

APPROVED

By Resolution No 107-05 of 29 November 2018
of the Senate of Lithuanian University of Health
Sciences

THE RULES ON PREVENTION OF HARASSMENT, SEXUAL HARASSMENT, PREJUDICE, AND VIOLENCE AT LITHUANIAN UNIVERSITY OF HEALTH SCIENCES

I. GENERAL PROVISIONS

1. This document is based on:
 - 1.1. The Constitution of the Republic of Lithuania;
 - 1.2. The Law of the Republic of Lithuania on Science and Studies (published in the LAR on 14 July 2016, No 20555, as amended);
 - 1.3. Recommendations on the Adoption, Implementation, and Monitoring of Codes of Academic Ethics for Science and Education Institutions (approved by Order No V-16 of 31 March 2015 of the Ombudsperson for Academic Ethics and Procedures of the Republic of Lithuania);
 - 1.4. The Labour Code of the Republic of Lithuania (published in the LAR on 19 September 2016, No 23709, as amended);
 - 1.5. The Rules on Prevention of Harassment, Sexual Harassment or Prejudice of the Office of the Equal Opportunities Ombudsperson (approved by Order No V-22 of 10 July 2018 of the Equal Opportunities Ombudsperson of the Republic of Lithuania);
 - 1.6. Provisions on Quality Assurance of Studies at Lithuanian University of Health Sciences (approved by Resolution No 17-01 of 20 January 2012 of the Senate of Lithuanian University of Health Sciences).
 - 1.7. The Code of Ethics of Lithuanian University of Health Sciences (approved by Resolution No 38-07 of 22 November 2013 of the Senate of Lithuanian University of Health Sciences).
2. The entire academic community of Lithuanian University of Health Sciences (“LSMU”) (students, residents, doctoral students, lecturers, and other employees) must actively participate in the creation of a friendly working environment that respects human dignity and ensures equal opportunities and non-discrimination.
3. Harassment, sexual harassment, prejudice or violence are prohibited at LSMU.

II. TERMS USED IN THE RULES

4. **Academic Ethics** shall be a set of universally accepted values that ensure transparency, fairness, and justice of the research and study process, equality, non-discrimination, and responsibility of persons participating in this process, sustainable use of resources, academic freedom, impartiality in the evaluation of research and study papers, trust, respect, and protection of intellectual property.
5. **Responsible Person** shall be the person appointed by the Rector who first receives a report or complaint about an incident and who organises the investigation of the complaint or incident in accordance with established procedures. The name and contact details of the Responsible Person shall not be made public.
6. **Commission** shall be a commission of at least three employees established by order of the Rector of LSMU to investigate a case of harassment, violence, sexual harassment or prejudice.

7. **Prejudice** shall be treating a person less favourably than others because:
 - 7.1. The person has filed, or intended to file, a complaint about harassment, sexual harassment or violence;
 - 7.2. The person testified or gave explanations about a case of harassment, sexual harassment or violence;
 - 7.3. The person helped to file a report or complaint about harassment, sexual harassment or violence;
 - 7.4. The person participated in the reporting and investigation of a report or complaint of harassment, sexual harassment or violence.
8. **Report** shall be a verbal or written communication of information about harassment, sexual harassment, violence or prejudice.
9. **Harassment** shall be unwanted conduct which, on the grounds of gender, race, nationality, citizenship, language, origin, social status, faith, belief or opinion, age, sexual orientation, disability, ethnic origin, or religion, is intended to insult or threaten the dignity of a person and is intended to create or creates an intimidating, hostile, degrading or offensive environment.
10. **Sexual Harassment** shall be abusive behaviour of a sexual nature, expressed verbally, in writing or through physical actions, that is unacceptable or unwanted by the person being harassed and that is intended to create, or creates, an environment that is intimidating, hostile, offensive, unpleasant, degrading or humiliating to the person being harassed.
11. **Complaint** shall be a written report by a victim of harassment, sexual harassment, violence or prejudice.
12. **Subject of the Complaint** shall be the person whose behaviour is the subject of a report or complaint of harassment, sexual harassment, prejudice or violence.
13. **Violence** shall be intentional physical, mental, sexual, economic or other harm inflicted on a person, whether by act or omission, which results in non-material, physical or material harm.

