



ANTI HARASSMENT POLICY

TUNKU ABDUL RAHMAN FOUNDATION (YTAR)

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Revision History	Details
04th May 2026	<i>Revision: Clause 5.4.1: Updates on Managing Authorities for staff-related complaints.</i>

For inquiries related to this policy, please email admin@yayasantar.org.my

INDEX

No.	Contents	Page No.
1.0 INTRODUCTION		3
1.1 Purpose of Policy		3
1.2 Applicability & Scope		3
2.0 POLICY STATEMENT		4
3.0 DEFINITIONS		4
3.1 Harassment		4
3.2 Sexual Harassment		5
3.3 Discriminatory Harassment		7
3.4 Bullying		7
4.0 RESPONSIBILITIES		7
5.0 PREVENTIVE MEASURES		8
5.1 Communication of YTAR's Anti-Harassment Policy		8
5.2 Background and Reference Checks		8
5.3 Orientation of Staff & Training		9
5.4 Reporting Harassment		9
5.5 Violation of Policy		10
5.6 Confidentiality		11
6.0 LEGAL COMPLIANCE		11
7.0 FEEDBACK & REVIEW		11
8.0 REFERENCES		11

1. Introduction

1.1. Purpose of Policy

This policy is intended to ensure a safe and inclusive environment across all of Tunku Abdul Rahman Foundation's (YTAR) work free from intimidation, hostility or harassment. This policy intends to provide an up-to-date and comprehensive anti-harassment framework for the YTAR community. This policy is also intended for public use as well as use by the YTAR team, to provide a shared framework to prevent harassment and address behaviour that goes against our standards of conduct.

YTAR's Anti-Harassment Policy is created in compliance with the Malaysian Anti-Sexual Harassment Act 2022, which provides clear legal protections against harassment. Violations of this policy may also constitute criminal offenses under the Malaysian Penal Code and the Employment Act 1955, which can result in legal consequences, including fines and imprisonment.

1.2. Applicability & Scope

This policy is intended to provide a comprehensive framework that covers the entire scope of behaviour involving the YTAR community. This policy applies to all YTAR-related interactions, including those that occur in person, online, via phone calls, social media, emails, or messaging platforms such as WhatsApp and Telegram. It also extends to any offsite YTAR events, conferences, and networking functions where YTAR staff, volunteers, or participants are present.

This policy applies to the following group(s) and individual(s):

- 1.2.1. Board of Trustees
- 1.2.2. Management and staff
- 1.2.3. Participants of all of YTAR's programmes
- 1.2.4. Alumni
- 1.2.5. Volunteers
- 1.2.6. Corporate Partners and donors; and
- 1.2.7. Any other individuals engaged in or present at YTAR-related events at interactions

2. Policy Statement

- 2.1. YTAR is dedicated to establishing a secure and welcoming environment for all participants and associates, ensuring freedom from discrimination and harassment of any kind, including sexual harassment. Consequently, we expect all participants and affiliates to treat each other with professionalism, respect, and dignity. **YTAR** employees and affiliates have a proactive duty to uphold this policy.
- 2.2. YTAR has a strict **zero-tolerance policy** on all forms of harassment, including sexual harassment. Any complaints, particularly those concerning harassment or sexual harassment, will be treated with utmost seriousness, handled respectfully, and kept confidential. Any act of harassment, whether physical, verbal, non-verbal, or digital, will be taken seriously and will result in investigation and appropriate disciplinary action, including termination of participation/employment/partnership or legal action where appropriate.
- 2.3. Emphasis will be placed on implementing safeguards and preventive measures against harassment as well as ensuring that individuals affected by harassment are supported throughout the process of reporting and investigating harassment. YTAR is committed to providing immediate protective measures and access to counselling and mental health support to individuals who report harassment.

3. Definitions

3.1. Harassment

- 3.1.1. Harassment is defined as a persistent and intentional course of unreasonable and oppressive verbal or physical behaviour directed at another individual, causing them alarm, fear, or distress. Harassment may **include, but is not limited to**:
 - a. offensive jokes,
 - b. slurs,
 - c. epithets or name-calling,
 - d. physical assaults or threats,
 - e. intimidation,
 - f. ridicule or mockery,
 - g. virtual and visual harassment,

- h. to cause distress,
 - i. insults or put-downs,
 - j. offensive objects or pictures,
 - k. retaliation against the complainant, and
 - l. interference with work performance.
- 3.1.2. Harassment can occur regardless of the offender's intent; what may be intended as a joke by one party can still be seen as offensive by another party.
- 3.1.3. Harassment can take place over some time or on a one-time incident. In either case, the affected individuals are encouraged to address any incidents that leave them feeling harassed, formally or informally, by reporting the incident(s) directly to an authoritative person in charge as specified in 5.4.1
- 3.1.4. Anyone can be a victim of harassment or sexual harassment, irrespective of age, race, ethnicity, gender or any other factor.
- 3.1.5. **YTAR** recognises that harassment can manifest via online harassment through various digital platforms and is just as detrimental as physical harassment.

