

Guidelines for Avoiding Abuse of Power and Discrimination

Preamble

The Rostock University of Music and Drama promotes the equal treatment of all persons - regardless of physical characteristics, gender, sexual identity, ethnic or social background, age, religion, other beliefs, or disability in all areas related to studies, teaching, the performing arts and research, as well as in the areas involved in the provision of services. It actively opposes the abuse of power and any form of discrimination, making no difference between students, members of teaching staff or other staff members. It values trusting collaboration and a good work atmosphere in all areas of the university's operations.

Principles

All members of the University, in particular those with educational, qualification and management tasks in teaching, research, training and administration, are responsible within their fields of work and specialisation for ensuring that the personal rights of people and their individual personal boundaries are respected and upheld and that discriminatory behaviour and violence do not occur or are discontinued. The abuse of power by exploiting dependent relationships in work or educational settings and in studies by threatening and/or enforcing personal or professional disadvantages or promising advantages is regarded as particularly serious.

Definition of terms

Abuse of power

is when a hierarchical, structural or situational position of power is exploited to assert one's own interests or harm other persons.

Examples of an abuse of power can arise from the following situational categories that depend on the effects they have on victims:

- Effects their ability to communicate adequately
- Effects their possibilities to maintain social contacts
- Effects their possibilities to maintain their personal reputation
- Effects their occupational situation
- Effects their physical health

(categories pursuant to Heinz Leymann, The Content and Development of Mobbing at Work)

Sexual discrimination

is every verbal and/or non-verbal personal behaviour that harasses, discriminates, disparages, or discredits another person with regard to their gender or their sexual identity; as well as any behaviour that has been declared undesirable in general or in individual circumstances.

The following must be avoided in particular:

- Physical contact without prior consent from the person affected
- Verbal and non-verbal harassment in the form of suggestive remarks, sexualised communication or unwanted comments about a person's clothing and appearance
- Visual harassment through presentation of sexist pictures, objects, or pornographic content that have nothing to do with the teaching content

Duties and responsibilities

Due to the special training circumstances at a university of music and drama, there is a greater degree of personal closeness between members of teaching staff and students, e.g. as a result of tuition in one-to-one sessions and small groups. There is no clear line between unprovocative body contact and a violation of boundaries. The member of teaching staff carries special responsibility for upholding the boundaries. How to deal with closeness and distancing in the teacher-student relationship is addressed during lectures.

If physical contact is deemed necessary for teaching, it should be justified and limited to the necessary amount. Members of teaching staff are urged to ask *in advance* whether students are comfortable with physical contact for teaching purposes. They must wait for a response and pay attention to any non-verbal reactions.

The university governance expressly forbids tuition in private settings as well as formal invitations to private locations for study-relevant topics and discussing timetables.

All members of the university community are mutually responsible for the respectful treatment of one another. Lecturers retain their positions as lecturers and students retain their positions as students at all times. Both sides are aware of these positions. Also outside of teaching settings, in particular at parties after performances or concerts, both sides and, in particular, members of teaching staff, are responsible for ensuring that the necessary boundaries are upheld at all times.

Minors receiving tuition at hmt are particularly vulnerable. All members of the university community must be aware of the special protection required by this group of learners and contribute towards providing them with a safe and respectful environment.

All members of the university community should adopt responsibility and make efforts to behave suitably in situations which they experience as or perceive to be

harassing or discriminatory for themselves - as well as for third parties. This applies in particular to line managers.

If they have been contacted in their capacity as official recipients of complaints, they must inform the competent organisational units immediately so that suitable measures can be taken to resolve the situation.

Help

1. Advice

Persons who feel affected by discrimination, sexual harassment, abuse of power, or bullying in line with these guidelines, but do not yet wish to file an official complaint, can turn to one of the designated contacts for advice on how to proceed at any time.

These are:

- the Gender Equality Officer and her Deputy
- the Conflict Management Team
- the Student Council
- the Staff Council
- the Inclusion Officer, and
- the Disability Officer

In such circumstances, the university governance will not receive any official notification of the incident and it is not responsible for resolving the problem.

The advisory session is confidential and the person affected decides whether any further action is to be taken.

Measures can be developed to resolve the situation that fall short of the threshold of filing an official complaint. The person affected remains solely responsible for any steps that are taken and the success of the measures.

2. Official complaint

Any individual who is affected can additionally or alternatively file an official complaint pursuant to § 13 *Allgemeine Gleichbehandlungsgesetz* - AGG (General Act on Equal Treatment) to the competent organisational unit. An official complaint must be lodged with the Executive Assistant to the Rectorate or recorded there.

The university governance is responsible for the further procedure and for enacting measures to resolve the problem.

Procedure and sanctions

The Complaints Management Team organises the further procedure whilst safeguarding the protection of the personal rights of those involved. This requires

the complete and truthful depiction of the facts and the disclosure of the names of all persons involved.

The person accused must be given the opportunity to make a statement to the Rectorate.

Following the clarification of the facts and in accordance with § 12 AGG, necessary and suitable measures are taken to resolve the problem.

The incident and the discussions for clarifying the details must be documented.

Examples of possible measures include:

- Holding of a formal meeting
- Issuing of an oral or written caution
- Requirement to participate in a continuing professional development course
- Transfer to another workplace
- Admonition or initiation of a disciplinary procedure
- Termination of the employment contract
- Issuing of a ban on entering the premises
- Deregistration, or
- Reporting of an offence to the police if there is sufficient evidence

The corresponding decision is made by the Rectorate.

Rostock, 5 May 2025

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