



Institute's Policy on

Harassment

prevention and education

The Institute is committed to creating a stimulating and supportive learning and working environment that is free from discrimination and harassment.

Harassment, in all its forms, is unacceptable. It violates individual dignity and may create an intimidating, hostile, degrading, humiliating or offensive environment. These guidelines offer an overview of harassment as that term is used in this Policy as well as suggestions for practical ways of dealing with it. They are not intended to promote an environment in which social or intellectual contact is unnecessarily restricted, or in which the quality of normal study/work relationships between individuals is adversely affected. Rather, they are intended to reinforce the standards of respect and civility with which all members of the Institute are expected to treat one another.

Scope: Conduct that occurs in the process of application for admission to a programme or selection for employment is included in these guidelines, as well as conduct among Institute researchers and post-doctoral fellows, and academic and administrative staff members. This policy covers all members of the Institute including visitors to the premises. This Policy may be subject to periodic revisions. All suggestions should be emailed to françoise.thauvin@iue.it.

1. THE INSTITUTE'S POLICY STATEMENT,

Any incidents of harassment will be regarded extremely seriously and may constitute grounds for disciplinary action. Information and training of persons involved in raising awareness and dealing with harassment will be provided by the Institute. This Policy will be distributed to all members of the Institute and to all members upon their arrival. It will also be posted on the Institute Website.

2. WHAT IS HARASSMENT?

Harassment takes many forms and can be a source of great anxiety to an individual. The assault on a person's confidence can also directly affect the quality of life, mental or physical health, and academic/professional performance of the individual. Harassment may occur where the harasser has a position of authority but may also occur among peers. It may also occur when there is a perception of power among or between individuals with no formal academic or employment relationship. Some of the behaviours outlined below may cause only minor offence if occurring only once, but if repeated the conduct becomes harassment; other more serious behaviours may constitute harassment even if they occur only once – all of them are inappropriate and unacceptable. In a diverse community such as the Institute, differences of attitude or culture may result in the misinterpretation of social signals; what is perceived as harassment by one person may not seem so to another. However, the defining features are that the behaviour is offensive

or intimidating to the recipient and that it is unwanted and not reciprocated. Harassment may be either deliberate or unintentional. The standard for deciding if particular conduct is harassment is whether the action would be regarded as harassment by a reasonable person who is or who ought to be well-informed about an accepted range of appropriate social behaviours, with all due respect for cultural values.

3. SEXUAL HARASSMENT

Sexual harassment can occur in interactions and relationships between women and men, women and women, men and men.

Examples include:

- any form of behaviour relating to a person's sex or sexuality which patronises or causes offence, discomfort or intimidation. This could be remarks, looks, attitudes, jokes or offensive language, and includes situations in which communications are transmitted electronically;
- the display or electronic transmission of pornographic, semi-pornographic, suggestive, or homophobic material, unless justified in the academic context and without prejudice to artistic freedom;
- making provocative suggestions or pressuring people to accept unwelcome invitations;
- deliberate, and inappropriate physical contact to which a person has not consented.

4. HARASSMENT based on grounds of ETHNICITY or RELIGION

Ethnic and religious harassment is hostile and offensive behaviour from one individual or group of people towards one individual or group of people of a different race, ethnic origin or religion.

Examples are:

- any act which causes discomfort, intimidates or offends, or which incites others to do so – such behaviour can include the use of derogatory names, insults, racist jokes or the ridicule of an individual for cultural/ethnic/religious differences;
- the display or electronic transmission of offensive material, including racist graffiti, unless justified in the academic context;
- verbal abuse and threats;
- physical attack.

5. HARASSMENT based on grounds of DISABILITY

Harassment based on grounds of disability refers to forms of behaviour which make direct or indirect reference to disability or impairment and thus cause discomfort, or forms of behaviour which patronise, insult or offend people with a physical, or mental disability.