3.2. Sexual Harassment

- 3.2.1. In this policy, sexual harassment encompasses any unwanted sexual conduct, whether verbal, non-verbal, visual, gestural, or physical, that is offensive, humiliating, or threatening to an individual's well-being.
- 3.2.2. Sexual harassment consists of two categories, namely sexual annoyance and sexual coercion.
- 3.2.3. Sexual annoyance is sexually-related conduct that is offensive, hostile or intimidating to the recipient, but has no direct link to any job or programmatic benefit. However, the annoying conduct creates a hostile environment which the recipient has to tolerate to continue functioning in that space. Examples include unwanted flirting by an Alumnus against a Tunku Scholar at an event.

3.2.4. Sexual coercion results in direct consequences to the victim's employment or status in YTAR's programmes. This typically occurs when someone in a position of power offers or threatens to take away something based on the acceptance of sexual advances. E.g.: A staff member who threatens to revoke the scholarship of a recipient if they do not comply with the staff's demand for sexual favours.

3.2.5. Forms of Sexual Harassment:

a. Sexual harassment can take various forms. They include:

- i. Verbal harassment: offensive or inappropriate comments, questioning, jokes, jesting, sounds. This could consist of comments about an individual's appearance, sexual orientation, gender or behaviour.
- ii. Non-verbal/gestural harassment: unwelcome or inappropriate gestures, facial expressions, or actions that convey a sexual message or intent without words. This may include leering or ogling with suggestive overtones, licking lips or holding or eating food provocatively, hand signal or sign language denoting sexual activity or persistent flirting.
- iii. Visual harassment: Showing of inappropriate material or sexual content. This may include display of pornographic materials, drawing sex-based sketches, writing sex-based letters and texts or sexual exposure.
- iv. Psychological harassment: Involves behaviour that intentionally causes emotional harm or distress to another person, usually over a prolonged period. This may include repeated unwanted social invitations, relentless proposals for dates or physical intimacy, bombardment of texts or private messages.
- v. Physical harassment: Inappropriate and unwanted physical contact or attempt to intrude on an individual's personal space sexually. This may include unwanted touching, groping, patting, pinching, stroking, brushing up against the body, hugging, kissing, fondling, stalking, spying or standing too close to an individual in a sexual or intimidating way.
- vi. Discriminatory harassment:
- vii. Assault: A severe form of physical harassment which involves non-consensual physical actions of a sexual nature. Sexual

assaults are considered a grave *crime* and may include rape, attempted rape, coercion to perform sexual acts and forcing someone to engage in a sexual act against their will.

- b. Forms of sexual harassment are not exhaustive and include conduct of a sexual nature which is unwanted and unwelcome by the recipient, and also sexual conduct which is imposed on and unsolicited or unreciprocated by the recipient.
- c. YTAR acknowledges that sexual harassment can also take place online through digital platforms such as social media, emails and video conferences.

3.3. Discriminatory Harassment

- 3.3.1. Discriminatory harassment involves aggression or hostility based on the recipient's sex, gender identity, sexual orientation, disability, race, ethnicity, nationality and religion, which interferes with a person's ability to fulfil their responsibilities.

3.4. Bullying

- 3.4.1. Bullying is, and is not limited to, a deliberate offence, act of intimidation, malicious or insulting behaviour, and abuse or misuse of power to undermine, humiliate, or injure the recipient.
- 3.4.2. YTAR recognises that bullying can take place even without intent. YTAR also recognises that bullying may be overt or subtle. Regardless of any form it appears, such bullying typically leads to feelings of shame, embarrassment, fear, humiliation, or distress to the recipient(s).

4. Responsibilities

It is the responsibility of all YTAR staff, trustees, affiliates, and event participants to ensure that working, programmatic and event spaces are safe and free from harassment. YTAR condemns all forms of harassment and commits to taking preventive measures to prevent acts of harassment and swift remedial actions when actual harassment occurs within the aforementioned spaces.

4.1. Appropriate Behaviour and Responsibilities

All parties are to treat others professionally and respectfully while maintaining clear boundaries and understanding of the workplace, programmes and events dynamics.

4.2. Monitoring

Parties holding a high workplace position (i.e. CEO, Managers, Supervisors), hold a responsibility to maintain a respectful and healthy work environment. They are obliged to intervene and take necessary steps for any improper conduct being witnessed.

4.3. Reporting

All parties are to report any incidents of harassment and any escalating reports received, which should be directed to an authoritative body as mentioned in 5.4.1 to be resolved. YTAR is responsible for documenting all reported and investigated cases of harassment, with all documentation kept securely and confidentially.

4.4. Support and Cooperation

All parties are responsible for creating a supportive workplace, events and programs, and providing honest and relevant information during an investigation. Those in senior positions must take necessary measures to ensure the safety of victims while implementing appropriate protective actions throughout the investigation

5. Preventative Measures

5.1. Communication of YTAR's Anti-Harassment Policy

5.1.1. Where YTAR is organising or collaborating on an event, this policy must be considered as part of the planning. This includes an obligation to ensure that the policy is communicated clearly to all participants and stakeholders.

