

Rules of Procedure on the Response to Gender-related and Sexual Harassment and Other Sexual Violence.

Revised rules of procedure approved by the University Council 1 March 2018

Article 1 Objective

Gender-related and sexual harassment and gender-related and sexual violence (hereafter referred to as offences), committed by a staff member or student at the University of Iceland (UI), are strictly forbidden. Such behaviour is neither tolerated in relations between staff and students, relations between staff members, relations between students nor relations between UI staff members or students with individuals who are not considered staff members or students at UI, provided that the relations take place in connection with UI operations.

The objective of these rules of procedure is to ensure that resources are in place should a party, as defined in paragraph 1, consider herself/himself as a victim of such an offence.

Article 2 Concepts

The term **gender-based harassment** refers to behaviour that is related to the gender of the person subjected to it, is unwelcome, and has the purpose or effect of violating the target's dignity and creating circumstances that are threatening, hostile, humiliating, or offensive. The harassment may be physical, verbal or symbolic. A single incident may be deemed gender-related harassment.

The term **sexual harassment** refers to any kind of unwelcome sexual behaviour which has the purpose or effect of violating the target's dignity, particularly if such behaviour leads to threatening, hostile, humiliating, or offensive circumstances. Such behaviour may be verbal, symbolic and/or physical. A single incident may be deemed sexual harassment.

The term **gender-based violence** refers to violence committed on the basis of a person's gender which leads to or may lead to physical, sexual, or psychological harm or distress for the victim, as well as a threat thereof, coercion or arbitrary deprivation of liberty, both in private life and public field.

The term **sexual violence** refers to an offence against an individual's sexual freedom which is declared punishable in Chapter XXII of the General Penal Code.

The term **staff members** refers to any and all individuals employed at the University of Iceland, whether they are permanent or temporary employees, sessional teachers, or work for the University as contractors or subcontractors.

The term **parties to the case** refers to those said to have committed an offence and those said to have been the target(s) of the offence.

Article 3 Professional Council

The University Council appoints a **Professional Council** which role is to process cases relating to the aforementioned offences committed by staff members or students of the University of

Iceland. The Professional Council shall be appointed for a three-year term. The appointed chair shall be an individual who has professional knowledge and experience in handling cases of this nature and is not an employee at UI. In addition to the chair, one member nominated by the UI Division of Human Resources and one member nominated by the UI Student Counselling and Career Centre shall be appointed. The University Council shall also appoint three members as alternates, in accordance with the same rules.

Care must be taken to ensure that nominations comply with the provisions of Article 15 of the Act on Equal Status and Equal Rights of Women and Men, no. 10/2008.

The role of the Professional Council is to receive and investigate complaints and reports regarding offences committed by staff members or students of UI, provide supervisors of the academic or work units of the parties to the case with an observation on these complaints and notices, and propose reforms as applicable. The Professional Council shall furthermore advise UI authorities on preventative measures that might be taken against such offences. The Professional Council shall take into account the provisions of the Administrative Procedure Act, no. 37/1993, particularly concerning the right to be heard, duty to investigate, equal treatment of parties, and prompt handling, as applicable. The Professional Council shall establish further guidelines for their work practices.

A representative from the Division of Human Resources and the UI equality officer work with the Professional Council.

Article 4 Complaints

Anyone wishing to submit a complaint regarding an offence committed against them, either currently ongoing or in the past, by a staff member or student at the University of Iceland or anyone wishing to report an offence which they have reasoned suspicion or knowledge shall contact one of the [three members of the Professional Council](#) or the [UI equality officer](#).

UI staff members may also contact their immediate superior. If this individual is the one deemed to have committed the offence, the staff member may turn to the superior's superior. Students may also contact their faculty dean or, depending on circumstances, their school dean.

Anyone receiving such a complaint or report shall immediately refer the matter to the Professional Council for processing.

Article 5 Processing of cases and the observation of the Professional Council

Upon receiving a complaint or report of an offence, the Professional Council shall summon the accused to a meeting to examine his/her position regarding the complaint or report. If a report is submitted by an individual other than the assumed victim of the offence, the Council summons the assumed victim to a meeting to examine their position on the report. Following the interviews with the parties to the case, the Council determines whether the case shall be formally processed. The Professional Council shall have unrestricted access to pertinent files in the University and faculty archives.

If the Professional Council decides to formally process a case, it shall notify the supervisors of the academic or work units of the parties to the case, as needed. The supervisors shall, having consulted with the Professional Council, take any necessary measures concerning the academic

or work arrangements of the parties to the case. Efforts shall be made to reach an agreement regarding work arrangements whilst the matter is under review. The complainant or assumed victim of the offence may not be transferred to another position because of gender-based or sexual harassment or violence without having requested this her/himself.

The Professional Council shall thoroughly investigate the matter, e.g. by interviewing the parties involved and, as appropriate, their co-workers or other individuals who may be able to shed light on the case. The Professional Council shall offer the assumed victim of the offence professional assistance from a psychologist, social worker or other therapist with specialist knowledge of the offences involved. Should the person in question wish to report the matter to the police, the Professional Council shall assist in this as far as possible.

After the investigation is concluded, the Professional Council shall issue an observation outlining its conclusions to the parties involved, as well as to the supervisors of their academic or work units. Should the Professional Council deem that an offence has been committed, it shall submit a proposal to the supervisor of the relevant academic or work unit concerning the appropriate response. The supervisor shall then determine the most appropriate course of action, in consultation with the Division of Human Resources or the Student Counselling and Career Centre. The final decision in such cases shall be taken in accordance with the law and UI regulations.

Article 6 Confidentiality

Unless the law dictates otherwise, the Professional Council and others involved are required to treat individual cases as confidential.

Article 7 Statistical information

The Professional Council shall record and maintain statistical information on cases it receives. This information shall be published annually.

Article 8 Entry into force

These Rules of procedure, established based on Article 2 of the Regulation for the University of Iceland, no. 569/2009, and in accordance with the Act on Equal Status and Equal Rights of Women and Men, no. 10/2008, and the Regulation on bullying, sexual harassment, gender-based harassment and violence at the workplace, no. 1009/2015, shall enter into force upon being approved by the University Council.