



Protocol Undesirable Behaviour 2021

What to do in case of discrimination, sexual harassment, bullying, aggression or violence?

Introduction

Undesirable behaviour can occur in any professional working environment. This involves situations between people in the work or study environment that are considered undesirable. This protocol for dealing with undesirable behaviour shows what you can do when you are confronted with undesirable behaviour.

The protocol answers the question of what you can do as a staff member or student if you experience undesirable behaviour yourself or if someone informs you of an experience of undesirable behaviour, such as discrimination, sexual intimidation, bullying, aggression or violence.

To give you a good idea of what undesirable behaviour is, you will find examples below.

What is sexual harassment?

Any form of verbal, non-verbal or physical conduct with sexual meaning or content, which has the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive situation.

Examples of situations which may constitute, or may be a consequence of, sexual harassment

- sexual remarks, messages or touching
- non-verbal behaviour of the other person, such as staring, peeking or breast-focused looks
- personal unwanted attention which extends into the private sphere, such as remarks about clothing and appearance
- strikingly frequent contact via telephone, email or social media
- unnecessary physical touching, such as rubbing shoulders, putting hands on knees, putting hands on a back when allowing someone to pass first, a slap on the behind, or a firm kiss when celebrating a birthday at work.
- giving too little physical space, blocking the way or coming too close
- your work, your appraisal, or the way you are treated is affected by your refusal to respond to advances.
- exerting undue pressure based on position or power to tolerate or go along with sexually undesirable behaviour.
- sexual assault and rape

What is discrimination?

Discrimination is the unequal treatment of persons in a neutral situation: disadvantaging or excluding people on the basis of personal characteristics such as gender, skin colour or religion. Examples in work or study situations:

- not extending a permanent contract because of pregnancy
- not giving a promotion because of age, gender, or disability, for example
- being dismissed because of age
- getting a lower grade because of a past political discussion with the teacher
- not being allowed to wear a head covering at work/internship

What is bullying and intimidation?

Bullying is repeatedly showing unwanted negative or intimidating behaviour towards someone, against which that person is not able to defend himself. This can be (a combination of) verbal, non-verbal or physical behaviour. Verbal can be either spoken (face-to-face, video calls, or by telephone) or written (letter, e-mail, text message or social media). Examples in work or study situations:

- ignoring, excluding, gossiping
- disabling material, making it disappear
- insulting
- using nicknames, making jokes at the expense of, imitating, making gestures, attacking attitudes
- giving annoying or extra burdensome jobs
- giving too much or too little work
- publicly reprimanding
- deliberately giving a bad evaluation making false accusations
- making belittling and humiliating remarks, constantly criticising

What is aggression and violence?

Occurrences where a person is mentally or physically harassed, threatened or assaulted in circumstances directly related to the performance of work or study. Examples of aggressive behaviour

- shouting, swearing, spitting
- intimidation, blackmail
- physical aggression
- threatening with violence
- destroying or throwing objects
- stalking
- theft of property

Confidential counsellor

Rotterdam University of Applied Sciences believes it is important that students and staff can work and study in a safe and pleasant working and study environment. We have appointed confidential counsellors for staff and students. You can find out who they are on HINT. They are the point of

contact for everyone who has to deal with undesirable behaviour in his or her study or work situation. The confidential counsellors act independently from the organisation and have a duty of confidentiality.

Comprehensive safety

In case of acute threat, aggression and violence, or disturbing behaviour, such as confused, dangerous, offensive, blackmailing, or inflammatory behaviour, you must report to Comprehensive safety.

Depending on the case, Comprehensive safety has the role of coordinator, attention officer, investigator, advisor, expert, or sounding board.

Comprehensive safety on HINT:

<https://hint.hr.nl/nl/HR/Voorzieningen--Services/Facilitaire-voorzieningen/Integrale-veiligheid/>

For all situations involving undesirable behaviour the following routes apply:

What can you do when you have been confronted with undesirable behaviour?

→ **Always visit the confidential counsellor.**

What can the confidential counsellor do for you?

- offer initial support if you are dealing with a form of undesirable behaviour and need help and advice
- check whether a solution is possible in the informal sphere
- assisting in the search for people within the organisation who can help to find a satisfactory informal solution and offering guidance in this regard
- informing about other possible solutions, such as complaints procedures
- guide you if you want to bring the matter up with the complaints committee or the study programme's management
- if necessary, refer you to psychosocial, legal, or other assistance
- offer aftercare
- in the event of risk situations, report the incident to the responsible line management, in consultation with the complainant ¹.

What can you do as *employee or fellow student* as soon as someone shares their account of undesirable behaviour?

- a. As a student: refer or guide your fellow student to the **confidential counsellor**.
Possibly ask a teacher, Study Career Coach if they can support you with the referral or guidance.
Guard the privacy of the person who shared their experience with you.
- b. As employee: take your colleague or student seriously and refer to a **confidential counsellor**.

¹ Reference framework for the confidential counsellor is the coping mechanism of the one reporting and preventing additional victims

What can you do as manager when you are informed about a report of undesirable behaviour?

→ Refer to a confidential counsellor

The starting point is the confidentiality of the report and the privacy of a reporter. When, in accordance with the protocol, a referral is made to a confidential counsellor or a complaint is filed with the Complaints and Disputes Office, it is not up to the manager to take independent and parallel action and measures in that individual case. The next steps depend on the discussion with the confidential counsellor, or the advice given by the Committee Undesirable Behaviour. and in the case of acute threats, aggression, and violence, or worrying behaviour, the advice of Comprehensive safety.

The Working Conditions Act contains regulations to ensure the safety, protect the health and promote the welfare of employees. The duty of care also applies to students. To summarise, universities of applied sciences must ensure a safe and pleasant working and study environment. Managers play a crucial role in this. For advice on prevention and other actions, managers can turn to the (occupational health and safety) experts, HRM business partners or confidential counsellors.