



NpJSC «Astana Medical University»

*Protection from harassment policy at  
NpJSC «Astana Medical University»*

П-МYA-20-24

ed.№1

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**APPROVED by**  
**the decision of the Board**  
**NpJSC «Astana Medical University»**  
№ 10 from «30» April 2024

## **POLICY**


# **PROTECTION FROM HARASSMENT AT NpJSC «ASTANA MEDICAL UNIVERSITY»**

**П-МYA-20-24**

**Astana city**

**PREFACE**

1. **DEVELOPED BY:** – The center for Social and Educational Work,  
The center of Strategic Development,  
The center of quality assurance,  
HR Management.
2. **DEVELOPERS:** – Head of the Center for Social and Educational Work,  
Z. N. Shaimerdenova;  
Head of Strategic Development, R. M. Urimov;  
A.d. of Head of Quality Assurance, A.M. Romazanova;  
A.d. of Head of HR Management, G. K. Zhakabayeva;
3. **IMPLEMENTED BY:** – The centre for Social and Educational Work
4. **APPROVED WITH:** – Protocol № \_\_\_\_\_, « » \_\_\_\_\_ 2024
5. **INTRODUCED IN:** – « » \_\_\_\_\_ 2024 г.
6. **AGREED:** – Vice-Rector, Board member, V.V. Koikov;  
Vice-Rector, Board member, A.B. Zhunussova;  
Vice-Rector, Board member, M.A. Gazaliyeva;  
Vice-Rector, Board member, D.D. Saidangazin;  
Financial Director, Board member, B.I. Maradzhapov;  
Executive Director, Board member, N.N. Makhanbayeva;  
A.d. of Managing Director, A.S. Ties;  
Corporate Secretary, A.N. Dyussenbayeva;  
A.d. of Head of the Legal Support Department, A.K. Mukhambetova;  
A.d. of Head of Quality Assurance, A.M. Romazanova;  
A.d of. HR Management, G. K. Zhakabayeva;  
Head of the Center for Social and Educational Work,  
Z. N. Shaimerdenova;  
Head of the Center for Planning and Development of Academic Activities,  
A.K. Dossanova;  
Student Rector, A. Burkutov.
7. **FREQUENCY OF REVISION:** – as required

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## 1. Introduction

1. This Policy on protection against harassment at the NpJSC «Astana Medical University» (hereinafter referred to as the University) defines the University's approach to protection and response to any forms of harassment; 2. Any form of harassment is unjustifiable and must be prevented; 3. The University has a zero-tolerance policy on harassment;

4. All employees of the University must follow to high moral and ethical standards of personal and professional behavior.

## 2. Field of application

5. The Policy on Protection against Harassment at the University (hereinafter referred to as the Policy) is valid and applies to employees of the University in the performance of official duties and to students of the University during the period of study, regardless of their location when committing actions prohibited by this document, as well as to employees and students of the University who are not in the performance of official duties/training, if such actions were committed against other employees or third parties.

## 3. Terminology and definitions

6. The following terms and definitions apply in this Policy:

1) Harassment is a person's behavior that causes inconvenience or even harms to another person, violates their privacy, unacceptable behaviors and practices or threats, whether a single incident or repeatedly, the purpose, result, or possible consequence of which is to cause physical, psychological, sexual or economic harm, including gender-based violence;

2) Disciplinary Commission - a body of the University that considers the results of the appeal, conducts monitoring;

3) Incident - all cases and incidents related to harassment;

4) Harassment Zero Tolerance Policy - the standards and documentation applied at the University concerning harassment, establishing that harassment by employees and students of the University is prohibited and that each violation of this nature will be prosecuted under the current legislation of the Republic of Kazakhstan;

5) Complainant - a person who reports to the University allegations of sexual exploitation, abuse or discrimination of any kind;

6) Victim - a person who has been or is being sexually exploited, abused or harassed;

7) Informant - an employee or student who has reported the fact of harassment of any nature;


8) False treatment - is an inaccurate or misleading statement made recklessly, knowingly or intentionally to obtain an undue advantage or cause harm to a natural or legal person;

9) Sexual exploitation means any actual abuse or attempted abuse of a position of vulnerability, differentiated power, or trust for sexual purposes, including, but not limited to, threatening or obtaining financial, social, or political benefit from the sexual exploitation of another person;

10) Sexual violence is the actual physical intrusion of a sexual nature or the threat of physical violence, whether by force, under unequal or coercive conditions;

11) Sexual harassment - any unwanted sexual act, a request for a sexual favor, or other verbal, non-verbal, or physical behavior of a sexual nature that interferes with employment, is a condition of employment or creates an intimidating, hostile, or offensive environment in connection with activities related to the University. Sexual harassment can occur between people of different genders, or of the same gender, and can be initiated by either gender;



