

PROTOCOL FOR GUARANTEES TO ENSURE AN ENVIRONMENT FREE FROM SEXUAL HARASSMENT

(Students and Alumni)

BLANQUERNA FOUNDATION

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BLANQUERNA
UNIVERSITAT RAMON LLULL

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STATEMENT OF PRINCIPLES

Being treated with respect and dignity is a right of all individuals. The Blanquerna Foundation firmly opposes any discriminatory, abusive, or offensive behavior or attitude and commits to ensuring that the university community can develop and interact in safe, tolerant spaces free from harassment, violence and discrimination, guaranteeing the principles of dignity and freedom, while also safeguarding their integrity, health, and well-being.

Organic Law 3/2007, of March 22, on effective equality between women and men, establishes that public administrations shall promote working conditions that prevent sexual abuse and harassment based on sex and, at the same time, establish specific procedures to prevent such actions and address complaints or claims made by those who have experienced them.

This same approach is followed by Law 17/2015, of July 21, on effective equality between women and men, approved by the Parliament of Catalonia, which mandates that institutions of the Generalitat, the Generalitat Administration, and related or dependent public bodies must adopt, within two years from the entry into force of this law, a Protocol for the Prevention of Sexual Harassment and Abuse Based on Sex. Although the Blanquerna Foundation is a private entity, its protocol is inspired by the principles and objectives of this legislation.

Additionally, Law 4/2023, of February 28, for the real and effective equality of transgender people and the guarantee of the rights of LGBTBI individuals, aims to ensure and promote the right to real and effective equality for lesbian, gay, transgender, bisexual, and intersex individuals, as well as their families.

In line with this commitment and in compliance with current legislation and regulations, the Blanquerna Foundation has developed this *Protocol for Guarantees for an Environment Free from Sexual Harassment*.

This Protocol includes the tools and mechanisms necessary to eradicate any form of discrimination, violence, and harassment against students and alumni by teaching staff, administrative and service staff, and research staff, whether based on sex or gender, sexual orientation, gender identity, or gender expression. These tools and mechanisms are based on two key strategic dimensions: prevention and reparation.

The effectiveness of this Protocol also relies on the involvement of the entire university community, both collectively and individually. For this reason, it has been developed and agreed upon with the social representatives of the Blanquerna Foundation, with special emphasis on its dissemination and communication among workers and students. As a federated entity, this text adopts much of the content of the Ramon Llull University Protocol, updated in June 2024.

**TITLE I. PREVENTION, DETECTION, AND ACTION
AGAINST SITUATIONS OF SEXUAL HARASSMENT,
HARASSMENT BASED ON SEX OR GENDER,
SEXUAL ORIENTATION, GENDER IDENTITY OR
EXPRESSION, DISCRIMINATION, GENDER-BASED
VIOLENCE**

1. OBJECTIVES

The objectives of this Protocol are:

- To inform all members of the Blanquerna community about what constitutes sexual harassment, harassment based on sex or gender, sexual orientation, gender identity or expression, forms of discrimination, and gender-based violence.
- To establish preventive measures such as awareness-raising, sensitization, and training to promote recognition and respect for diversity and equity, and to prevent the occurrence of the harassment situations described in the previous paragraph.
- To provide a mechanism for reparation and prevention of recurrence. Reparation for recovery guides intervention from initial and ongoing detection to the support that must be provided, including investigation and sanctioning of the acts within the corresponding jurisdictional and competence framework.
- To promote support measures for victims throughout the process, ensuring that potential harassment cases are resolved with full guarantees of protecting the dignity of those affected, confidentiality, and compliance with the deadlines established in the procedures.

2. SCOPE OF APPLICATION

2.1. Objective Scope of Application

This Protocol applies to any of the behaviors listed in Section 4 of Definitions, whether they occur through verbal or non-verbal, face-to-face or digital means (email, social media, instant messaging, WhatsApp, virtual campus, or others).

It applies to all situations occurring in the physical or virtual environment of Blanquerna centers, whether in their own spaces or external spaces, when the behavior takes place within the framework of a service or professional or academic activity organized by Blanquerna or third parties (conferences, congresses, trips and mobility, internships, participation in external events, etc.).

In accordance with the obligations established for the coordination of business activities under Law 31/1995 and Royal Decree 171/2004, of January 30, which develops Article 24 of said law, external companies contracted for works and services by the University will be informed of the existence of this Protocol.

2.2. Subjective Scope of Application

This Protocol applies to STUDENTS of Blanquerna who are victims of any form of discrimination, violence, or harassment by faculty, research staff, administrative and

service personnel, or any staff from external collaborating companies, provided that one of the involved parties is a member of the Blanquerna university community.

Harassment, violence, or discrimination between students is not covered by this Protocol. The prevention and handling of such situations among students are governed by the ***Disciplinary Regime of the Blanquerna Foundation, Ramon Llull University***, in accordance with Law 3/2022, of February 24, on University Coexistence.

