
The Central European University Policy on Harassment

The Central European University Policy on Harassment is inspired in the following sources: the Australian University Guidelines for universities responding to reports of sexual assault and sexual harassment, the Lincoln College Policy and Procedure on Harassment, the Goldsmiths University of London Policy And Procedure On Sexual Violence, Sexual Harassment, Stalking, Domestic Violence And Sexual Misconduct for Students, Staff and Visitors, the University of Oxford Harassment Policy, and the Sciences Po Guidelines On Dealing With Sexual Harassment.

Section I. GENERAL PROVISIONS

Article 1. Title

- 1.1. This document is to be referred to as Central European University's Policy on Harassment.

Article 2. Definitions

- 2.1. For the purposes of Central European University's Policy on Harassment:

- a) "CEU" or "University" means Central European University PU, Közép-európai Egyetem, CEU Budapest Foundation, CEU New York, CEU Oktatási-Szolgáltató Non-profit Kft., or any subsidiaries or affiliates thereof, or any entity where any of the above acquire shares or business quota or other ownership interest;
- b) "Code" means the Code of Ethics of Central European University;
- c) "Complainant" means the person lodging a complaint in the forms indicated in Article 16, 18 and 20 of this Policy against other member(s) of the University Community, Contractor(s) or Others for an alleged sexual or other harassment. The Complainant may be the subject of the alleged harassment or a witness of it.
- d) "Complaint Form" means the document attached in Annex 1.
- e) "Contractors" means tenants (and their employees), agents and invited guests of and vendors to CEU as well as academics (individuals) providing educational or research services through a civil law contract to CEU for a period less than 30 days;
- f) "Designated Ombudsperson" refers to the member of the Ombudspersons Network chosen by a Complainant to file their informal complaint;
- g) "Designated Ombudsteam" refers to the two members of the Ombudspersons Network chosen by a Complainant to handle their informal complaint;
- h) "Employees" include all persons employed by a labour contract by the University or by any other entity of CEU;
- i) "Externals" means any person not covered by one of the other categories of persons (member of University Community or Contractors) but who was present on CEU premises or participating in CEU-related activities elsewhere (e.g. conference

- participants, external library users, visitors at the residence centre) at the time of the alleged harassment (this includes where the alleged harassment happened at an event directly related to participation in CEU-related activities);
- j) "ON" stands for "Ombudspersons Network";
 - k) "Others" includes individuals providing educational, research, or support services by a civil law contract to CEU not falling in another category, and interns;
 - l) "Policy" means Central European University's Policy on Harassment;
 - m) "Respondent" means the person against whom an allegation regarding sexual or other harassment is made;
 - n) "*SpeakApp*" is a secure and confidential online platform available to the University Community for submitting anonymous disclosures, informal and formal complaints of harassment.
 - o) "Students" include all persons enrolled in any of the educational programs offered by the University on a full- or part-time basis;
 - p) "University Community" includes Students, Employees, and Others;
 - q) "University Premises" include all buildings used by CEU.

Article 3. Aims

- 3.1. CEU is committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of its community are respected.
- 3.2. The aims of this Policy are to:
 - a) Promote a positive environment in which people are treated fairly and with respect;
 - b) Make it clear that harassment is unacceptable;
 - c) Make it clear that sexual harassment is unacceptable, and that such experiences disproportionately affect women and trans people;
 - d) Make clear that all members of the University Community have a role to play in creating an environment free from sexual and other harassment;
 - e) Provide a framework of support for those who feel they have been subject to harassment or sexual harassment;
 - f) Provide a mechanism by which complaints can be addressed in a timely way; and
 - g) Set up a framework for systematically recording and monitoring sexual and other harassment at CEU.
- 3.3. This policy is part of a broader series of actions that have the aim of eradicating sexual and other harassment and helping to ensure all members of the University Community, Contractors and Externals positively experience their time at CEU.
- 3.4. All members of the University Community are expected to familiarise themselves with this Policy. They have a personal responsibility to comply with this Policy and demonstrate active commitment to this Policy by:
 - a) Treating others with dignity and respect;
 - b) Discouraging any form of harassment by making it clear that such behaviour is unacceptable; and
 - c) Supporting any member of CEU who feels they have been subject to sexual or other harassment, including supporting them in reporting harassment where they witness it and in making a formal complaint if appropriate.
 - d) CEU shall – to the extent possible – ensure that Externals are made aware of this Policy, including, but not limited to, providing easy-read copies of the policy, a link to an electronic copy of the Policy in invitations to CEU academic and non-academic

events, and ensuring that the policy is visible on CEU-Group premises and at CEU-Group activities.

Article 4. Relationship with the Code

The Policy contains special regulations applicable in case of allegations regarding sexual or other harassment. Thus, in questions not regulated by the Policy, the provisions of the Code shall be applicable and, to the extent of any conflict, the provisions of the Policy will apply and supersede the Code.

Article 5. Scope

5.1. This Policy applies to all areas of University operations and programs.

5.1.1. This Policy applies to conduct within University Premises such as the buildings used (including the CEU Residence and Conference Centre and other dormitory facilities that may be provided), as well as to CEU-related activities that may occur elsewhere, such as field trips, socializing after a CEU event, CEU-sponsored events, and any occasions related to the educational mission of the CEU.

5.2. In order to apply the Policy to Contractors in their dealings with CEU a clause substantially in the form of Annex 3 of the Policy shall be included into all contracts to be concluded by CEU entities with Contractors and Others.

Article 6. Subject Matter, Personal Jurisdiction and Application

6.1. The jurisdiction under this Policy shall extend to all allegations regarding sexual or other harassment and to all members of the University Community, Contractors and Externals.

6.1.1. In cases of sexual harassment only, Employees and Students who have left CEU can still submit a complaint within three years after the incident, as long as the incident occurred while they were members of the University Community.

6.2. Regarding additional questions of subject matter, personal jurisdiction and application, Article 4 of the Code shall be applicable *mutatis mutandis*.

Section II. HARASSMENT

Article 7. Nature of prohibited conduct

7.1. Definition of Harassment

7.1.1. For the purposes of this Policy, harassment is a conduct which, because of its severity and/or persistence:

- is likely to violate another person's dignity;
- has the purpose or effect of creating an offensive, degrading, intimidating, or hostile environment; and/or
- has the purpose or effect to interfere significantly with an individual's ability to participate in, and/or benefit from, their educational or working environment by negatively affecting the person physically and/or emotionally.

Sexual harassment is a particular form of harassment described in Article 7.2.

7.1.2. Harassment can include uninvited or unwelcome physical, verbal or non-verbal conduct directed at an individual's or a group of individuals' supposed or actual nationality, race, ethnicity, colour, language, age, sex, sexual orientation, gender identity and expression,

religion, cultural identity, social origin, socioeconomic status, educational level, disability, genetic trait, mental or physical health condition, or any similar ground.

7.1.3. Examples of harassing conduct may include instances of, but are not limited to:

- a) acts of violence, stalking, unwelcome physical touch, physical, verbal, or written threats;
- b) offensive or inappropriate comments or body language, including insults, mocking, jokes or gestures, malicious rumours or open hostility;
- c) blocking or impeding an individual's normal movement, physical attacks, assault or battery;
- d) insulting, abusive, embarrassing or patronising behaviour or comments;
- e) humiliating, intimidating, and/or demeaning criticism;
- f) shouting at, swearing at, disparaging or intimidating an individual;
- g) constantly criticising an individual without providing constructive support to address any performance concerns;
- h) intrusion into their personal life;
- i) persistently overloading an individual with work that they cannot reasonably be expected to complete or requiring them to undertake work far below their capacity/role;
- j) posting offensive comments on electronic media, including using mobile communication devices;
- k) threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission;
- l) deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history;
- m) isolation from normal work or study place, conversations, or social events;
- n) publishing, circulating or displaying racist, sexist, homophobic or otherwise offensive pictures or other materials;
- o) belittling or denying attempts to address harassing behaviour, threatening or undertaking retaliation against any efforts to address harassing behaviour, gaslighting;
- p) incidents of sexual harassment, as defined below.

7.2. Definition of Sexual Harassment

7.2.1. Sexual harassment is a particular form of harassment with specific distinguishing characteristics. Conduct that constitutes sexual harassment can be verbal, visual or physical. It may be direct or explicit or it may be inferred from the conduct, circumstances and relationship of the individuals involved.

7.2.2. Sexual harassment **generally** consists of unwelcome or non-consensual sexual advances, explicit or implicit requests for sexual favours, or other verbal or physical conduct of a sexual nature **when**:

- such conduct has the purpose or effect of creating an offensive, intimidating, or hostile environment; or
- such conduct has the purpose or effect of interfering with an individual's work, academic performance, or status; or
- submission to or rejection of such conduct is an explicit or implicit term or condition of education, employment, or participation in other University activities; or
- submission to or rejection of such conduct is used as a basis for an employment, academic, or research decision affecting the individual.

