

DISCLAIMER

This English translation is provided for information purposes only. The Italian version is the sole official and legally binding text. In the event of any discrepancy, inconsistency or ambiguity between the Italian and English versions, the Italian version shall prevail.

Code of Conduct for the Prevention of and Protection against Harassment

CONTENTS

Article 1 - Purpose and Scope of Application	1
Article 2 – Psychological Harassment.....	2
Article 3 – Sexual Harassment	3
Article 4 - Duties of Cooperation and Supervision.....	3
Article 5 – Confidential Advisors: Appointment and Duties.....	4
Article 6 – Proceedings before the Trusted Advisor	4
Article 7 - Powers and Limitations of the Trusted Advisor	5
Article 8 – Protection of Confidentiality and Protection Against any Retaliation.....	6
Article 9 – Disciplinary Action and Complainant’s Liability.....	6
Article 10 – Information and Training	7
Article 11 – Entry into force of the Code	7

Article 1 - Purpose and Scope of Application

1. The University of Padova (hereinafter the “University”) guarantees to those who work or study at the university a peaceful environment characterised by interpersonal relationships based on fairness, equality and mutual respect for the freedom and dignity of the individual. It also ensures protection against psychological and sexual harassment, understood as behaviour that is prejudicial or discriminatory – including indirectly – towards students and staff.

2. The University adopts the ‘Code of Conduct for the Prevention of and Protection against Harassment’ (hereinafter the ‘Code of Conduct’) in order to:

- a) prevent and combat all forms of discrimination that undermine personal dignity, and to foster organisational well-being;
- b) regulate the role of the ‘Trusted Advisor’, whose duties include monitoring, listening, providing support and offering advice to individuals who report discriminatory or harassing behaviour within the university context;

c) ensure timely, impartial and confidential proceedings, identifying the parties involved and their respective roles in preventing and combating psychological and sexual harassment;

d) safeguard the confidentiality of whistleblowers and protect them against direct and indirect reprisals;

e) raise awareness of discriminatory practices and abuse of power, and promote understanding of the functions and areas of responsibility of the Trusted Advisor.

3. Any behaviour constituting a case of psychological or sexual harassment against people studying or working at the University may be reported to the Trusted Advisor.

4. Anyone who knowingly reports fabricated incidents for the sole purpose of harming someone or obtaining advantages for themselves or others is subject to disciplinary proceedings, without prejudice to any more serious civil or criminal liability that may apply.

Article 2 – Psychological Harassment

1. Psychological harassment consists of hostile behaviour directed against an individual which causes distress and is likely to create an environment that is disrespectful, humiliating or harmful to the person's physical and mental well-being.

2. Psychological harassment includes conduct attributable to the phenomenon of workplace bullying and other discriminatory or persecutory behaviour, even if such conduct does not constitute unlawful behaviour punishable under disciplinary, civil, administrative or criminal law.

3. In particular, psychological harassment includes direct or indirect discrimination based on personal or social characteristics that results in unfairly unfavourable treatment or has a detrimental effect on the individual. Examples of psychological harassment include the following behaviours:

a) insults, intimidation, slander, abuse and any other conduct that damages a person's reputation;

b) insinuations regarding psychological or physical problems, the disclosure of confidential information and any other action intended to discredit an individual;

c) unjustified or disproportionate reprimands, whether in content or manner, where they are disrespectful, humiliating or detrimental to the harmony of the working environment or a person's physical and mental well-being;

d) acts detrimental to a person's professional standing, such as threats of dismissal, forced resignation, unjustified transfers, wage discrimination, unjustified removal from previously assigned duties, the assignment of inappropriate tasks, and actions that cause

demotivation or a loss of confidence in the person and discourage them from continuing their work;

e) attempts at marginalisation and isolation, such as unwanted changes to duties or work colleagues with the intention of persecution, restrictions on freedom of expression, or excessive monitoring.

Article 3 – Sexual Harassment

1. For the purposes of application of the Code of Conduct, sexual harassment is defined as unwanted behaviour of sexual nature or any other form of discrimination based on sex that offends a person's dignity in the study or work environment, including physical, verbal or non-verbal behaviour.

