

NEGOTIATING COMMITTEE OF THE UNIVERSITY OF APPLIED SCIENCES AND ARTS (HOC)

Protocol n° 264 – Code of conduct in interpersonal contacts at the Erasmus Brussels University of Applied Sciences and Arts.

Constituting a protocol of agreement, containing the conclusions of negotiations held in meetings dated 23/03/2018 and 23/12/2022 of the negotiating committee of the Erasmus Brussels University of Applied Sciences and Arts.

The delegation from the governing body and the representative trade unions have reached an agreement with respect to a code of conduct in interpersonal contacts at the Erasmus Brussels University of Applied Sciences and Arts.

Those who sign:

For the Erasmus Brussels University of Applied Sciences and Arts (Erasmushogeschool Brussel)

Dennis Cluydts – Chairperson of the Negotiating Committee HOC

[Signature]

For the General Union of Public Services (Algemene Centrale der Openbare Diensten)

[Signature]

For the Christian Education Federation (Christelijke Onderwijs Centrale)

[Signature]

For the Free Syndicate of Public Services (Vrij Syndicaat voor het Openbaar Ambt)

[Signature]

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1. Objective

It is very important to the Erasmus Brussels University of Applied Sciences & Arts (henceforth referred to as Erasmushogeschool Brussel or abbreviated as EhB) that all participants in the school's community treat each other with respect and, in turn, are being treated respectfully themselves. EhB fosters a safe environment in which transgressive behavior, aggression, violence and intimidation are not tolerated.

Overall the educational process is concerned with students' personal, mental and in some cases also physical development. These are intense and vulnerable processes requiring a safe and dedicated learning environment. An acute awareness of proper professional conduct is essential.

EhB uses the present code to define what it considers proper conduct in interpersonal contacts, specify when boundaries of acceptable behavior are being crossed and which steps an individual can take who is experiencing transgressive behavior.

The purpose of this code of interpersonal contacts is to ensure that each student and each associate in our school feels welcome, at home, challenged and safe within our community.

2. Scope

This code applies to all associates, students and members of the EhB-community as defined as follows:

Associates: associates with civil servant status ("statutairen"), associates with employee contract status ("contractuelen"), guest lecturers, freelance associates and independent contractors invoiced for educational and research activities.

Superior: each EhB-member and each associate who is in a managerial position in relation to other associates and who is authorized to give orders to other associates directly or indirectly and/or to evaluate them.

Students: each individual enrolled at EhB as well as external students who are connected to EhB through their assignments.

De Hogeschool: all governing bodies and divisions of the Erasmushogeschool Brussel such as departments, Schools of Arts and the General Administrative Offices.

The code deals with specific situations but is primarily intended to curtail transgressive behavior in general. Transgressive behavior should be understood as follows;

Transgressive behavior: each type of behavior that violates personal or universally accepted values and/or norms, crosses boundaries and has the potential to harm or is harming another individual, oneself or the environment, whether consciously or unconsciously.

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Violating a personal boundary is subjective by definition. Only the person involved can therefore determine whether certain behaviors are unwanted or transgressive. Within the context of our school we do however also include certain situations (see below) which EhB itself considers transgressions of generally accepted values or infringements of norms. Transgressive behavior includes a.o. bullying, sexual harassment, violence, stalking and discrimination. This is not an exhaustive list.

EhB also intends to disseminate this code of conduct in interpersonal contacts to other parties it is associated with in its operations, but who do not fit the above definition of “associate” or “student” (such as actors, volunteers, members of a jury, mentors for internships, suppliers, ...).

In addition to general rules of conduct to prevent transgressive behavior that apply to each associate and student, this code also expands upon a number of specific relationships:

- Student – associate
- Associate – superior
- Student – student
- Associate – associate

The relationship between an associate & a student and between an associate & a superior are of particular interest as power is unevenly distributed in these cases.

3. General rules of conduct in interpersonal contacts to prevent transgressive behavior

At all times, all associates, students and members of the EhB community must refrain from engaging in any type of transgressive behavior (see above for definition) under penalty of disciplinary action. Particular attention should be drawn to the following situations:

Bullying: a collection of wrongful behaviors of a similar or varying nature occurring within or outside of the organization over a specific period of time. This type of behavior aims to harm the personality, dignity, physical or psychological integrity of an associate or student or has such harm as a consequence. It intends to jeopardize the person's employment or create a threatening, hostile, insulting, degrading or hurtful environment. Bullying is mainly done through words, threats, actions, gestures or unilateral writing. It can relate to age, marital status, birth, wealth, faith or philosophical conviction, political belief, trade union persuasion, language, current or future health condition, disability, physical or genetic traits, social origin, nationality, race, skin color, origin, national or ethnic origin, gender, sexual orientation, gender identity and gender expression. Bullying can involve systematic gossiping, disseminating insulting content through social media or isolating an associate or student socially. It should however not be confused with a mutual conflict or friendly teasing.