Students and Alumni

All individuals who are or have been connected to members of the Blanquerna university community through enrollment in studies offered by the Blanquerna Foundation, including undergraduate, master's, and doctoral programs, continuing education, university extension programs, summer courses, or other types of courses, are covered by this Protocol. This includes students participating in internship programs, mobility programs, or exchange programs.

Staff

Employees of the Blanquerna Foundation, regardless of their role in the organization, hierarchical level, or contractual relationship, belonging to the following groups:

- Research and teaching staff (PDI).
- Administration and services staff (PAS), including research support staff (PSR).
- Any other person who may have a professional and/or collaborative relationship with Blanquerna centers.

Other Groups

Staff of external supplier, collaborating, or contracted companies of the Blanquerna Foundation.

Individuals with a commercial relationship with Blanquerna centers, professionals in the context of curricular or extracurricular internships, other suppliers involved in the Foundation (cafeteria, cleaning, maintenance, security, reprography staff, etc.).

Users of the facilities or services provided by Blanquerna centers, or participants in activities organized by the Foundation (attendees of conferences, open lectures, participants in cultural or sports activities organized by the Foundation).

2.3. Territorial Scope of Application

The behavior may occur within the organizational or service provision scope of Blanquerna centers, i.e., in any workplace, study space, or other physical or virtual spaces (cafeteria, changing rooms, restrooms, sports facilities, virtual campus, etc.), or outside of them, when the behavior occurs within the framework of an activity or service organized or authorized by the Foundation (conferences, sports competitions, etc.), or when the behavior, whether in person or digital, is linked to a relationship derived from academic

activities, even if it occurs in a private setting.

Thus, this includes behaviors occurring in the workplace or study environment, including public and private spaces when they are a workplace or study area; places where staff or students rest or eat; sanitary or hygiene facilities and changing rooms; travel, trips, events, or social or training activities related to work or study, including mobility programs; communications related to work or study, including those conducted through information and communication technologies; accommodation provided by the employer; and commutes between home and the workplace or study location.

2.4. Temporal Scope of Application

The Protocol will apply as long as the behaviors covered by this Protocol are not time-barred under current legislation, even if the relationship with the Foundation of the individuals involved has ended.

3. APPLICABLE LEGAL FRAMEWORK

The Blanquerna Foundation bases this Protocol on the following legal framework:

- Spanish Constitution, Articles 14, 15, 18, and 35.
- Organic Law 1/2004, of December 28, on comprehensive protection measures against gender-based violence.
- Organic Law 3/2007, of March 22, on effective equality between women and men.
- Royal Decree 901/2020, of October 13, regulating equality plans and their registration, and amending Royal Decree 713/2020, of May 28, on the registration and deposit of collective labor agreements.
- Law 17/2015 of the Parliament of Catalonia, of July 21, on effective equality between women and men.
- Law 17/2020, of December 22, amending Law 5/2008 of the Parliament of Catalonia, of April 24, on the right of women to eradicate gender-based violence.
- Law 11/2014 of the Parliament of Catalonia, of October 10, to guarantee the rights of lesbian, gay, bisexual, transgender, and intersex individuals and to eradicate homophobia, biphobia, and transphobia.
- Law 1/2003 of the Parliament of Catalonia, of February 19, on universities in Catalonia.
- Article 15 of Law 31/1995, of November 8, on occupational risk prevention, which includes the general principles that should guide organizations' preventive actions, emphasizing prevention planning.
- Law 19/2020, of December 30, on equal treatment and non-discrimination.
- Law 3/2022, of February 24, on university coexistence.
- Law 15/2022, of July 12, on comprehensive equal treatment and non-discrimination.
- Organic Law 10/2022, of September 6, on comprehensive guarantees of sexual freedom.
- Law 4/2023, of February 28, for the real and effective equality of transgender individuals and the guarantee of the rights of LGBTI individuals.

4. DEFINITIONS

This section outlines the key definitions for the correct identification of situations involving violence or harassing behaviors that, if they occur, should trigger the activation of this Protocol. It also includes the definitions provided in Law 4/2023, of February 28, for the real and effective equality of transgender individuals and the guarantee of the rights of LGBTI individuals.

- **Gender-Based Violence:** The violation of human rights through violence directed against women as a manifestation of discrimination and the situation of inequality within a system of power relations where men dominate women. This violence, carried out through physical, economic, or psychological means, including threats, intimidation, and coercion, results in physical, sexual, or psychological harm or suffering, whether in public or private settings.

