



UNIVERSITAT
RAMON LLULL

**Protocol for the prevention, detection and action
against sexual harassment, harassment based on sex,
sexual orientation or gender expression at Ramon Llull
University¹.**

EXCHANGE CONTROL

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¹ In the event of any conflict between the Catalan and English versions, the Catalan version shall prevail.

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Preamble

Ramon Llull University (URL), in compliance with current regulations and in line with its firm commitment to gender equality, explicit in the Rules of organization and operation of the University and in its Gender Equality Plan, proceeds to update the Protocol for the prevention, detection and action against sexual harassment, harassment based on sex, sexual orientation or gender expression at Ramon Llull University.

Specifically, the revision of this Protocol is situated in a legal context that in recent years has placed special attention on the importance of having tools and mechanisms to achieve full equality between women and men and to eradicate any form of sexist violence, whether physical, psychological or sexual. Also, in recent years laws have been deployed to guarantee sexual freedom and for the real and effective equality of trans people, and to guarantee the rights of LGTBI people.

From a regulatory point of view, the updating of this Protocol has taken into account the most recent legal framework; Law 17/2020, of December 22, amending Law 5/2008, on the right of women to eradicate male violence; Law 19/2020, of December 30, on equal treatment and non-discrimination; Law 15/2022, of 12 July, on equal treatment and non-discrimination; Law 3/2022, of 24 February, on university coexistence; Organic Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom; Law 4/2023, of 28 February, for the real and effective equality of trans persons and for the guarantee of the rights of LGTBI persons.

In addition, the provisions of previous laws have been maintained, such as Organic Law 3/2007, of March 22, for effective equality between women and men; Law 11/2014, of October 2, to guarantee the rights of lesbian, gay, bisexual, transgender and intersex persons and to eradicate homophobia, biphobia and transphobia; Law 17/2015, of July 21, on effective equality of women and men; Royal Legislative Decree 2/2015, of October 23, approving the revised text of the Workers' Statute Law; Royal Decree Law 6/2019, of March 1, on urgent measures to guarantee equal treatment and opportunities between women and men in labour and employment.

In addition to the legal framework, the guiding protocol for the university level to prevent and redress with due diligence situations of gender-based violence, sexual harassment and harassment based on sex, sexual orientation, gender identity or gender expression, developed in 2022 by the Department of Equality and Feminism, and by the Department of Research and Universities, has been taken as a reference document.

In this line, the URL has revised its Protocol against harassment and has incorporated some very relevant modifications that entail a paradigm shift:

- The victims are placed at the centre of the Protocol and concepts such as institutional violence, second order violence, revictimization, due diligence and reparation are incorporated.
- The material scope of application of the Protocol is broadened: coverage is extended to include harassment of trans and LGBTI persons.

For the protocol to be an effective tool, the involvement of the entire university community is necessary. For this reason, as stated in several sections of the document, special emphasis has been placed on its dissemination and communication among the staff and students at the University, both through training and awareness-raising actions.

In addition, the Protocol has been agreed with the Gender Equality Commission of the Ramon Llull University, made up of representatives of all the institutions of the University.

According to the current legal framework in this matter, all the federated institutions of the URL and its affiliated centre, as foundations, are obliged to have their own protocols of action. Thus, this is the action protocol of the Ramon Llull University Foundation, which includes all the current regulations, inspires and becomes a framework protocol with a contextualizing and supporting function for its federated institutions and affiliated centre.

The following is the result of the update and revision of the Protocol approved in 2020, with the aim of making it a useful and practical document in the prevention, detection and action in situations of sexual harassment, for reasons of sex, sexual orientation or gender expression at the URL.

1. Institutional commitments

The URL has the obligation and responsibility to ensure that the entire university community can develop in a safe, free and respectful work and academic environment. In this sense, the URL makes explicit its commitment to effective equality between women and men and expresses its zero tolerance towards all behaviours or situations of harassment and sexist violence.

The URL is categorically against any discriminatory, abusive or offensive behaviour or attitude against people based on gender, and in accordance with the University Coexistence Act and the URL's own Coexistence Rules, is committed to ensuring that the university community can develop and interact in safe spaces free of situations of harassment and violence, ensuring the principles of dignity and freedom, as well as ensuring their health and welfare.

