

## Code of conduct to prevent and tackle inappropriate behaviour

### Preamble

The Executive Board wants everyone within Utrecht University, both staff and students, to treat each other with respect and integrity and to be able to work or study in a pleasant and safe environment. In a good and stimulating working and study environment collegiality, respect, and attention for other persons are part of normal manners, and prompt action will be taken against inappropriate behaviour. Such a climate requires an active contribution from all those working or studying at the university: not only with regard to one's own behaviour, but also by adopting a vigilant attitude towards any form of inappropriate behaviour in one's own environment. Inappropriate behaviour should always be addressed; either by addressing the persons concerned directly or by calling on the assistance of third parties. The purpose of the code of conduct is to bring these principles explicitly to the attention of the university community at all levels.

The Utrecht University Code of Conduct is the general framework for behaviour and reflection for staff and students. For specific rules of conduct, the code of conduct refers to separate regulations. This code of conduct is one of the regulations laying down specific rules of conduct.

For staff, this code of conduct is an elaboration of Article 1.12 of the Collective Labour Agreement for Dutch Universities (*CAO Nederlandse Universiteiten*).

### Scope

This code of conduct applies to:

- employees and students of the university,
- other persons working under the responsibility of the university as temporary employees, interim workers or trainees in their behaviour towards each other in the work- of study environment.

### Definition of terms

In this code of conduct, the terms below have the following meanings:

- Inappropriate behaviour:* any conduct, act or omission of an act, the physical, mental or social consequences of which are perceived as negative. This includes in any case intimidation, sexual harassment, discrimination, aggression, violence and bullying in the workplace or study environment;
- intimidation:* any form of verbal, non-verbal or physical conduct with the purpose or effect of violating a person's dignity, adversely affecting work or study performance or creating an unsafe working or study environment;
- sexual harassment:* any form of verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of violating a person's dignity, adversely affecting work or study performance or creating an unsafe working or study environment;
- discrimination:* to discriminate without justification, insult or act violently against staff or students on the grounds of religion, personal beliefs, political opinion, race, sex, gender identity, sexual orientation, nationality, civil status, age, disability or chronic illness or for any other reason;
- aggression and violence:* to harass, threat or attack an employee or student psychologically, physically or verbally;
- bullying:* intimidating behaviour of a structural character by one or more employees or students against one or more employees or students.

Inappropriate behaviour can occur in different ways. Some examples:

- it is used explicitly or implicitly as a condition for employment;
- it is used as a basis for decisions that affect a person's work or study;

- the purpose or effect of the behaviour is that someone's work or study performance is affected and/or that an intimidating, hostile or unpleasant working or study environment is created;
- it concerns verbal or non-verbal behaviour that is not appropriate in a professional working or study environment;
- it concerns verbal or non-verbal behaviour that places a person or group in a stereotypical position, emphasising inequality.

### **Preventive policy**

This code of conduct is intended as a form of preventive policy. Preventive policy on inappropriate behaviour is part of overall university policy, which must, among other things, be put into practice by:

- sufficiently communicating this code;
- providing adequate information about the policy and the risks of inappropriate behaviour within the institution;
- the systematic assessment of risks related to inappropriate behaviour in the context of the Hazard Identification and Risk Assessment within the framework of the Working Conditions Act 1998 (*Arbeidsomstandighedenwet 1998*);
- removing or reducing risks related to inappropriate behaviour, also in HR policy and PhD policy;
- monitoring compliance with the code of conduct.

### **Confidential Adviser for inappropriate behaviour**

The university has two or more Confidential Advisers for inappropriate behaviour. A Confidential Adviser for inappropriate behaviour has an independent position and is protected in this position by the employer. Tasks of the Confidential Adviser for inappropriate behaviour include:

- a. acting as a point of contact for employees and students who are confronted with inappropriate behaviour;
- b. assisting and supporting and, if necessary, referring to experts;
- c. advising on any steps to be taken;
- d. informing about the university complaints procedure and the resulting consequences, before any steps are taken in this respect;
- e. making an effort, at the request of the person making the report, to find a solution to the undesirable situation through mediation;
- f. supporting the person making the report at his or her request in submitting a complaint or supporting the accused in preparing a response to the complaint;
- g. advising the Executive Board and other relevant organisational units, on request and otherwise, on preventing and tackling inappropriate behaviour;
- h. providing information and publicity on his or her own position;
- i. registering reports and providing the Executive Board each year with an anonymised report on the number and nature of reports.

### **Complaints committee**

The university has a complaints procedure for inappropriate behaviour and a complaints committee appointed by the Executive Board to deal with and advise on written complaints on inappropriate behaviour. A person who experiences inappropriate behaviour should first contact the Confidential Adviser, but it is also possible to submit a complaint directly to the Executive Board, which immediately forwards the complaint to the Complaints Committee. After the Complaints Committee has given its recommendation to the Executive Board, the Executive Board will decide on the complaint and on any measures to be taken.

### **Adoption**

This code of conduct has been adopted by the Executive Board in accordance with the University Labour Representation Board, and as far as students are concerned with the consent of the University Council, on 9 April 2019 and replaces the previous code of conduct of 8 July 2003.