Forms of **Gender-Based Violence:**

This Protocol will be activated in the presence of any of the following forms of gender-based violence, whether they occur on a one-time or repeated basis:

- **Physical Violence:** Includes any act of force against a woman's body that results in, or risks causing, physical injury or harm.
- **Psychological Violence:** Includes any act or omission that causes a woman to experience devaluation or suffering through threats, humiliation, degradation, contempt, demands for obedience or submission, verbal coercion, insults, isolation, or any other restriction of her freedom. Gender-based violence may also involve the threat or infliction of physical or psychological violence against a woman's close circle, particularly children or other cohabiting or directly related family members, with the intent to cause her distress. It also includes environmental violence, which involves acts of violence against a woman's property or possessions, whether of economic or sentimental value, or against animals with which she has an emotional bond, with the purpose of causing her distress or creating an intimidating environment.
- **Sexual Violence:** Includes any act that violates a woman's sexual freedom and personal dignity by creating conditions or exploiting a context that, directly or indirectly, imposes a sexual act without her consent or will, regardless of the relationship between the woman and the aggressor(s). This includes bodily access, genital mutilation or the risk thereof, forced marriages, trafficking of women for sexual exploitation, sexual harassment and harassment based on sex, sexual threats, exhibitionism, voyeurism, and the imposition of any sexual practice, among other behaviors.
- **Sexual Harassment and Harassment Based on Sex or Gender:** These are considered forms of sexual violence against women.
- **Digital Violence:** Consists of acts of gender-based violence and online misogyny committed, instigated, amplified, or aggravated, in part or in full, through the use of information and communication technologies, social

media platforms, websites or forums, email, instant messaging systems, or similar means that affect women's dignity and rights. These acts cause psychological and even physical harm; reinforce stereotypes; damage dignity and reputation; violate privacy and freedom of action; cause economic losses; and hinder women's public participation and freedom of expression.

- **Sexual Harassment:** Any unwanted verbal, non-verbal, or physical behavior of a sexual nature that aims to, or has the effect of, violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, offensive, or disturbing environment. It is a form of violence exercised from a perception of power over the harassed person and can occur in any interpersonal context. It may or may not involve hierarchical superiority (vertical harassment and horizontal harassment, respectively). The harassment originates in the academic environment and may continue outside of it.

The following examples illustrate behaviors considered sexual harassment:

- Spreading rumors, asking about, or discussing details of a person's sexual life.
- Making offensive sexual comments or jokes.
- Making crude remarks about a person's body or physical appearance.
- Engaging in covert observation of individuals in private spaces.
- Persisting in arranging compromising dates or participating in unwanted recreational activities.
- Making lascivious looks at a person's body or obscene gestures.
- Demanding sexual favors.
- Engaging in excessive physical approaches or imposing unsolicited physical contact.
- Causing unnecessary situations of being alone with a person.
- Forcing the harassed person to choose between submitting to sexual demands or losing certain benefits or conditions (sexual blackmail).
- Suggesting academic improvements in exchange for sexual favors or threatening academic repercussions.
- Making unsolicited non-academic sexual invitations.
- Sending letters, notes, emails, instant messages, or social media posts with offensive sexual content, or spreading rumors about a person's sexual life.
- Threatening to share photos or videos showing a person engaging in sexual activities.
- Using or displaying pornographic images.

Any behaviors defined as sexual harassment under the legal framework.

- **Harassment Based on Sex:** Any unwanted behavior related to a woman's sex or gender, with the purpose or effect of violating her dignity or integrity due to her being a woman, creating an intimidating, hostile, degrading, humiliating, offensive, or uncomfortable environment. In this regard, any unfavorable treatment of women related to pregnancy or motherhood constitutes direct discrimination based on sex.

The following examples illustrate behaviors considered harassment based on sex:

- Making insults based on sex.
- Engaging in discriminatory behaviors based on sex.
- Using offensive forms of addressing a person.
- Ridiculing or belittling a person's abilities, skills, or intellectual potential because of their sex.
- Using sexist humor.
- Ignoring contributions, comments, or actions of a person based on their sex.

Conditioning a right or expectation of a right on the acceptance of a situation constituting sexual harassment or harassment based on sex is also considered an act of discrimination based on sex.

- **Harassment Based on Sexual Orientation, Gender Identity, or Gender Expression:** Any behavior based on a person's sexual orientation, gender identity, or gender expression that aims to, or has the effect of, violating their dignity or physical or psychological integrity, or creating an intimidating, hostile, degrading, humiliating, offensive, or disturbing environment.

Examples of behaviors that may constitute harassment based on sexual orientation, gender identity or gender expression:

- Making derogatory comments about a person or group based on their sexual orientation, gender identity, or gender expression, as well as sexist comments based on gender prejudices, or addressing them offensively due to their sexual orientation, gender identity, or gender expression.
- Engaging in acts or using derogatory expressions that incite violence against a person or group based on their sexual orientation, gender identity, or gender expression.
- Inciting hatred, violence, or discrimination against LGBTBI+ communities.
- Assigning a person to a job or tasks below their capacity or professional category, or assigning incoherent tasks, or not assigning tasks based on LGBTBI-phobic prejudices.
- Ignoring, ridiculing, or belittling the contributions, knowledge, abilities, skills, or work of a person or group due to their non-normative sexual orientation, gender identity, or gender expression.
- Ridiculing, belittling, or isolating individuals based on their sexual orientation, gender identity, or gender expression, as well as making derogatory remarks, jokes, gestures, or offensive comments of a homophobic, lesbophobic, biphobic, or transphobic nature in the academic environment, or publicly mocking or ridiculing recognized rights in the field of equality and diversity.
- Making comments about a person's physical appearance, behavior, or clothing, as well as their sexual orientation or gender expression.
- Refusing to address transgender individuals by their chosen name or the pronouns with which they identify.
- Questioning individuals with non-normative gender expressions or identities regarding their use of a specific restroom.
- Making comments with LGBTBI-phobic connotations.