7.2.3. Examples of sexual harassment may include, but are not limited to the following:

- (a) criminal acts such as stalking, sexual assault or rape;
- (b) a supervisor or professor promising a raise, a better grade or other study or work-related benefit in exchange for sexual contact;
- (c) repeated, unwanted attempts to change a professional relationship to a personal relationship;
- (d) unwelcome attention of a sexual nature after requesting that the attention be stopped;
- (e) ongoing use of offensive language or discussions of a sexual nature that creates a hostile or offensive environment;
- (f) displaying graphic pictures with sexual content that create a hostile or offensive working or living environment;
- (g) whistling, touching, or other repeated unwanted flirtation;
- (h) repeated sexual comments, jokes or questions;
- (i) intrusive comments or questions about the individual's sex life;
- (j) repeated joking or teasing about sexual orientation;
- (k) repeated joking or teasing about other peoples' bodies;
- (l) secretly photographing under the skirt ("upskirting").

7.3. Intent

- 7.3.1. The intentions of the alleged harasser are not determinative of whether harassment has taken place. Harassment does not need to be intentional to be considered harassment. The perception of the Complainant and the extent to which that perception is in all the circumstances reasonable will also be relevant. The occurrence of harassment will be determined based on a two-step "subjective/objective" test that explicitly considers both the perspective of the person who suffered harassment and of a reasonable person who is similarly situated.
- 7.3.2. The fact that such behaviour may not have been unwelcome to others or had been an accepted feature of the work and educational environment in the past is irrelevant. The Complainant does not need to have explicitly stated that the behaviour was unwanted for it to be considered harassment. Being under the influence of alcohol, drugs or otherwise intoxicated is not an excuse for or defence to harassment.

Article 8. Conflict of Interest and Sexual Conduct among Members of the University Community, Contractors and Externals

- 8.1. In contrast with sexually harassing conduct, sexual activity among consenting adults within the University Community, Contractors and Externals is, in general, a private matter beyond the legitimate interests of the University. There are occasions, however, when the interests of the University may be seriously implicated in these relationships, particularly where the University relies on members of the community to make judgments about others. If two people are in a sexual relationship and in a student/academic or teaching staff member or supervisee/supervisor relationship, then they must take steps to ensure that the conflict of interest created by such a situation is removed.
- 8.2. The academic or teaching staff member or supervisor must disclose the conflict of interest to their own supervisor - usually the Unit Head - and should ensure that they never evaluate alone the work performance of their current or former sexual or romantic partners. When an academic staff member or supervisor discloses a conflict of interest, they are required to supply only as much information as necessary to enable their supervisor to make appropriate decisions. The discussion needs not go into the character of personal relations. It needs only establish that a personal relationship exists, and that it thereby gives rise to a conflict of interest. The discussion is confidential and will not be relayed to other members

of the University Community except as may be required for decision-making in order to prevent a conflict of interest.

- 8.3. Ways to eliminate conflicts of interest may include, but are not limited to, transfer of supervisory, decision-making, oversight, evaluative, or advisory responsibilities to another member of the University Community or team of University Community members; or providing an additional layer of oversight to the supervisory role.
- 8.4. If the academic or teaching staff member or supervisor fails to take the above steps and a conflict of interest is created, this will be a violation of the present Policy.

Article 9. Academic Freedom

The University is committed to the principles of free inquiry and free expression, the pursuit of truth wherever it may lead, and to creating an environment that encourages the active exploration and exchange of ideas. This Policy is not intended to impair this freedom, nor will it be permitted to do so. Prohibited harassment, however, is neither protected expression nor the proper exercise of academic freedom.

Article 10. Retaliation

- 10.1. CEU seeks to protect any member of the University Community, Contractor or External from victimisation or retaliatory conduct.
- 10.2. CEU will regard as victimisation or retaliation any instance where a person is subjected to detrimental treatment because they have, in good faith:
 - a) made an allegation of harassment, or
 - b) indicated an intention to make such an allegation, or
 - c) assisted or supported another person in bringing forward such an allegation, or
 - d) participated in an investigation of a complaint, or
 - e) participated in any disciplinary hearing arising from an investigation, or
 - f) taken any other steps in connection with this Policy, or
 - g) is suspected of having done so.
- 10.3. Retaliation against an Ombudsperson for their work shall also be deemed a serious breach of this Policy.
- 10.4. Retaliation is a form of misconduct which will result in a disciplinary process. Anyone taking steps in connection with this Policy who feels they have been the subject of victimisation or retaliation should report it to a member of the Disciplinary Committee who will take the matter forward. Suspected retaliation may result in the imposition of Immediate Measures per the Code. Retaliation is viewed as a serious breach of CEU policy and sanctioned the same way as harassment or sexual harassment with due regard for the severity of the retaliatory conduct and/or impact on the individual.

Article 11. False Allegations

CEU recognizes that the question of whether a certain conduct constitutes sexual or other harassment requires a factual determination. CEU recognizes also that false accusations of harassment can have serious effects on innocent persons. If an investigation results in a finding that a person who has accused another of harassment has maliciously or recklessly made false accusations, the accuser will be subject to appropriate measures by the Disciplinary Committee according to the Code.

Section III. PROCEDURES

Article 12. Course of Action in case of Harassment

- 12.1. Any member of the University Community, Contractor or External who believes that they have been harassed or has witnessed any form of harassment is encouraged to take action in the ways provided for in this Policy.
- 12.2. Organizations recognized by CEU as being representative of a community, such as the Trade Union, Student Union or Work Councils, can bring an informal or formal complaint in representation of a group of individuals whose allegations relate to the same set of factual circumstances or the same Respondent. This may only be done with the express prior consent of those individuals being represented. The specific format for such representation shall be elaborated by way of a separate policy, developed by the ON and Disciplinary Committee in consultation with the Gender Equality and Diversity Officer, Trade Union, Students Union and other relevant CEU representative bodies. This policy shall be published on the CEU website.
- 12.3. The Disciplinary Committee can bring formal complaints in its own name under two circumstances:
 - 12.3.1. When the ON transfers a case to the DC which, due to its severity, cannot be handled by informal procedures (see Art. 19.15.1)
 - 12.3.2. When immediate measures had to be imposed in the absence of an informal or formal complaint. If at a later stage the alleged victim or witness puts forward an informal or formal complaint, the case initiated by the DC will be closed.
- 12.4. The Complainant, the Respondent and any witnesses will be treated fairly, with dignity and confidentiality, pursuant to Section V. on Confidentiality.
- 12.5. The choices and preferences of the Complainant (and the subject of alleged harassment, if different) will be respected to the fullest extent possible in determining the appropriate course of action, bearing in mind the requirements for fairness in proceedings.
- 12.6. The Complainant has the right to withdraw a complaint any time before the complaint handling process is closed. The case report must be immediately deleted from the *SpeakApp* after withdrawal. Requests to withdraw a complaint by the Complainant will not automatically be granted for extremely severe cases. The decision on the withdrawal will rest with the Disciplinary Committee for formal complaints, and with the Ombudspersons Network for informal complaints. The Complainant must be informed if the complaint is non-withdrawable.

Article 13. Advice, Information, Counselling

- 13.1. Anyone may seek advice, information or counselling on matters related to harassment from one of the Ombudspersons.
- 13.2. Persons who feel they are being harassed or are uncertain as to whether what they are experiencing is harassment, and/or desire information as to their options in dealing with harassment are encouraged to talk with one of the Ombudspersons.

Article 14. Complaint Form

- 14.1. For all types of complaint listed in Article 15 below, a written/electronic complaint needs to be submitted in the manner indicated for each complaint type.
- 14.2. The complaint form for written complaints can be found at Annex 1 to this Policy ("Complaint Form"), made widely available. Electronic complaints must be submitted through the *SpeakApp*.

Article 15. Types of Complaints

- 15.1. The Complainant can choose to submit:
 - a) An anonymous disclosure (Article 16).
 - b) An informal complaint (Article 18).
 - c) A formal complaint (Article 20).

Article 16. Anonymous disclosures

- 16.1. Anonymous disclosures are intended to operate as signals towards CEU in cases when potential complainants do not feel comfortable to reveal their identity but would like to facilitate the identification of patterns of harassment. Such disclosures will be monitored and dealt with by the Ombudspersons Network (ON) in order to prevent future harassment from occurring.
- 16.2. The person making the disclosure must fill out the complaint form in the CEU *SpeakApp* without disclosing their name, identifying the nature of the alleged harassment and the person alleged to be the harasser.