III. FORMS OF HARASSMENT, SEXUAL HARASSMENT, VIOLENCE OR PREJUDICE

14. Harassment, sexual harassment, violence or prejudice can take the following forms:
 - 14.1. Unwanted physical contact (e.g., spanking, stroking, fondling, groping, touching, intention to kiss, kissing, etc.) or demanding such contact;
 - 14.2. Verbal or written humiliation (offensive jokes and pranks, persistent remarks, hate speech, gossiping, spreading rumours, defamation, etc.);
 - 14.3. Showing offensive pictures, writing or other material, making offensive gestures;
 - 14.4. Showing pornographic or sexist photographs, images or texts or sending them by electronic means;
 - 14.5. Deliberate isolation or refusal to communicate during university activities, exclusion from social activities;
 - 14.6. Annoying intention to interact, stalking or collection of information about the person when it is not related to job functions or studies;
 - 14.7. Threatening or otherwise intimidating behaviour aimed at restricting the freedom of choice of an employee or student;

- 14.8. Influencing a member of the academic community for the purpose of engaging in certain conduct unrelated to job functions or studies, asking for services or sexual favours;
- 14.9. Making working or study conditions groundlessly worse compared with other employees or students;
15. The list of forms of harassment, sexual harassment, violence or prejudice is not exhaustive.
16. Harassment, sexual harassment, violence or prejudice can also be expressed in other ways that are not obvious, but create an unpleasant, intimidating, humiliating or offensive environment.

IV. RECOMMENDED CONDUCT GUIDELINES FOR LECTURERS, RESEARCHERS AND OTHER EMPLOYEES AND STUDENTS TO PREVENT HARASSMENT, SEXUAL HARASSMENT, VIOLENCE OR PREJUDICE

17. It is recommended that the academic community of LSMU adhere to the following principles:
 - 17.1. To analyse their behaviour and assess whether it complies with the Rules.
 - 17.2. To be aware of, know or anticipate potential behaviour that could constitute harassment, sexual harassment, violence or prejudice.
 - 17.3. To be considerate and sensitive with regard to other members of the academic community, respecting their privacy, views, beliefs, physical and mental integrity, and to try to be aware of whether their behaviour, whether expressed verbally, in writing or through a physical action, may lead to embarrassing, unwanted or humiliating consequences, or may disturb another employee or student in the work or study environment, resulting in their inability to carry out their duties properly, such as:
 - 17.3.1. An informal way of greeting,
 - 17.3.2. Compliments that are not related to the official duties and functions of a member of the academic community,
 - 17.3.3. Comments about physical appearance or clothes, or about the signs of a person's identity,
 - 17.3.4. Unethical comments about the person's views, weaknesses or strengths, or their private life,
 - 17.3.5. Unethical forms of address (e.g., abbreviated names, nicknames, diminutives),
 - 17.3.6. Jokes or pranks of a sexual nature, offensive or disrespectful,
 - 17.3.7. Physically touching a student or an employee, causing them physical or psychological discomfort without maintaining respectful physical distance,
 - 17.3.8. Intrusively giving attention, inspecting physical appearance,
 - 17.3.9. Tone of voice, sounds and movements that may offend, humiliate or evoke associations of a sexual nature,
 - 17.3.10. Use of visual aids (posters, photographs, drawings, objects, etc.) that are degrading or humiliating,
 - 17.3.11. Sending offensive, degrading messages or notifications.
 - 17.4. To avoid unpleasant, unacceptable behaviour towards an employee or a student and to prevent negative consequences of such behaviour where there is doubt that a particular behaviour may be undesirable or may make an employee or a student feel uncomfortable or humiliated, it is advisable to check with members of the academic community beforehand to find out if a particular behaviour or form of communication are acceptable.