The URL is committed to ensuring equal treatment between women and men, a principle that implies the absence of any discrimination, direct or indirect, because of sex, and especially those arising from maternity, the assumption of family obligations and marital status.

The URL undertakes to regularly carry out awareness-raising actions, understood as a set of educational and communicative actions aimed at generating changes and modifications in the social imaginary that allow progress towards the eradication of gender violence.

Likewise, the URL undertakes to promote a culture of prevention, through actions aimed at avoiding or reducing the incidence of the problem of gender violence by reducing the

risk factors, thus preventing its normalization, and actions aimed at raising awareness among citizens, in the sense that no form of violence is justifiable or tolerable.

The University also undertakes to denounce and investigate the behaviours that are the object of this Protocol and to accompany and advise the victims.

2. Objectives

This Protocol responds to three objectives:

3.1 To act as a tool for the prevention of conduct of sexual harassment, harassment based on sex, sexual orientation, gender identity or gender expression and gender-based violence, through information and awareness of the university community of the URL.

3.2 Provide mechanisms and guidelines for action in case of detection of situations of sexual harassment, harassment based on sex, sexual orientation, sexual orientation or gender expression and ensure that their resolution is carried out ensuring the protection of the dignity of the persons affected, confidentiality and compliance with the deadlines established in the procedures.

3.3 Establish support, accompaniment and reparation measures for the affected persons.

3. Areas of application

The different scopes of application of this Protocol are detailed below: objective (which conducts), subjective (to which persons it applies), territorial (where the conducts may occur) and temporal (over what period action may be taken).

The specification of these aspects is of great relevance, because they define the framework of action, i.e., they make it possible to define the coverage offered by the Protocol.

➤ Objective scope of application

The Protocol applies **to any conduct** of sexual harassment, based on sex, gender expression or sexual orientation that is expressed verbally, physically and/or virtually (email, social networks, SMS messages, WhatsApp's, etc.).

➤ Subjective scope of application

This Protocol applies **to the entire university community** of the URL, i.e. students, employees and non-contractual staff.

As for the student body, the Protocol applies to:

- All students of the URL, in any of the studies they are enrolled.

- The student body that carries out an internship program or a stay at URL in the framework of a mobility program.

As for the working staff, the Protocol applies to:

- Teaching and research staff (PDI), regardless of the type of employment relationship with the URL.
- Technical management, administration and services staff (PTGAS), regardless of the type of employment relationship with the URL.
- Persons with a professional or occasional collaboration relationship with the URL.

Persons with no contractual relationship with the URL but who are related to it because of their work:

- Personnel invited to participate in specific events or activities of the University.
- Personnel from external companies that provide services to the URL (in this case, the URL must inform the company in question), etc.
- Professionals in the internship environment.

➤ **Territorial scope of application**

The Protocol applies to harassment behaviours that occur:

- In URL spaces (university facilities, campus, etc.). For the purposes of application of this Protocol, the spaces of the URL include both the spaces in which the General Services of the Rectorate are located and the spaces of the affiliated institutions and centres. However, it must be considered that, if the federated institutions have their own protocol, the protocol to be applied will be that of the institution itself.
- Outside the University premises when the conduct occurs within the framework of a service or a professional or academic activity organized by the URL or organized by third parties (conferences, congresses, travel and mobility, internships, sports competitions, participation in external events...) or when the conduct occurs on the way to and from the URL.

➤ **Scope of application in time**

In terms of temporality, this Protocol shall apply if the persons concerned are linked to the URL (are part of the objective scope of application), regardless of whether their link with the URL is permanent, regular or sporadic. It shall also apply if the facts are not time-barred according to the legislation in force, even if the link with the URL of the persons concerned has ended (end of contract, end of studies, etc.).