For the purposes of this Protocol, the following are defined:

- **Sexual Orientation:** Emotional, romantic, and/or sexual attraction toward individuals of the same sex or the opposite sex.
- **Gender Identity:** Refers to how we feel, i.e., whether we identify as male, female, or another option.
- **Gender Expression:** The way and manner of expressing oneself, including preferences and behaviors expected of a particular gender, which are socially imposed.

In this case, the different types of harassment defined may occur sporadically or systematically and may only be of a **vertical descending** nature (from staff and/or other groups toward students).

For the purposes of this Protocol, the following are defined:

- **Protected Person:** Students and alumni.
- **Complainant:** Any person, even if not protected, who has filed a complaint or report under this Protocol.
- **Accused:** Any person (Staff and/or other groups) against whom a complaint or report has been filed for any of the reasons defined in this Protocol.

Law 4/2023, of February 28, for the real and effective equality of transgender individuals and the guarantee of the rights of LGTBI individuals, provides the following definitions:

- **Direct Discrimination:** A situation in which a person or group is, has been, or may be treated less favorably than others in a similar or comparable situation due to their sexual orientation, gender identity, gender expression, or sexual characteristics.
- **Indirect Discrimination:** Occurs when a seemingly neutral provision, criterion, or practice causes or may cause a particular disadvantage to one or more persons compared to others due to their sexual orientation, gender identity, gender expression, or sexual characteristics.
- **Multiple and Intersectional Discrimination:** Occurs when a person is discriminated against simultaneously or consecutively due to two or more grounds provided for in the law, and/or due to another ground of discrimination outlined in Law 15/2022, of July 12, on comprehensive equal treatment and non-discrimination.
Intersectional discrimination occurs when multiple grounds listed above converge or interact, generating a specific form of discrimination.

- **Discriminatory Harassment:** Any behavior carried out due to one of the grounds of discrimination provided for in the law, with the purpose or effect of violating the dignity of a person or group and creating an intimidating, hostile, degrading, humiliating, or offensive environment.
- **Discrimination by Association and Discrimination by Error:** Discrimination by association occurs when a person or group, due to their relationship with another person who is subject to discrimination based on sexual orientation, gender identity, gender expression, or sexual characteristics, is subjected to discriminatory treatment.
Discrimination by error is based on an incorrect assessment of the characteristics of the person or persons discriminated against.
- **Positive Action Measures:** Differential treatment aimed at preventing, eliminating, and, where applicable, compensating for any form of discrimination or disadvantage in its collective or social dimension. These measures shall apply as long as the situations of discrimination or disadvantages justifying them persist and must be reasonable and proportionate in relation to the means for their implementation and the objectives they pursue.
- **Intersexuality:** The condition of individuals born with biological, anatomical, or physiological characteristics, sexual anatomy, reproductive organs, or chromosomal patterns that do not align with socially established notions of male or female bodies.
- **Trans Person:** A person whose gender identity does not correspond to the sex assigned at birth.
- **LGBTI Family:** A family in which one or more members are LGTBI individuals, including homoparental families, i.e., those composed of lesbian, gay, or bisexual individuals with minor children under their stable care, guardianship, custody, or parental authority, or with adult children with disabilities under their care.
- **LGTBIphobia:** Any attitude, behavior, or discourse of rejection, repudiation, prejudice, discrimination, or intolerance toward LGTBI individuals due to their identity or being perceived as such.
- **Homophobia:** Any attitude, behavior, or discourse of rejection, repudiation, prejudice, discrimination, or intolerance toward homosexual individuals due to their identity or being perceived as such.
- **Transphobia:** Any attitude, behavior, or discourse of rejection, repudiation, prejudice, discrimination, or intolerance toward trans individuals due to their identity or being perceived as such.
- **Induction, Order, or Instruction to Discriminate:** Any induction, order, or instruction to discriminate based on any of the grounds established in this law is

considered discriminatory. The induction must be specific, direct, and effective in causing another person to engage in discriminatory behavior.

5. PRINCIPLES AND GUARANTEES

The Protocol ensures compliance with the following principles:

- **Respect and Protection of Privacy and Dignity:** Affected individuals must receive the necessary advice and support throughout the process. Any member of the university community has the right to receive information and advice; therefore, filing a formal report is never a mandatory requirement to access psychological support or other accompaniment measures, nor is identifying the alleged offender.
- **Confidentiality:** From the moment the Protocol is activated, confidentiality is mandatory for all actions and binding for all individuals involved in the case (those responsible for receiving and processing the complaint/report, the complainant, the accused, and witnesses).

The obligation of confidentiality extends to all parties involved in the procedure. Everyone participating in the investigation process, including witnesses, must sign a confidentiality agreement.