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12) Complaint or report - an appeal of the Applicant or the Informant about the committed act of harassment in the field of labor and SEVH, or the assumption that such an act was committed, or about the imminent act of harassment in the field of labor and SEVH by an employee of the University against an individual of the University;

13) False or malicious reporting - an inaccurate or misleading statement made recklessly, knowingly or intentionally to obtain an undue advantage;

14) Social research is a way of monitoring the University about the situation of harassment in the field of labor and SEVH in the team;

15) The partners are people involved in activities related to the University;

16) An offender is a person who is suspected of having committed harassment in the field of labor or SEVH or who has committed harassment in the field of labor and SEVH;

17) An employee - the employee of the University who implements activities within the framework of an employment contract;

18) The Ombudsman - an official of the University who assists in dealing with issues of harassment at work and SEVH;

19) HR Management – is the Structural Division of the University.

#### **4. Abbreviations and notations**

7. The following abbreviations and designations are used in this Policy:

1) SEVH – Sexual exploitation, sexual violence, sexual harassment.

#### **5. Regulatory References**

8. This Policy contains references to the following regulatory documents:


- 1) Constitution of the Republic of Kazakhstan;
- 2) Labor Code of the Republic of Kazakhstan
- 3) Civil Code of the Republic of Kazakhstan;
- 4) The Criminal Code of the Republic of Kazakhstan;
- 5) Code of the Republic of Kazakhstan "On Public Health and Healthcare System";
- 6) Code of the Republic of Kazakhstan on Administrative Offences;
- 7) Law of the Republic of Kazakhstan "On Personal Data and their Protection
- 8) International Labour Organization Convention 190 on the Elimination of Violence and Harassment in the working fields;
- 9) Regulations on the Disciplinary Commission of the University;
- 10) Information Security Policy of the University
- 11) Regulations on the Protection of Personal Data of Employees and Students of the University;
- 12) Code of Ethics for University Students.

#### **6. General provisions**

9. The employees and students of the University are recommended to inform the management of the University and the supervisor about the concerns or suspicions regarding the commission by the Offender - one of his colleagues, of actions prohibited by this document.

10. All employees and students of the University are obliged to create and maintain an environment of intolerance to harassment and promote compliance with the adopted Policy.

11. In order to improve the safety of employees and students of the University, the HR Department and the Center for Social and Educational Work should conduct an anonymous questionnaire on a voluntary basis at least once a year. A summary of the data on the questionnaires and the results of the analysis are provided to the Board Chairman - Rector of the University.

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12. Helping procedure includes:

1) Availability – achieved through a secure, confidential and accessible mechanism and procedures that allow workers and trainees to report incidents freely;

2) Investigation - is implementing by conducting an internal investigation into allegations of harassment, which is properly and timely conducted by a working group, which includes other employees of the HR Department / Center for Social and Educational Work;

3) Application - written or oral informing the Board Chairman - Rector of the University and/or an employee of the HR / Center for Social and Educational Work about the incident of harassment.

13. Cooperation agreement:

1) All contracts and partnership agreements of the University contain a standard article obliging contractors, suppliers, consultants, etc. to adhere to a zero-tolerance policy for harassment and take measures to prevent and respond to harassment;

2) The failure of the individuals to take preventive measures to counter harassment, investigate their allegations, or take corrective action in the case of harassment, is grounds for termination of any cooperation agreement.

14. Any kind of harassment is prohibited, between employees and students of the University, and employees and students of the University to third parties:

1) Physical: unpleasant or undesirable actions and suggestions for the person, which include touching any part of the body or any physical contact

2) Verbal: unsolicited requests and demands, when explicitly or implicitly, may promise benefits or threats of negative work/study consequences. Verbal abuse or jokes of an offensive nature, unpleasant statements about nationality and gender, race, figure, or appearance; obscene jokes; vulgar statements; hints or actions, including those made through letters, emails, messages, emoji, memes, pictures, forwarding posts, stories and tweets;

3) Non-verbal: meaningful looks, offensive or indecent sounds, whistling, obscene gestures;

4) Psychological abuse: creating an intimidating, hostile, intolerable, or abusive work environment through unpleasant or undesirable conversations, suggestions, requests, demands, physical contact or attention, offensive or other inappropriate content;

5) Demonstration or discussion of any written or graphic materials, including calendars, and posters, which contain offensive subtexts or demonstrate hostility towards an individual or group of people because of gender, as well as unwanted display or public display of offensive images, audio and video materials;

6) Cyber harassment: receiving unwanted, abusive emails or text messages with explicit content; Inappropriate, abusive solicitations on social media or Internet chats.

