

Policy of the Faculty of Science on situations of harassment, sexual misconduct and discrimination.

1. Values of the Faculty of Science

The Faculty of Science, in accordance with the policies and values of the UAB¹, undertakes to promote an inclusive culture that fosters equality, values diversity and maintains a professional, learning and social environment in which the rights and dignity of all students and staff are respected.

All the members of the Faculty of Science must adhere to this policy and relate to each other with respect, courtesy and consideration at all times and in all types of communication, including social media, and they shall not tolerate any type of work-related or sexual discrimination or harassment, or harassment of any other kind.

2. Objectives

- To promote a positive environment in which people are treated fairly and respectfully, and that enables everyone to grow and prosper.
- To make it clear that situations of harassment, sexual misconduct and discrimination are unacceptable and that all the groups in the Faculty play a role in the creation of a free and inclusive environment.
- To provide a support framework for staff and students who have been subjected to situations of harassment, sexual misconduct and discrimination.
- To provide the mechanisms via which people who find themselves in these situations can communicate and/or report them and receive an efficient response.

3. Scope

This policy applies to all members of the Faculty of Science, especially:

- Students of undergraduate and postgraduate degrees.
- Students on mobility programmes, short stays and visits.
- Permanent, part-time, associate, emeritus, honorary and temporary teaching and research staff and visiting staff from other institutions.
- Administrative and services staff.

4. Principles

All members of the Faculty of Science are entitled to expect ethical and professional behaviour from the others.

¹ – Protocol to prevent and take action against sexual harassment, harassment on the grounds of sex, sexual orientation, gender identity or gender expression, and gender-based violence (Governing Council of 7/11/2018).

— Policy for the dignity of people from the UAB.

— IV action plan for gender equality at the UAB (Governing Council of 4/7/2019).

— Action protocol in the event of harassment in collaborating entities. Faculty of Science.

All members of the Faculty of Science are personally responsible for complying with this policy and treating others with dignity and respect.

All members of the Faculty of Science are personally responsible for demonstrating their commitment to this policy, disapproving of any form of harassment, sexual misconduct or discrimination.

All members of the Faculty of Science are personally responsible for demonstrating their commitment to this policy, by avoiding all forms of reprisal, threats and intimidations towards those people in the community who have lodged a complaint or provided information and support to the person who has lodged the complaint.

5. Consensual relationships between members of the Faculty of Science that involve direct supervision

With a view to ensuring an educational and professional environment based on mutual trust and respect, the Faculty of Science policy on consensual emotional or sexual relationships between members of its community, especially in those situations in which one of the individuals has a relationship of superiority or supervision towards the other —tutorials, teaching, supervision of final degree projects, supervision of internships, supervision of theses, supervision of post-doctoral students, members of assessment boards or monitoring boards—, the teaching and research staff should not participate in or seek a sentimental or sexual relationship with students over whom they exercise direct supervision or a reasonable probability of direct supervision.

However, should this situation occur, the following is recommended:

- Termination of the direct and single supervision of the student by the teaching staff person, as soon as possible.
- Implementation of a transition plan from single supervision, which guarantees an objective and fair alternative supervision, avoiding possible conflicts that could be detrimental to the student.

Even in the absence of direct supervision, the Faculty advises against and discourages teaching and research staff from seeking or maintaining consensual relationships with undergraduate and postgraduate students, as they may have a significant impact on their academic and/or professional environment or on the academic decisions that the student may take.

6. Definitions

Consensual relationships. A *consensual relationship* refers to a freely and mutually agreed close, emotional or sexual relationship between the participants. With a view to guaranteeing that the educational and professional environment of the Faculty is based on professional relationships in an environment of mutual respect and trust, the Faculty defines its policy of consensual relationships in section 5 of this document.

Direct supervision. *Direct supervision* refers to the mechanism of task coordination based on the fact that the person coordinating gives instructions to the other. Among others, it includes the following activities: academic instruction, advice, supervision, assessment, recommendation, promotion, allocation of resources, employment and other work-related actions, including the determination of wages and benefits, or any disciplinary action.

Forms of harassment. Harassment can adopt different verbal or physical forms, written communications and communications via any electronic channel, or an environment with a culture in which harassment is tolerated.

Being under the influence of alcohol, drugs or any other substance that may have led to intoxication is never an excuse for harassment.



Gender-based violence. This consists of physical or psychological violence, reprisals, humiliations and persecution carried out against people who support the victims of gender-based violence and/or investigate the reported events. It includes any acts that impede the prevention, detection, attention and recovery of women in situations of gender-based violence (Law 17/2020).

Harassment. Repeated action by someone who persistently bothers another person in an unjustified and unwanted way, with the aim of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It is not necessary for the victim to make it explicit that the behaviour is unwanted.

Harassment on the grounds of sexual orientation, gender identity or gender expression. *Harassment on the grounds of sexual orientation, gender identity or gender expression* refers to any behaviour based on the sexual orientation, gender identity or gender expression of a person that has the purpose or effect of harming their dignity or their physical or psychological integrity or of creating an intimidating, hostile, degrading, humiliating, offensive or disturbing environment (Law 11/2014).

Harassment on the grounds of sex. *Harassment on the grounds of sex* refers to any behaviour performed according to the sex of a person, with the purpose or effect of harming their dignity and of creating an intimidating, degrading or offensive environment (article 7.2 of Organic Law 3/2007).

Intentionality. The motivation or willingness to harass that drives the alleged harasser will not be necessary to assess whether a harassment situation exists. In any case, the perception of the reporting person will be necessary if this is reasonable.

