



Sveriges lantbruksuniversitet
Swedish University of Agricultural Sciences

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Annex to: Vice-chancellor's decision of 13 May 2024

Harassment, sexual harassment, reprisals and victimisation – policy, rules and procedures for staff and students at SLU

Annex to: Vice-chancellor's decision of 13 May 2024

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Contents

Harassment, sexual harassment, reprisals and victimisation – policy, rules and procedures for staff and students at SLU	1
1. Purpose and scope of the governing document.....	2
2. Policy	3
3. Basis and definitions	3
Unwelcome and unwanted behaviour	5
Limitations	5
4. Responsibility and resources for supporting the work to prevent, investigate and take actions against harassment, sexual harassment, reprisals and victimisation.....	5
SLU’s duty to investigate and take action	5
Responsibility	6
Support for the person who has been harassed or victimised	6
Support for the person accused	7
Supporting managers	7
5. Procedures if harassment, sexual harassment, reprisals or victimisation is suspected.....	7
When SLU becomes aware of suspected harassment, sexual harassment, reprisals or victimisation.....	7
Reporting	8
<i>Registration and confidentiality</i>	8
The procedure	9
6. Actions and sanctions in the event of harassment, sexual harassment, reprisals and victimisation.....	10
Students.....	10
Staff.....	11

1. Purpose and scope of the governing document

This document intends to clarify the SLU policy on harassment, sexual harassment, reprisals and victimisation, as well as the rules and procedures that apply in the event of such incidents. They apply to both employees and students.

The rules and procedures will ensure that SLU follows a transparent, clear and cohesive process once it is made aware of harassment, sexual harassment or reprisals as described in the Discrimination Act¹, as well as incidents that may constitute victimisation as per work environment legislation².

¹ The Discrimination Act (2008:567)

² Swedish Work Environment Authority provisions (2015:4) Organisational and social work environment

The document is aimed at students and staff who need to know how to respond if they or another person is harassed, sexually harassed, experiences reprisals or victimisation. Furthermore, the document acts as a guide for SLU employees who process cases of suspected harassment, sexual harassment, reprisals or victimisation.

2. Policy

The Swedish University of Agricultural Sciences does not tolerate harassment, sexual harassment, reprisals or victimisation.

The university must offer students and staff a good work and study environment that is free from harassment and victimisation, and characterised by inclusivity. This is achieved and maintained through systematic preventive work that investigates and develops a good work and study environment together with investigating and remedying incidents in a way that is fair, objective and respectful.

All SLU staff and students must contribute to an inclusive, respectful and positive work and study environment. This involves not subjecting anyone to harassment, sexual harassment, reprisals or victimisation – and taking action should any of these arise.

3. Basis and definitions

According to the Discrimination Act, SLU must have guidelines and procedures in place that aim to prevent harassment, sexual harassment and reprisals. This applies to the university in its roles as both employer and education provider. As an employer, SLU must also follow the Swedish Work Environment Authority's provisions on the organisational and social work environment (OSA), meaning there must be procedures for addressing victimisation. Students are not directly covered by the OSA rules, rather the university's overall responsibility for the work environment and systematic work environment management. This means that situations where students believe they have experienced victimisation must also be addressed. SLU has chosen to implement equivalent procedures for students as for staff.

In these rules and procedures, **the employer** refers to SLU. Those who are entitled to take decisions on matters affecting staff such as group leaders, middle managers or other supervisors can be considered employers. This may be significant in instances such as when an employer has been made aware of harassment, sexual harassment or victimisation.

In these rules and procedures, **the education provider** refers to SLU. All employees and contractors at the university are to be considered education providers in terms of the framework of their position or task.

In these guidelines, **student** refers to anyone participating in or applying for courses and programmes at SLU. It also refers to SLU students participating in external placements.

In these guidelines, **staff/employee** refers to everyone who works at SLU. It also includes anyone applying for a position at the university, applying for or participating on an internship as well as temporary or borrowed staff, such as guest lecturers.

