



GÖTEBORG UNIVERSITY

## Guidelines for situations in which students experience harassment or discrimination



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Göteborg University (GU) has an equality plan (in Swedish only at : <http://www.pa.adm.gu.se/jamlikhet.html>) and equal opportunities plan (in Swedish only at : <http://www.gu.se/jamstalldhet/>). These documents describe the overall objectives for work with equality and equal opportunities at GU.

### SWEDISH LEGISLATION:

#### THE EQUAL TREATMENT OF STUDENTS AT SWEDISH UNIVERSITIES ACT (LbL2001:1286)

(The Act in its entirety can be downloaded from <http://www.homo.se/o.o.i.s?id=1212>, or <http://www.handikappombudsmannen.se/start.asp?lang=en&sida=999> or <http://www.jamombud.se/en/>).

According to the Act, Swedish universities and university colleges are required to work actively to promote the equal rights of students and applicants. The Equal Treatment Act applies to applicants, undergraduate and postgraduate students. The aim of the Act is to promote equal rights and to counteract discrimination owing to sex<sup>1</sup>, ethnic origin<sup>2</sup>, religion or creed, sexual orientation<sup>3</sup> or disability<sup>4</sup>.

According to the Equal Treatment Act, it is the obligation of universities and university colleges to "... investigate the circumstances surrounding the said harassment and, in appropriate cases, take such measures that may reasonably be required to preclude continued harassment" (Section 6 of the Act). The Act governs all study situations, including practical work experience included in educational programmes.

No university or university college may subject any student or applicant to acts of reprisal because (s)he has reported that institution for discrimination or participated in an investigation undertaken pursuant to the Act.

The Act came into force on 1 March 2002. The supervisory authorities are the four ombudsmen for various types of discrimination:

The Equal Opportunities Ombudsman (JämO), [www.jamombud.se](http://www.jamombud.se),

The Ethnic Discrimination Ombudsman (DO) [www.do.se](http://www.do.se),

The Disability Ombudsman (HO), [www.ho.se](http://www.ho.se),

The Ombudsman Against Discrimination on Grounds of Sexual Orientation (HomO), [www.homo.se](http://www.homo.se).

### WHAT IS DISCRIMINATION, WHAT IS HARASSMENT?

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<sup>1</sup> Transsexuality is associated with sex, and thus transsexuals are also protected by the rules against discrimination as contained in the various pieces of legislation on equal treatment.

<sup>2</sup> Belonging to a group of individuals with the same skin colour or national or ethnic origin.

<sup>3</sup> Homosexual, bisexual or heterosexual orientation.

<sup>4</sup> Sustained physical, psychological or mental disability resulting from an injury or a disease that existed at the birth of the individual, that arose thereafter, or that can be expected to arise. Act (2003:311).

## Discrimination

According to the Equal Treatment Act, discrimination is defined as disadvantageous treatment that is not objectively justified, and when this unfair treatment is related to sex, ethnic origin, religion or creed, sexual orientation or disability.

There are both direct and indirect kinds of discrimination. Direct discrimination is defined as treating a person differently from the way one treats, has treated or would have treated someone else in a comparable situation. Indirect discrimination is defined as applying a provision, a criterion, or a method of procedure that appears to be neutral but which, in practice, has discriminatory effects, for example if the eligibility requirements for a certain programme specified that applicants had to be at least five feet six inches tall, which could be discriminatory towards female applicants and others.

## Harassment

In this Act, harassment is defined as behaviour that violates the dignity of a university or university college student or applicant, if this behaviour is related to ethnic origin, religion or creed, sexual orientation, disability or sex, or is of a sexual nature. Act(2003:311).

Examples of harassment include offensive comments and innuendos, marginalisation, sexual rapprochement, or ridicule. Whether or not behaviour is abusive is determined by how the student personally experiences this behaviour. The harassment may take place in any study situation, including practical work experience included in educational programmes.

## PREVENTIVE MEASURES

Preventive measures must be taken to avert discrimination and harassment. This is best carried out at department or equivalent level as part of an active work environment policy. All employees and students at Göteborg University must be informed of the legislation that requires active, preventive measures to be taken to counteract discrimination. All students and employees must also be treated appropriately and respectfully.