All collected information is confidential, and only those directly involved in processing the procedure, who are also bound by the principle of confidentiality, will have access. Data related to health monitoring and personal medical information are subject to Article 22 of Law 31/1995 and Organic Law 3/2018 on data protection, and thus will be handled specifically and only included in the case file with the express authorization of the affected person.

To protect the identity of those involved, real names will be replaced with codes (P1, P2, P3, etc.) in all written documentation. The correspondence between real names and these identifiers will be recorded in a separate document included in the case file. The person in charge of the case file will act at all times under the principles of confidentiality, respect, and protection toward those involved.

- **Fair and Impartial Treatment:** Throughout the procedure, all involved parties have the right to be heard and to defend themselves, and they may be accompanied by a person of their choice, including social agents and/or legal advisors. All individuals involved in the procedure must act in good faith to seek the truth and clarify the reported facts.
- **Right to Information:** The rights and duties of those involved in the procedure, the stage of the procedure, and the outcomes of each completed phase must be communicated.
- **Diligence and Promptness (Due Diligence Principle):** Procedures must comply with established deadlines without undue delays, including the adoption of precautionary measures tailored to each case's circumstances, respecting the rights of all parties involved, and ensuring non-repetition and non-revictimization.

The procedure will not exceed one month for all its stages, except in cases where the investigation (e.g., gathering witness statements) requires more time. All measures within the Foundation's scope that can facilitate the victim's recovery process should be offered.

- **Protection Against Retaliation:** No person should face negative consequences for participating in the investigation process, whether as a complainant, informant, affected person, witness, or supporter of victims. Only the outcomes of investigated and proven reports should be recorded in the personal files of accused individuals. If it is proven that the complainant acted in bad faith (false report), the case and disciplinary measures will be recorded in their file.
- **Gender Perspective Principle:** This includes understanding gender stereotypes and relationships, their roots, and their consequences in the application and evaluation of the impact of provisions in the current legal framework and this Protocol. Additionally, this gender perspective will incorporate an intersectional approach to ensure the rights of individuals experiencing other forms of discrimination or structural inequality (e.g., racialized individuals, people with disabilities, etc.).
- **Collaboration:** All individuals summoned during the procedure must cooperate.
- **Precautionary Measures:** Decisions must be made about whether precautionary measures are needed during the investigation, such as preventing contact between the complainant and the alleged harasser.
- **Presumption of Innocence: Respect for the principle of presumption of innocence of the alleged harasser.**
- **Non-Discrimination Principle:** No discrimination based on sex, sexual orientation, gender identity, race, skin color or ethnicity, religion, language, opinion, place of birth, residence, or any other personal or social condition or circumstance as outlined in Law 19/2020, of December 30, on equal treatment and non-discrimination.
- **Protection of Privacy and Dignity:** Ensuring the privacy and dignity of affected individuals and those accused, guaranteeing support during the various stages of the procedure. They may be assisted by a representative or another accompanying person of their choice throughout the procedure. The procedure will be conducted with the necessary discretion to protect the privacy and dignity of all individuals involved, especially those affected.
- **Voluntariness Principle:** The complainant has the freedom to choose whether to activate this Protocol and/or pursue the criminal justice system.
- **Principles of Effectiveness, Coordination, and Participation.**
- **Health Monitoring:** Ensuring the health of all university community members who perceive a harassment situation.

Additionally, disciplinary authority will be exercised in accordance with the following principles:

- **Legality and Specificity of Offenses and Sanctions: Ensuring that offenses and sanctions are clearly defined and lawful.**
- **Non-Retroactivity of Unfavorable Sanctioning Provisions and Retroactivity of Favorable Ones:** Unfavorable sanctioning provisions will not apply retroactively, while favorable ones may apply retroactively to the alleged offender.
- **Responsibility Principle:** The person who commits any of the behaviors constituting an offense under the current legal framework, or who collaborates in its commission, will be held responsible.
- **Proportionality Principle:** Applied to both the classification of offenses and sanctions and their implementation.
- **Principle of Prescription of Offenses and Sanctions:** Behaviors outlined in this Protocol will be considered very serious offenses and will have a prescription period of three years, starting from the date the offense was committed or, in the case of ongoing offenses, from the date the offending behavior ceases.
- **Guarantee of Procedure Principle:** The procedure must ensure a clear separation between the investigative and sanctioning phases, assigning them to different bodies.

6. RIGHTS OF THE PERSONS INVOLVED

6.1. Rights of the Victim

- To be summoned and heard, avoiding revictimization.
- To be accompanied by a trusted person and/or legal assistance and an interpreter, if necessary.
- To receive notification of precautionary measures adopted to prevent the recurrence of the conduct.
- To receive information about the final resolution of the case.
- To be informed throughout all stages of the procedure.
- To receive psychological support and other accompanying measures.

6.2. Rights of the Accused Person or Persons

- To be informed of the complaint or report and to be summoned and heard.
- To have their presumption of innocence respected.
- To be accompanied by a trusted person, legal assistance, and/or social agents and an interpreter, if necessary.
- To receive notification of the precautionary protection measures adopted.
- To receive information about the final resolution of the case.