4. Definitions of situations and behaviours

Based on the behaviours defined in Law 5/2008, of April 24, 2008, on the right of women to eradicate male violence, modified by Law 17/2020, of December 22, 2008, this

Protocol will be activated in the event of any of the following forms of male violence and LGBTI-phobic violence:

- **Gender violence:** violation of human rights through violence that is exercised against women as a manifestation of discrimination and of the situation of inequality in the framework of a system of power relations of men over women and which, produced by physical, economic or psychological means, including threats, intimidation and coercion, results in physical, sexual or psychological harm or suffering, whether it occurs in the public or private sphere.
- **LGBTI-phobic violence:** any attitude, conduct or discourse of rejection, repudiation, prejudice, discrimination or intolerance towards LGTBI persons for being, or being perceived as such.

Regarding male violence, it can be exercised in a punctual or repeated manner in any of the following ways:

- **Physical violence:** includes any act of force against a woman's body, with the result or risk of causing her physical injury or harm.
- **Psychological violence:** includes any conduct or omission that results in a woman's devaluation or suffering, through threats, humiliation, humiliation, humiliation, humiliation, belittling, contempt, demands for obedience or submission, verbal coercion, insults, isolation or any other limitation of her sphere of freedom. Gender violence can also be carried out by threatening or causing physical or psychological violence against the affective environment of the woman, especially the sons and daughters or other family members who live together or have a direct relationship, when it is aimed at afflicting the woman. It also includes environmental violence, which is carried out through the exercise of violence on goods and property of the woman, with economic or sentimental value, or on animals with which she has a bond of affection, with the purpose of afflicting her or creating an intimidating environment.
- **Sexual violence:** includes any act that violates the sexual freedom and personal dignity of women by creating conditions or taking advantage of a context that, directly or indirectly, impose a sexual practice without the woman's consent or will, regardless of the link between the woman and the aggressor(s). It includes bodily access, genital mutilation or the risk of suffering them, forced marriages, trafficking of women for the purpose of sexual exploitation, sexual and gender-based harassment, sexual threat, exhibition, observation and imposition of any sexual practice, among other conducts.
- **Digital violence:** consists of acts of sexist violence and online misogyny committed, instigated, amplified or aggravated, in part or in whole, with the use of information and communication technologies, social networking platforms, websites or forums, email and instant messaging systems and other similar means that affect the dignity and rights of women. These acts cause psychological and even physical harm;

reinforce stereotypes; damage dignity and reputation; infringe on women's privacy and freedom of action; cause them economic losses, hindering their political participation and freedom of expression.

Within the academic and work environment, the following types of harassment can occur:

- Harassment based on sex: consists of any unwanted behaviour, verbal or physical, related to the sex or gender of women, carried out with the purpose or effect of attacking the dignity, indemnity or working conditions of women because they are women, creating an intimidating, hostile, degrading, humiliating, offensive or annoying environment that hinders their promotion, occupation of functions, access to management positions, remuneration and professional recognition, on an equal basis with men. The conditioning of a right or expectation of a right to the acceptance of a situation constituting sexual harassment or harassment based on sex is also considered an act of discrimination based on sex. The following examples illustrate some of the behaviours that are considered to be harassment on the basis of sex:
 - Having condescended or patronizing attitudes.
 - Speaking insults based on sex.
 - Discriminatory behaviour based on sex.
 - Using offensive forms of address to the person.
 - Ridiculing, belittling a person's abilities, skills and intellectual potential because of sex.
 - Using sexist humour.
 - Ignoring contributions, comments or actions of a person because of sex.
- Sexual harassment: consists of any unwanted verbal, nonverbal or physical behaviour of a sexual nature that has the purpose or effect of violating the dignity and freedom of a woman or of creating an intimidating, hostile, degrading, humiliating, offensive or upsetting environment. The following examples illustrate some of the behaviours that are considered sexual harassment:
 - Spreading rumours, asking or telling details about a person's sex life.
 - Making offensive sexual comments or jokes.
 - Making rude comments about one's body or physical appearance.
 - Insisting on setting up committed dates or engaging in unwanted playful activities.
 - Making lewd looks on the body and making obscene gestures.
 - Making demands for sexual favours.
 - Engaging in excessive physical approaches and imposing unsolicited physical contact.
 - Provoking a person to be alone unnecessarily with a person.
 - Forcing the person under siege to choose between submitting to sexual requests or losing certain benefits or conditions (sexual blackmail).
- Harassment based on sexual orientation, gender identity or gender expression: any behaviour based on a person's sexual orientation, gender identity or gender

expression that has the purpose or has the effect of violating his or her dignity or physical or psychological integrity or of creating an intimidating, hostile, degrading, humiliating, offensive or disturbing environment.