Göteborg University has coordinators specifically appointed to work to prevent harassment and discrimination, and who provide training, information and advisory services for both staff and students. The coordinators do not, however investigate individual cases. The equal opportunities coordinator (*Jämlikhetssekreterare*) of Göteborg University is:

- Pia Götebo Johannesson, tel: +46 (0)31 773 53 48, [pia.gotebo-johannesson@adm.gu.se](mailto:pia.gotebo-johannesson@adm.gu.se)

Help is also available for disabled students who require special assistance in their studies. The coordinator for students with disabilities is:

- Lena Borg-Melldahl, tel: +46 (0)31 773 10 40, [lena.borg-melldahl@adm.gu.se](mailto:lena.borg-melldahl@adm.gu.se)

## DELEGATION OF RESPONSIBILITY AND ASSISTANCE IN PERFORMING AN INVESTIGATION

The Vice-Chancellor of the University bears ultimate responsibility for ensuring compliance with the Equal Treatment Act at Göteborg University. The Faculty Deans, the Director of the Sahlgrenska Academy, the Chief Librarian, the Heads of Departments (or equivalent) are responsible for this work at their respective levels.

However, all employees are obligated to comply with the Equal Treatment Act. Every employee is also a representative of Göteborg University, which implies that if (s)he becomes aware that a student is experiencing a harassment situation, the employee is obligated to report it to the Head of the Department (or equivalent), who is responsible for ensuring that the matter is investigated forthwith.

## **AS A STUDENT – WHERE DO I TURN?**

### **Reporting the situation to your Department Head**

Göteborg University recommends that, wherever possible, cases be investigated and dealt with at the level where the problem arises. Therefore, as a student, you should turn to your Department Head. In some cases, you may find it easier to turn to another employee in whom you have confidence, and who will be able to help you in your contact with your Department Head. Every department or the equivalent should post a notice with the name of the contact person to turn to in cases of discrimination or harassment. You may also contact the Dean directly to discuss these matters.

### **Reporting the situation to the Vice-Chancellor**

If the circumstances require, or if no local solution can be found, a student may decide to file a report directly with the Vice-Chancellor of Göteborg University. The student must be immediately informed that the report has reached the authority in question, and given the name of the individual at the office the Vice-Chancellor who will be dealing with the matter. If possible, the student should be informed as to how long it is expected to take for the matter to be dealt with. An investigation is then carried out by a legal counsel, who contacts all relevant parties for questioning. When the investigation is complete, the Vice-Chancellor decides whether or not to refer the matter to the Disciplinary Board (if a student stands accused of discrimination or harassment) or the Staff Disciplinary Board (if an employee stands accused of discrimination or harassment)

### **Reporting the situation to the Discrimination Ombudsmen**

A student can also submit a report directly to one of the Discrimination Ombudsmen (JämO, HomO, DO or HO, see above). The matter will then be referred back to the Vice-Chancellor, who will be asked to submit a written opinion. With this procedure, too, a legal counsel will carry out an investigation and question the relevant parties and a representative of the department. The Ombudsman then receives a written report on the matter.

## **RESOURCES AVAILABLE THROUGH THE UNIVERSITY STUDENT UNIONS**

**Student unions can provide advice and support**

As a student, you can turn to your student union for advice and support in your contacts with the university. The student union can represent an individual student, and help him or her negotiate with the university to find a satisfactory solution, or pursue a matter which has been reported on an individual student's behalf. Some Swedish student unions have employees or consultants who work specifically with matters relating to discrimination or harassment.

Contact information for all Göteborg University student unions can be found at: [www.gus.gu.se](http://www.gus.gu.se).

Students who have experienced harassment or discrimination may also want to discuss the matter with a counsellor. Counselling services are available for students through: *GFS Studentkuratorer*, tel: +46 (0)31-16 64 84, [www.gfs.se/halsan](http://www.gfs.se/halsan). Information is also available in English.