- 17.5. If an employee or a student expresses, verbally, through actions or lack of response, that certain behaviour that is not related and/or necessary to the study process or the performance of job functions is not acceptable to the employee or student, such behaviour must stop immediately and communication shall be limited to communication necessary for the performance of job functions.
- 17.6. Not to be a passive observer of behaviour in violation of the Rules, but to take active steps to stop such behaviour. If such behaviour does occur, not to tolerate it, not to treat it as a joke or a bad joke, not to encourage such behaviour with an approving smile, laughter or other supportive actions.
- 17.7. If one experiences such behaviour, which may be harassment, sexual harassment, violence or prejudice, it is advisable to tell or inform, calmly, in a polite tone of voice, the person who is acting in such a way that such behaviour is unacceptable and must be stopped. This can also be done by email or in a text message. It is advisable to explain what gestures, words, comments, physical behaviour or other actions are unpleasant and create a humiliating or offensive work or study environment.
- 17.8. It is advisable to keep a record of all acts (behaviour) of harassment, sexual harassment, violence or prejudice that occur, recording the time, witnesses, and other relevant circumstances.
- 17.9. If harassment, sexual harassment, violence or prejudice have affected another member of the academic community, it is recommended that they should be encouraged to speak up, to contact the person who has committed these acts and to inform them immediately that such behaviour is unwelcome.

V. PRINCIPLES FOR INVESTIGATING A REPORT OR COMPLAINT

18. The investigation of a report or complaint shall be based on the following principles:
 - 18.1. Innocence: the subject of the complaint shall be presumed innocent until a decision is made on the infringement of the Rules;
 - 18.2. Promptness: the investigation shall be carried out in the shortest possible time;
 - 18.3. Immediacy: the victim, the subject of the complaint, and the witness(es) shall be given every opportunity to provide explanations and to give their version of their actions and their interpretation;
 - 18.4. Helping the victim: providing safe working and learning conditions in the event of a complaint about a breach of the Rules;
 - 18.5. Active prevention measures: where a violation is detected, appropriate individual preventive measures shall be taken to ensure safe working and learning conditions for staff and students that preserve their dignity;
 - 18.6. Objectivity and impartiality: the investigation shall be carried out objectively, without any preconceived notions as to the assessment of the circumstances.

VI. PROCEDURE FOR FILING AND INVESTIGATING REPORTS AND COMPLAINTS

19. To report a violation, a person may contact the administration of the University directly or to fill in the reporting form available on the University's website under the Academic Ethics section in either Lithuanian or English (Annex 1; if the person addresses a representative of the University's administration verbally, the latter must submit an official report to the Rector in accordance with Annex 2).
20. The report will be treated as confidential.
21. When reporting an incident or filing a complaint, the person must indicate their level of studies (student, resident, doctoral student) or employment relations (employee) and the faculty (unit).
22. Any report or complaint received by the responsible person shall be investigated in accordance with the procedures set out below.
23. In the case of a complaint submitted by an LSMU student, after assessing the nature of the report, a commission shall be convened with the following preliminary composition: the Vice-Rector for Studies, the Head of the Study Centre, the Dean of the faculty concerned, the Head of the Legal Services Office, and a representative of the Student Representative Body.
24. In the case of a complaint by an LSMU resident, after assessing the nature of the report, a commission shall be convened with the following preliminary composition: the Vice-Rector for Clinical Medicine, the Dean of the Centre for Postgraduate Studies, the Head of the Legal Services Office, and a representative of the Student Representative Body.
25. In the case of a complaint by an LSMU doctoral student, after assessing the nature of the report, a committee shall be convened with the following preliminary composition: the Vice-Rector for Studies, the Head of the Study Centre, the Head of the Legal Services Office, and a representative of the Student Representative Body.
26. In the case of a complaint by an LSMU employee, after assessing the nature of the report, a committee shall be convened with the following preliminary composition: the Head of the Human Resources Service, the Director of Administration and Finance, and the Head of the Legal Services Office.
27. On receipt of an incident report or a complaint, the relevant commission shall be convened within three working days. The time limit for investigating the incident shall be 15 working days, with the possibility of extending this time limit.
28. In cases where a member of the commission is unable to participate in investigating a complaint or a report, another member shall be appointed to the commission by order of the Rector.
29. Members of the commission shall maintain confidentiality. Members of the commission shall be prohibited from disclosing any information relating to the investigation to employees not involved in the investigation procedure. All members of the commission must sign a declaration of confidentiality. A member of the commission who discloses information relating to the investigation to others shall be liable to disciplinary action.
30. Members of the commission who are related to the victim or the subject of the complaint must withdraw from the investigation (the confidentiality obligation shall remain in force). In such a case, the person who has withdrawn shall be replaced by another person appointed by order of the Rector.
31. The commission shall investigate a report or complaint of harassment, sexual harassment, prejudice or violence in a thorough, discreet, fair and sensitive manner, both in relation to the person (student, resident, doctoral student, employee) who has made the report or complaint and to the subject of the complaint, taking into account the impact on the victim and the specificity and personal nature of the action.
32. The commission shall inform the person of the time of the interview and the subject matter of the investigation at least one working day before the interview.