The different types of harassment defined can occur in a punctual or systematic way and can be of horizontal type (between colleagues), vertical downward (from a subordinate to a subordinate, from a teacher to a student...) or vertical upward (from a subordinate to a commander, from a student to a teacher...). Although, due to the existing situation of inequality, it is usually women who suffer this type of violence, it should be pointed out that harassment can affect both women and men and does not necessarily have to occur between people of different sexes.

It is also possible to suffer second-order violence, which consists of physical or psychological violence, retaliation, humiliation and persecution of people who support the victims of gender-based violence. It includes acts that impede the prevention, detection, care and recovery of women in a situation of gender-based violence.

5. Rights, obligations and responsibilities of the members of the university community

The university community of the URL (PDI, PTGAS and student body) has the right to work and study in a healthy environment free of discrimination and sexual harassment based on sex, sexual orientation or gender expression.

Likewise, according to Article 4 of the URL Coexistence Rules, it is the responsibility of all groups that make up the URL university community to prevent conflicts and create an environment of respect, tolerance and preservation of equality. This duty also extends to any other person or entity that participates in the activity of the University.

Consequently, the following obligations arise for all members of the university community:

- Obligation to treat others with respect and to see to the maintenance of good coexistence.
- Obligation to communicate, following the established procedures and always with discretion and confidentiality, the situations of harassment of which they are aware.
- Obligation to collaborate in the investigation process whenever their participation is requested.
- Staff members have the obligation to treat everyone with respect and politeness and to explicitly, forcefully and, if necessary, publicly reject any behaviour contrary to the freedom, dignity and integrity of employees or students that occurs within the university.

6. Activation of the Protocol: action procedure

6.1. Principles and guarantees of action

In order to provide the necessary confidence to the university community, the persons and bodies that intervene when this Protocol is activated, and in accordance with the university-wide Protocol-guideline to prevent and redress with due diligence situations of gender-based violence, sexual harassment and harassment based on sex, sexual orientation, gender identity or gender expression (hereinafter, Protocol-guideline), must be governed by the following general principles:

- **Due diligence:** the entire procedure should be processed as expeditiously as possible without undue delay, including the adoption of provisional/cautionary measures, adapting to the circumstances of each case, with respect for the rights of each of the parties involved, ensuring non-repetition and non-revictimization.
- **Gender approach:** includes the understanding of stereotypes and gender relations, their roots and consequences in the application and evaluation of the impact of the provisions set forth in the legal framework in force and in this Protocol. This gender approach will also incorporate an intersectional perspective to ensure the rights of people who suffer other multiple forms of discrimination or structural inequality (racialized people, people with disabilities, etc.).
- **Non-discrimination** based on sex, sexual orientation, gender identity, race, skin colour or ethnicity, religion, language, opinion, place of birth or neighbourhood or any other personal or social condition or circumstance included in Law 19/2020, of December 30, on equal treatment and non-discrimination.
- **Protection of the privacy and dignity of the persons affected, and the persons denounced,** guaranteeing support in the different phases of the procedure, who may be assisted by a representative or other accompanying person of their choice, throughout the procedure. It will proceed with the necessary discretion to protect the privacy and dignity of all persons involved in the procedure, and especially those affected.
- **Hearing and impartiality:** the procedure must guarantee the hearing and defence of all persons involved, who may be accompanied by the person of their choice, including social agents and/or legal advisors. All persons involved in the procedure shall act in good faith in the search for the truth and the clarification of the facts denounced.
- **Prevention and prohibition of reprisals:** no person who reports or communicates a situation described in this Protocol (whether affected or witness), or who participates in the investigation procedure, should suffer reprisals or violence of a second order, nor should the persons who support the victims. This principle should be informed at the time of the complaint so that potential victims can detect this type

of violence. The Equality Unit must follow up on the person who reports or communicates it, witnesses and the people who support the victims to detect if a case of violence of the second order occurs.

