on the Transformation of the Public Service, 1995.
- Labour Relations Act (LRA) No. 66, of 1995.
- Employment Equity Act (EEA) No. 55, of 1998.
- White Paper on Affirmative Action in the Public Service, 1998.
- Code of Good Practice on the Prevention and Elimination of Harassment in the workplace, 2022.
- Promotion of Equality and Prevention of Unfair Discrimination Act, No 4 of 2000.
- National Policy Framework for Women Empowerment and Gender Equality of 2000.
- Occupational Health and Safety Act 85 of 1993

4. SCOPE OF APPLICABILITY

This Policy applies to all employees within the Department of Community Safety and Transport Management.

5. ROLES AND RESPONSIBILITIES

5.1 THE GENDER FOCAL POINT AND DIVERSITY MANAGEMENT

- Promote diversity and gender equality through participation in policy development and review processes.
- Provides support and guidance to employees who have experienced harassment, including information on available resources, reporting mechanisms and potential courses of action.
- Conduct awareness campaigns and training of harassment and related topics to all employees.
- Facilitate appointment of harassment advisor and announce to the department through all communication channels of the department.
- Submit a report on harassment cases dealt with to the OTP/DPSA on an annual basis/monthly/quarterly.
- Advocate for research and other resources on violence and harassment to improve expertise on this issue.
- Communicate the policy to all employees, including newly appointed employees.
- Submit quarterly and annual reports to the Head of the Department.

5.2 LINE AND PROGRAMME MANAGERS

- To create and maintain an environment that is free from harassment and violence in the department.
- Undergo training on the harassment policy and related topics.
- Respond and take appropriate action when a complaint of harassment has been lodged in accordance with the reporting and disciplinary procedures of this policy;
- Treat all complaints seriously, impartially and with confidentiality.

5.3. THE LABOUR RELATIONS OFFICERS

- Conduct investigations relating to allegations of harassment.
- Ensure that disciplinary measures applied are in line with the Disciplinary Code and Procedures in the Public Service and the Senior Management Handbook.
- Ensure that the investigation process is treated with the utmost confidentiality and not disclose information related to the case to others.
- To recuse him/herself from the investigation process where there is conflict of interest.

5.4 THE HARASSMENT ADVISOR

- Provide consultation services to individuals who have allegedly experienced harassment.
- Administer the test for harassment; refer for preliminary assessment of mental distress and security concerns and provision of advisory services.
- Explain the disciplinary procedure and timeframes to complainants and respondents in both formal and informal procedures.
- Maintain confidential statistics and narrative reports on all harassment cases reported and handled.

5.5 THE HEALTH AND WELLNESS UNIT

- Provide relevant counselling and support when required.
- Encourage employees who complain about incidents of harassment, to immediately report verbally or in writing to the relevant unit.
- Maintain confidentiality for all reported harassment matters.

5.6 EMPLOYEES

- To maintain an environment that is free from harassment and violence in the department.
- Report all forms of harassment immediately

6. FORMS OF HARASSMENT

6.1 PHYSICAL HARASSMENT

Unwanted physical contact or threatening physical behaviour, such as pushing, hitting, or invading personal space.

6.2 SEXUAL HARASSMENT

6.2.1. Physical conduct of a sexual nature

All unwanted physical contact ranging from touching to sexual assault and rape and includes a strip search by or in the presence of the opposite sex.

6.2.2. Verbal forms of sexual harassment

- Include unwelcome innuendoes, suggestions and hints, sexual advances, comments with sexual overtones, sex-related jokes, insults or unwelcome graphic comments about a person's body made in their presence or directed toward them, unwelcome and inappropriate inquiries about a person's sex life, unwelcome whistling directed to a person or group of persons.
- Verbal bullying may include threats, shaming, hostile teasing, insults, constant negative judgement, criticism, racist, sexist, or LGBTQIA+ phobic language.

6.2.3 Non-verbal forms of sexual harassment

Include unwelcome gestures, indecent exposure and the unwelcome display of sexually explicit pictures and objects.