Cyber bullying: A specific type of bullying through modern information and communication technologies (e.g. internet, social media, cell phone, computer).

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Intimidation: the act of influencing someone's behavior by instilling fear through the threat of negative consequences. A distinction should be made between:

- Physical intimidation: intimidation caused by physical behavior and actions (approaching in a threatening manner, vandalism, (light) violence, threatening gestures, etc.).
- Verbal intimidation: the threat is expressed verbally either implicitly or explicitly.
- Written intimidation: the threat is expressed in writing (letter or e-mail).

Sexual harassment: Any type of unwanted verbal, non-verbal or physical behavior with a sexual connotation that intentionally harms or ultimately results in harm to the dignity of the person or by which a threatening, hostile, insulting, degrading or hurtful environment is created. Sexual harassment is a broad concept and includes a.o. unwanted physical contact, comments (ambiguous or not), unwanted e-mail messages, peeping, unlawful collection or dissemination of visual material, assault, rape, etc...

Violence: Every instance in which an associate or student is being physically or psychologically threatened or attacked. It includes verbal aggression (cursing, name calling, etc.), threats or physical violence.

Stalking or endangerment: Serious disturbance of a person's peace while one knows or should have known that this behavior would generate such disturbance.

Discrimination: unequal treatment of individuals whether consciously or unconsciously, out of habit or based on prejudice. This no longer concerns negative or positive feelings but concrete actions of favoring or disfavoring someone.

In addition to their professional qualities and an appropriate conduct, each of our associates should master interpersonal skills. Associates and students within our community must treat each other and third parties respectfully. Everyone should be respected in their own personality and everyone must be committed to equal treatment of students and associates.

Everyone should be aware of the fact that one's own behavior could be perceived by others as undesirable and/or transgressive or that it could evoke a perception of (sexual) harassment or abuse of power. We therefore not only guard our own boundaries but are also mindful of those of others.

4. Relation associate – student

4.a. General

Associates should be aware of the fact that their relationship to students involves a difference in power. This holds for associates who are tasked with evaluating students and who therefore exert direct power over them, as well as for associates who are not in a teaching capacity towards students but could be perceived as holding indirect power over

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them. Associates must deal with this situation with integrity, in particular with regard to the trust and dependence which are characteristic of this relationship. Associates should not abuse this inequality in power.

Associates should respect students' personal integrity during feedback and evaluation conferences and be aware of the thin line between constructive comments and hurtful criticism. During evaluation lecturers should be cautious with arguments relating to a student's background (e.g. gender, social status, psychological issues, religion, culture,...). Comments referring to a student's background can only be used if they are an added value to the student's educational process. Lecturers must evaluate each student in an equal fashion.

Associates must always act within the boundaries of their professional role. They should be very aware of the fact that the personal and, in many cases, physical character of the (artistic) educational process imposes great demands on the integrity of their role. Associates must take this into account when they approach students and interact with them. They can only engage in physical contact with students when it is appropriate and relevant within the educational context. They should describe any physical contact they intend to engage in ahead of time, explain its purpose and explicitly request permission from the student. This consent only applies to the physical contact at hand and can be retracted at any time.

Associates must avoid mixing their professional role with other, informal contacts with students since any non-professional contacts with students may create a semblance of partiality and be harmful to the professional role. Associates exercise restraint in their contacts with students outside of the educational context, including social media. Cell phone contact or contact through social media should be restricted to urgent study related matters and requires explicit consent from both parties. No one can be forced to share a private cellphone number or to add someone through social media.

Students must in turn also recognize the hierarchical difference with associates and be open to the associate's assessment of their learning process. They must behave responsibly and treat others and their environment respectfully both inside and outside of the school.

Students must respect the personal integrity of lecturers during evaluation and feedback sessions and be cognizant of the fine line between constructive criticism and hurtful comments. A student must clearly signal when a boundary has been crossed.

Students can only engage in physical contact with lecturers when it is appropriate and relevant within the educational context. They must describe any physical contact they intend to engage in ahead of time and explicitly request permission from the lecturer. This consent only applies to the physical contact at hand and can be retracted at any time.