- **Voluntariness in the activation of the protocol and/or access to the criminal system:** respect for the principle of autonomy of the complainant.
- **Principles of effectiveness, coordination and participation:** predisposition to cooperative work for the integration of all perspectives and actions in a common strategy.
- **Principle of specialization:** in accordance with article 17.3 of Law 5/2008, of April 24, on the right of women to eradicate gender-based violence, universities must provide adequate training in gender perspective and non-revictimization to those involved in the procedures and in the instruction of informative or disciplinary proceedings arising from the application of the protocol.
- **Confidentiality throughout the procedure:** which extends to the documentation that is part, and to all persons involved in the procedure.
 - The information generated and provided in the proceedings in application of this Protocol shall be confidential and may only be accessed by persons directly involved in the processing. Current legislation on data protection shall be considered.
 - To avoid possible re-victimization and unnecessary duplication and to reinforce speed as a principle of action, the actions previously carried out shall be included in the disciplinary procedure file, so that they may be considered by the instructor.

6.2. Rights of the persons involved

The following are the rights of both the complainant(s) and the person(s) denounced in the activation of the Protocol:

Rights of the complainant(s)

- To be summoned and heard, avoiding revictimization.
- To be accompanied by a trusted person and/or legal assistance and interpreter, if necessary.
- To be informed throughout all phases of the proceedings.
- Receive notification of the provisional protection measures adopted to avoid repetition of the conduct.
- Receive information on the final resolution of the case.
- Receive psychological support and other accompanying measures.

Rights of the person or persons denounced

- To be informed of the complaint or denunciation and to be summoned and heard.
- To have the presumption of innocence respected.
- To be accompanied by a person of trust, legal assistance and/or social agents and interpreter, if necessary.
- To receive notification of the provisional, precautionary measures of protection adopted.
- Receive information on the final resolution of the case.
- To present all evidence accepted by law that allows for the defence and accreditation of their position.

6.3. The complainant

The procedures of the URL Protocol can be activated both by the person who suffers the harassment and by any member of the university community who has direct or indirect knowledge of the harassment situation.

If the person filing the complaint or denunciation is not the affected person, he/she must have the consent of the affected person in order to activate the procedures.

It is essential that the person who wishes to initiate a complaint or denunciation procedure, whether victim or person aware of the harassment situation, can receive the necessary advice and accompaniment that will allow him or her to take advantage of and initiate the most appropriate procedure. The complaint or denunciation shall be submitted in accordance with the standard complaint or denunciation model in Annex I. It will be necessary to identify the victim or victims, the alleged aggressor or aggressors, witnesses, facts and any other means of evidence, as well as the collection of these means of evidence.

6.4. The filing of a complaint or denunciation

Bearing in mind the federal nature of the URL, and that each centre has its own Protocol, it will be necessary for the person who wishes to file a complaint or denunciation to identify whether it is to be filed in a centre of a federated institution of the URL, in the attached centre, or in the General Services of the Rectorate of the University, depending on the following circumstances:

- A. If the person suffering a harassment situation is a staff or student of a URL centre, he/she should address to the person or unit of reference of the centre.
- B. If the person suffering a situation of harassment, whether working staff or student, belongs to the General Services of the Rectorate, he/she should avail him/herself of the URL protocol.
- C. If the person who suffers a situation of harassment is a mobility student who is staying at the URL, he/she will follow the same circuit as any student of the URL (point A).

In these cases, the centre will contact the home university to inform it and work, if necessary, jointly and collaboratively in resolving the case.

In case the complaint or denunciation is presented to the Equality Unit of the General Services of the Rectorate, it can be made by telephone (936.022.200), by e-mail UID@url.edu or in person (Claravall street, 1 -3. 08022 Barcelona).

The complaint may be made in writing or verbally. If the complaint is presented verbally, it must be collected in writing and signed by the person who has made the complaint to the Equality Unit. In no case may an anonymous complaint be admitted for processing.

6.5. Information and advice

In accordance with the Protocol-Guide, the advice provided to individuals must be comprehensive, immediate, specialized, objective and free of revictimization. It should facilitate the identification of their needs and inform in a clear and understandable manner about the rights, services and resources offered by the university.

