



Universität Regensburg

Guidelines for Dealing with Discrimination and Conflicts at the University of Regensburg¹

In accordance with its mission statement, the University of Regensburg (UR) attaches great importance to ensuring that the personal rights of all members of the university are observed and respected. With this guideline, it would like to explain the principles necessary for this, prevent possible violations, and point out possible solutions for transgressions and conflicts in cases of discrimination, mobbing, cyberbullying, and stalking that are below the level of criminal relevance. At the same time, it is concerned with identifying and remedying structurally related sources of conflict and deficits.

1. Principles

All members of the university contribute to maintaining a climate conducive to research, teaching and science-supporting work through mutual tolerance, mutual trust and open communication. Whenever possible, conflicts on the University campus should first be discussed and negotiated among the parties involved in such a way that a mutually agreeable solution can be found. On the other hand, e.g. discrimination, sexual harassment, mobbing/cyberbullying and stalking are violations of personal rights, contractual duties or official misconduct that cannot always be settled exclusively by the parties involved.

The basis for the assessment of acts of discrimination is the General Equal Treatment Act (§ 3).

2. Scope of Application

Notwithstanding the rights and obligations of university members arising from overriding binding standards (labor law, civil service law, etc.), these principles apply to all persons who perform research, teaching, learning and work tasks at the UR - even temporarily or as guests - or who perform services there as employees of outside companies. In the event of conflicts at the workplace, in research, teaching and studies, which are based on mobbing and discrimination, in particular by taking advantage of dependency relationships, they are to be consulted in a binding manner.

3. Procedural channels

Affected persons have the option of informal, anonymous counseling or an official, non-anonymous complaint, whereby counseling can lead to a complaint.

a) Counseling

It is the task of the counseling agencies to offer the affected person an opportunity to speak out and to inform him or her about forms of support as well as the option of a complaint procedure. They clearly communicate the possibilities and limits of their offer as well as the counseling process; if necessary, they refer to internal and/or external counseling services. The advisory bodies can recommend possible further steps.

Advisory bodies are (depending on the case and group of persons):

¹ Dealing with sexual harassment and sexualized violence is regulated in a separate document "Principles for Protection against Sexual Harassment and Sexualized Violence at the University of Regensburg (according to Art. 25 para. 1 BayHIG)".

For academic and artistic staff (research and teaching)	For students (as appropriate)	For academic support staff (administration, technology)
the supervisor or the department responsible for personnel	a representative of the Central Student Advisory Service	the supervisor or the department responsible for personnel
		a representation of the staff council (e.g. the mobbing and conflict officer)
		Complaints Office according to the General Equal Treatment Act (AGG)
Anti-Discrimination Office of the University of Regensburg		
Vice President for Internationalization and Diversity		
Company medical service		
Additionally		
For women		
the women's representative		the*/the equal opportunities representative
For persons with disabilities		
the representative for severely handicapped persons	the senate's representative for chronically ill and handicapped students	the representative for severely handicapped persons

The contact persons are subject to the duty of confidentiality and must reach agreement with the person affected for all steps taken to resolve the conflict or, depending on the problem, take measures for the protection of victims.

Exception | If accusations against a person increase without the person concerned wishing to lodge a complaint, the advisory offices take action while preserving the anonymity of the affected person by consulting the antidiscrimination point, speaking with the accused, and/or reporting to the university board (Women's representative, Vicepresident for Internationalization & Diversity, President).

The anonymity of the persons concerned must be guaranteed.

Possible further steps | The counseling persons are available for

- accompaniment to further informal talks
- mediation of contact to a psychosocial counseling center
- accompaniment in the event of a complaint.

b) Complaint

The purpose of the complaint is to inform the department to investigate the allegations and, if necessary, to take further action against the accused person(s) or institution. The complaint may be lodged by the person concerned or by a third party on his/her behalf, even without a prior informal procedure. In the complaint procedure, it is possible to be accompanied by one of the advisory bodies. The complaint is not subject to confidentiality. The person making the complaint has the possibility at any time to request the suspension or withdrawal of the complaint procedure, however, the procedure can also be continued against the changed will of the person concerned, provided that the university is obliged to act (e.g. by employment or service law requirements).