7. PREVENTIVE ACTIONS

The preventive actions promoted and implemented by the Blanquerna Foundation to avoid situations of discrimination, gender-based violence, and behaviors of sexual harassment, harassment based on sex or gender, sexual orientation, or gender expression are planned within the framework of its current Gender Equality Plan. By way of example, considering that the specific action and its implementation will be detailed in the current Gender Equality Plan, the following are included:

- Dissemination and accessibility of this Protocol among the entire university community.
- Specific or structural awareness-raising actions (specific campaigns with the creation of informational materials, such as brochures or flyers; organization of talks or events; promotion, where possible, of awareness-raising on the subject within academic programs; etc.).
- Scheduling of informational and/or training offerings aimed at the entire university community on gender equality, and specifically on gender-based violence.
- Creation of an internal record of actions related to the activation of this Protocol, enabling the review, strengthening, or correction of the actions defined in Blanquerna's Gender Equality Plan. This record may take the form of an anonymous database that collects the number of complaints, reports, resolutions, types of individuals who have activated the Protocol (members of the university community), or other elements deemed relevant for the ongoing analysis of the situation in each center and, simultaneously, for the monitoring and evaluation of this Protocol.

8. INFORMATION AND DISSEMINATION

Members of the Blanquerna university community must be promptly informed of the existence of this Protocol, especially new students and new staff members. It must also be communicated to collaborating external companies, as well as to visiting professors and exchange students.

The Protocol must be prominently displayed on the Blanquerna website and must be available in Catalan, Spanish, and English.

TITLE II. ON THE RESOLUTION PROCEDURE

9. RESPONSIBLE PARTIES FOR THE PROCEDURE

Throughout the investigation and resolution process of a harassment case, this Procedure designates two responsible entities: the *Mediator* and the Blanquerna Foundation's *Investigation Committee*. The individuals selected to undertake these roles must be recognized as sensitive to the issue, command the respect and trust of the organization's members, and be capable of representing all members of the organization.

The **Mediator** for each center has been appointed by the Institution, in consultation with workers' representatives, to address and support the initial phase of action for cases of discrimination or harassment outlined in this Protocol. They will have appropriate training to handle these matters and the capacity to act in this area. In cases of a conflict of interest or if the affected party is the Mediator themselves, they will abstain. The General Management of the Blanquerna Foundation will appoint a substitute in such cases.

Their functions are:

- To analyze cases objectively and neutrally, with discretion and confidentiality.
- To inform and advise the affected person about the internal options available.
- To accompany the affected person throughout the entire process and guide them on other support and referral options (e.g., medical, legal).
- To undertake mediation and resolution of cases presented as *Complaints*.
- To communicate the need to convene the Investigation Committee to initiate procedures for cases presented as *Reports*, as outlined in sections 10.2.B 1 and 2 of this Protocol.
- In the case of a Complaint, to monitor, control, and safeguard relevant documentation.
- In the case of a Report, to transfer all available information to the Blanquerna Foundation's Investigation Committee.
- To participate, as established, in monitoring the implementation of this Protocol within the Equality Committee.

The **Investigation Committee** is the body tasked with investigating reports and issuing an evaluation report with conclusions and proposals, which will be submitted to the General Management for a decision on the measures to be adopted.

The composition of this Committee is determined for each report, both in terms of the profile of its members and the number of individuals involved.

As an example, possible members of this Committee may include:

- 1 Representative from the management team of the School or center where the incident occurred.
- 1 Human Resources Manager.
- 1 Workers' Representative.
- 1 Member of the Regulatory Compliance Committee.
- 1 Member of the Equality Committee.

- 1 External legal advisor with a voice but no vote.

The Investigation Committee may include a student representative as a member when deemed appropriate, considering the circumstances of the specific case.

The Committee members will be appointed by the General Management, avoiding any conflicts of interest. Once the investigation is completed and the report is issued by the General Management, the Committee will be dissolved.

It will be ensured that Committee members do not have a direct dependency relationship, kinship, close friendship, or evident enmity with any of the parties involved, nor can they be the accuser or the accused.

In cases where a direct dependency relationship, kinship, close friendship, or evident enmity is detected between any person investigating the facts and any of the parties involved in the procedure, the appointed investigator must abstain from participating. Similarly, the accusing or accused party may request the recusal of any person tasked with investigating the facts if the aforementioned reasons apply. In both cases, the appointed investigator will be replaced by another person who has no relationship with the parties, to ensure the Committee can be formed.

The final composition of the Committee will be determined within two business days from the communication by the Mediator responsible for the case to the General Director and will meet no later than two additional days at any of the centers.

The Management of the Blanquerna Foundation will provide the Mediator and the Investigation Committee with the necessary resources to carry out their functions.

10. PROCEDURE FOR ACTION

This Protocol provides for two internal resolution paths: the *Complaint* and the *Report*. The Mediator will inform the person reporting the facts about the characteristics of both procedures and will assist them in deciding which path to take, always respecting the personal decision of the presumably aggrieved person.