The person technically responsible for the Equality Unit (UI), has the following functions:

- Inform and advise the affected person to help him/her identify whether the situation he/she suffers is subject to the Protocol.
- To inform of the different steps involved in the activation of the Protocol and the respective different deadlines established.
- To expose the internal ways of resolution and support in the choice of the most appropriate according to the case reported.
- Inform about rights, obligations and responsibilities.
- Interview the affected person to collect evidence of the reported situation.
- Prepare a preliminary report that includes an assessment of the complaint and a proposal for provisional and corrective measures, if appropriate.

The person technically responsible for the PIU must have the necessary information and training to provide the correct support and is obliged to act with total confidentiality and as quickly as possible.

6.6. The investigation

In accordance with the previous article, the person technically responsible for the PIU will have 14 days to carry out an initial verification of the facts reported, verify that the complaint complies with the object of the Protocol and gather the information necessary to prepare a preliminary technical report. This report will be submitted to the director of the PIU.

If the complaint does not comply with the object of the Protocol, it will not be admitted for processing and will be referred to the corresponding unit.

If it is considered that there is a case covered by the Protocol, the person technically responsible for the PIU will inform the director of the PIU so that he/she can submit it to the rector and convene the Investigation Committee. The period between the filing of the complaint and the convening of the Commission shall not exceed 14 working days.

The Committee shall ensure that the established procedure is followed within the established deadlines and that all the documentation generated is collected and kept in its custody.

If any member of this Commission is an affected party or has a relationship with one of the parties involved in a complaint or denunciation, a conflict of interest arises that must be communicated, and he/she must abstain from participating in the investigation.

The Commission will investigate the alleged facts based on the following actions:

1. Analyse the complaint and documentation associated with the case based on the preliminary report prepared by the person technically responsible for the UI.
2. Contacting the person denounced and informing him/her of the complaint.
3. Summon and take statements from all persons involved in the reported case:
 - a. The complainant, if it is considered that the information gathered in the preliminary report could be expanded, avoiding revictimization.
 - b. The person denounced, respecting the right of hearing of the persons denounced.
 - c. Potential witnesses, who are obliged to cooperate by providing all the information requested by the Commission.
4. To carry out any other action, such as consulting with experts, requesting expert opinions, etc., to help clarify the facts and avoid the re-victimization of the complainant.
5. Assess whether provisional measures should be taken during the investigation process, such as, for example, avoiding contact between the person making the complaint and the alleged harasser.
6. Prepare a comprehensive written report, to be submitted to the rector in all cases, containing, at a minimum, the following aspects:
 - Identification of the parties involved and members of the Investigation Committee.
 - Compilation of the background of the case and the summary of the facts (complaint, evidence, witnesses, etc.).
 - Proposed resolution of the case:
 - o If the existence of a situation of harassment has been proven, the initiation of disciplinary proceedings will be proposed in accordance with the principles set out in Annex II, as well as the proposal to apply provisional corrective and

protective measures (e.g., change of schedules, reorganization of workspaces, change of group-clause, etc.).

- If it has not been possible to prove the existence of a harassment situation, it will be proposed that the complaint be closed. However, preventive measures will be proposed.
- If it is considered that there is evidence of a crime in the facts reported, it shall be proposed that the Secretary General refer the facts to the Public Prosecutor's Office.
- If there is evidence that the complaint is false, it shall be proposed that disciplinary proceedings be initiated against the complainant.

The Investigation Committee shall carry out the investigation and prepare a report for the Rector within one month from the beginning of the investigation. Subsequently, the director of the UI shall send the report prepared by the Investigation Committee to the rector.

All documentation generated during the entire procedure will be filed and kept in custody by the Equality Unit and/or by the Legal Office of the URL, in accordance with current data protection regulations.

6.7. Rector's decision

The Rector will issue a resolution on the case and the measures to be adopted within 10 working days from receipt of the report of the Investigation Committee and will send the resolution to the parties involved, to the Committee and to the Equality Unit.

In accordance with the previous point, the resolution may conclude, in accordance with the proposal made by the Investigation Commission, in the following ways:

- The filing of the complaint or denunciation.
- The initiation of disciplinary proceedings.
- The adoption of provisional measures.