In these procedures, **responsible manager** refers to those in charge of courses and programmes (often heads of department) where the affected student conducts the majority of their studies, and/or the accused student or employee. Similarly, the *responsible manager* is the manager who is responsible for the affected employee and/or the manager of the accused student or employee. If the affected and accused people each have different managers, these managers must work together to remedy the situation.

Harassment is defined as conduct that violates a person's dignity and that is associated with one of the grounds of discrimination:

- sex
- transgender identity or expression
- ethnicity
- religion or other belief
- disability
- sexual orientation
- age.

Harassment includes expressing derogatory or ridiculing generalisations linked to the grounds of discrimination. Both harassment and sexual harassment are a form of discrimination and are prohibited in accordance with the Discrimination Act.

Sexual harassment is conduct of a sexual nature that violates someone's dignity. It includes touching, jokes, images and sexually suggestive proposals and invitations that are unwelcome and humiliating. Sexual harassment can also include sexual jargon and unwelcome compliments or comments about a person's appearance.

Reprisals are when a person, in their capacity as employer or education provider, takes action against an employee or student that suggests punishment or revenge. These include actions, statements or omissions that may result in injury or discomfort for an individual. This may involve awarding lower grades, making working conditions worse, allocating unreasonable workloads or withdrawing duties. A person who has reported harassment, sexual harassment or victimisation must not be subjected to reprisals. This also applies to a person who has drawn attention to such an event, participated in an investigation, and a person who has

rejected or given in (agreed to against their will) to harassment, sexual harassment or victimisation.

Victimisation is defined as actions that insult, offend, or are abusive towards one or more people. These actions can result in ill-health or exclude a person from the workplace or study group community. Victimisation is not linked to the grounds of discrimination. Examples of victimisation include not being acknowledged, being called by unwelcomed nicknames, being shunned, excluded from meetings, disregarded, relevant information being deliberately withheld or any other form of inexplicable or unfair treatment.

Unwelcome and unwanted behaviour

Harassment, sexual harassment, reprisals and victimisation are all forms of unwelcomed behaviour. They all lead to a person feeling offended, threatened, victimised or ill-treated in such a way that risks their health or wellbeing. The person on the receiving end of the behaviour determines what is unwanted or offensive. For one or more actions to be determined as being victimisation in a legal sense, the subjective experience must also be supported by an objective assessment.

It is essential that the person who believes they are being harassed or sexually harassed makes it clear that this behaviour is not welcome. This may be by speaking to the perpetrator, in writing or with the support of a person the victim trusts. For something to be classed as harassment or sexual harassment, the person being accused must have understood that their behaviour was inappropriate. However, in serious cases or those where it is clear that the behaviour is inappropriate, the person being victimised or harassed does not need to have confronted the person harassing for the university to take action, impose sanctions or take disciplinary action.

Limitations

These rules and procedures only address harassment, sexual harassment, reprisals and victimisation as per the definitions above. Other situations that may arise are to be addressed following the relevant regulations or governing documents.

4. Responsibility and resources for supporting the work to prevent, investigate and take actions against harassment, sexual harassment, reprisals and victimisation

SLU's duty to investigate and take action

In its capacity as employer or education provider, the university has a duty to investigate any reported case of harassment, sexual harassment, reprisals or victimisation linked to its activities. Additionally, incidents directly linked to the university that affect studies or work must be investigated. These may include

incidents in conjunction with student union activities, in student accommodation, during staff parties or on social media.

If the university determines harassment, sexual harassment, reprisals or victimisation has taken place, it must take action to prevent them from continuing. The university must also follow-up to see that the actions taken have had an effect.

Responsibility

The *vice-chancellor* has the ultimate responsibility to ensure that the Discrimination Act and work environment legislation are followed. The vice-chancellor delegates tasks linked to this work environment responsibility to subordinate managers. Where appropriate, managers can further delegate these tasks to supervisors or other staff. Those delegated such duties are then responsible for conducting the practical work environment management.