6.2.4 Sexual Favouritism

Exists where a person who is in position of authority rewards only those who respond to his/her sexual advances, whilst other deserving employees who do not submit themselves to any sexual advances are denied promotions, merit ratings, salary increases or any other forms of recognition.

6.2.5 Quid pro quo sexual harassment

- Occurs where an employee, supervisor, member of management, or co-employee undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefits of an employee or job applicant in exchange for sexual favours.
- Quid pro quo sexual harassment is an intentional act of sexual harassment which is an abuse of authority by a supervisor or any member of management and/or employees who have the power to employ/dismiss or change the working conditions of an employee.

6.2.6 Sextortion

Is a form of Quid pro quo sexual harassment which is abuse of authority by a supervisor or any member of management and or employees who have the power to employ/dismiss or change the working conditions of an employee. It has a sexual as well as a corruption component.

6.3 DISCRIMINATORY HARASSMENT

Harassment based on personal characteristics such as race, gender, religion, disability, age, or sexual orientation.

6.4 RETALIATORY HARASSMENT

Occurs when an individual is harassed to exact retribution for filing a complaint against them or to prevent them from filing a complaint.

6.5 PROCESS OF REPORTING OF HARASSMENT

6.5.1 INFORMAL REPORTING

An employee who experiences or witnesses' harassment shall:

- Raise the matter directly with the alleged perpetrator, where appropriate; or
- Seek assistance from a harassment advisor, supervisor, or a labour representative
- Informal processes may include facilitated discussion or mediation, where suitable.

6.5.2 FORMAL REPORTING

- Where informal resolution is not appropriate or unsuccessful, the complainant shall submit a formal written complaint to:
- The Human Resources Unit; or
- Labour Relations; or
- A designated senior official

7. TIMEFRAMES

- Complainants of harassment are encouraged to report case as soon as it has occurred.
- The Head of Department shall ensure that a reported harassment complaint is investigated and resolved within 30 working days, i.e. from reporting to conclusion of investigation and feedback.
- In the event 30 days expires before the investigation of the harassment case is concluded, the Head of the Department shall furnish the complainant with a written request for an extension of up to a maximum of 14 days to conclude the case.

8. RETALIATION

- All reasonable action should be taken to ensure that no party, those testifying on behalf of another party or supporting any party, suffer retaliation or victimisation as a result of their involvement in the process.
- Any attempt by any person covered under this policy to penalise, retaliate or victimise in any way against a person lodging a complaint of harassment or against those testifying on behalf of the complainant, is prohibited and should be treated as a separate subject to the investigation.
- Any person involved in these procedures who considers that he or she has been victimised or penalised in connection with a complaint may complain to the Harassment advisor.

9. DISPUTE RESOLUTION

9.1 INTERNAL RESOLUTION

Where a harassment complaint results in a dispute the matter shall first be addressed through internal grievance and dispute resolution mechanisms such as mediation or facilitated discussions, and formal grievance procedures.

9.2 EXTERNAL RESOLUTION

If the dispute remains unresolved internally, the affected party may refer the matter to external dispute resolution bodies, such as relevant labour courts and tribunals, in accordance with applicable legislation.

10. GRIEVANCE AND DISCIPLINARY PROCEDURES

10.1 GRIEVANCE PROCEDURE

An employee who feels that his/ her rights relating to reported complaint have been violated shall follow normal departmental grievance or dispute procedure and it shall be dealt with in accordance with normal grievance procedures in terms of the relevant Collective Agreement or dispute resolution mechanisms in the Public Service.

11. APPEAL

The person accused of harassment may appeal the disposition of the matter according to existing departmental procedures. This includes the right of appeal against a finding of guilt and/or on the harshness of the penalty imposed.

12. MONITORING AND EVALUATION

Gender Focal Point and Diversity management must monitor the implementation of this policy.

13. POLICY REVIEW

The policy shall be reviewed after a period of 3 (three) years or as and when need arise.

14. POLICY APPROVAL



DR HANS KEKANA

HEAD OF DEPARTMENT

SIGNED THIS DAY 25 **OF** August **2026**