5.2. Background and Reference Checks

5.2.1. Employment offers are contingent on thorough background and reference checks. From time to time, YTAR may instruct for background checks to be conducted on any current employee if YTAR has reasonable cause to believe such background checks are warranted.

- 5.2.2. Background checks include, but are not limited to, verification of employment and academic history, personal or professional references, criminal history, financial and credit history as well as other checks deemed relevant for YTAR's purposes. Such checks may also include verifications on previous situations of similar complaints investigated against any employer and employee.
- 5.2.3. **YTAR** will screen candidates convicted for serious criminal behavior or behaviors that will be of threat to others, especially children, such as sexual offences and child-related offences, to prevent hiring, transferring or promoting the applicant that would pose an unreasonable risk to its employees, customers and vendors.

5.3. Orientation of Staff and Training

- 5.3.1. All employers and employees are to undergo harassment prevention and supervision training on responding to, identifying, reporting, and preventing harassment in the workplace and at YTAR's events and programmes.
- 5.3.2. All employers and employees will be provided a copy, may it be digital or physical, of the policy for a deeper understanding of what constitutes harassment and measures that need to be taken if such an incident occurs.

5.4. Reporting Harassment

- 5.4.1. Any, and all, reports of harassment that occur at YTAR workplace, events or programmes should be reported directly to the designated focal point of the event, programme or administrative team. The contact details are as below:

Type of Complaints	Managing Authority
Misconduct complaints involving YTAR Staff	Encik Dzameer Dzulkipli , Trustee of the Board and Chairperson of Human Resources Committee at staff.whistleblowing@yayasantar.org.my (All emails automatically forwarded)
Programmes or incidents involving YTAR participants/alumni	Kularetnam Vijayakumar , CEO of YTAR participant.whistleblowing@yayasantar.org.my

Marketing or public events held by or in collaboration with YTAR	Raenuga Indran , Partnership and Marketing Manager at raenuga@yayasantar.org.my
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5.4.2. As part of YTAR's response to reports of harassment, regardless of any formal disciplinary or law enforcement action, YTAR may impose Interim measures or provide accommodations or safeguards to all affected parties to address issues that impact the workplace or event environment.

5.4.3. Additional interim measures may be implemented if deemed reasonable and necessary in the circumstances. The employee response for managing the complaint may seek consultations with others as and where appropriate on condition that such consultations are conducted confidentially.

5.5. Violation of Policy

5.5.1. Retaliation

Retaliation, may it be against an individual or collective, will be treated as a policy violation, and will bear serious consequences.

5.5.2. Consequences / Measures

Aggressors will face appropriate disciplinary consequences as outlined in Sections 11.6 to 11.22 of the YTAR HR & Talent Management Policy. Where relevant, the Chief Executive Officer will work with the Administrative Committee and the Board of Trustees in determining disciplinary action. These consequences may include, but are not limited to the following stages:

- a. informal warning,
- b. first formal warning,
- c. final formal warning,
- d. demotion of position,
- e. suspension,
- f. termination, or
- g. other appropriate disciplinary actions that do not conflict with Malaysian labour laws.

5.5.3. Legal & Disciplinary Action

Where investigations into allegations of harassment reach a level that necessitates the involvement of authorities, Management must escalate the case to the appropriate entities, such as the police or other law enforcement bodies, as particularly highlighted in Section 11.26 to 11.27 of YTAR HR & Talent & Management Policy. YTAR may also take additional disciplinary action, with the approval of the Administrative Committee, where relevant. In all cases, the Chief Executive Officer must ensure that the disciplinary action is commensurate with the disciplinary offence. Any disciplinary actions taken may remain in effect until the proceedings are completed or a satisfactory decision has been reached.

5.6. Confidentiality

5.6.1. Protection of Privacy

Confidentiality is highly valued and respected by **YTAR**. The privacy of the individuals involved is protected by the organisation's policy. YTAR is responsible to ensure that the details of all reported and/or investigated cases of harassment are kept private and confidential.

5.6.2. Overriding Confidentiality

In more serious harassment cases, particularly those involving legal action, confidentiality may be overridden if necessary. Additionally, YTAR may be required to disclose general details of harassment cases to the Board of Trustees as part of governance.

6. Legal Compliance

7. Feedback and Review

- 7.1. **YTAR's policy** is to, if necessary, regularly or annually review the policy to ensure that the company policy complies with Malaysia's legal standards, current, effective and relevant.
- 7.2. **YTAR** also welcomes feedback from staff, the YTAR Community and the public to ensure that the policy remains relevant and effective. Feedback on this policy can be sent to admin@yayasantar.org.my.

8. References

- 8.1.** This policy must be read with reference to all laws that apply to full-time employees and organisations that employ Malaysian citizens, such as the **Employment Act of 1955**, as well as all laws and regulations that relate to the prevention and investigation of harassment, such as the **Anti-Sexual Harassment Act (ASHA) of 2022**.