Heads of department and heads of division must organise and plan systematic work environment management and work with equal opportunities to prevent harassment, sexual harassment and victimisation to the greatest extent possible. Heads of department and managers with staff responsibilities must ensure that any suspected harassment, sexual harassment and victimisation affecting the department or unit's staff and students is investigated. If harassment, sexual harassment, reprisals or victimisation are identified, the manager must take the necessary action as soon as possible to stop the harassment or victimisation and to provide help and support for the affected individuals.

Staff who become aware of a student having experienced any of the above have a duty to report the incident to their line manager. Likewise, staff must remain alert to any shortcomings and risks in the work environment and notify their manager accordingly. This includes serious shortcomings in the social work environment or instances of sexual harassment against other staff.

Support for the person who has been harassed or victimised

If a student believes they have been harassed, sexually harassed or victimised, they can be offered counselling from the *student health service* linked to their campus or programme. Students can also contact their *student union* for help and support during the investigation process.

Doctoral students can contact their *student union* and obtain personal support and advice from the SLU doctoral student ombudsman. The ombudsman will provide information and guidance, and refer the matter on if necessary.

If a doctoral student or member of staff believes they have been harassed, sexually harassed or victimised, they can be offered counselling from the *occupational health services*. Staff can also contact their *union representative* or health and *safety representative* for help and support throughout the process.

Support for the person accused

Generally, students who are accused of harassment, sexual harassment or victimisation must be offered counselling from the *student health service* linked to their campus or programme. Students can also contact their *student union* for help and support during the investigation process. *SLU's student mediators* will contact any students involved in matters being brought before the disciplinary board.

Staff who have been accused of harassing, sexually harassing or victimising others will be offered counselling through the *occupational health services*. Staff can also contact their *union representative* or *health and safety representative* for help and support throughout the process.

Supporting managers

An *investigation team* comprising staff from the Division of Human Resources and Division of Educational Affairs will process reports of suspected harassment, sexual harassment and victimisation. With support from the Legal Affairs Unit, the investigation team will perform a preliminary assessment of the reported incident and, if necessary, an investigation on behalf of the responsible manager. If required, an external supplier can be tasked with conducting the investigation.

HR officers support managers in matters relating to the physical, social and organisational work environments as well as systematic work environment management. If an investigation determines that harassment, sexual harassment or victimisation has taken place, the HR officers can advise the manager on matters related to the continuing investigation.

The *faculty administrative officer for gender equality and equal opportunities* supports deans, vice-deans and heads of department with preventive work against discrimination (including harassment) and equal rights and opportunities. They can support with the planning of how to implement general measures.

A member of the Security Unit supports managers with any police reports.

5. Procedures if harassment, sexual harassment, reprisals or victimisation is suspected

When SLU becomes aware of suspected harassment, sexual harassment, reprisals or victimisation

SLU has a duty to investigate regardless of how the university becomes aware of a student or employee believing they were harassed, sexually harassed, victimised or subject to reprisals linked to the university. Investigating an incident aims to gather enough knowledge about the situation for the person in charge of the organisation to assess which measures need to be taken to put an end to the harassment or victimisation, and prevent future harassment and victimisation.

Reporting

Students and staff who wish to report having experienced harassment, sexual harassment, reprisals or victimisation is recommended to do so via the digital form in the IA system. The system can be accessed via the SLU staff and student web under the ‘Emergency or incident’ triangle. An investigation team will receive the report and perform a preliminary assessment. The process will then continue as described below.

Staff can also report having experienced harassment, sexual harassment, reprisals or victimisation to their line manager or another manager.

Reports should be submitted as soon as possible after the incident, as it becomes more difficult to remedy a situation as time passes. The report must be submitted within a set period, usually two years. After two years, the incident can no longer be pursued.

Registration and confidentiality

If the incident is investigated, the resulting report will be registered in SLU’s system and marked confidential. The report will become public record, meaning anybody can contact SLU to access the documents included. Before the document can be released, its contents will be assessed to determine whether information in the text needs to be redacted as per the Public Access to Information and Secrecy Act (2009:400).

Procedures for placements

If the harassment or victimisation occurs while a student is on placement, the incident must be reported to both SLU and the manager where the placement is taking place. A student who feels they have been victimised can obtain help from the course coordinator at SLU for reporting the incident to the placement host.