## 7. Main part

15. The purpose of this Policy is to disseminate the policy of zero tolerance to harassment among all employees and students of the University, as well as to create and maintain an environment of intolerance to harassment through measures to prevent, respond to, and prevent it.

16. The objectives of this Policy are:


1) Informing about the inadmissibility of harassment and its consequences;

2) Creating conditions for the safe and confidential provision of protection against harassment;

3) Establishing a standard process to ensure due process in the investigation of harassment allegations;

4) Ensuring the protection of the rights of those involved in such cases, including victims, witnesses, and alleged perpetrators.



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### **17. Principles of this Policy:**

- 1) The University categorically rejects harassment in the work field and SEVH in its activities;
- 2) The University will take all available measures to prevent, investigate and eliminate harassment in the work field and SEVH in its activities;
- 3) The university will actively promote equality, to ensure a harmonious working environment
- 4) The University will strive to raise awareness about the harassment in the field of labor and SEVH of University employees, students, persons hired as consultants, experts;

The University reserves the right to terminate contractual relations with employees and students of the University, persons hired as consultants, experts, and legal entities or apply other measures to remedy the situation, in case of violation of this Policy, under the legislation of the Republic of Kazakhstan.

#### **18. Procedure for submitting applications:**

Any employee or student of the University can submit an official or informal application through the following channels:

- 1) E- application;
- 2) A hotline: 87477735051;
- 3) Email: yashikdoveriya@amu.kz;
- 4) An employee of the HR Department phone: 8 (7172) 577891

19. The request must contain information that complies with Appendix No. 1 to this Policy.

20. The deadline for applying by an employee or the University student who has suffered from actions prohibited by this document is not limited. It is recommended to initiate an appeal through approved channels.

#### **21. Procedure for Consideration of Appeals and Investigation**

The Applications that are received through the approved channels are considered by the Ethics Committee.


#### **The Ethics Committee should:**

- 1) to ensure that this Policy is explained and the investigation procedure is followed by all parties involved;
- 2) to provide with the possibility of informal ways of considering applications for harassment (conversation, consultation);
- 3) to notify the Applicant/Informant and the Perpetrator of corrective actions that need to be taken, if any, and ensure that these actions are implementing during the investigation;
- 4) decide whether an internal investigation will be conducted, whether a third party will be involved to complete the investigation;
- 5) During the investigation, take measures to prevent insulting the applicant and other participants;
- 6) If there are grounds for a criminal or administrative offence, recommending the victim submit an application to the law enforcement or judicial authorities.

22. The Disciplinary Commission (hereinafter referred to as the Commission) examines the materials received on the grounds of harassment with the involvement of the Compliance Service, members of the Ethical Committee, in accordance with the current legislation.

23. The Commission shall take the following decisions in compliance with the norms of the labor legislation of the Republic of Kazakhstan:

- 1) to recommend that an official with the power to impose a disciplinary sanction or a person in loco parentis to impose a disciplinary sanction;
- 2) to recommend that the Perpetrator apologize to the Victim/Complainant during the Applicant's interview;
- 3) to recommend the relevant unit of the University to work on SEVH the prevention of harassment;

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4) In accordance with the circumstances of the complaint and the results of the command investigation will be made a decision (conversation, discussion, etc.).

24 The Commission shall take into account:

- 1) The extent of action confirmed during the review;
- 2) Moral and material damage to the victim;
- 3) The existence of other similar appeals against the Perpetrator, including anonymous ones;
- 4) The quality of the evidence (for example, credible confirmation of witness testimony), audio/video/photo materials, and correspondence (notarized) etc

25. According to the result of the meeting, the Commission shall submit to the Board Chairman - Rector of the University a protocol with its decision.

26. If one of the parties does not agree with the decision of the Commission, the Commission informs the parties of their right to apply to the court.

27. If there are grounds for a criminal or administrative offence, the Commission must recommend to the victim (or the Perpetrator who considers the accusation false) to submit an application to the law enforcement agencies or to file a complaint with the court.

28. The Commission must respond immediately to incidents. The period of consideration of the application should not exceed 15 working days.