33. When the victim or the subject of the complaint are being questioned, their representatives may also be present.
34. Only the person being interviewed, their representative, and the commission shall be present during the interview.
35. When interviewing the victim, the subject of the complaint or a witness, the commission should:
 - 35.1. Refrain from expressing an opinion or judgement on what they have learned;
 - 35.2. Control their tone of voice and choose polite, neutral words;
 - 35.3. Formulate specific and clear questions, avoid asking questions with an assumed answer;
 - 35.4. Avoid interrupting the person being interviewed.
36. Specific features of interviewing a victim:
 - 36.1. During the interview, the victim is first invited to talk about the circumstances described in the report or complaint, and the commission shall listen calmly and attentively and not interrupt;
 - 36.2. The relationship between the victim and the subject of the complaint and how it has changed shall be discussed;
 - 36.3. The commission shall ask to describe the nature and duration of the behaviour mentioned in the complaint;
 - 36.4. The commission shall find out as many details and circumstances as possible about the behaviour mentioned in the complaint;
 - 36.5. The commission shall offer to specify the feelings that the behaviour mentioned in the complaint caused, whether it created an intimidating, hostile, degrading or offensive environment;
 - 36.6. The commission shall allow the victim to assess the situation and the actions of the subject of the complaint and the victim's own disposition towards the subject of the complaint;
 - 36.7. The commission shall ask to provide any available evidence (e.g., notes, text messages, photographs, pictures, etc.) relating to the behaviour mentioned in the complaint;
 - 36.8. The commission shall suggest persons who could testify or provide other information relevant to the investigation.
37. Specific features of the interviewing the subject of the complaint:
 - 37.1. The subject of the complaint must be informed of the content of the statement or complaint, in addition to any other relevant circumstances of the behaviour mentioned in the complaint;
 - 37.2. The subject of the complaint should provide a full written explanation of all the circumstances of the investigation, give their opinion on the behaviour mentioned in the complaint, and provide any other information they consider relevant to the investigation;
 - 37.3. It is advised to confirm or deny the behaviour mentioned in the complaint, stating the motives, reasons, and goals;
 - 37.4. The commission shall ask to provide any available evidence (e.g., notes, text messages, photographs, pictures, etc.) relating to the behaviour mentioned in the complaint;
 - 37.5. The commission shall suggest specifying witnesses who can corroborate the testimony of the subject of the complaint and help to investigate the report or complaint objectively.
38. Features of the interviewing the witnesses:
 - 38.1. The commission shall explain to the witness the purpose for which they have been invited to the interview and specify at whose request the witness is called to give evidence;
 - 38.2. The commission shall inform the witness about the confidentiality of the investigation and its data;
 - 38.3. The witness shall be made aware of the circumstances to which the witness could testify;
 - 38.4. The witness shall be asked to state their relationship between the victim and/or the subject of the complaint;
 - 38.5. The witness shall be asked to provide a written explanation of the facts that the witness has