Article 17. Ombudspersons Network action based on anonymous disclosures

- 17.1. When three anonymous disclosures against the same person have been submitted, the ON may notify the alleged perpetrator with a template annexed to this Policy (Annex 2).
- 17.2. Individual anonymous disclosures will not normally serve as basis for investigative procedures and/or disciplinary sanctions. Extremely severe cases may require action from CEU ON and possibly the Disciplinary Committee to protect the interests of the University Community.

Article 18. Informal Complaints

- 18.1. An informal complaint is meant to resolve the harassment through a mediated resolution. As such it does not result in investigative procedures or in disciplinary sanctions. A Complainant can make an informal complaint if they do not want to immediately initiate a formal, investigative procedure by the Disciplinary Committee that might lead to disciplinary sanctions for the Respondent.
- 18.2. To submit an informal complaint, the Complainant can choose to:
 - a) Fill out the complaint form in the CEU *SpeakApp* providing their name and complaint related information.
 - b) Print out the Complaint Form in Annex 1, fill it out, sign it, and send it in hard copy or scanned electronic version to an Ombudsperson of their choice who will digitize this complaint and open a case report in the CEU *SpeakApp*.
 - c) Meet an Ombudsperson in person and orally describe the facts. If an oral complaint is made to an Ombudsperson, a complaint form in the CEU *SpeakApp* is to be filled out at the same time, printed and signed by the Ombudsperson for the Complainant to keep as proof

of their complaint.

- 18.3. Immediately after submitting a complaint, the Complainant will receive a confirmation of receipt, a complaint identification number to use in future contacts, and information about how long it is likely to take for the Complainant to be next contacted.
- 18.4. In all cases, the Complainant must select the Ombudsperson of their preference, who will become the **Designated Ombudsperson**. The Designated Ombudsperson will be responsible for the follow-up of the case. The Complainant can request to exclude other Ombudspersons from handling the complaint.
- 18.5. The Complainant (and, if applicable, the person who suffered the alleged harassment) may make a request for confidentiality at any point if they do not want their identity known to the Respondent and/or the witnesses. The Designated Ombudsperson will make all reasonable attempts to comply with this request and will inform the Complainant if this is not feasible, and the limitations it might impose on certain courses of action. The identity can only be revealed with the consent of the Complainant.
- 18.6. Submission of an anonymous disclosure and/or an informal complaint does not preclude the submission of a formal complaint in the future.
- 18.7. Where a Complainant or the Designated Ombudsperson considers that Immediate Measures pursuant to Article 25 of this Policy may be required due to the nature of the alleged breach, the Chair of the Disciplinary Committee shall be notified by the Designated Ombudsperson at the first available opportunity, but no more than one working day after receipt of the information by the Designated Ombudsperson, for the imposition of such measures pursuant to the Code of Ethics. The imposition of immediate measures does not change the status of the complaint from informal to formal.

Article 19. Informal Complaint Resolution

- 19.1. Once the Complainant has either submitted an Informal Complaint or has contacted an Ombudsperson for an appointment, the designated Ombudsperson shall respond and meet with the Complainant within ten (10) working days. If the Ombudsperson of choice is unavailable in that timeframe, then they shall notify the Complainant and either fix a later date or indicate the availability of another Ombudsperson, per the Complainant's preference.
- 19.2. A second Ombudsperson will be required to join the first meeting with the Complainant if:
 - (a) the Designated Ombudsperson is a student;
 - (b) it is a sexual harassment case, whatever the apparent severity;
 - (c) it is a severe harassment case, particularly those listed in Article 7.1.3 (a), (b) or (c);
 - (d) the Designated Ombudsperson deems it necessary.

These two Ombudspersons receive the title of "**Designated Ombudsteam**". Gender balance will be kept in mind in the selection of the second Ombudsperson.

- 19.3. The second Ombudsperson will be selected by the Designated Ombudsperson in consultation with the Complainant.
- 19.4. The Designated Ombudsperson/Ombudsteam will discuss with the Complainant personally or by phone/VOIP details of the complaint, help the Complainant specify the elements of the complaint, and help the Complainant line up evidence to sustain the complaint. They will discuss possible courses of action, informal resolution options, and their implications: counselling and other CEU services, 'shuttle' mediation, mediation or launching a formal

complaint, or others.

- 19.5. No action will be taken without the consent of the Complainant, unless the case is extremely severe, or raises serious concerns about the welfare of a member of the University Community.
- 19.6. The Complainant makes an informed decision about the course of action to be chosen and will be supported by the Designated Ombudsperson/Ombudsteam in pursuing the chosen course of action throughout: guiding the Complainant in the choice of action, assisting the Complainant by informing about the next steps.
- 19.7. Two Ombudspersons (“Designated Ombudsteam”) will take part in resolution of a complaint (including mediation). Decision will be based on:
 - (a) preferences and/or exclusions communicated by the Complainant,
 - (b) incompatibility or potential conflict of interest, and
 - (c) workload.
- 19.8. An informal resolution may include, but is not limited to, the following:
 - (a) the matter being brought to the attention of the Respondent by the Designated Ombudsteam.
 - (b) the Respondent’s supervisor or academic advisor being contacted by the Designated Ombudsteam and asked to help address the situation with the Respondent.
 - (c) dialogue with affected persons (either jointly or separately) by the Designated Ombudsteam.
 - (d) referrals to campus services by the Designated Ombudsteam.
 - (e) administrative accommodations (such as adjusting class schedules, changing sections, housing assignments, waiving a fee, etc.) suggested by the Designated Ombudsteam.
 - (f) voluntary in person or ‘shuttle’ mediation conducted by the Designated Ombudsteam.
 - (g) verbal cautions or warnings to the Respondent by the Designated Ombudsteam about the undesirability of a certain conduct.
 - (h) voluntary acts of contrition by the Respondent such as:
 1. voluntary apology or acts of service to the Community,
 2. collaborative agreement on behavioural or institutional changes,
 3. voluntary training, educational, mentoring or coaching sessions.
 - (i) other non-disciplinary interventions suggested by the Designated Ombudsteam.

These informal resolutions are only applicable to incidents in which the Respondent is a member of the CEU Community. Resolutions in cases involving Externals or Contractors are detailed in 19.10 and 19.11.

19.9. Mediation

19.9.1. Mediation is always voluntary, and participants can request to end the mediation at any time.

19.9.2. If the Complainant, the Respondent and the Designated Ombudsteam agree that mediation is the chosen means of resolution, in-person or shuttle mediation is conducted between the Complainant and the Respondent, depending on the preference of the Complainant.

- 19.9.3. If in-person mediation is attempted, the person who suffered the alleged harassment can decide to meet with the Respondent together with an Ombudsperson of their choice to discuss the situation, identify the unwanted behaviour, its consequences for the Complainant and make it clear that the behaviour must cease. The Ombudsperson will help the Complainant prepare for this meeting. This course of action cannot be used if the Respondent is in a hierarchically superior position to the Complainant.
- 19.9.4. In the alternative, the Designated Ombudsteam will meet separately with the Respondent and the Complainant to seek an informal resolution (“shuttle mediation”).
- 19.9.5. Possible outcomes of mediation are:
- (a) agreement to the satisfaction of both parties,
 - (b) partial agreement – expectations of the Complainant are only partially met,
 - (c) no agreement – no solution that is satisfactory to the Complainant is reached, or the Respondent refuses to take part in a mediation process, or the Respondent rejects or refutes the complaint.
- 19.10. If a complaint is filed against a Contractor, resolution of the complaint may be limited to the Designated Ombudsperson orally reporting the alleged incident to inform the appropriate party (such as Head of Unit or Head of Department), and/or consult with CEU Legal Counsel on other possible measures, such as notifying the individual that they are not permitted on the University Premises. The appropriate party must decide on a course of action in 10 working days, and report back to the Ombudsperson, who will record this in the *SpeakApp*.
- 19.11. If a complaint is filed against Externals, resolution of the complaint may be limited to the Designated Ombudsperson/Ombudsteam reporting the alleged incident to the appropriate party. The Designated Ombudsperson, in consultation with the Disciplinary Committee and University Counsel (as required) shall identify whether it is possible to take any action, in light of the identity of the External, and proceed accordingly.
- 19.12. Any resolution of the informal complaint procedure shall be reached within 30 days of the first substantial meeting of the Complainant with the Designated Ombudsperson. All outcomes resulting in an agreement between the Complainant and Respondent must be signed by both and electronically stored in the CEU *SpeakApp* database. Any breach of the terms of this agreement may result in a further informal or formal complaint of harassment. If the outcome does not include any agreement, the Designated Ombudsteam must also record the outcome electronically in the CEU *SpeakApp* database.
- 19.13. A successful informal resolution does not constitute a finding of harassment. However, any conduct admitted to by the Respondent in the informal procedure or its resolution can be considered in a formal procedure that involves the same Respondent. Additionally, the fact that a complaint was filed, and an informal resolution was reached can be used as evidence in another formal procedure that involves the same Respondent.
- 19.14. If the informal resolution process comes to no or unsatisfactory agreement between the parties, the Complainant can request to take no further action or can request that the complaint be investigated through the formal complaint procedure by the Disciplinary Committee.
- 19.15. Referring the Case to the Disciplinary Committee.
- 19.15.1. The Designated Ombudsteam can transfer the case to the Disciplinary Committee if:

- a. An informal resolution is not possible because of the severity of the case. If the Complainant does not consent to the transfer of the case to the DC, the case can only be transferred anonymously to be taken forward by the Disciplinary Committee in its own name. The Designated Ombudsperson/Ombudsteam is responsible for removing all data or information from the case report that would directly or indirectly lead to the potential identification of the Complainant.
 - b. Unsatisfactory or no informal agreement has been reached. In this case, transfer only takes place with the consent of the Complainant.
- 19.15.2. Extremely severe cases will always be transferred to the Disciplinary Committee.
- 19.15.3. Where a complaint is transferred to the Disciplinary Committee, the complaint will become formal complaint and the Disciplinary Committee shall follow its ordinary review procedure per the Code and this Policy.
- 19.16. The Complainant and Respondent must be informed of all relevant actions taken by the Designated Ombudsteam under the informal resolution procedure of the specific case.
- 19.17. Providing support throughout.
 - 19.17.1. The Designated Ombudsteam provides support to the Complainant throughout the process, including if the Complainant decides to move to a formal complaint, and following the outcome of any formal complaint.
 - 19.17.2. The Designated Ombudsteam shall refer the Complainant to appropriate institutional support services with their consent.

Article 20. Formal complaint

- 20.1. In order to submit a formal complaint, the Complainant can choose to:
 - (a) Fill out the formal complaint form in the CEU *SpeakApp* providing their name and complaint related information, and have it directly submitted to the Disciplinary Committee;
 - (b) Print out the formal complaint form in Annex 1, fill it out, sign it, and send it to the Disciplinary Committee. The DC Chair will digitize this complaint and open a case report in the CEU *SpeakApp*;
 - (c) Meet an Ombudsperson in person and orally describe the facts. If an oral complaint is made to an Ombudsperson, a formal complaint form in the CEU *SpeakApp* is to be filled out at the same time, printed and signed by the Ombudsperson for the Complainant to keep as proof of their complaint.
- 20.2. A formal complaint under Article 20.1 can be filed by the Complainant within 15 working days after an informal complaint procedure had resulted in a partial agreement or in no agreement.
- 20.3. If the Complainant considers that the Respondent has not followed the mediation agreement, the Complainant can file a formal complaint under Article 20.1.
- 20.4. Formal Complaints will be dealt with by the Disciplinary Committee directly.

Article 21. Formal Procedure

- 21.1. The formal procedure shall be conducted pursuant to the procedures described for complaints in Part V of the Code *mutatis mutandis*.

- 21.2. In cases involving allegations of harassment, a fact-finding team composed of two members of the Disciplinary Committee named by the chairperson of the Disciplinary Committee and who have received training in investigating harassment complaints shall carry out the fact-finding. In selecting members of the fact-finding team, regard will be given to the nature of the complaint and relevant diversity considerations.
- 21.3. In investigating violations of this Policy, the DC Chair reviews previous records of anonymous disclosures and/or informal and formal complaints against the Respondent. Anonymous disclosures against the Respondent can only be made available to the DC Chair if there are 3 (three) or more.
- 21.4. In sexual harassment investigations undertaken by the Disciplinary Committee, the Committee will follow their Investigation Plan for Sexual Harassment Complaints, which shall be available on the CEU website and shall be provided to everyone involved in the investigation of the complaint. Basic principles guiding all Committee investigations are:
- (a) Investigations will be undertaken as promptly and thoroughly as possible.
 - (b) The Fact Finders are neutral and proceed on the basis of the presumption of innocence.
 - (c) For sexual harassment complaints, both Fact Finders are present at all interviews.
 - (d) The Committee is conscious to avoid any potential re-traumatization. The Complainant will be invited to bring a support person with them to interviews and any hearing.
 - (e) Investigations are conducted on the presumption that there are no cases that cannot be determined. The responsibility of the fact finders is to analyse the facts, assess credibility and come to a determination to present to the Committee.
 - (f) The standard of proof is 'on the balance of probabilities'. That is, the allegations are 'more likely than not' to have occurred, with due regard for the requirements of the Policy.
 - (g) Written/typed notes are taken of all interviews.
 - (h) Any material obtained (text messages, screen shots, emails) is saved and secured (according to the GDPR rules) in the *SpeakApp*.
- 21.5. The ON will be available to provide expertise to the Disciplinary Committee for cases of harassment or sexual harassment.

Article 22. Disciplinary Measures

Any Student or Employee, Contractor, External or Other found to have violated this Policy by engaging in conduct constituting harassment or sexual harassment investigated by the Disciplinary Committee will be subject to appropriate disciplinary action, which may include oral, written reprimand, expulsion, suspension or other measures that may be imposed pursuant to applicable law and the Code.

Article 23. Remedies

The University may offer remedies which it deems appropriate to the individual or individuals harmed by the harassment or sexual harassment. Such remedies may include, in case of Students, alternative grading and academic decision-making, in order to protect Students from the threat of academic reprisal, counselling, an opportunity to repeat course work without penalty, or other appropriate interventions; in case of Employees, promotion, reinstatement, back pay, counselling or other appropriate interventions. The Disciplinary Committee may make recommendations to the University leadership on the nature of the remedies that may be appropriate in the circumstances.

Article 24. Time Limits

- 24.1. All complaints of harassment should be filed as soon after the offending conduct as possible, but no more than two years after the most recent conduct alleged to constitute harassment. In cases of sexual harassment, the time limit for reporting is three years since the incident.
- 24.2. CEU's two-year time limit on the filing of complaints of harassment, and three-year time limit on the filing of claims of sexual harassment for which procedures may be used is intended to encourage complainants to come forward as soon as possible after the offending conduct and to protect Respondents against complaints that are too old to be effectively investigated. Further delay may make addressing the harassment difficult as witnesses may no longer be able to recall events, witnesses may have gone on to other programs or employment, corroborating evidence may not be available, and/or intervening events may have occurred.

Article 25. Immediate measures

- 25.1. Immediate measures may be imposed by the Disciplinary Committee where necessary in consultation with CEU's Legal Counsel in case of a severe suspected violation of the Policy by Students, Employees, Contractors, Externals or Others even if there was no complaint submitted before. In such a case the DC Chair initiates a formal complaint in *SpeakApp* in the name of the DC at earliest convenience. Immediate measures are listed in Annex 5 of the Code. The procedures in relation to immediate measures shall be conducted pursuant to the procedures described for immediate measures in Part II of the Code *mutatis mutandis*.
- 25.2. Besides the immediate measures listed in Annex 5 of the Code, any necessary interim steps (e.g., change in academic schedule) may also be imposed by the Disciplinary Committee to protect an alleged victim of harassment. The procedure set out in Part II of the Code shall be followed in the case of such interim steps, as required.

Section IV. OMBUDSPERSONS NETWORK

Article 26. Ombudsperson Network

CEU establishes an Ombudspersons Network (ON) with the following objectives:

- a. to strengthen the framework of support for the University Community, Contractors and Externals who feel they have been subject to, or have witnessed, harassment or sexual harassment;
- b. to provide a mechanism by which complaints can be addressed in a timely and non-adversarial manner;
- c. to provide multiple entry points to complainants in order to facilitate coming forward with their complaint;
- d. to facilitate the operation of a policy framework for systematically recording and monitoring sexual and other harassment at CEU.

Article 27. Composition and Appointment of the Ombudspersons Network

- 27.1. To secure "multiple access points" for complainants, the ON will include 5 Ombudspersons. The ON will mirror diversity within the University Community in terms of genders, race/ethnicity, age and status within the community (administrative staff, academic staff, students).
- 27.2. Ombudspersons can be nominated by Employees and Students or self-nominated.
- 27.3. Ombudspersons will be appointed by the Senate for a period of 3 years with a possibility of renewal for a second term. In the process of appointment, the Senate will consult with the

Equal Opportunity Committee and the Gender Equality and Diversity Officer to request expert advice on the suitability of the candidates.

27.4. The Gender Equality and Diversity Officer may coordinate the activity of the group and allocate cases within the ON as needed. While performing this task, the Gender Equality and Diversity Officer has no access to case reports.

27.4.1. Where the Gender Equality and Diversity Officer is concerned that an Ombudsperson is failing in their duty and/or acting in a manner incompatible with this Policy, they will bring this to the attention of the Chair of the Disciplinary Committee.

27.4.2. Any member of the CEU Community, including another Ombudsperson, may contact the Chair of the Disciplinary Committee if they are concerned that an Ombudsperson is not undertaking their duties in a manner compatible with this Policy.