6. BULLYING

Bullying can be defined as offensive, malicious, intimidating, insulting or humiliating behaviour, often associated with the misuse of power or position. Attacks on the individual may often be sudden, irrational and/or unpredictable or may be sustained and regular. Bullying undermines a person's ability to function normally, their self-confidence and self-esteem. This policy recognises that different cultural backgrounds may affect the perception of bullying.

Indicative examples are:

- academic bullying, asserting a position of intellectual superiority in an aggressive, abusive or offensive manner or making ungrounded threats of academic failure;
- public reprimand, ridicule, sarcasm or humiliation;
- constant criticism or trivialising of another's achievements;
- verbal and/or physical intimidation;
- setting arbitrary or unachievable workloads, and making threats associated with failure to achieve;
- ostracism.

Victims of bullying can report cases to members of the Panel.

7. THE INSTITUTE'S POSITION

The Institute recognises that:

- harassment *or bullying* on the premises of the Institute is wholly unacceptable behaviour; any incidents will be taken very seriously and complaints will be considered promptly;
- while many cases of harassment or bullying may be resolved informally, harassment or bullying may result in disciplinary action against (an) individual/individuals;
- because of the particular sensitivity of harassment/bullying complaints and their consequences, confidentiality is of utmost importance and will be maintained wherever possible; however, the Institute has an obligation to protect both the complainant and the wider Institute community (including the alleged harasser(s)).

Those involved in handling harassment/bullying complaints will disclose information only when absolutely necessary, and the complainant will be consulted before any disclosure of information is made. By making a complaint, or offering evidence as a witness to an incident of harassment or bullying, an individual may attract criticism and hostility. Full support will be provided by the Institute to protect her/him from victimisation or retaliation. False accusations of harassment will constitute similar grounds for discipline.

8. PROCEDURES FOR DEALING WITH HARASSMENT

The following process describes three levels for resolution of a harassment complaint: personal resolution, informal action and formal action. It is possible (although unlikely) that complainants will use each of these stages, but they are not obliged to do so. The action taken or discussed will depend upon the circumstances of each case. In all but the most serious cases, the Institute would hope that the complaint can be addressed through the personal resolution or informal action stages.

Whatever action the complainant takes, it is sensible to keep a note of dates and details of any harassing incidents, including a note of any ways in which the incidents cause the complainant to change or modify her/his daily routine, pattern of work and/or social life.

a) PERSONAL RESOLUTION

People may be able to resolve many of the forms in which harassment or bullying occurs by making it clear to the individual(s) concerned that the behaviour is not welcome, that it offends or makes them uncomfortable. Alternatively, complainants may wish to discuss the situation with colleagues. Anyone who has been subjected to harassing behaviour can also choose to get in touch with a member of the Panel, as listed in the annex. The Panel members are informed members of the Institute who will listen sympathetically and in confidence to the problem, provide advice on Institute procedures and other sources of support, and help complainants decide what, if anything, they wish to do.

b) INFORMAL ACTION

This procedure envisions the participation of a panel member in resolving the situation. Informal action may be invoked in the first instance or if an attempt at personal resolution does not succeed. The complainant should draw the situation to the attention of a member of the Panel. Complainants may wish to be accompanied at this meeting by an Institute colleague or friend or researcher representative or post-doctoral fellows' representative.

Depending on the circumstances of the case, the person with whom the complainant has raised the issue may investigate the allegations or take action which may include either chairing a meeting between the complainant and the alleged harasser(s), or approaching both parties - complainant and alleged harasser(s) - separately. Account will be taken of the alleged harasser's/harassers' right to state her/his/their case. Every attempt will be made to deal with the complaint as quickly as possible.

This informal stage may not in itself result in any further formal internal investigation or disciplinary action, but is intended to facilitate a local resolution between the parties. The importance of confidentiality will be stressed to all those interviewed and everyone will be strictly required not to discuss the complaint with colleagues or friends. Breach of confidentiality may give rise to the Panel recommending disciplinary action.

c) FORMAL ACTION

Where personal or informal resolution is not appropriate (because of the seriousness of the allegations or because the conduct continues), or is not requested, or where the

outcome has been unsatisfactory, then a formal complaint may be brought to the Panel. Complainants should note, however, that only in exceptional circumstances will a formal complaint be considered more than three months after the most recent incident of alleged harassment.