2. In particular, examples of sexual harassment include:

- a) implicit or explicit requests for offensive or unwelcome sexual favours;
- b) the application of criteria based on sex or gender in any type of interpersonal relationship;
- c) implicit or explicit promises of favours, privileges or career advancement in exchange for sexual favours;
- d) threats or reprisals following refusal of sexual favours;
- e) unwanted physical contact that is perceived as inappropriate;
- f) verbal comments on physical appearance or remarks regarding sexuality or sexual orientation deemed offensive;
- g) the disclosure or dissemination of images, audio or video recordings containing intimate or sexually explicit content without the explicit consent of the person depicted, even if shared in private chats restricted to small groups within the University.

Article 4 - Duties of Cooperation and Supervision

1. Those who study or work within the university contribute to ensuring a study and working environment in which people's freedom and dignity are respected.

2. Heads of Units and offices shall promote interpersonal relationships that respect individual rights and shall adopt the necessary organisational measures to prevent the emergence of risk factors in the organisation of work within the Unit or office under their supervision.

3. The Heads of Units and offices are directly responsible for disseminating and ensuring compliance with the Code of Conduct. They shall also support anyone wishing to report a case of harassment, providing guidance and clarification on the procedures to be followed and ensuring confidentiality and protection against any retaliation.

Article 5 – Confidential Advisors: Appointment and Duties

1. The University appoints a Trusted Advisor, tasked with listening to, assisting and advising students and staff who believe they have been subjected to discriminatory or harassing behaviour. The Trusted Advisor provides information on the procedures and tools available for conflict resolution and legal protection, and fosters awareness-raising and prevention initiatives against all forms of discrimination.

2. The Trusted Advisor is selected from among professionals outside the University who possess proven personal and professional experience appropriate to the assigned duties, following a public notice published on the University's website.

3. The Academic Senate appoints a Committee comprising the University Ombudsman, the Rector's Delegate for gender issues and equal opportunities, two persons designated by the 'Joint Committee for Equal Opportunities, Staff Wellbeing and Non-Discrimination' (hereinafter the "CUG"), and an expert on gender issues. The Committee examines the applications received and submits a reasoned ranking list to the Rector. The Rector appoints the Trusted Advisor by decree.

4. The term of office of the Trusted Advisor lasts three years and may be renewed for a second three-year term only.

5. The Trusted Advisor acts with full autonomy and independence in the performance of their duties. To this end, the University provides the Trusted Advisor with the necessary means and human resources to fulfil their duties and guarantees a fixed lump-sum remuneration and an attendance allowance commensurate with the work carried out.

6. The Trusted Advisor may attend, without voting rights, CUG meetings and may propose awareness-raising and training initiatives aimed at fostering an organisational climate conducive to ensuring the equal dignity and freedom of individuals within the University.

7. The Trusted Advisor shall submit an annual report on their activities to the Rector, the Academic Senate and the CUG.

Article 6 – Proceedings before the Trusted Advisor

1. People studying or working at the University who consider themselves victims of behaviour prohibited by the Code of Conduct may report the situation to the Trusted Advisor within 60 days of the most recent incident of discrimination or harassment.

2. The Trusted Advisor shall, within 10 working days of receiving the request for a hearing, set a date for a meeting with the persons making the report (hereinafter the "complainants"). The meeting shall take place within 15 working days of the date on which

the request for a hearing was received. In urgent or particularly serious situations, the Trusted Advisor shall intervene immediately to take the necessary measures to ensure the effective protection of the persons involved.

3. Meetings may take place during working hours.

4. During the hearing, the Trusted Advisor listens to the information provided by the complainant, informs them of the possible protective measures that can be put in place, and agrees on the actions to be taken to safeguard their rights.

5. At the request of the person who has been harassed, the Trusted Advisor shall take up the harassment case and take the necessary steps to put an end to discriminatory or persecutory behaviour, mitigate any harmful effects, and support the person who has been harassed in exercising their rights.

6. The proceedings before the Trusted Advisor shall be concluded within 120 days of the date on which the complainant signed the consent form. This time limit may be extended to allow for specific investigative requirements or to ensure the continuation of conciliation meetings between the complainant and the reported party.