27.4.3. If a complaint about an Ombudsperson reaches the Chair of the Disciplinary Committee, the Chair will normally start an informal investigation on the case and meet with the concerned Ombudsperson in an attempt to find an amicable solution. This might include, but is not limited to, reassigning the case to another Ombudsperson with the consent of the Complainant. In cases where there is evidence to suggest that there was a serious misconduct on the part of the Ombudsperson, the Chair of the Disciplinary Committee will consult with the members of the Disciplinary Committee on initiating a formal investigation.

27.5. A serving member of the Disciplinary Committee, the Grievance Committee, current University Counsel, any Pro-Rector or the Rector cannot be an Ombudsperson, given the roles of these individuals in other parts of CEU disciplinary processes.

Article 28. Principles

28.1. The ON provides an independent and neutral review of complaints that are included within the scope of the Policy. The ON is not an advocate for the Complainant or for the Respondent.

28.2. No Complainant will suffer disadvantage as a result of making a complaint to the ON or assisting an ON enquiry. Consequences of retaliation are detailed under the Article 10.

28.3. Confidentiality will be respected. All parties involved in the resolution of a complaint will restrict information about the complaint, including the identities of those involved, to the minimum number of parties who require information in order to resolve the complaint. All materials related to a complaint will be held securely in the *SpeakApp* under password protection and labelled strictly confidential.

28.4. Members of the ON receive mandatory and substantive training in handling harassment and sexual harassment complaints, including in mediation techniques.

Section V. CONFIDENTIALITY, DATA ACCESS, RECORDING AND MONITORING

Article 29. Confidentiality

- 29.1. All persons involved in any aspect of an allegation of harassment should respect the confidentiality of the matter and must keep the matter strictly confidential, unless otherwise required by law. Information will only be disclosed to the extent required by law, and to the extent that such disclosure is necessary and permitted under this Policy for the investigation and adjudication of any claim of harassment.
- 29.2. The Complainant (and, if applicable, the person who suffered the alleged harassment) may make a request for confidentiality/privacy at any point. This type of request means that the requester does not want their identity known to the Respondent and the witnesses. If at any point privacy is requested, the University will make all reasonable attempts to comply with this request, while recognizing that the Respondent may have to learn the identity of the Complainant (and, if applicable, the person who suffered the alleged harassment) in order to be able to defend him or herself effectively and that such disclosure may also be necessary the investigation and adjudication of any claim of harassment. The identity of the complainant will only be revealed after the complainant has been informed.

Article 30. Data Recording

- 30.1. The online reporting system *SpeakApp* is a secure platform which allows CEU to receive and document disclosures and case reports about harassment. The content of anonymous disclosures, informal and formal complaints and their outcomes together with any data, information or document connected to the complaint will be stored and processed within the online *SpeakApp* system.
- 30.2. Every notification of an allegation of harassment whether to the *SpeakApp* in writing, in person or via email to the ON or to the DC Chair must be recorded in the CEU *SpeakApp* database in the form of a case report. The reporting form in Annex 1 details the information to be included.
- 30.3. In addition to filling in the template in Annex 1, the *SpeakApp* case reports will include information about the action(s) taken or proposed (type of informal resolution, referral to the DC), a brief statement of the reasons for that action, resolution achieved if any (including reparation and measures recommended for prevention of future harassment), and the outcome (agreement to the satisfaction of both parties, partial agreement, no agreement).
- 30.4. If a case is transferred to the DC, the case report will also include a summary of proceedings and outcomes there, prepared by the DC Chair.
- 30.5. Case reports on cases of harassment and sexual harassment handled solely by the DC (formal complaints) will also be recorded in *SpeakApp* by the DC Chair.
- 30.6. Each case report will have a submission date and a unique ID automatically provided by the *SpeakApp*. Decisions, actions taken, and support provided will be manually recorded within the system within each case report by the Designated Ombudsperson handling the informal case, or by the DC Chair for formal cases.
- 30.7. CEU informs those who wish to submit an anonymous disclosure or an informal or formal complaint what happens to the data during the entire process in the Privacy Notice attached to this Policy as Annex 5 and in *SpeakApp*.
- 30.8. The period of retention time applicable to the different processes are set out in Annex 4.

Article 31. Data Access

- 31.1. Access to full details of an **anonymous disclosures** in the CEU *SpeakApp* will be provided to:
- a) all members of the ON, after three or more disclosures against the same alleged perpetrator have entered the system (see 17.1), and
 - b) the DC Chair while investigating a formal complaint against the same alleged perpetrator (see 21.3), provided that three or more disclosures against such alleged perpetrator have entered the system.
- 31.2. Access to full details of an **informal complaint** in the CEU *SpeakApp* will be provided to:
- a) The Designated Ombudsperson/team in charge of the complaint,
 - b) the DC Chair in order to respond to any requests for immediate measure (Article 25) and/or
 - c) the DC Chair while investigating a formal complaint against the same alleged perpetrator (see Article 21.3)
- 31.3. Access to **formal complaints** will be provided to:
- a) the chair of the DC and the appointed fact finders,
 - b) the rest of the Disciplinary Committee members, if the Chair of the DC and the appointed fact finders find it necessary to consult with them to decide on the recommendations to be made,
 - c) the members of the Grievance Committee in case of an appeal,
 - d) the DC while investigating a formal complaint against the same alleged perpetrator.

Article 32. Data Monitoring

- 32.1. The ON and the DC Chair, in cooperation with the CEU Gender Equality and Diversity Officer, issues public Harassment and Sexual Harassment Monitoring Reports every two years based on data processed anonymously from *SpeakApp*.
- 32.2. The monitoring reports prepared jointly by the ON, the DC Chair and the Gender Equality and Diversity officer should include:
- (a) Number of complaints.
 - (b) Time it took to reach resolution.
 - (c) Gender and category of Complainant (student, alumni, staff, faculty etc.).
 - (d) Gender and category of Respondent.
 - (e) Type of Harassment.
 - (f) Informal resolution adopted.
 - (g) Outcome in case of mediation: Agreement to the satisfaction of both parties/Partial agreement/no agreement
 - (h) Trends in complaints.
 - (i) General recommendations/strategies at the institutional level to prevent or limit further harassment.
 - (j) Service improvements needed.
- 32.3. Monitoring Reports will be presented to the Academic Forum and Senate. They will analyse complaints to identify systemic issues and make recommendations about reforms needed.
- 32.4. For monitoring purposes, case reports will be anonymized by the Designated Ombudspersons by removing any information that may lead to identification of individuals.

- 32.5. Otherwise, Part III of the Code shall be applicable *mutatis mutandis* for questions of confidentiality, minutes, record keeping and representation.

Section VI. AWARENESS RAISING AND TRAINING

Article 33. Awareness Raising

- 33.1. The Student Rights and Regulations and the Academic Staff Handbook contain an explicit mention of CEU's Policy on Harassment, and the Policy is available on the CEU website.
- 33.2. CEU students participate in mandatory information sessions at the beginning of the Academic Year on the Policy and on what constitutes harassment and sexual harassment.
- 33.3. Permanent informational resources on harassment and sexual harassment will be made available on CEU's [Gender Equality internal SharePoint](#). The website URL and information on the location of these resources will be posted in a wide range of locations.
- 33.4. All on-boarding materials for new employees and students will include a hard copy of the Policy, or an electronic copy of the Policy or a link to the electronic copy of the Policy.
- 33.5. Orientation sessions for all new employees will provide information on harassment, sexual harassment and main features of the Policy, as well as information on how to file a harassment complaint.
- 33.6. Contractors and Others will be provided with a hard copy of the policy, an electronic copy of the Policy or a link to the electronic copy of the Policy.
- 33.7. A reference to this Policy and a link to its electronic copy will be made available in invitations to CEU academic and social events open to Externals. Reference to this Policy will be made visible in the Residence Centre and CEU Premises, and a copy of it will be available for visitors on demand.
- 33.8. At the beginning of each academic year, the names and contact information of the ON, as well as the names and contact information of the members, chairpersons and deputy chairpersons of the Disciplinary Committee and the Grievance Committee of the University will be posted in a form available to Students, Employees, Contractors, and Others.

