

Procedure for Counteracting Mobbing, Sexual Abuse, and Discrimination Against Students and PhD Candidates at the Pomeranian Medical University in Szczecin

I. General Provisions

§ 1

1. This procedure defines the principles for counteracting mobbing, sexual abuse, and discrimination at the Pomeranian Medical University as well as the mode of action in the event of such occurrences in connection with the university's educational activities.
2. The procedure aims particularly to:
 - 1) counteract mobbing, sexual abuse, and discrimination;
 - 2) take intervention measures in case of behaviors indicative of mobbing, sexual abuse, or discrimination;
 - 3) impose consequences on perpetrators of the acts listed in 1);
 - 4) support initiatives aimed at fostering and strengthening positive interpersonal relations among employees, students and PhD candidates at the PUM.

§ 2

Definitions used in this procedure:

1. **PhD Candidate** – an individual enrolled in Doctoral School, or any person who has an open doctoral procedure at the PUM.
 2. **Discrimination** – unequal treatment in the PUM employee – undergraduate / PhD student relationship, particularly due to gender, age, disability, race, religion, nationality, political beliefs, union membership, ethnic origin, religion, or sexual orientation, in the form of either direct or indirect discrimination.
 3. **PUM Organizational Unit** – a faculty or other organizational unit of PUM as defined by the University's organizational regulations.
 4. **Mobbing** – actions or behaviors that: are directed at / concern undergraduate or PhD student(s); consist of persistent and long-term abuse or intimidation; result in diminished self-esteem; and cause or are aimed at humiliating, ridiculing or isolating of said student(s), as well as their exclusion from the team. Academic mobbing typically occurs when the perpetrator holds a superior hierarchical position over the undergraduate / PhD student.
 5. **Student** – an individual studying at the PUM in a first-cycle, second-cycle, uniform Master's degree, or postgraduate program, as well as an individual attending other types of educational activities conducted at the PUM (e.g., University of the Third Age).
 6. **University / the PUM** – Pomeranian Medical University in Szczecin.
 7. **Sexual Abuse** – undesirable sexual behavior, or conduct of sexual nature that makes the student or doctoral candidate uncomfortable; in particular, any behavior or action involving force, threats, abuse of authority, or exploitation of a dependent relationship in order to compel student's / PhD candidate's participation in a sexual act or behavior.
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II. Counteracting Mobbing, Sexual Abuse, and Discrimination

§ 3

1. All forms of mobbing, sexual abuse, or discrimination on the PUM premises, as well as encouragement or facilitation of such behaviors, are prohibited and reprehensible. Relationships within the academic community should be based on mutual respect, tolerance, and respect for personal dignity.
 2. To counteract mobbing, sexual abuse, and discrimination, the University shall undertake all legally permitted actions, including:
 - 1) promoting desired behaviors, in line with societal norms, in relations between employees, students, and PhD candidates;
 - 2) disseminating knowledge about: mobbing, sexual abuse, and discrimination; methods for their prevention; and their consequences;
 - 3) monitoring issues related to mobbing, sexual abuse, and discrimination, as well as implementing procedures counteracting these phenomena in practice.
 3. False accusations of mobbing, sexual abuse, or discrimination may result in disciplinary action against the accuser if circumstances indicate they knowingly or negligently made the accusations without foundation.
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III. Bodies Appointed for Counteracting Mobbing, Sexual Abuse, and Discrimination

§ 4

The bodies responsible for counteracting mobbing, sexual abuse, and discrimination of, as well as their consequences to, students and PhD candidates at the PUM, are:

1. **Coordinator for Counteracting Mobbing, Sexual Abuse, and Discrimination** (hereinafter referred to as "Coordinator"),
2. **Committee for Counteracting Mobbing, Sexual Abuse, and Discrimination** (hereinafter referred to as "Committee").

§ 5

1. The Coordinator is appointed and dismissed by the Rector.
2. The Coordinator's responsibilities include:
 - 1) receiving and the initial review of complaints about academic mobbing, sexual abuse, and discrimination;
 - 2) collecting data on mobbing, sexual abuse, and discrimination at the University;
 - 3) collecting and communicating information about best practices in counteracting mobbing, sexual abuse, and discrimination;
 - 4) conducting annual anonymous surveys among students and PhD candidates about mobbing, sexual exploitation, and discrimination at the University.

§ 6

1. Upon receiving a request from the Coordinator, the Rector appoints the Committee within 14 days.

2. The Committee consists of:
 - 1) two academic teachers, including the Chairperson;
 - 2) a non-academic employee;
 - 3) a lawyer.
3. Committee membership exclusions include:
 - 1) complainant(s);
 - 2) person(s) accused of mobbing, sexual abuse, or discrimination;
 - 3) head of the organizational unit where the accused is employed;
 - 4) close relations (up to the second degree) or anyone in a relationship that raises doubts about impartiality.
4. Each member of the Committee submits a declaration according to the template attached as Annex 1 to this Procedure.
5. The Committee holds meetings convened by the Chairperson as required by the proceedings. Minutes are drawn up of the Committee meetings, signed by the Chairman and all members.
6. An observer designated by the person affected by mobbing, sexual abuse, or discrimination may be present at the Committee's meetings.
7. The Committee shall commence the proceedings at the soonest moment possible after its establishment, but no later than 14 days of its establishment.
8. The Committee's proceedings are classified. The Committee examines the complaint with due regard to the principles of impartiality, and is obliged to keep confidential all information obtained during the proceedings.
9. The Committee's tasks include assessing the validity of the complaint.
10. The Committee deliberates in meetings. The Chairperson may decide to hold the meeting using remote means of communication.
11. The Committee takes decisions by a simple majority vote.
12. The Committee submits the assessment of the validity of the complaint, together with the justification and conclusions, to the Rector and the Coordinator.
13. The proceedings should be concluded no later than two months from the date of filing the complaint. In justified cases, at the request of the Committee Chairperson, the Rector may extend the deadline for completing the proceedings, of which the Chairperson shall notify the parties to the proceedings.
14. The administrative support of the meetings is provided by the Organizational and Legal Department.
15. Each member of the PUM's academic community is obliged to make available to the Committee, at its request, all documents and information concerning the circumstances covered by the complaint.