Physical violence. *Physical violence* refers to any act or exercise of force against a person's body, with the result or risk of causing them a physical injury or harm (Law 5/2008).

Psychological violence. Any intentional behaviour or omission that causes a person to suffer or to feel devalued, through threats, humiliation, harassment, demands to obey or be submissive, verbal coercion, insults, isolation or any other limitation of their freedom (Law 5/2008).

Relationships that involve authority or power. A *relationship of power* refers to when one of the participants has a prevailing position over the others, which may lead to a conflict of interests, favouritism or exploitation.

Sexual harassment. *Sexual harassment* refers to any behaviour, physical or verbal, of a sexual nature that has the purpose or effect of harming the dignity of a person, in particular when an intimidating, degrading or offensive environment is created (article 7.1 of Organic Law 3/2007).

Sexual violence and sexual abuse. Any act of a sexual nature carried out on a person without their consent. This includes the exhibition, observation and imposition, through violence, intimidation, emotional dominance or manipulation, of sexual relations, regardless of whether or not the alleged aggressor may have an emotional relationship with the victim. It is understood that there will be no consent when the person is incapable of giving their consent (for example, because of a person's age, drug or alcohol consumption or an intellectual disability).

Among the acts classified as sexual violence are: rape, sexual assault, sexual abuse, sexual coercion, the exhibition, observation and imposition, through violence, intimidation, emotional dominance or manipulation, of sexual relations, regardless of whether or not the alleged aggressor may have an emotional relationship with the person. All these acts of sexual violence are legally prohibited forms of discrimination, which UAB members are obliged to report either to the relevant academic authorities or to the security forces, especially if there is a health or safety emergency (Law 5/2008).

Victim. *Victim* refers to the person who, individually or collectively, has suffered harm, physical or mental harm or emotional distress, financial loss or substantial violation of their basic rights as a consequence of the actions or omissions breaching the legislation in force, including the abuse of power. Those individuals who directly support the victim or who participate in the investigation are also included.

7. List of behaviours not tolerated in the Faculty of Science

The behaviours listed below are offences that will lead to university disciplinary measures.

(Non-exhaustive list of behaviours.)

- Maintaining inappropriate and unwanted physical contact, such as invading physical space, touching, caressing, pinching, hugging or any other sexually suggestive behaviours.
- Exercising physical aggression and unwanted sexual touching.
- Insulting or using insults with gender-based/sexual connotations.
- Making unwanted sexual comments about someone's appearance, clothing or body parts.
- Persistently trying to contact a person against their will.
- Monitoring another person's electronic communication.
- Making sexually explicit suggestions, comments, invitations, requests and flirtations.
- Showing inappropriate non-verbal behaviour, such as insulting gestures, sounds or whistles; showing sexually suggestive objects or materials.
- Carrying out illegal sexual acts, such as indecent exposure or scopophilia (voyeurism).
- Using sexually degrading language, insults, jokes about someone's sexual orientation or gender identity.
- Showing open hostility; making verbal or physical threats.
- Engaging in insulting, abusive, shameful, paternalistic, intimidating and/or degrading behaviour or making insulting, abusive, shameful or paternalistic comments.
- Publishing offensive comments on electronic media, including the use of mobile communication devices.
- Threatening to reveal, or revealing, a person's sexuality or disability without their permission.
- Publishing, circulating or showing pornographic, racist, homophobic, sexually suggestive or offensive images or other materials.
- Making threats or insinuations that a person's employment, salary, academic standing, promotion opportunities, class tasks or work or other work-related or academic conditions can be negatively affected by not agreeing to sexual advances.
- Suggesting, or making a university grant, benefit or service conditional on a person's participation in unwanted sexual behaviours.

Behaviours that involve force, coercion or induction of incapacitation, or in which the perpetrator has deliberately taken advantage of the incapacitated state of another person, shall be deemed especially serious.

8. Procedure in the case of a breach of the policy on harassment, sexual misconduct and discrimination of the Faculty of Science

Members of the Faculty of Science who consider themselves to be or to have been victims of situations of harassment, sexual misconduct and discrimination or those who have witnessed these situations can contact the Equality Policies representative of the Faculty⁵ or the Observatory for Equality, which will inform them of the options available.

The Faculty's Equality Policies representative will conduct a first assessment of the testimonies and evidence provided, and will consult, if necessary, third parties who may contribute additional information, maintaining the anonymity of the reporting individual. They will also inform the dean of the Faculty.

The University has diverse services and units that can act in situations of harassment, sexual misconduct and discrimination.

- The UAB Observatory for Equality (psychological and legal support and accompaniment for affected individuals. Activation of the Report Protocol).

- The Security and Surveillance Service.
- The Healthcare Service (SAS)(medical care).
- The Psychogender Unit (specialised psychological care).
- UAB Area for Prevention and Assistance (orients the administrative and services staff and teaching and research staff in the activation and development of protocols).

9. Confidentiality

All persons involved in proceedings brought about as a result of situations of harassment, sexual misconduct and discrimination, including witnesses who may be interviewed as part of an investigation, must maintain confidentiality.

It is the responsibility of the dean of the Faculty of Science to enforce the content stipulated in this policy.

This policy was reviewed by the Legal Office, and was approved by the Faculty Board on 24th January 2023.

⁵For data on the Equality Policies representative please contact dq.ciencies@uab.cat or consult the webpage of the [Observatory for Equality](#).