

## **CODE OF CONDUCT AGAINST SEXUAL HARASSMENT**

### **Article 1 – Definition**

1. Sexual harassment means any unwanted act or behaviour, even if only verbal, of a sexual nature that offends the dignity and freedom of the person subjected to it or is likely to create retaliation or a climate of intimidation against that person.

### **Article 2 - Principles**

1. The Code is based on the following principles:

- a) any act or behaviour amounting to sexual harassment as defined above is inadmissible;
- b) workers and students have the right to be treated with dignity and to have their personal freedom protected;
- c) workers and students have the right to report any intimidation or retaliation in the workplace or on campus (that is at Sapienza University and its several branches), resulting from harassing acts or behaviour;
- d) perpetrators of sexual harassment shall be subject to the disciplinary measures laid down in the current regulations. If the aforementioned behaviours are carried out by managerial staff, they will be taken into account in the evaluation, with the consequences provided for by the CCNL (National Collective Labor Agreement ) in force.



### **Article 3 - Confidential Counsellor**

1. The position of Confidential Counsellor, as provided for in European Parliament Resolution A3-0043/94, is hereby created.
2. The Confidential Counsellor provides advice and assistance to sexually harassed people and helps resolve cases brought to his/her attention. In the course of the investigations necessary for resolving cases brought to his or her attention, the Counsellor shall ensure absolute confidentiality of the data relating to the persons involved.
3. The Confidential Counsellor is proposed by the Comitato Unico di Garanzia (Guarantee Committee, hereinafter GC), appointed by the Rector/Rectress, and selected from among external professionals, with suitable and proven competence and experience.
4. To this end, a call for expressions of interest in taking on the said assignment shall be published on the University's website, within a given deadline, by means of an application, to be sent by PEC (Italian certified e-mail) accompanied by the curriculum vitae and all the qualifications and documents considered relevant.
5. The GC examines the expressions of interest received and selects the candidate with the most suitable curricular profile, communicating the outcome of the selection to the Rector/Rectress normally within 20 days following the deadline indicated in paragraph 4.
6. The decree of appointment of the Confidential Counsellor will be published on the University website. The GC will inform staff and students about the Counsellor's name and location or contact details.
7. Sapienza University undertakes to support anyone within the University who avails him/herself of the services of a Confidential Counsellor or makes a complaint



of behaviour that can be qualified as sexual harassment, providing clear and exhaustive indications on the procedure to be followed, maintaining confidentiality and preventing any possible retaliation. Similar guarantees are extended to any witnesses.

8. The appointment of the Confidential Counsellor lasts for two years and may be renewed; it may also be revoked by the Rector/Rectress, at the recommendation of the GC, in cases of serious omissions, delays or violations of the obligations of impartiality, fairness and confidentiality in the performance of the duties assigned to the Confidential Counsellor.

9. The Confidential Counsellor shall be provided with the means necessary for the performance of his or her institutional duties and shall be entitled to expense reimbursement for a gross annual sum, which shall be indicated in the call for expressions of interest in taking on the said assignment.

#### **Article 4 - Procedures in case of sexual harassment**

1. If a harassing act or behaviour as defined in Article 1 occurs in the workplace or on campus (that is at Sapienza University and its several branches), the victim of the harassment may apply to the Counsellor at the place or in the manner communicated pursuant to Article 3, paragraph 6, to initiate a formal procedure.

2. To this end, the University provides the Counsellor with a specific e-mail address and an appropriate office to ensure the interviews' confidentiality.

3. The Counsellor's intervention shall be concluded within a reasonably short time, taking into account the sensitivity of the subject matter.

4. If necessary, in the course of the intervention, the Confidential Counsellor may avail himself/herself of the advice or collaboration of specific professional figures within those offered by the University academic staff and the technical-



administrative personnel. The professionals consulted shall guarantee compliance with the obligations outlined in Article 3, paragraphs 2 and 8; breach of these obligations may give rise to disciplinary proceedings according to the applicable University regulations.

### **Article 5 - Intervention by the Confidential Counsellor**

1. The Confidential Counsellor shall intervene to help overcome the situation and restore a serene working or study environment, pointing out to the perpetrator of the harassment that his/her behaviour is seriously improper and damaging to the dignity of others, as well as a source of damage to the University.
2. The Counsellor's intervention shall take place while maintaining the strictest confidentiality with regard to the case being dealt with.

### **Article 6 – Formal complaint**

1. If the sexually harassed person notices the persistence of such behaviour despite the Confidential Counsellor's direct intervention, he/she may lodge a formal complaint, with or without the discretionary assistance of the Confidential Counsellor. The formal complaint needs to be lodged with the Rector/Rectress if the abuse is attributable to academic staff or students, or with the Director-General, if the abuse is attributable to technical-administrative staff or managers.

The Rector/Rectress and the Director-General shall forward the documents to the Office responsible for disciplinary proceedings, which shall investigate based on the respective disciplinary regulations in force.



2. This is without prejudice to reports to the competent judicial authority in the presence of a criminal offence, under Articles 361-362 of the Penal Code and Article 331 of the Code of Criminal Procedure.

### **Article 7 - Awareness-raising and training activities**

1. Sapienza University, through the GC and the other competent offices or bodies, undertakes to disseminate knowledge of this Code of Conduct and provide specific training on protecting personal freedom and dignity to prevent the occurrence of behaviour that could be construed as sexual harassment.
2. In its staff training programmes, Sapienza University undertakes to include information on the guidelines adopted on the prevention of sexual harassment and the procedures to be followed when harassment occurs. Particular attention will be paid to the training of Heads of Structures, who shall promote and disseminate the culture of respect for the individual. Also, to prevent sexual harassment for staff and students.
3. The GC monitors the effectiveness of the Code of Conduct in preventing and combating sexual harassment. To this end, the Confidential Counsellor may be invited to participate in GC meetings that deals with matters relating to his/her duties, and is in any case required to send the GC a report every six months on the activities carried out and the cases encountered.