In principle associates communicate with students through the EHB e-mail address which students have received from the school. Students must regularly check their EHB-email address or redirect it to a personal e-mail address. They must set notifications in the digital

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learning platform Canvas in such a way that they are informed about official messages in a timely fashion. When lecturers communicate with students through the digital learning platform Canvas, it is assumed that students have been informed. Communication through other channels is discouraged. We should point out that cell phone contact or contact through social media must also remain restricted to urgent study related matters and that it requires explicit consent from both parties.

4.b. Intimate relations

Notwithstanding the observance of all of the directions above, an intimate relationship between an associate and a student can still arise. It should be clear that we are only talking about a voluntary relationship and not one involving coercion, (sexual) harassment, blackmail or abuse of office or power. A relationship is not voluntary if one of the parties does not experience it as entirely voluntary. In that case the situation involves transgressive behavior by definition.

An intimate relationship between an associate and a student should by all means be discouraged, even if at first glance the relationship is voluntary without coercion or abuse of power.

The parties should be aware of possible consequences and vulnerabilities. Situations in which a professional and non-professional relationship are merged, could lead to (a perception of) unjust privileges and have negative repercussions on future situations which cannot yet be envisioned at the start of the relationship.

Should an intimate relationship nevertheless evolve, certain measures must be taken to dissolve the hierarchical (and, if possible, educational) relation between the parties. This is necessary to ensure that both parties can continue their work and/or study in a safe setting at the time the measure is being taken and in the future. At the very least the associate can no longer evaluate the student and, if possible, any teaching assignment vis à vis this student should also be withdrawn during the time of the relationship and afterwards in case of a break up. If necessary, additional measures can be taken to ensure the present and future safety of all concerned.

In order to implement these measures, the associate has a duty to report the relationship and the student has a right to report it. Which measures are deemed appropriate can vary from case to case. Both parties are expected to act discretely about their relationship within the school and abstain from unnecessary display so others do not feel uncomfortable in their presence and no semblance of partiality arises.

5. Relation Superior – associate

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5.a. General

Superiors should be aware of the fact that their relationship to associates involves a difference in power. This holds for **superiors** who are tasked with writing performance reviews for an associate and who therefore exert direct power, as well as for superiors who are not tasked with evaluating the associate but can be perceived as holding indirect power e.g. a manager in another department. Associates should also be aware of this intrinsic difference in power. Both must treat the situation with integrity, in particular with respect to the trust and dependence which is characteristic of this relationship. Associates should not abuse this inequality of power.

A superior should respect an associate's personal integrity during a performance review and be aware of the thin line between constructive comments and hurtful criticism. During evaluation superiors should abstain from arguments relating to the associate's background (e.g. gender, social status, psychological issues, religion, culture,...). Superiors must conduct performance reviews of all of their associates in an equal fashion. Beyond the context of performance reviews, superiors should also abstain from hurtful criticism towards associates.

Superiors must always act within the boundaries of their professional role and avoid conduct and situations that could be at odds with this role.

Superiors must avoid mixing their professional role with other, informal contacts with associates since any non-professional contacts with associates may create a semblance of partiality and be harmful to their professional role. Superiors must exercise restraint in their contacts with associates outside of the professional context, including social media. Contacting associates on their private cell phone or through social media should be limited to urgent matters. No one can be forced to share a private cellphone number. The school's communication channels (Outlook, MS Teams, office phone,...) should be used for communication between associates and between associates and superiors.

5.b. Intimate relations

An intimate relationship can develop in the workplace between a superior and an associate. It should be clear that we are only talking about a voluntary relationship and not one involving coercion, (sexual) harassment, blackmail or abuse of office or power. A relationship is not voluntary if one of the parties does not experience it as entirely voluntary. In that case the situation involves transgressive behavior by definition.

Starting an intimate relationship at work should be discouraged even if at first glance the relationship is voluntary without coercion or abuse of power. The parties should be aware of possible consequences and vulnerabilities. Situations in which a professional and non-professional relationship are merged, could lead to (a perception of) unjust privileges and have negative repercussions on future situations which cannot yet be envisioned at the start of the relationship.

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Should an intimate relationship nevertheless develop, certain measures must be taken to dissolve the hierarchical relation between the parties. This is necessary to ensure that both parties can continue their work in a safe setting at the time the measure is being taken and in the future. At the very least the superior can no longer evaluate the associate during the time of the relationship and afterwards in case of a break up. If necessary, additional measures can be taken to ensure the present and future safety of all concerned.