IV. Procedure in the event of mobbing, sexual abuse, or discrimination

§ 7

1. Any person who feels they have been subjected to mobbing, have been a victim of sexual abuse, or have been subjected to discriminatory actions in connection with their education at the PUM, or on University premises, may file a complaint.
2. The Coordinator conducts an initial assessment of the complaint and immediately conducts an interview with the reporting person. After examining the case, the Coordinator takes further action, namely:

- 1) having determined that circumstances indicating the possibility of mobbing, sexual abuse, or discrimination have been substantiated, the Coordinator immediately submits a request to the Rector to appoint the Committee and initiate explanatory proceedings;
- 2) if, however, the circumstances do not make the occurrence of the abovementioned undesirable events probable, the Coordinator may:
 - a) refer the case to the Ombudsman for students and PhD candidates for an amicable settlement of the dispute, or
 - b) consider the complaint as unjustified and inform the complainant thereof.
3. Anonymous complaints shall be left without consideration.
4. Complaint may be effectively filed if the two following conditions are met simultaneously: the person filing the complaint has the status of a student or PhD candidate; and the events described in the complaint took place on the premises of the University or were functionally related to its activities.
5. The complaint should be filed within one year of the event or the last of the series of events that are the subject of the complaint. In exceptionally justified situations, the Chairperson of the Committee may decide to accept for consideration a complaint relating to events that occurred more than one year earlier.

§ 8

1. By decision of the Chairperson, the following persons may be admitted to the selected Committee proceedings with an advisory vote: an expert in the field of psychology; an expert in the field of law; the Ombudsman for Students and PhD Candidates; or another person whose expert competences may be useful in considering the case.
 2. Information about the initiation of proceedings by the Committee is forwarded to the person accused.
 3. As part of the proceedings, the Committee summons and hears the person accused, the complainant, and other persons who have information about the case.
 4. The Committee may request the PUM employees, students, and PhD candidates to provide information or documents in their possession that are necessary to consider the complaint.
 5. At any stage of the proceedings, the Committee may refer the case to mediation process, provided that the case is suitable for an amicable settlement and such a manner of ending it is not contrary to the law or the principles of social coexistence.
 6. The purpose of the Committee's proceedings is to issue an opinion on whether mobbing, sexual abuse, or discrimination has occurred.
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1. The Committee issues its opinion, indicating whether the actions or omissions examined have been discriminatory. The Committee may also recommend corrective actions, such as:
 - 1) referring the perpetrator to mandatory training in counteracting mobbing, sexual abuse, or discrimination;
 - 2) training in counteracting mobbing, sexual abuse, or discrimination for employees or heads of the organizational unit(s) involved/affected;
 - 3) a change in the course of study for a student or PhD candidate subjected to mobbing, sexual abuse, or discrimination, in particular: a change of class groups; a change of examiner; the possibility of repeating an exam; the possibility of conditional credit for a course.

§ 9

1. The opinion of the Committee, containing a written justification for the position adopted, is forwarded to the Rector, the Coordinator, head of the unit or other appropriate superior, as well as to the person initiating the proceedings and person against whom the proceedings were conducted.
2. If the Committee finds in its opinion that the actions or omissions described in the complaint are of a mobbing, sexual abuse, or discriminatory nature, the Rector, after seeking the opinion of the head of the unit or another appropriate superior, may decide to impose a disciplinary penalty or refer the case to the Disciplinary Committee. The Rector's decision is also communicated to the person initiating the proceedings.

V. Consequences of issuing an opinion on the occurrence of mobbing, sexual abuse, or discrimination

§ 10

In the event that the Committee issues an opinion stating that mobbing, sexual abuse, or discrimination has occurred:

1. The aggrieved student or PhD candidate may apply to the relevant head of the didactic or organizational unit for changes in the course of studies, in particular a change of the class group or a change of the examiner, in order to be spared further contact with the perpetrator of mobbing, sexual abuse, or discrimination. To the extent technically and organizationally possible, the head of the unit shall accede to the submitted application. If the perpetrator is the head of the didactic or organizational unit of the PUM, the application shall be submitted to the Rector. The application may also be submitted to the Rector in a situation where there is a justified suspicion of a conflict of interests of the head of the didactic or organizational unit of the PUM in the scope of the case examined.
2. The aggrieved PhD student may apply to the head of the Doctoral School for changes in the course of studies, change the method of management, or change the place of work in order to be spared further contact with the penetrator of mobbing, sexual abuse, or discrimination. To the extent organizationally possible, the head of the Doctoral School shall accede to the submitted application. If the perpetrator is the head of the Doctoral School, the application shall be submitted to the Rector. The application may also be submitted to the Rector in a situation where there is a justified suspicion of a conflict of interests of the head of the didactic or organizational unit of the PUM in the scope of the case examined.
3. The aggrieved student or doctoral candidate who is an employee of the PUM may apply to the Rector for a change of place of work, in order to be spared further contact with the penetrator of mobbing, sexual abuse, or discrimination.