Article 34. Training

- 34.1. The appointed members of the ON will receive mandatory specific tailored training in how to deal with harassment and sexual harassment complaints including mediation skills. This training should, as a minimum, cover:
- (a) knowledge of all significant complaint handling paths available within the university;
 - (b) all record keeping requirements for receiving and processing a complaint;
 - (c) how to distil from a complaint the key issues that need to be addressed;
 - (d) assessing whether they may have a conflict of interests in handling the complaint;
 - (e) eliciting and managing complainant expectations;
 - (f) assessing whether a complaint is suitable for informal resolution;
 - (g) assessing whether a complaint may fall under criminal law and/or due to its severity should be referred to the DC;
 - (h) assessing whether a Complainant's identity or that of other parties can, in practice, be kept confidential and, if so, whether this ought to occur;

- (i) assessing the risk of reprisals against a complainant for having complained;
 - (j) assessing the risk of reprisals/detriment to other parties;
 - (k) assessing whether a complaint alleges serious misconduct;
 - (l) knowledge of where and when to refer complaints they are unable to deal with, both external referral options and internal ones;
 - (m) knowledge of external referral options for complaints;
 - (n) providing adequate reasons for complaint-handling decisions.
- 34.2. CEU provides mandatory training for all members of the Disciplinary Committee and the Grievance Committee for addressing harassment and sexual harassment complaints. This training must be sufficient to enable the proper investigation of complaints.
- 34.3. Medical and psychological counselling personnel will receive mandatory specific training on how to deal with harassment and sexual harassment cases.
- 34.4. CEU will provide annual by-stander training for Students and Employees. This will be open to Contractors and Others wherever possible.
- 34.5. In recognition of its commitment to a harassment free University, CEU will allocate a specific line in the budget to cover training needs.

Section VII. FINAL PROVISIONS

Article 35. Entry into Force

- 35.1. The Policy shall enter into force eight (8) days after adoption by the Senate. The Policy shall be public and communicated to each current member of the University Community with information on the location of the policy on the CEU website.
- 35.2. Amendments and annexes to the Policy adopted by the Senate will enter into force one (1) day after their publication and distribution to the members of the University Community.

Article 36. Status of Annexes

- 36.1. The annexes to this Policy shall form an integral part of this Policy.
- 36.2. A reference to this Policy constitutes at the same time a reference to any annexes thereto.
- 36.3. All annexes that were passed after the implementation of this Policy shall be incorporated herein as part of the Policy.

Article 37. Amendments

In accordance with the relevant procedural requirements, the **Pro-Rector for Teaching and Learning**, the **Pro-Rector for Faculty and Research**, the Disciplinary and Grievance Committees, the ON, the Gender Equality and Diversity Officer and the Senate Equal Opportunity Committee are entitled to further define the categories of harassment or procedures for handling complaints, deemed necessary in order to respond to the changing needs of the University Community, which may take the form of a modification to the body of this Policy, or be incorporated as part of the Policy in the form of annexes. Any such modifications, amendments or annexes must be approved by the Senate.

Minor technical or procedural modifications can be approved by either the Disciplinary or the Grievance Committee, with the agreement of the chair of the respective other committee.

Article 38. Periodic review

This Policy shall be reviewed within 24 months of its adoption by University counsel and a committee appointed by the Senate based on the practice and jurisprudence of the ON, the Disciplinary and Grievance Committees and changes in legislation.

Annex 1

Complaint Form

Online Complaint Form

Type of record

- Anonymous disclosure (this will reach the entire Ombudspersons network).
- Informal complaint with your name (this will reach only one member of the Ombudspersons Network of your choice)
- Formal complaint (this will reach the Disciplinary Committee of the Central European University).

Anonymous disclosure.

Please note that you will receive no follow up on this disclosure. Handling of anonymous disclosures by the Ombudspersons Network is covered in Article 17 of the CEU Policy on Harassment. If you wish to receive a follow-up, you should choose the option “informal complaint” or “formal complaint” from the previous menu (note: complaints can be made confidentially). Neither the Ombudspersons Network nor the Disciplinary Committee will share your original submission with the person against whom the complaint is made.

(*) mandatory fields

You are a of the incident*

- Victim
- Witness

Your gender

- Male
- Female
- Prefer to self-describe
- Prefer not to say

This is a case of ... (*)

- Harassment

- Sexual harassment
- Both
- I don't know

Status of the person who committed the alleged harassment in line with the CEU Policy on Harassment. Please try your best to identify the status of the person . If you don't know or are not sure this does not mean that your submission will automatically be invalid *:

- Student
- Employee
- Contractor
- External
- Others (per CEU Policy on Harassment, Art 2)
- I don't know

Name and surname and department or unit of the person that committed the alleged harassment (if known). If unknown, please provide identifying details. If multiple people displayed harassing conducts, please submit one record per alleged harasser. *

Harassment date*

Please provide a detailed description of the alleged harassment, including date(s) and location(s) and nature of offensive acts. If you are the victim, please mention whether you indicated the unwanted nature of the act(s), and whether there were any witnesses. It is crucial that you provide as much detail as possible to enable us to fully understand the incident *

Was the behavior linked to real or perceived personal traits?

- Age
- Disability
- Gender
- Sexual orientation
- Ethnicity
- Religion or belief
- Caring responsibilities

- Nationality
- I don't know

Please attach any potential evidence, such as documents, emails, photos, social media posts, instant messaging conversations, etc.

Other remarks (anything the Ombudsperson should be aware of?)

Why are you reporting anonymously? * (Choose all of the relevant options, multiple options are available)

- I'm worried the perpetrator would retaliate
- I don't want anyone to know it took place
- I am worried about being called a troublemaker
- I am concerned that I cannot prove the behavior took place
- It's not serious enough to warrant a formal complaint
- I reported it to someone but they didn't take it seriously

If you selected this option, could you give more details? _____

- I don't know how to make a complaint
- The victim did not want to report it themselves
- Nothing would be done if I made a complaint
- I have concerns it might affect my current or future career
- I feel partly to blame for what happened
- Making a complaint would have a negative impact on my health
- I feel too embarrassed or ashamed
- I'm worried that I won't be believed
- I don't want to get the other person/people into trouble
- I don't have time to make a complaint
- I'm worried that there would be repercussions in my social circle

Informal complaint

Your complaint will be received confidentially by the Ombudsperson of your choice. This Ombudsperson will get in touch with you within 10 working days to discuss possible options. The Ombudsperson will only take further action with your consent. **Please be aware that informal procedures involve no investigation and no disciplinary sanctions against an alleged harasser.** Investigative action and sanctions will only be launched if you opt to initiate a formal complaint with the Disciplinary Committee, or in exceptional cases where the complaint is of a serious nature and is referred to the Disciplinary Committee (see Article 19.15.1 and 19.15.2 of the Policy) without your consent.

*mandatory fields

Your name*

Your surname*

Your status*

- Administrative staff
- Academic staff
- Student
- Other: _____

Name of the Ombudsperson of your choice*

Is there any member of the Ombudspersons Network you would NOT want to handle your complaint?
(multiple options are possible)

You are a ... of the incident*

- Victim
- Witness

Your gender

- Male
- Female
- Prefer to self-describe: _____
- Prefer not to say

This is a case of ... (*)

- Harassment
- Sexual harassment
- Both
- I don't know

Status of the person who committed the alleged harassment in line with the CEU Policy on Harassment. Please try your best to identify the status of the person. If you don't know or are not sure this does not mean that your submission will automatically be invalid *:

- Student
- Employee
- Contractor
- External
- Others (per CEU Policy on Harassment, Art 2)
- I don't know

Name and surname of the person that committed the alleged harassment* (if known). If unknown, please provide identifying details. If multiple people displayed harassing conducts, please submit one record per alleged harasser.

Date of the incident (as exact as possible)*

Are you requesting confidentiality of your identity?*

- Yes (my identity must be kept from the alleged perpetrator)
- No (my identity can be revealed to the alleged perpetrator)

Please provide a detailed description of the incident(s) relating to the alleged harassment, including date(s) and location, and nature of offensive acts. If you are the victim, please mention whether you indicated the unwanted nature of the act(s), and whether there were any witnesses. It is crucial that you provide as much detail as possible to enable us to fully understand your complaint. We strongly encourage you to save a copy of your complaint for future reference.

Please attach any potential evidence, such as documents, emails, photos, social media posts, instant messaging conversations, etc.

Was the behavior linked to real or perceived personal traits of the victim? (multiple options are possible)

- Age
- Disability
- Gender
- Sexual orientation
- Ethnicity
- Religion or belief
- Caring responsibilities
- Nationality
- I don't know

Does anything need to be done immediately to protect you or another member of the University Community? (Immediate Measures required as described in Art. 12 and Annex 5 of the Code of Ethics)

- Yes

Please let us know which immediate measures you consider might be needed

- No

Please describe the type of remedy or assistance you are seeking (what would you like the outcome of the complaint to be).

Other remarks (anything the Ombudsperson should be aware of?)

[NAME AND DATE/SIGNATURE]

Formal complaint

This formal complaint will reach directly the Disciplinary Committee Chair without intervention of the Ombudspersons Network. The Chair of the Committee will contact you directly. Should your complaint be admissible, a fact-finding team will be established and disciplinary sanctions might follow (Article 21 of the CEU Policy on Harassment). You can expect an initial reply in 5 working days.