In order to implement these measures, both parties have a duty to report the relationship. Which measures are deemed appropriate can vary from case to case. Both parties are expected to act discretely about their relationship within the school and abstain from unnecessary display so others do not feel uncomfortable in their presence and no semblance of partiality arises.

6. Relation student – student

6.a. General

Students must always abide by the general rules of interaction of this code when dealing with one another.

Students can only use physical contact amongst each other when it is appropriate and relevant within the educational context. They must describe any physical contact they intend to engage in ahead of time and request each other's permission. This consent only applies to the physical contact at hand and can be retracted at any time.

During group assignments students must use the school's tools to the fullest extent possible. Sometimes the choice is made to use other channels but no student can be forced to use their private channels for that purpose. A co-student's wishes not to share private data must be respected.

7. Relation – associate – associate

7.a. General

Associates must always abide by the the general rules of interaction of this code.

Associates must exercise restraint in their contacts with other associates outside of the professional context, including social media. No one can be forced to share a private cellphone number. The school's communication channels (Outlook, MS Teams, office phone,...) should be used to communicate with each other.

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7.b. Intimate relations

An Intimate relationship can develop between associates in the workplace. It should be clear that we are only talking about a voluntary relationship and not one involving coercion, (sexual) harassment, blackmail or abuse of office or power. A relationship is not voluntary if one of the parties does not experience it as entirely voluntary. In that case the situation involves transgressive behavior by definition.

Starting an intimate relationship in the workplace should be discouraged, even if at first glance the relationship is voluntary without coercion or abuse of power. The parties should be aware of possible consequences and vulnerabilities. Situations in which a professional and non-professional relationship are merged, could have negative repercussions on future situations which cannot yet be envisioned at the start of the relationship.

Both parties have a duty to report the relationship, so appropriate support can be provided. Which measures are deemed fitting can vary from case to case. Both parties are expected to act discretely about their relationship within the school and abstain from unnecessary display so others do not feel uncomfortable in their presence and no semblance of partiality arises.

8. Reporting intimate relations

Associates must notify a confidential advisor in the General Administrative Offices.
Students can notify a confidential advisor.

9. Reporting and follow-up regarding transgressive behavior

Internal

All students, associates and members of the Erasmushogeschool Brussel can report infringements on this code to a confidential advisor in the General Administrative Offices. Confidential advisors provide primary assistance and, if so desired, assume a mediating role. Students can also turn to the ombuds person of their study program. Contact information of confidential advisors and ombudspersons can be found in the annex to this document.

Should disciplinary action be necessary for associates with civil servant status ("statutairen"), the school's regular disciplinary procedures apply.

Staff

- HOC-protocol # 256: Deontological Code.
- Protocol on psychosocial risks in the workplace, including stress, violence and sexual harassment in the workplace: HOC 13.03.2015 – subsection of the Employment Regulations (Chapter 9, Article 23).
- HOC-protocol # 290: Amendment to Disciplinary Regulations
- HOC-protocol # 275: Disciplinary Regulations

Students

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- Regulations on the legal position of students: Art. 10, 11 Role of the ombudsperson
- Regulations on the legal position of students: Chapter 7.1 Code of conduct in interpersonal contacts.
- Regulations on the legal position of students: Chapter 7.2 Disciplinary proceedings

External

Students, associates and members of the Erasmushogeschool Brussel can also report infringements to organizations that are not connected to the school.

- De genderkamer van de Vlaamse Ombudsdienst: for students, staff and members of the Erasmushogeschool Brussel
- Idewe through psychosociale.brussel@idewe.be: for associates

If you are a victim of a criminal offence, we strongly advise you to file a complaint with the police who will write a police report.

Annex to Protocol n° 264 – Code of conduct in interpersonal contacts at the Erasmus Brussels University of Applied Sciences and Arts - Contact information of confidential advisors

Confidential advisors for students:

- The ombudsperson of the student's study program. See the link below for an overview.
<https://www.erasmushogeschool.be/nl/begeleiden/begeleiding-tijdens-je-studie/ombuds>
- Confidential advisors in the school's General Administrative Offices:
 - Annemie De Rouck (annemie.de.rouck@ehb.be)
 - Joeri Van den Brande (substitute) (joeri.van.den.brande@ehb.be)
 - Or through meldpuntstudent@ehb.be

Confidential advisors for associates: see the link below for an overview

<https://ehb.sharepoint.com/sites/IP-EhB-vertrouwenspersonen>