

Guide for actions against

Offensive treatment/bullying at the Royal College of Music in Stockholm



KMIM Royal College
of Music
Stockholm

Respect and equality

The Royal College of Music in Stockholm (KMH) must be a creative and stimulating environment where everyone has the same rights. Everyone should have opportunities to achieve good study and work results. The study and work environment must be free from harassment, discrimination, abusive discrimination and it must be characterized by equality. Actions must be taken as soon as the college becomes aware that someone is in any way exposed.



KMH does not under any circumstances accept that offensive discrimination, harassment, sexual harassment or discrimination occur.

This guide is aimed at employees and students to:

- inform about different forms of offensive treatment, such as harassment, sexual harassment and discrimination.
- describe what responsibility KMH has and how KMH handles cases of offensive treatment.
- provide support when a student or employee feels offended.
- inform about what the consequences will be for the person who violates someone else.



Helena Wessman

Vice-Chancellor at the Royal College of Music in Stockholm

What is offensive treatment?

We use the concept of offensive treatment or violations as a collective term for harassment, sexual harassment and discrimination.

Offensive treatment is defined as acts that violate someone's dignity and which are related to any of the grounds of discrimination based on gender-crossing identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. Violating someone means treating an individual degrading in words and/or actions. Being treated differently means being treated differently from others in an unjustified and unfair manner.

Examples of offensive treatment are:

- slander or spreading rumors
- withholding information
- insults, mockery or unfriendly treatment
- threats, humiliation or harassment
- to aggravate someone's workmanship
- exclusion

Harassment is defined in the Discrimination Act (SFS 2008: 567) as an act that violates someone's dignity and which is related to any of the grounds of discrimination mentioned above. Harassment can be when a person exposes another for eg. statement about their appearance or behaviour. It can also be about texts, images, e-mails that allude to any of the grounds of discrimination and which are perceived as offensive and unwanted. Someone may speak out in a degrading, ridiculous or generalizing way.

Sexual harassment is defined in the Discrimination Act (SFS 2008: 567) as an act of sexual nature that violates someone's dignity. Examples of sexual harassment are:

- unwanted touches.
- jokes, suggestions, looks or jargons that are sexually alienated and that are perceived as offensive.

Slander is an act in which someone designates someone else to be (what the law calls) "criminal or reprehensible". What is termed "innocent gossip" can be slander. For example, if one is identified as dishonest, sexually deviant or similar by his or her study or work colleagues, it is often the question of slander. Thus, discussing other people's sexual preferences or the like can be criminal - even if what you are talking about is true. What

is decisive for whether a statement is criminal is if the speaking person wanted to offend the person he or she talked about. The violation shall mean that the good name or reputation mentioned is put at risk.

What is the difference between discrimination and harassment? The assessment of whether it is discrimination or harassment depends on who is performing the act.

What you can do if you are exposed

If you are a student

- Tell someone you trust what happened to you.
- Note time and place, what was said, what happened and how you felt. These notes are valuable for any investigation.
- You should as soon as possible inform an employee at your academy: teacher, director of studies or head of academy, or turn to student health care, the student union or the student counselor.

If you are an employee

- Tell someone you trust what happened to you.
- Note time and place, what was said, what happened and how you felt. These notes are valuable for any investigation.

- Inform your nearest manager, staff unit or safety representative.

KMH is obliged to investigate

When an employee becomes aware that a student experiences being subjected to offensive treatment, harassment or sexual harassment in connection with the studies, we shall investigate the circumstances. We are also obliged to take measures that prevent further violations.

If you want to report

Students

- You make your report orally, by e-mail or letter to the head of the Student Affairs Office (SAD). Note time and place, what was said, what happened and how you felt as your own support for your memory in an eventual investigation.
- The case is registered.
- The head of SAD appoints an officer who talks to everyone involved and collects facts. The investigation should be done promptly.

The Student Affairs Office speaks individually with everyone involved. The investigation must contain the perspective and experiences of both the victim and the accused. In consultation with the Vice-Chancellor, an assessment of the matter is made and what additional measures are to be taken. This is reported back to the student. The Student Affairs Office takes memorandum notes and then summarizes the case as being registered. The case is confidential and should be treated carefully. KMH can keep the case confidential, but it is not KMH who definitively decides whether a case may be submitted to the person requesting it. If someone demands the documents, it is the Chamber Court that decides whether confidentiality applies.

Employees

- The employee reports by e-mail, letter or orally to the Human Resources Unit.
- The case is registered.
- The employer has an investigative responsibility and it is led by the Student Affairs Office who talks to everyone involved and compiles facts. The investigation should be done promptly.
- The employee should note the time and place and what happened, to support the memory of the event for a possible forthcoming investigation.

The Student Affairs Office speaks individually to all involved. The investigation must contain the perspective and experiences of both the victim and the accused. In consultation with the Vice-Chancellor, an assessment is made of the case and the measures to be taken.

The Student Affairs Office takes memorandum notes and then summarizes the case as being registered. KMH can keep the case confidential. However, it is important to state that it is not KMH who definitively decides whether a case may be submitted to the person requesting it. If someone demands the documents, the Chamber Court decides whether or not confidentiality applies.

Anyone who has reported or participated in an investigation concerning any form of harassment may, according to the Discrimination Act, not be punished or in any way subjected to negative measures (retaliation).

Support during the process:

For students

- KMH:s student union KMS
- Student health care

For employees

- Respective union organization, safety representative
- Occupational health care

Actions

Student

The disciplinary actions that may come into play when a student misbehaves is a warning or a suspension. They can be taken if the student exposes another student or employee to sexual harassment. The suspension can be limited to access to certain premises. A suspension decision must be limited to a maximum of six months. Discipline issues are handled by KMH's Disciplinary Committee.

A decision on suspension means that the student may not participate in teaching, examinations or other activities within the framework of the education at KMH for a maximum of six months. The decision on suspension also means that granted

student funds are not paid during the period the suspension applies.

Employee

What actions are taken depends on the individual case. Actions that can follow if an employee is guilty of abusive discrimination, harassment or sexual harassment are:

- disciplinary punishment: warning and salary deduction (15 § LOA)
- notice of termination (§ 7 LAS)
- resignation (§ 18 LAS)
- prosecution (police report) (Chapter 22, Section 1, LOA)

Decisions on disciplinary order, dismissal, prosecution or suspension are made by the staff welfare board. Sexual harassment is punishable when it comes to sexual abusive and sexual exploitation (Chapter 6 of the Penal Code). The harassed can also report directly to the police.

Follow-up risk assessment

When the case is closed, a risk assessment must be made by the college if necessary to prevent future violations as far as possible.

It is also of the utmost importance for KMH that a follow-up is made to ensure that the harassment/violations have ceased.

The follow-up is done by the Human Resources Unit/Student Affairs Office having follow-up discussions with those involved and that the head of Academy/teacher (who is not part of the conflict) is particularly attentive to the work or study climate.

Information and support

At KMH, there are a number of support functions, help and guidance for students and employees who find themselves exposed to discrimination and violations:

For students

The student union

The student union of the Royal College of Music in Stockholm,

KMS

kms@kms.se

Student counselor

helena.mellbom-kajlinger@kmh.se

Head of Student Affairs Office

thomas.berggren@kmh.se

Student health care

elisabeth.jeppson@su.se

For employees

Safety representative, see webpage for current information.