- seen or heard, as well as any other circumstances the witness considers relevant to the investigation;
- 38.6. The commission shall suggest specifying other people who have seen or heard the facts being testified to;
- 38.7. The commission shall suggest that the witness contact the commission if they remember or learn about any new circumstances relating to the investigation;
- 38.8. The commission shall advise the witness to inform the commission immediately if they have been threatened or subjected to other forms of pressure.
39. The proceedings shall be recorded by using a sound recorder.
40. After the investigation, the commission shall evaluate the data obtained during the investigation and, within five working days, it shall draw up and submit a conclusion to the Rector, who shall decide on the disciplinary action or other measures to be taken.
41. The decision shall be notified to the victim and the subject of the complaint within three working days of the decision.

VII. PREVENTION PROCEDURE

42. The aim of the prevention procedure is to ensure a safe and respectful working environment at LSMU, even in the absence of obvious signs of harassment, sexual harassment, prejudice or violence, or other breaches of academic ethics.
43. The prevention procedure shall also be used if the victim wishes only to discipline the subject of the complaint and prevent such acts in the future, but does not wish an investigation to be opened, or if there are insufficient grounds for an investigation.
44. After the commission has taken a decision to initiate the prevention procedure, the responsible person shall make the subject of the complaint aware of the rules again, drawing attention to the parts that lead to the prevention procedure because of non-compliance with the above-mentioned parts.
45. The prevention procedure shall take the form of an interview during which the responsible person shall interact separately with the subject of the complaint, with or without the victim present, with a view to resolving the disagreement amicably.

VIII. PSYCHOLOGICAL SUPPORT

46. Free psychological support is provided to LSMU employees and students who have experienced discrimination, harassment or other incidents of humiliation.
47. Information on psychological information is available on the University's website.

IX. FINAL PROVISIONS

48. These Rules and any amendments thereto shall be published on the University's website.

Example of an Incident Report Form

1. **Vardas, pavardė/Name, last name***

2. **Esate/You are a***

Studentas rezidentas doktorantas darbuotojas (pasirinkti)/Student Resident Doctoral student
Employee (choose one)

3. **Fakultetas/Faculty***

4. Jūsų studijų programa ar padalinys/Your study programme or unit

5. **Įvykio aprašymas/Description of the incident***

6. Lūkesčiai ir pasiūlymai dėl problemos sprendimo/Expectations or suggestions for handling the problem

7. **Ar norėtumėte, kad su Jumis susisiektumėme?/Would you agree to be contacted?***

8. Jei taip, prašytume pateikti savo telefoną ir(ar) el. pašto adresą/If so, please provide your telephone number and/or email address

*Required fields

Reikia psichologo pagalbos?/Do you need to see a psychologist?

<http://www.lsmuni.lt/lt/veikla/informacija-studentams/psichologes-konsultacijos/>

Jūsų pranešimas konfidencialus. Nuasmenintas pranešimas (nepateikiant asmens duomenų) bus perduotas atsakingam asmeniui ir nagrinėjamas numatyta tvarka.

Your report is confidential. A depersonalized report (no personal data provided) will be forwarded to a responsible person and processed according to the regulations.

Name, last name

Job title, unit

To the Rector of Lithuanian University of Health Sciences

Official Report Date

Details of who provided information and when, and what circumstances were reported.

Contact details (if disclosed) of the person who provided the information to the University's representative.

Name, last name, signature.

By signing, I confirm that I understand that the information contained in the report is confidential and that I may only disclose it to persons investigating the validity of the above-mentioned information.