7. The complainant may withdraw the complaint at any time and terminate the proceedings before the Trusted Advisor.

Article 7 - Powers and Limitations of the Trusted Advisor

1. The Trusted Advisor may not take any action without the express consent of the complainant.

2. Where necessary for the performance of their duties and at the request of the complainant, the Trusted Advisor may:

a) obtain any further information necessary to complete the investigation, including statements from persons with knowledge of the facts and access to relevant administrative documents;

b) arrange a meeting with the person identified as the perpetrator of the alleged misconduct in order to persuade them to cease the behaviour deemed to be harassing;

c) organise meetings between the complainant and the person alleged to have engaged in the conduct in question, with a view to attempting to reach a settlement between the parties;

d) call upon internal or external advisors, such as lawyers, psychologists, social workers or other legally recognised professionals, with the costs borne by the University;

e) propose to the University the measures deemed most appropriate to safeguard the mental and physical well-being of the persons involved.

Article 8 – Protection of Confidentiality and Protection Against any Retaliation

1. The Trusted Advisor is bound by professional secrecy and guarantees the highest possible level of confidentiality at every stage of their work to protect all those involved.

2. Personal data — defined as information that may reveal the identity of the complainant, the factual circumstances and the content of the statements made, and everything that has emerged during single stages of the proceedings — may not be disclosed or shared, not even with the University administration, without the explicit consent of the person alleged to have been harassed.

3. The University ensures the protection of the complainant against any reprisals, defined as conduct – including mere attempts or threats – carried out as a result of the report and which causes or may cause the complainant, directly or indirectly, unjust harm or otherwise compromise their peace of mind whilst carrying out their activities within the university.

4. Safeguarding and protective measures are also guaranteed to witnesses and to anyone who, in any capacity, participates in the proceedings before the Trusted Advisor.

5. Any actions taken for the purpose of retaliation are null and void. Retaliatory conduct constitutes an offence punishable under disciplinary law, without prejudice to any more serious civil or criminal liability.

Article 9 – Disciplinary Action and Complainant's Liability

1. If, following the outcome of the proceedings before the Trusted Advisor, the perpetrator of the reported conduct has not ceased the undesirable behaviour or, in any event, the outcome does not fully satisfy the complainant's requests, the conduct giving rise to disciplinary action may be reported to the competent disciplinary bodies.

2. The report to the Head of the Unit or the disciplinary body may also be submitted before or during the informal proceedings before the Trusted Advisor. In any event, the time limits for bringing disciplinary proceedings shall run from the moment the Head of the Unit or the disciplinary body becomes aware of the potentially unlawful conduct.

3. The Trusted Advisor may assist the person who has been harassed, should they so request, during the disciplinary proceedings.

4. For conduct governed by the Code of Research Integrity which does not warrant disciplinary action, the Rector shall forward the report to the Research Integrity Committee.

5. If, following an investigation, it transpires that the report was submitted with intent or gross negligence, through knowingly false statements, the complainant may be subject to any disciplinary, civil or criminal liability provided for by law.

Article 10 – Information and Training

1. The University undertakes to:

- a) ensure the Code of Conduct is widely disseminated by publishing it on the dedicated page of the University's website and by providing a digital copy, upon enrolment or hiring, to each person who then undertakes to comply with it;
- b) publish on the University's website the location, office hours and contact details of the Trusted Advisor, including at least their name, telephone number and email address;
- c) promote and foster a culture of respect for the individual, aimed at preventing sexual and psychological harassment, with the active support of Unit and office Heads;
- d) implement prevention and training programmes relating to the issues covered by the Code of Conduct, aimed at the entire academic community;
- e) establish an annual budget sufficient to support prevention and training programmes aimed at combating harassment, in consultation with the CUG and the Trusted Advisor.

Article 11 – Entry into force of the Code

1. The Code of Conduct shall enter into force on the day following its publication on the University Official Notice Board.

2. Amendments to the Code of Conduct that provide greater protection for victims of harassment shall also apply to proceedings already in progress at the time of publication of the new Code of Conduct.