6.8. Provisional measures

Provisional measures are those intended to guarantee the protection of the victim and avoid the continuation of the alleged situation of harassment, discrimination or violence.

Some examples of interim measures in the work environment are change of shift, prohibition of approach or communication, restriction of access to data, spaces, etc. In the academic field, these could be measures such as change of shift, class group, reassignment of tutor, etc.

If the rector decides to initiate disciplinary proceedings, he/she must rule on the provisional measures agreed upon by the Investigation Committee. He/she must confirm, modify and/or lift the provisional measures within 15 days of their adoption.

If the initiation agreement does not contain an express pronouncement on the provisional measures or if the disciplinary file is not initiated within 15 days of their adoption, the provisional measures shall cease to have effect. On the other hand, these shall lose their effect when a disciplinary sanction has been issued and this produces legal effects.

6.9. Accompanying and remedial measures

Accompanying measures are preventive and/or corrective measures that can be agreed independently of whether or not disciplinary proceedings are initiated. An example would be changing a student to another group or making teaching adaptations applicable to the case.

Whenever possible, the University will facilitate referral to the public network of care and redress.

7. Bodies and units responsible in the Protocol

The bodies and units responsible for implementing the contents of this Protocol, according to their competencies, are the following:

- Rector: is the competent body to initiate and resolve all those procedures, initiated through this Protocol, that correspond in order to investigate conduct of sexual harassment, harassment based on sex, sexual orientation, gender identity or gender expression and gender violence and, where appropriate, determine, subsequently, the corresponding disciplinary responsibility.
- Secretary General: will transfer the facts to the Public Prosecutor's Office when the conduct may constitute a crime.
- Equality Unit (UI) of the URL: welcomes, accompanies and supports the activation of the Protocol. The Unit must prepare an annual report on the complaints filed and the measures taken (prevention, support and accompaniment and the action procedure) to be submitted to the governing bodies of the University and the Inter-University Council of Catalonia.
- Investigation Committee: a collegiate body of a stable nature that carries out the functions described in this Protocol, made up of the following people:
 - The director of the Equality Unit or the person to whom he/she delegates.
 - The person technically responsible for the Equality Unit.



- The person in charge of the Legal Office of the URL or person delegated by him/her.
- The manager or the person he/she delegates.
- If necessary, an external advisor specialized in gender violence and harassment.

8. Prevention policies and measures

The prevention policy responds to the need to raise awareness and provide training to prevent these behaviours from occurring. In addition, the way in which the Protocol is activated should be evaluated to introduce new measures to prevent the occurrence of these behaviours.

The preventive actions foreseen in this Protocol are the following:

- **Dissemination and accessibility of the protocol:** it is essential to have a communication plan or strategy that allows the Protocol to be known and accessible to the entire university community. In this sense, it will be necessary to have tools such as the URL website; e-mail, the intranet or other internal communication platforms; the Student Council and its own communication and work mechanisms, or the legal representation of workers and their own communication mechanisms. It is considered basic and essential that the Protocol is disseminated among the university community so that all its members have the necessary information in case they find themselves, directly or indirectly, in a situation of sexual harassment or harassment based on sex, sexual orientation or gender expression.
- **Carrying out specific awareness-raising actions such as the organization of specific and timely campaigns,** the preparation of informative material (videos, billboards, flyers, etc.), and the organization of specific talks or conferences aimed at the university community or specific groups.
- **Programming, among others, of a training program** aimed at the entire university community on gender equality and specifically on gender violence.
- **Elaboration of an internal register,** through the Equality Unit, of the actions related to the activation of the Protocol. The format of this record will take the form of a protected data file containing the number of complaints, denunciations, resolutions, types of people who have activated the protocol (PTGAS, PDI, students), and other elements considered relevant at university system level within the framework of the CIC's Women and Science Committee. This information will be the source for the elaboration of monitoring and evaluation reports of the Protocol.

- **Creation of relational environments that allow understanding equality based on respect.** Certain forms of communication and relationships may favour the conditions for the appearance of discriminatory or harassment situations.