When the reported facts are deemed not severe but significant enough to warrant documentation, the **Complaint** path will be initiated. The Complaint is resolved through mediation conducted by the designated Mediator.

When the reported facts are considered severe, the **Report** procedure will be initiated. The Report entails the opening of a thorough investigation of the facts by the Investigation Committee for the case, which, upon completion of all relevant actions, will issue a report containing conclusions and proposing appropriate intervention measures.

The Mediator may seek advice from the Blanquerna Foundation's legal services to determine the severity of a case.

If the complainant or accused person is part of an external company, the matter must be communicated to that company so it can take the necessary actions.

In either of the two paths, the following phases of action will be applied:

1. Initiation of the actions.
2. Investigation and resolution of the procedure.

10.1. Initiation of the Actions

Any person who becomes aware of or is affected by conduct described in section 4 may initiate the procedure by presenting the facts to the Mediator, either in writing or verbally.

If the procedure is initiated in writing, it may be done through any of the following alternatives:

- a) Using the reporting channel enabled by the Blanquerna Foundation on the SCALA portal for reporting harassment cases.
- b) Sending the form in Annex I via email to the Mediator of the center where the incident occurred, to the address indicated in Annex II of this Protocol.
- c) By letter, in a sealed envelope, which must be delivered in person to the Mediator.

If the affected person prefers to provide an oral account of the facts, they must give testimony to the Mediator in a suitable space to ensure the necessary confidentiality. The Mediator will draw up a record of the meeting, which must be signed by the affected person and the Mediator. (Annex I)

The presentation of the reported facts may come from the affected person but also from any member of the university community who has witnessed or has direct or indirect knowledge of conduct that could be classified as harassment, whether they are a student, professor, research staff, administrative and service staff, or personnel from collaborating companies.

10.2. Investigation and resolution of the procedure

10.2.A Complaint

10.2.A.1. Processing a Complaint

In a Complaint, the affected person may choose between two courses of action:

- Directly addressing the person responsible for the act that prompted the complaint to request rectification or resolution of the situation. In this case, they must inform the Mediator of how the conversation was resolved.
- Requesting the intervention of the Mediator. In this case, the Mediator will contact the person identified as responsible for the situation subject to the complaint to gather their perspective on the facts and seek an agreement. The mediation procedure must not exceed 5 working days.

If, for any reason, the affected person does not wish to formalize the complaint but the Mediator, based on the information received, considers that there is a situation to address, they will inform the General Management—while respecting the confidentiality rights of the individuals involved—so that the Institution may adopt preventive, awareness-raising, or training measures, or any other actions deemed necessary to address the perceived indications.

If, upon receiving the complaint, the Mediator deems it necessary, they will have the support of the Blanquerna Foundation's legal advisors, who will assist in establishing corrective proposals.

10.2.A.2. Resolution of a Complaint

When the affected person has chosen to request the Mediator's intervention, if the reported conduct is deemed inappropriate according to the rules of this Protocol, the Mediator will explain to the responsible party the need to correct it and will inform them in writing of the consequences of persisting in such behavior. Within a period not exceeding 10 days, the Mediator will speak with the affected person, and if it is verified that the situation has ceased, the Complaint will be considered resolved.

If the issue prompting the Complaint persists, the Mediator will inform the General Management, which will act in accordance with the Disciplinary Regime section of this Protocol.

The Mediator will keep a written record of both this process and any direct conversation the affected person may have with the individual responsible for the act prompting the Complaint and will provide the document to the involved parties, specifying the resolution. The Mediator will maintain a record of all complaints and inform the Human Resources area manager.

When the Mediator and, if applicable, the Blanquerna Foundation's legal advisor or service conclude that the Complaint lacks substance, it will be archived, and the affected person will be informed, with an explanation of the reasons leading to this conclusion.

10.2.B. Report

10.2.B.1. Processing a Formal Internal Report

Once the report is formalized, the Mediator will communicate it to the General Management, which will convene the Investigation Committee. The Committee must be established within a maximum of two business days.

Once constituted, the Committee will carry out all necessary investigative actions to ascertain the substance of the reported facts. It will grant a prior hearing to both parties, conduct all proposed and legally admissible evidence it deems appropriate, and may request witness statements, reports, expert opinions, as well as audiovisual and digital recordings, among other appropriate measures to establish and verify the facts. The entire investigation will adhere to the principles outlined in this Protocol.

All members of the Blanquerna University community are obliged to cooperate in clarifying the facts if requested.

These investigative actions will be completed within a maximum of one month from the establishment of the Committee. In all cases, actions must be carried out with the utmost speed, ensuring the rights of the involved parties. However, the deadline may be extended, with due justification, when the complexity of the specific case requires it, and this will be communicated to the affected parties.

Based on the actions taken, the Committee will issue a report detailing the facts, their legal classification, identifying the alleged violations committed, and the individuals presumably responsible. It will also specify possible sanctions that may be imposed, as well as propose corrective, protective, and reparative measures if necessary. If the Committee determines that there is no violation or liability, it will propose archiving the case.