The procedure

Preliminary assessment:

1. The investigation team (see above) access the report and any other documentation submitted.
2. The team will have their first meeting with the person who reported the incident to ask questions to clarify the chain of events. The team will describe how the incident will be processed and the support functions available to the person who feels victimised.
3. They will assess whether the incident actually was a case of harassment, sexual harassment, reprisals or victimisation. The person reporting will be notified of the assessment. If the team determine that no harassment or victimisation has taken place, they will refer those involved to the relevant function, such as the course coordinator, doctoral student ombudsman or employee's manager for any further discussion.
4. If the team believe the incident may have been a case of harassment, sexual harassment or victimisation they will inform the responsible manager and begin an investigation once acknowledged. If the person being accused has a different manager, they will also be informed and the managers will collaborate.

Investigation:

5. The investigation team will meet with the person accused. The team will inform them about how the incident will be processed and the support functions available to them. The meeting will be documented and the person being accused will be sent the minutes for approval. Information about the prohibition of reprisals.
6. The team will meet with any witnesses.
7. The team will collect any other information such as emails, screenshots, letters, images.
8. The reporter and those being accused will be given access to all of the information in the case and they have the right to respond.
9. The team will continually analyse supporting information and will determine any further investigation measures. The team will assess the incident. Is any form of harassment or victimisation as per the legal definition taking place?
10. They will write a report that assesses the incident, describes the process and presents their reasoning. The Legal Affairs Unit will assure the quality of the report.
11. The responsible manager will receive the report and a run through. The investigation team will provide feedback from the report to the person reporting and the accused.
12. The investigation report will be finalised and registered.
13. The manager will then pursue the matter with the standard support.

14. The manager will notify the person who feels they have been victimised and the accuser about any further action or decision. Those thought to be in need of support and advice will be informed about the resources available.
15. When relevant, the case will be passed to the disciplinary board or staff disciplinary board who will decide on any sanctions to be taken. (Read more under Section 6 below).

Follow up and preventive measures:

16. The manager will establish a plan to follow up on the unwelcome behaviour and ensure that it has stopped, and that the person who reported the behaviour has not been subjected to reprisals. A new investigation will be launched if reprisals are identified.
17. When a student or employee reports having felt victimised or harassed, this may be a sign that there are general problems within the student group or workplace. The manager should review the preventive measures against harassment and victimisation to promote equal rights and opportunities.

An overview of the process is presented in a flow chart in Annex 1.

Police reports

The university must still investigate and remedy cases of harassment, sexual harassment and victimisation, even if the incident has been reported to the police and a criminal investigation is ongoing. The purpose of a criminal investigation is to determine whether a crime has been committed, whereas the university's investigation is to lead to providing the necessary information to stop any harassment and prevent any future incidents.

Anonymous cases

If the person who feels harassed or victimised wishes to remain anonymous, the university must still investigate and prevent any similar situations from occurring. However, anonymous reports may make taking suitable actions difficult, as the person being accused will not have the chance to respond to the accusations. The university will also be unable to take decisions and implement any measures against the person being accused. In these situations, the university can only take more general actions such as information campaigns and training.

6. Actions and sanctions in the event of harassment, sexual harassment, reprisals and victimisation

Students

If an investigation determines that a student has harassed, sexual harassed or victimised a student or an employee, it can be addressed by the SLU disciplinary board. Disciplinary measures will then be determined as per Chapter 10 of the