The Disciplinary Committee will not share your original complaint submissions with the person against whom the complaint is made.

Your name*

Your surname*

Are you filing this complaint on your own behalf? (i.e. you are the person who has been directly affected), or are you bringing this issue to the attention of the Committee (i.e. asking the Committee to look into a possible breach of the Policy on Harassment that has come to your attention)

- I am the person being directly affected by harassment
- I am not the person being directly affected by harassment

Your status*

- Administrative staff
- Academic staff
- Student
- Other: _____

Your gender

- male
- female
- Prefer to self-describe: _____
- Prefer not to say

This is a case of ... (*)

- Harassment
- Sexual harassment
- Both
- I don't know

Status of the person who committed the alleged harassment in line with the CEU Policy on Harassment. Please try your best to identify the status of the person . If you don't know or are not sure this does not mean that your submission will automatically be invalid *:

- Student
- Employee
- Contractor
- External
- Others (per CEU Policy on Harassment, Art 2)
- I don't know

Name and surname of the person who committed the alleged harassment* If unknown, please provide identifying details. If multiple people displayed harassing conducts, please submit one record per alleged harasser.

Date of the incident (as exact as possible)*

Are you requesting confidentiality of your identity?*

- Yes (my identity must be kept from the alleged perpetrator)
- No (my identity can be revealed to the alleged perpetrator)

Please provide a detailed description of the incident(s) relating to the alleged harassment, including date(s) and location, and nature of offensive acts. If you are the victim, please mention whether you indicated the unwanted nature of the act(s), and whether there were any witnesses. It is crucial that you provide as much detail as possible to enable us to fully understand your complaint. We strongly encourage you to save a copy

of your complaint for future reference.*

Was the behavior linked to real or perceived personal traits of the victim? (multiple options are possible)

- Age
- Disability
- Gender
- Sexual orientation
- Ethnicity
- Religion or belief
- Caring responsibilities
- Nationality
- I don't know

Does anything need to be done immediately to protect you or another member of the University Community? (Immediate Measures required as described in Art. 12 and Annex 5 of the Code of Ethics)

- Yes

Please let us know which immediate measures you consider might be needed

- No

Please attach any potential evidence, such as documents, emails, photos, social media posts, instant messaging conversations, etc. Available evidence may be attached to this form or emailed separately to DisciplinaryCommittee@ceu.edu.

Please describe the type of remedy or assistance you are seeking (what would you like the outcome of the complaint to be). You may also indicate here what sanction you feel is appropriate in this case.

Please note here if you are concerned regarding a potential conflict of interests of a member of the Disciplinary Committee (see Art. 22 of Code of Ethics).

Please make any other comments you feel the Disciplinary Committee should be aware of.

[NAME AND DATE/SIGNATURE]

Annex 2

Template of notification (designed by Legal Team)

NOTIFICATION OF Anonymously REPORTED ALLEGATIONS OF HARASSMENT

To the attention of: (....)

Unit/Department: (...)

Dear (...),

This is to inform you that we have received three separate anonymous disclosures regarding possible harassment. In these three reports you were named as the alleged perpetrator. Please see below the relevant rules on Anonymous disclosures.

“Article 6. Anonymous disclosures

6.1. Anonymous disclosures are intended to operate as signals towards CEU in cases when potential complainants do not feel comfortable to reveal their identity but would like to facilitate the identification of patterns of harassment. Such disclosures will be monitored by the Ombudspersons Network (ON) in order to prevent future harassment from occurring.

6.2. The person making the disclosure must fill out the complaint form in the CEU SpeakApp without disclosing their name, identifying the nature of the alleged harassment and the person alleged to be the harasser.

Article 17. Ombudspersons Network action based on anonymous disclosures

17.1. When three anonymous disclosures against the same person have been submitted, the ON may notify the alleged perpetrator with a template annexed to this Policy (Annex 2).

17.2. Individual anonymous disclosures will not normally serve as basis for investigative procedures and/or disciplinary sanctions. Extremely severe cases may require action from CEU ON and possibly the Disciplinary Committee to protect the interests of the University Community.”

Please see below the short summary of disclosures we have received:

[...all cases shall be specified separately]

CEU is strongly committed to preventing and combating all types of harassment and takes all complaints seriously.

The CEU Harassment Policy defines Harassment in Article 7.1.

For the purposes of this Policy, harassment is a conduct which, because of its severity and/or persistence:

- *is likely to violate another person's dignity;*
- *has the purpose or effect of creating an offensive, degrading, intimidating, or hostile environment; and/or*
- *has the purpose or effect to interfere significantly with an individual's ability to participate in, and/or benefit from, their educational or working environment by negatively affecting the person physically and/or emotionally.*

Sexual harassment is a particular form of harassment described in Article 7.2.

Please be aware that in case the repetition of any such behaviour proved to be well-founded, it may lead to a disciplinary proceeding under the relevant CEU Policies.

"Article 22. Disciplinary Measures

Any Student, Employee, Contractor, External or Other found to have violated this Policy by engaging in conduct constituting harassment or sexual harassment investigated by the Disciplinary Committee will be subject to appropriate disciplinary action, which may include oral, written reprimand, expulsion, suspension or other measures that may be imposed pursuant to applicable law and the Code."

The purpose of this notification is solely to inform you, in accordance with the relevant procedural provisions of the CEU Policy on Harassment, that you have been identified as alleged harasser. These cases have not been investigated, and therefore no harassment or any other behaviour in breach of CEU policies has been established. As per the CEU Policy, *"Individual anonymous disclosures will not normally serve as basis for investigative procedures and/or disciplinary sanctions."*

We understand that false accusations of harassment can have serious effects on innocent persons, therefore we handle these disclosures with special reserve and caution, which is why they are not ordinarily the basis for investigations to commence.

The members of the Ombudspersons Network are available for discussion and guidance.

Date: [...]

Sincerely yours,

[...]

Annex 3

(Taken from the Code of Ethics)

Clause to be included heretofore into all contracts to be concluded by CEU:

Agent/Supplier declares to have received, read and understood the CEU Policy on Harassment and accepts its binding effect. Agent/Supplier declares to accept the jurisdiction of the officers and committees of the Central European University implementing the Policy. Under Article 19.10 of the Policy, contractors have to undertake due action within their organization against alleged perpetrators to protect victims.

Annex 4. Retention times.

Record Type	Outcome/actions	Retention time from the date the case is opened	Who has access to the data	What Rules
Anonymous disclosure	Recording of the anonymous disclosure and in case three or more disclosures against the same perpetrator notification may be sent to alleged perpetrator	3 years after opening the case report in <i>SpeakApp</i> or the end of formal procedure if the anonymous disclosure serves evidence in formal procedure initiated within 3 years after the start of the case.	ON DC Chair (31.1.b)	CEU Policy on Harassment Art 31.1 [3]

Record Type	Outcome	Retention time from the date the case is opened	Who has access to the data	What Rules
Informal complaint	Transferred to the DC (becomes a formal complaint) (19.15.1, 19.15.2)	In line with “Formal Complaints” below	DC	CEU Policy on Harassment Art 31.2. c
	Informal agreement reached or	3 years after opening the case report in <i>SpeakApp</i> or	Designated Ombudsteam	

	Informal agreement not reached and no transfer to the DC	the end of formal procedure if the anonymous disclosure serves evidence in formal procedure against the same perpetrator initiated within 3 years after the start of the case.	DC	
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Record Type	Outcome	Category of alleged perpetrator	Retention time from the end of the procedure	Who has access to the data	What Rules
Formal complaint	No breach found, no sanction	Employee	3 years	DC Chair Legal Counsel	CEU Policy on Harassment Art 31.3
		Student	2 years		
		Contractor	2 years		
		External	2 years		
		Other	2 years		
	Breach found, sanction	Employee	5 years		
		Student	3 years		
		Contractor	3 years		
		External	3 years		
		Other	3 years		
	Grave breach found, sanction	Employee	5 years + 10 years of simplified data (the name and the fact that a sanction was issued)		
		Student	3 years + 3 years of simplified data (the name and the fact that a sanction was issued)		
		Contractor	3 years + 3 years of simplified data (the name and the fact that a sanction was issued)		
		External	3 years + 3 years of simplified data (the name and the fact that a sanction was issued)		
		Other	3 years + 3 years of simplified data (the name and the fact that a sanction was issued)		

Grave breach:

- Rape or attempted rape, sexual assault (a person is coerced by force or dangerous threat to perform or tolerate a sexual act, including exhibitionism),
- Physical attacks,
- Sincere threats to life and/or physical integrity,
- Unwanted sexual contact,
- Exposing the victim to unwanted pornography,
- Circulating nude or sexually explicit images of someone against their will,
- Quid pro-quo conduct: any authority figure demands sexual or non-sexual favors in exchange for some benefit or to avoid some detriment,
- Stalking behavior that causes unacceptable impairment to the victim,
- Bullying behavior that causes unacceptable impairment to the victim,
- Any other breach that led to the suspension, termination or dismissal of the perpetrator

Independently from the timeframes indicated above, retention time will last until the end of any court proceedings where the case report of the complaint is used for judicial purpose.