The contents of the report will be shared with the involved parties, who will have a maximum of 5 business days to submit any relevant allegations.

After this period, the Committee will issue an evaluation report with conclusions and proposals, which will be submitted to the General Management for resolution.

The proposals must include one of the following alternatives:

- Archiving the report due to the complainant's withdrawal, lack of grounds, or clear insufficiency of evidence.
- Proposal to initiate the corresponding disciplinary proceedings if a disciplinary fault, other than those covered by this Protocol, has been committed, as defined in current regulations.
- Proposal to initiate disciplinary proceedings when there is sufficient evidence that the reported facts may constitute a violation.
- Initiation of appropriate sanctioning measures if the investigation concludes that the report is clearly unfounded and/or false.
- Request to suspend the procedure if the reported facts may constitute a crime. The suspension does not exempt the obligation to adopt accompanying, corrective, and/or protective measures for the benefit of the affected person.

To avoid situations of vulnerability, the accused person may, if requested, have the assistance of a representative or another accompanying person of their choice throughout the procedure.

10.2.B.2. Resolution of a Formal Internal Report

The General Management, within 10 business days from receiving the Committee's report, must issue a resolution on the measures to be adopted, considering the Committee's proposals, and communicate it to the involved parties and the Investigation Committee.

The deadline may be extended by an additional 10 business days if necessary, with the reason for the extension duly justified.

If the General Management decides to initiate a disciplinary procedure, its processing will be governed by the applicable regulations on disciplinary measures for the group to which the allegedly offending person belongs.

The decision to initiate disciplinary proceedings must address the precautionary measures agreed upon during the prior phase.

If the investigation determines that there is solid evidence of conduct that could constitute a crime, the Institution will report it to the Public Prosecutor's Office after first informing the affected person.

To contribute to the fight against harassment and with a commitment to transparency in this social responsibility, Blanquerna will publish the number of complaints and reports that have been resolved by the Investigation Committee in the Foundation's annual report.

11. DISCIPLINARY REGIME

When determining the offenses and sanctions that may apply to employees of the Blanquerna Foundation, the reference will be the provisions in force at the time under the Title of Offenses and Sanctions of the Blanquerna Foundation's Collective Labor Agreement, its supplementary applicable regulations, and the Workers' Statute.

Regarding students, the provisions outlined in the Disciplinary Regulations for Students will apply in this regard.

12. PRECAUTIONARY MEASURES

These measures may be adopted by the General Management on its own initiative (e.g., at the proposal of the Mediator or the Investigation Committee) or at the request of a party (e.g., the affected person) through a reasoned decision.

Precautionary measures adopted may be lifted or modified during the processing of the procedure, either on the General Management's initiative or at the request of a party, based on new circumstances or those that could not be considered at the time of their adoption.

Precautionary measures will cease to have effect once a disciplinary sanction has been issued and produces legal effects.

The adoption of these measures does not, under any circumstances, presuppose the final resolution of the procedure.

13. MONITORING AND EVALUATION OF THE PROTOCOL

The Blanquerna Foundation commits to regularly monitoring this Protocol and its operation to evaluate the actions and their effectiveness and to introduce necessary modifications for improvement. The review will be conducted by the Responsible Persons or Mediators of the centers, together with the Management Teams, with the participation of workers' representatives.

Likewise, the Protocol's content will be amended whenever required by current legislation or regulations. Depending on the scope of the modification, it will be assessed whether the document requires new approval by the Blanquerna Joint Committee. In any case, if the Protocol is modified, the revision date must be indicated and recorded on the cover page.

ANNEX I: COMPLAINT/REPORT FORM

COMPLAINT/REPORT FORM

Requesting Party			
<input type="checkbox"/>	Affected Person	<input type="checkbox"/>	Other:

Types of Harassment			
<input type="checkbox"/>	Moral/Psychological	<input type="checkbox"/>	Sexual
<input type="checkbox"/>	Based on Sexual Orientation	<input type="checkbox"/>	Other Discriminations (specify):

Details of the Affected Person			
Full Name:			
N.I.F. (Tax ID):			
Age:		Contact Telephone	
		Email:	
Faculty where studying:		Department or Degree being pursued and academic year:	

Details of the Accused Person	
Full Name:	
Workplace or School:	Department:
Academic year:	
Description of the Facts	

(Include description of the events, dates, places, possible witnesses...)

Attached Documentation

<input type="checkbox"/>	Yes (specify)	<input type="checkbox"/>	No

Request

<input type="checkbox"/>	I request the initiation of the Harassment Protocol
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Location and Date

Signature of the Interested Party

ANNEX II: MEDIATOR DETAILS

- **School of Communication and International Relations:**

Sandra Balsells Cubells - sandrabc@blanquerna.url.edu

- **School of Health Sciences:**

Maria Rosa Rifà Ros - rosarr@blanquerna.url.edu

- **School of Psychology, Education and Sport Science:**

Teresa Pretel Luque- teresapl@blanquerna.url.edu

- **Corporate Services:**

Teresa Pretel Luque - teresapl@blanquerna.url.edu