Code of Conduct for Preventing and Combating Inappropriate Behaviour

Preamble
The Executive Board wants everyone at Utrecht University, both employees and students, to treat each other in a respectful and sincere manner and to be able to work or study in a safe and pleasant environment. Collegiality, respect and attention for one another should all be standard practice in a positive, stimulating environment, and inappropriate behaviour should be responded to without delay. A climate of this nature is only possible if everyone who works or studies at the university actively commit themselves to its realisation: not only in relation to their own behaviour, but also by being vigilant to any form of inappropriate behaviour that they identify in their own environment. Inappropriate behaviour should always be raised for discussion, whether by directly calling everyone involved to account or by involving third parties. The object of the Code of Conduct is to explicitly bring these starting points to the attention of every part of the university community.

The Code of Conduct of Utrecht University is the general framework that guides the conduct of and reflection by employees and students at Utrecht University. Where specific rules of conduct are concerned, the Code of Conduct refers to a number of individual regulations. The present Code of Conduct is one of these regulations. For employees, 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 will apply to:
- employees and students at the university,
- other individuals who are employed as temporary agency workers, interim employees or interns and for whom the university is responsible as regards their conduct towards each other in work or study situations.

Definition of terms
The following definitions will apply to the terms used in this Code of Conduct:

**Inappropriate behaviour:** Behaviour, or an act or omission, that is experienced as negative and has physical, psychological or social consequences. These consequences will be understood to include harassment, sexual harassment, discrimination, aggression, violence and bullying, whether in the workplace or the study situation;

**Harassment:** Any form of verbal, non-verbal or physical behaviour that has the object or effect of affecting a person’s dignity, negatively affecting work or study performance or creating an unsafe work or study situation;

**Sexual harassment:** Any form of verbal, non-verbal or physical behaviour with a sexual connotation that has the object or effect of affecting a person’s dignity, negatively affecting work or study performance or creating an unsafe work or study situation;

**Discrimination:** Without any grounds for justification, discriminating against, insulting or using violence against employees or students because of their religion, beliefs, political affinity, race, gender, gender identity, sexual orientation, nationality, civil status, age, handicap or chronic illness or on any other grounds whatsoever;

**Aggression and violence:** Psychologically, physically or verbally harassing, threatening or attacking an employee or student;

**Bullying:** Intimidating behaviour of a structural nature on the part of one or more employees or students towards one or more other employees or students.
Inappropriate behaviour can manifest itself in different ways. For example:

- It is explicitly or implicitly used as a condition when employing someone;
- It is used as the basis for decisions that affect someone’s work or study;
- It has the object or effect of affecting someone’s work or study performance and/or creating an intimidating, hostile or unpleasant work or study environment;
- The behaviour in question is verbal or non-verbal behaviour that is not appropriate in a professional work or study situation;
- The behaviour in question is verbal or non-verbal behaviour that stereotypes a person or group, placing an emphasis on inequality as a result.

**Preventive policy**

This Code of Conduct has been drawn up to serve as a form of preventive policy. Preventive policy on inappropriate behaviour is part of overall university policy and is designed to ensure, among other things, the following:

- That the content of this code is sufficiently known to everyone concerned;
- That sufficient information is provided about the policy and the risks presented by inappropriate behaviour within the institution;
- That the risks ensuing from inappropriate behaviour are identified systematically, in the framework of the Hazard Identification & risk Assessment carried out in the framework of the 1998 Working Conditions Act (Arbeidsomstandighedenwet 1998);
- That the risk of inappropriate behaviour is eliminated or reduced, in HR policy and PhD candidate policy, for example;
- That compliance with the Code of Conduct is monitored.

**Confidential Advisor for Inappropriate Behaviour**

The university has two or more confidential advisors for inappropriate behaviour. A Confidential Advisor for Inappropriate Behaviour is independent and is protected in that context by the employer. The duties of the Confidential Advisor for Inappropriate Behaviour include:

a. acting as a contact point for employees and students who are dealing with inappropriate behaviour;

b. assisting and supporting employees and students and referring them to experts, if necessary;

c. advising on any steps to be taken;

d. informing individuals of the university complaints procedure and the consequences of this procedure, before any further steps are taken;

e. trying to find a solution to an inappropriate situation through mediation, which they will do at the request of the individual who approached them;

f. when asked to do so, helping a notifier file a complaint or helping an individual to whom a complaint relates prepare a response to a complaint;

g. providing the Executive Board and other relevant organisational units with solicited and unsolicited advice on the prevention and combating of inappropriate behaviour;

h. providing information and publicity about the role played by confidential advisors;

i. registering notifications and issuing an anonymised report to the Executive Board about the number of notifications and the nature of these notifications once a year.

**The Complaints Committee**

The university has formulated a Complaints Procedure in Relation to Inappropriate Behaviour and the Executive Board has made a Complaints Committee responsible for handling and advising written complaints relating to inappropriate behaviour. Anyone who is experiencing inappropriate behaviour is advised to start by contacting a Confidential Advisor. However, it is also possible to make a complaint directly to the Executive Board, which will then immediately forward it to the Complaints Committee for it to handle. Once the Complaints Committee has issued its advice to the Executive Board, the latter will decide on the complaint and on any measures to be taken.

**Adoption**

This Code of Conduct was adopted on 9 April 2019 by the Executive Board in agreement with the Local Consultative Body (Lokaal Overleg) and, where students are concerned, with the consent of the University Council (Universiteitsraad) and replaces the previous Code of Conduct, dated 8 July 2003.