9. Follow-up and revision of the Protocol

The Protocol has been developed with the intention of being a practical and effective tool in the prevention, detection and action against sexual harassment, for reasons of sex, sexual orientation or gender expression in the URL.

The application of the Protocol involves:

1. Planning actions and procedures.
2. Acting as planned.
3. Evaluating and monitoring the Protocol.
4. Act again incorporating the changes and improvements resulting from the evaluation and, therefore, modifying the initial planning when necessary.

In this sense, the Protocol is conceived as a flexible tool that must have the capacity to be adapted and updated whenever it is considered necessary and with an essential evaluation each time the Protocol has been activated.

The Equality Unit is the technical body in charge of monitoring and proposing the revision and updating of the Protocol, with the support of the reference persons and/or other agents that have participated or have responsibilities in its deployment, as well as with the members of the Equality Commission of the URL. It should be remembered that the Protocol is integrated within the URL Gender Equality Plan, so that its review, evaluation and updating must always be present as one of the actions planned, implemented and evaluated within the framework of this Plan.

The updating of the Protocol, therefore, will be carried out whenever it is considered necessary because of an activation or whenever the legislation or regulations in force, both internal and external to the URL, require it. Depending on the scope of the modification, it will be assessed whether the document must undergo a new approval or not. In any case, if there is a modification of the Protocol, the date of revision of the document must be indicated and stated on the cover page so that the latest update is always known. It will also be necessary to carry out a dissemination and replacement work to ensure that the Protocol accessible from the different media (web, intranet, e-mail...) is the current version.

10. Entry into force

This update of the Protocol comes into force the day after its approval by the Governing Board of the Ramon Llull University.

Annex I. Model complaint / denunciation

Details of the complainant

Name and surname(s):

DNI / NIE / Passport:

E-mail:

Contact telephone number:

Group:

- Teaching and research staff (specify centre/faculty, department, unit...).
- Technical, management, administration and services staff (specify centre/faculty, department, unit or service)
- Student body (specify centre/faculty, department, unit or service)
- Other (specify)

Description of the events that occurred

Identification data of the persons involved:

Name and surname(s):

Position or link with the URL:

Contact details (if known):

Place and date where the events occurred:

Date or dates where the facts occur:

Explanation of the facts:

Testimonies:

Provision of evidence (e-mails, screenshots, recordings, etc.):

I, _____ with ID/Passport _____ submit this complaint and give my consent for the activation of the *Protocol for the prevention, detection and action against sexual harassment, harassment based on sex, sexual orientation or gender expression of the Ramon Llull University*.

Barcelona, ___ of _____ of 202__.

Signature

Annex II. General legal principles in the initiation of disciplinary proceedings

Disciplinary authority, in the event of the initiation of disciplinary proceedings, shall be exercised in accordance with the following legal principles:

- **Principle of legality and typicity of misdemeanours and sanctions:**
 - In accordance with article 11 of Organic Law 3/2022, of February 24, on university coexistence, harassment; sexual harassment or harassment based on sex; and, discrimination based on sex, sexual orientation, gender identity, national origin, ethnicity, age, social class, disability, health status, religion or beliefs, or for any other personal or social cause, are offenses classified as very serious.
- **Principle of non-retroactivity** of non-favourable sanctioning provisions and retroactivity of those favourable to the alleged offender.
- **Principle of liability:** the person who has committed any of the conducts constituting an infringement in accordance with the legal system in force or who collaborates with the commission of such infringements shall be liable.
- **Principle of proportionality**, referring both to the classification of offenses and penalties, as well as to their application.
- **Principle of statute of limitations for misdemeanours and sanctions:**
 - In accordance with the disciplinary regime for the university student body established in Law 3/2022, of February 24, on university coexistence (articles 11 and 17), the conducts provided for in this Protocol shall be considered a very serious offense, having a statute of limitations period of three years, starting from the day on which the offense was committed or from the day on which the offending conduct ceases in the case of continuous offenses.
 - If the person allegedly responsible is a worker (PDI or PTGAS), it shall be regulated by the provisions of the regulations and agreements of reference.
- **Principle of guarantee of the procedure:** the procedure must establish the due separation between the investigative phase and the sanctioning phase, entrusting them to different bodies.