Complainants should also keep records of the events and indicate evidence of the facts (letters, emails, witnesses). All complaints must be reported and dealt with within a reasonable time. Complaints will be investigated in an independent and objective manner by a Panel convened by the President.

In the first instance, the role of the Panel will be to determine whether there is sufficient evidence to support the complaint or whether the complaint is without foundation. As appropriate, the Panel may then refer the matter on through the Institute's disciplinary procedures. Both the complainant and the alleged harasser(s) may be accompanied by an Institute colleague or friend or researcher representative or post-doctoral fellows' representative.

The importance of confidentiality will be stressed to all those interviewed and everyone will be strictly required to refrain from discussing the complaint with colleagues or friends. Breach of confidentiality may give rise to the Panel recommending disciplinary action.

The investigation will focus on the facts of the complaint. Neither the complainant, nor the alleged harasser(s) will be required to repeat distressing or embarrassing details any more than is necessary. The complainant will not be required to give evidence with the other party present. Neither party will have the right to cross-examine the other. The Panel will report to the President and make recommendations as to further action, as appropriate. Where the alleged harasser(s) is/are (a) researcher(s) or post-doctoral fellow(s), or (a) member(s) of administrative or academic staff and a case exists to support the complaint, the Panel may refer the matter on through the Institute's disciplinary procedures.

The difficulty in defining what conduct constitutes harassment or bullying should not stop researchers, post-doctoral fellows, academic or other staff members from discussing, or complaining about, behaviour which is causing them distress, to a supervisor or panel member. However, it should also be recognised that it is everyone's personal responsibility to limit public discussion of allegations of harassing/bullying behaviour, as this may make it more difficult to achieve a satisfactory and just resolution.

9. CONSENSUAL RELATIONSHIPS

Romantic and sexual relationships between supervisors, researchers and post-doctoral fellows, and academic or other staff are not expressly prohibited by Institute harassment policy. However, even when both parties have consented to such relationships, these relationships can still raise serious concerns about the validity of the consent, conflicts of interest, and unfair treatment of others. This concern is not limited to consensual relationships between supervisor and researcher or post-doctoral fellow, but equally applies to consensual relationships between senior and junior academic or other staff or any other relationship where one party has or may have supervisory authority over the other. When an academic staff member has any professional responsibility for the researcher's or post-doctoral fellow's academic performance and/or professional future, mutually consenting relations might constitute a violation of professional ethics and responsibility. A similar violation may occur in a hierarchical employment relationship. Thus, in all such cases of consensual romantic or sexual relationships, disclosure of the relationship to any member of the Panel listed in the annex is encouraged, so that arrangements can be made by the President or Head of Department for objective evaluation and decision-making regarding the more junior party. The Panel member will keep the disclosure confidential as far as possible, rearranging if necessary supervision responsibilities.

Romantic or sexual relationships with researchers and post-doctoral fellows which occur *outside* of the instructional or supervisory context may also lead to similar difficulties. Because of the Institute's relatively small size and the regular changes in personnel, academic and administrative staff engaged in such relationships should be sensitive to the constant possibility that they may at some later time be placed in a position of evaluation and/or responsibility. Disclosure as a policy is encouraged in order to avoid such conflicts of interests with no intention to violate individual privacy.

10. THE PANEL

The Panel is a body consisting of members of the Institute drawn from the Institute's various components. Some of them sit on the Panel due to their intrinsic role in the welfare area or their responsibility in teaching and supervision. It is an advisory body reporting to the President and has a problem-solving role. All disciplinary action itself is outside the scope of this body and is the responsibility of the Disciplinary Committee.

Members of the Panel are appointed by the President from among academic and other staff, as well as from the researcher representatives and post-doctoral fellows' representatives.

Contact Point: Welfare Officer (françoise.thauvin@iue.it)