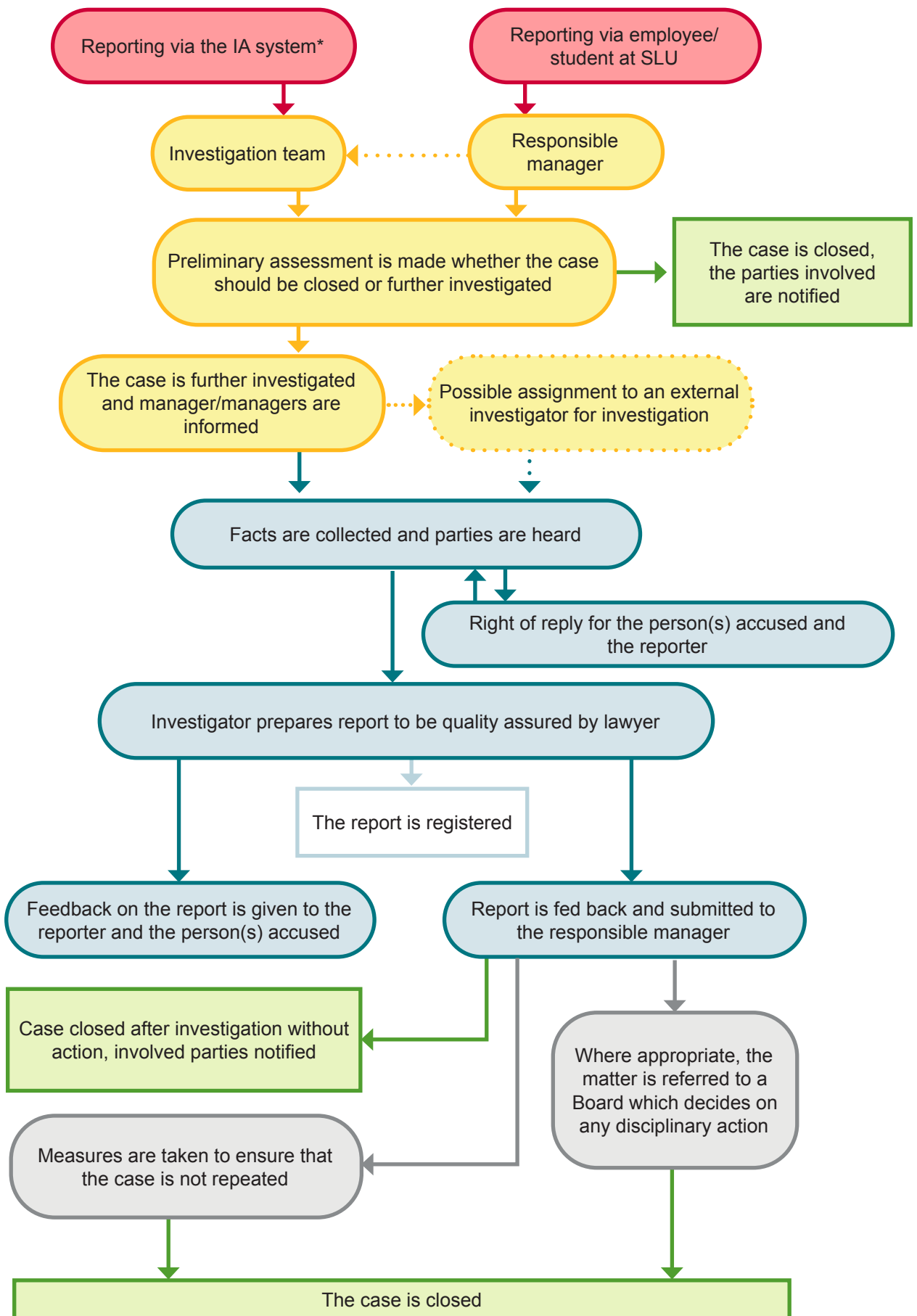
Higher Education Ordinance. The measures can include warnings and suspension for up to six months. A student who has been suspended will not be allowed to participate in teaching, examinations or any other educational activity at SLU.

Staff

If the investigation determines that an employee has harassed, sexually harassed or victimised another member of staff or student, the manager must take the necessary actions, such as a disciplinary meeting. The incident can also be addressed by the SLU staff disciplinary board. The Government Disciplinary Board for Higher Officials will take action against higher-ranking employees (professors) if necessary. The boards can implement disciplinary measures such as warnings or salary deductions, reassignment or termination. They can also determine whether to report the incident to the police.

Overview of the case process (Annex to the document "Harassment, sexual harassment, reprisals and victimisation - policy, rules and procedures for staff and students at SLU")

- The case is recognised
- Preliminary assessment
- Investigation
- Possible sanctions



*) Information system on work environment