Annex 5. PRIVACY STATEMENT

Harassment Policy and *SpeakApp* – the online platform for harassment reporting and management

At **Central European University Private University** (seat: Quellenstrasse 51, 1010 Vienna, Austria) (hereinafter collectively referred to as Joint Data Controllers) and other **member institutions of CEU** we place great emphasis on the protection of your personal information and compliance with the applicable data privacy requirements, including specifically the EU General Data Protection Regulation (GDPR)¹. This Privacy Notice relates to the collection, use, transfer and retention of your personal data when following the processes of the Harassment Policy and/or using the online platform, *SpeakApp* specifically developed for harassment reporting and management purpose.

1. Who are we and what do we do?

Member institutions of CEU have developed one unified Harassment Policy (policy) and reporting tool (*SpeakApp*) for effectively combatting harassment and sexual harassment at CEU. The Policy applies to all areas of university operations and programs, conduct of students, employees, guests, contracting partners and others, within the buildings used by the CEU Group or elsewhere. Data Controller has internally developed an online tool (*SpeakApp*) for easy and documented reporting, management and archiving of cases dealt with under the Policy.

2. Identity and contact details of the Joint Data Controllers

Central European University Private University, Közép-európai Egyetem, CEU New York, CEU Oktatási-Szolgáltató Non-profit Kft. or any subsidiaries or affiliates thereof, or any entity where any of the above acquire shares or business quota or other ownership interest are the data controllers, acting as joint data controllers according to the GDPR (the “Data Controller”).

Central European University Private University

Quellenstrasse 51, 1010 Vienna, Austria

Közép-európai Egyetem

1051 Budapest, Nádor utca 15.

CEU Budapest Foundation / Budapesti Közép-Európai Egyetem Alapítvány

1051 Budapest, Nádor utca 9.

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

CEU New York - Central European University,

224 West 57th Street, 4th Floor, New York, NY 10019

CEU Oktatási-Szolgáltató Non-profit Kft.

1051 Budapest, Nádor utca 9.

E-mail: privacy@ceu.edu

3. What is the purpose and legal basis of processing your data?

Data category	Purpose of data processing	Category of personal data	Legal basis Central European University PU
informal complaint	management of informal complaints	<ul style="list-style-type: none">• full Name• e-mail address• gender• organizational position• confidentiality instruction• complaint related information: involvement, type, date, description of the incident, supporting material, name and status of the alleged respondent, evidence, etc. regulated in Annex 1 of the Policy• indication of preferred/to-be excluded Ombudsperson• request for immediate measures• other comments• submission date• procedural steps,• resolution, immediate measure	Legitimate interest of the Data Controller
formal complaint	management of formal complaints	<ul style="list-style-type: none">• full Name• e-mail address• gender• organizational position• confidentiality instruction• complaint related information: involvement, type, date, description of the incident, supporting material, name and status of the alleged respondent, evidence, etc. regulated in Annex 1 of the Policy• indication of preferred/to-be excluded Ombudsperson• indication of potential immediate remedy• other comments• submission date• procedural steps,• decision of the Disciplinary Committee	Legitimate interest of the Data Controller

anonymous disclosure	management of anonymous disclosures	<ul style="list-style-type: none"> • information included in the disclosure: involvement, type, date, description of the incident, supporting material, etc. regulated in Annex 1 of the Policy • submission date • procedural steps • notification to the alleged perpetrator 	Legitimate interest of the Data Controller
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Provision of some of the above-mentioned personal data is mandatory, however, if you do not share the required information with us, the lack of information will not necessarily obstacle the initiation of the procedure under the Policy, still it might have an impact on its effectiveness, speed, and/or the end-result.

Due to the nature of the complaints initiated under the Policy, the Data Controller might have access, use and store special category of personal data (e.g. health, sexual orientation, etc. related data) forming part of the reported case, indicated by the disclosing individual or generated during the process.

The data subjects affected by the data processing detailed in this Privacy Statement might be Students, Employees, Contractors, Externals or Others, as per the definitions of the Policy. When referring to “you” in the present Privacy Statement, individuals belonging to any of the above-mentioned categories should be understood.

The source of personal data to Data Controller might be a) you or a witness reporting the alleged harassment, b) organizations recognized by Data Controller as being representative of a community (e.g. the Trade Union, Student Union, Work Councils), or c) the Disciplinary Committee. Personal data can reach Data Controller in written or electronic form, but all personal data shared with Data Controller or generated during the application of the Policy will be digitally stored in *SpeakApp*.

4. Who receives your information?

Any transmission of data between the Ombudsperson Network and the Disciplinary Committee or among the members of the Ombudsperson Network will occur through the *SpeakApp* platform in line with the rules of the Policy. In some specific cases the Policy gives right to some dedicated CEU employees to access cases or parts of them while completing their task. The potential access rights and type of procedures are regulated in depth in the Policy.

Unless we have a legal obligation to do so, we will not disclose your data to individuals, organizations, or other entities outside the universities other than those who are acting as agents and data processors working on our behalf. Specific third parties acting as data processors we work with include:

- **Közép-európai Egyetem** (Budapest, Nádor utca 9-11.): provision of IT services.
- **Microsoft Office 365**: Based in the US, with our data stored within EU in datacenters located in Amsterdam and Dublin. Software as a Service which provides our email and document management.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law.

5. *How long will your information be held?*

Retention times for the different procedures are detailed in Annex IV. of the Policy.

Withdrawal of a complaint in cases regulated by the Policy does not lead to the automatic deletion of the personal data processed while dealing with the given case.

6. *What are your rights?*

You have the right:

- to access your personal information – you can obtain a confirmation that we are processing your data and information how we process it. We suggest that you make a request in writing.
- to object to the processing of your personal information – this allows you to ask us to stop processing your data at any time. Where we rely on legitimate interest, you must give specific reasons why you are objecting the processing of your data. In this case this is not an absolute right, we can demonstrate compelling legitimate grounds for processing, which override your interests, rights and freedoms. Where we are processing personal data for scientific or historical research, or statistical purposes, you only have a right to object if our lawful basis for processing is legitimate interest.
- to rectify – you have a right to have your personal information corrected if it is inaccurate and to have incomplete personal information completed
- to erase (also known as the right to be forgotten) – in certain circumstances you can ask for the data we hold about you to be erased from our records. Your personal data will be erased where the data are no longer needed for their original processing purpose, or you have withdrawn your consent and there is no other legal ground for processing, or you have objected and there are no overriding legitimate grounds for the processing, or erasure is required to fulfill a statutory obligation under the EU law or the right of the national law.
- to request data portability – you can ask to have the data we hold about you transferred to another organisation.
- to restrict processing your personal information – where certain conditions apply, you have a right to restrict the processing of your personal information.
- to withdraw your consent at any time – without affecting the lawfulness of processing based on consent before its withdrawal.

If you wish to exercise any of these rights, please email privacy@ceu.edu or write to us at

Quellenstrasse 51, 1010 Vienna, Austria

We will make every effort to fulfill your request to the extent allowed by law and will respond in writing within 30 days of receiving your request.

Should you wish to request help from the relevant national authority, the details are as follows:

Österreichische Datenschutzbehörde
Barichgasse 40-42,
1030 Vienna, Austria/Europe
Telephone: +43 1 52 152-0
E-Mail: dsb@dsb.gv.at
Web: <https://www.data-protection-authority.gv.at/>

National Authority for Data Protection and Freedom of Information
1055 Budapest, Falk Miksa utca 9-11.,

e-mail: ugyfelszolgalat@naih.hu,
postal address: 1363, Budapest, Pf. 9.

In addition to the legal remedy, you have the right to apply to the court against the activities of the Joint Data Controller.

7. Security of your Information

We are committed to holding your data securely and treating it with sensitivity. All data are held securely within our internal system, in accordance with the relevant data privacy laws and our internal policies.

Although most of the information we store and process stays within Austria and Hungary, some information may be transferred to countries outside the European Economic Area (EEA). This may occur if, for example, one of our trusted partners' servers are located in a country outside the EEA (see above: data processors).

8. Future Changes

If our information policies or practices change at some time in the future, we will post the changes on our internal website.

Place and date:

Document information	
Type	Policy
Number	P-1402-1v2201
Title	The Central European University's Policy on Harassment
Related documents	Code of Ethics
Approved by	Senate
Date of approval	February 28, 2014, amended October 22, 2020, March 11, 2021, and January 28, 2022
Enters force	April 8, 2014
Distribution	Internal