29. Protection and remedies:

1) The applicant who informs, attempts to disclose, is presumed to inform or is presumed to have reported an alleged or committed harassment is entitled to all measures of protection (which include anonymity and confidentiality, as well as protection from retaliation);

2) any other person who reports, attempts to report, is allegedly about to report, or is believed to have reported actual or alleged harassment is considered an Informant or Witness, as appropriate, and will be entitled to all appropriate protections (including anonymity and confidentiality, as well as protection from harassment);

3) In emergency situations, any University employee who has suffered from harassment in the field of work and SEVH can request temporary medical assistance or other auxiliary actions necessary to eliminate harm.;

4) Other or any natural or legal person who makes a false or malicious report may be subject to disciplinary action in accordance with the University's policy or other measures in accordance with the legislation of the Republic of Kazakhstan.

5) If within the framework of activities related to the University, the fact of harassment in the field of labor and SEVH has been established, the University will make efforts to cooperate in order to provide the necessary protection and apply other reasonable measures to protect the Victim.

6) All complaints and communications are handled confidentially, and information is disclosed strictly on the basis of official need. The identity of the complainant is usually disclosed to the parties involved and the University takes appropriate measures to ensure that the Complainant or the Informant is protected from retaliation during and after the investigation.


All information related to a complaint or investigation in accordance with this Policy will be stored in secure files with the Ethics Committee.

30. Policy implementation, prevention and monitoring.

The Center for Social and Educational Work, together with the HR Department, are preparing a plan for the implementation of this Policy and raising awareness at the University about the problem of harassment in the field of labor and SEVH. The implementation plan includes:

- 1) Publishing of this Policy on the University's website by the Center for Social and Educational Work;
- 2) Development and provision of information materials for University staff, students, and persons employed as consultants, and others in order to raise awareness and support the implementation of this Policy;
- 3) Ensuring that the HR Office provides that all employees of the University, including new ones of this Policy;



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4) The Ethics Committee is responsible for monitoring and effectively implementing the obligations under this Policy and for maintaining a register of reports and complaints of harassment in the field of work and SEVH.

## 8. Revision, modification, storage and distribution

31. Revision, modification, storage and distribution of this Policy are implementing on the basis of service note addressed to the Board Chairman -Rector in accordance with the requirements of the University standard "Documentation Management" (SU-AMU-02).

32. The original of this Policy is registered and stored in the department responsible for the registration of internal regulatory documents of the University.

33. A scanned version of this Policy will be posted on the University's website.

34. The registered copies of this University Policy will be send to all structural divisions.

Annex 1

To the Ethics Committee  
From (Full name): \_\_\_\_\_  
Contact: \_\_\_\_\_

## Application

1) Full name, structural unit and position (for students: group, course, name of the learning program) of the person or persons allegedly committing actions prohibited by this document;

2) The description of the appeal, which includes the date, place and full name of the witnesses (if any);

3) the impact of the application on the Applicant/Informant's ability to do his job / learning or on other conditions of his work / training;

4) Name of other persons who may have been subjected to the same or similar persecution;

5) Measures, if any, taken by the Applicant/Informant to try to prevent harassment;

6) Any other information that the Applicant or Informant considers relevant to the application.

Signature:

Date:

Signature of the person who accepted the application:

Date:



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Approval list

№	Position	Full name	Date of approval	Signature
	Vice-Rector, Board member	V.V Koikov		
2	Vice-Rector, Board member	A.B. Zhunussova		
3	Vice-Rector, Board member	M.A. Gazaliyeva		
4	Vice-Rector, Board member	D.D. Saidangazin		
5	Financial Director, Board member	B.I. Maradzhapov		
6	Executive Director, Board member	N.N. Makhanbayeva		
7	A.d. of Managing Director	A.C. Ties		
8	Corporate Secretary	A.N.Dyussenbayeva		
9	A.d. of the Head of department of Legal Support	A.K. Mukhambetova		
10	A.d. of Head of HR Department	G.K.Zhakabayeva		
11	Head of the Center for Social and Educational Work	Z.N. Shaimerdenova		
12	Head of the Center for Planning and Development of Academic Activity	A.K. Dossanova		
13	A.d. of the Head of the Department of Medical Law and Ethics, member of the Working Group	K.S.Abdilov		
14	Chairman of LLC «Local Trade Union of Medical Education Workers»	K.M. Khamchiev		
15	Representative of the primary trade union organization LLC «Kazakhstan branch trade union of healthcare workers «AQNIET»	A.A. Musina		
16	A.d. of the Head Quality Assurance Center (QAC)	A.M. Romazanova		
17	Deputy Head of the Department of Control, Document Management and Development of the State Language	A.E. Bakenov	29.04.24	
18	Student's rector	A.Burkutov		





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### List of registration amendments

№	Page numbers				Overall	The number of the section, subsection, paragraph of the standard to which the changes relate	Signature of the person who made the amendments	Date of the amendments
	Modified	Replaced	New	Cancelled				