Complaints can be lodged (depending on the group of persons) with the advisory bodies. Their representatives then have the task of investigating the facts of the matter by

- having the facts established by the persons concerned and documented in a protocol (type, place and time of the incident, identification of the accused),
- hearing the accused and documenting his/her point of view accordingly,
- involve witnesses and other evidence, if necessary, which will also be documented
- and, if necessary, create an offer of discussion for the parties to the conflict.

Criminal offenses are reported to the police.

In other cases, conflict resolution is sought through the gradual involvement of superiors.

c) Involvement of (other) superiors not involved in the conflict in cases not relevant under criminal law

If communication between the conflict parties is unsuccessful or appears futile, the supervisor can be involved in the conflict resolution process, provided he/she is not already acting as a contact person. His/her task is to look for appropriate solutions together with the conflict parties and the advisor and to take appropriate measures. The proposed solution is documented.

If necessary, a trial phase can be agreed upon and a success control can be carried out after its expiration.

Retreat

If the agreed measures do not help to improve the situation, a closed meeting is called in order to reach a solution. In addition to the parties to the conflict and the bodies advising them, the following representatives may be involved, depending on the group of people and the case:

For academic and artistic staff (research and teaching)	For students (as appropriate)	For science support staff (administration, technology)
the supervisor or the department responsible for personnel	a representative of the Central Student Advisory Service	the supervisor or the department responsible for personnel
the Dean	Unit I/2 - Study-Related Legal Affairs	one representative of the Staff Council
the President of the UR the Vice President for Internationalization and Diversity	the Vice President for Studies, Teaching and Continuing Education the Vice President for Internationalization and Diversity	the Chancellor of the UR

All persons involved in the retreat are subject to the **duty of confidentiality**. The agreements reached in the retreat (including any trial phases) are documented

4. Prevention

In the course of personnel development and quality assurance, training courses are offered on the topics of the action guide.

These guidelines and additional information are made public in an appropriate form. In order to further raise awareness and motivation, events will be held to address issues relating to the working atmosphere and conduct in a spirit of partnership and respect at the university.

5. Possible sanctioning measures

In the event of proven violations against personal rights, the UR will take appropriate, necessary and reasonable measures to protect the person concerned in the individual case. These depend on the employment, service, civil service or university law status of the respondent and the existence of the respective requirements. The following regulations do not restrict the university's powers under employment, service, civil service and higher education law.

For employees	For students, doctoral students and other persons without employment
• regulating conversation	• regulating conversation
• instruction	• instruction
• admonition	• admonition
• exclusion from using university facilities	• exclusion from using university facilities
	• exclusion from participation in courses
• warning	• disenrollment
• transfer or relocation to another workplace at the university	
• withdrawal of a teaching assignment	
• termination of a doctoral or post-doctoral procedure	• termination of a doctoral procedure
• ban from the house	• ban from the house
• dismissal	
• disciplinary measures provided for by law (in the case of civil servants)	

Criminal offenses will be reported immediately.

6. Data collection, evaluation

Counseling and complaint cases are documented by the respective counseling and complaint offices. All counseling and complaint offices institutionalized at the UR collect case numbers as well as discrimination categories in anonymized form and in compliance with all data protection regulations. The data is queried by the anti-discrimination office at the end of each Semester. This serves to ensure the quality of the counseling and support services and to develop targeted prevention services.

7. Legal basis and definitions

Grundgesetz für die Bundesrepublik Deutschland, Art. 1 und 2, Allgemeines Gleichstellungsgesetz, § 2 und § 3, Bayerisches Hochschulinnovationsgesetz, Art. 25; Bayerisches Disziplinarrecht, Art. 14; Europäische Menschenrechtskonvention, Art. 6

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University of Regensburg
- The President –

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