



Prevention of sexual harassment and sexual violence at SRH University Heidelberg

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1. Our values

a) Values of the SRH Group

SRH is a private company for education and health with the goal of improving people's quality of life and life opportunities. It sees itself as being ideologically neutral, but committed to common values based on which it actively shapes education and healthcare through its offerings.

Its values illustrate what makes SRH unique and the attitude that it takes to its colleagues, customers and business partners. They are the basis for its entrepreneurial action and point it towards its path for the future.¹

b) Values of SRH University Heidelberg

In its bylaws, SRH University Heidelberg pledges to promote equal opportunities and tolerance with respect to age, ethnic origin and nationality, sex and gender identity, disability, religion and worldview, sexual orientation and social background. It considers the diversity of its members and associates in fulfilling its tasks.

It also emphasizes its special commitment to students with physical or mental impairments and disabilities, a commitment which stems from its roots in vocational rehabilitation.² In their joint mission statement, the SRH Universities also affirm their commitment to personal freedom as a good worth protecting, and express their desire to welcome students and employees regardless of their ethnicity, social background, or gender affiliation and to offer them opportunities for personal growth and development.³

¹ [SRH Corporate: Unsere Werte | SRH](#) (as of Feb. 01., 2022)

² SRH University Heidelberg bylaws

³ Mission Statement of the SRH universities

In order to offer all students and employees the freedom to develop in accordance with their individual personalities, to take on responsibility, and to actively help shape our society, SRH University Heidelberg strives to offer an inclusive environment.

2. Prevention concept

The handling of cases of sexual harassment or sexual violence at SRH University Heidelberg is governed by the prevention concept and the process used by officials in cases of sexual harassment and sexual violence, with an overview being presented here. The goal of the prevention concept is to inform, to break down barriers and to address the fears of affected persons who would like to defend themselves or to complain. This concept will be made available to all members of SRH University Heidelberg.

The prevention concept is based on the German General Equal Treatment Act (Allgemeines Gleichbehandlungsgesetz, AGG), the equal opportunity and diversity concept and SRH University Heidelberg's guide for discrimination-free and inclusive speech. The latter equally apply both to employees and students of SRH University Heidelberg. The AGG seeks to prevent or eliminate any disadvantage suffered by a person due, among other reasons, to their gender or sexual identity (§1). These regulations were primarily put in place to protect employees, which means that sufficient protection is not in place for students. The protection gap that exists here must be closed by means of the university's own prevention work, regulations and processes.⁴

3. Definition of sexual harassment and sexual violence

Guided by §3 (4) AGG, according to our understanding **sexual harassment** applies if an unwelcome sexual behavior, including unwelcome sexual activity and requests to engage in such

⁴ See DGB (Deutscher Gewerkschaftsbund – German Trade Union Confederation) federal board in cooperation with SowiTra – Institute for Sociological Transfer: *Sexualisierte Belästigung am Arbeitsplatz verhindern! Ein Handlungsleitfaden für betriebliche Interessenvertretungen (Prevent sexual harassment in the workplace! A guide for special representative groups)*, 2016, p. 15: "(...) the General Equal Treatment Act applies only in the area of professional life, in other words, exclusively for employees of universities but not, however, for students. (...) To date there are hardly any universities that have issued their own guidelines prohibiting sexual harassment between students. If students are to be protected from sexualized harassment at universities in a way that is legally effective, this requires legal changes and clarifications. This relates both to State higher education acts and to the AGG. The prohibition of sexual harassment under Section 3 (4) AGG must also be applicable in the area of higher education and thus for all students. Universities can contribute, through their own guidelines, to sensitizing people about sexual harassment and to preventing it.' (Source: Federal anti-discrimination agency (Antidiskriminierungsstelle des Bundes), *Sexuelle Belästigung im Hochschulkontext – Schutzlücken und Empfehlungen*, 2015)."

See

https://www.antidiskriminierungsstelle.de/SharedDocs/forschungsprojekte/DE/Studie_sex_Belaestig_im_Hochschulkontext.html (accessed on March 18, 2022): Students at public and private universities are protected by the prohibition on discriminatory harassment under Section 3 (3) AGG. The rules on easing the burden of proof (Section 22 AGG) and on support through anti-discrimination associations (Section 23 AGG) are also applicable throughout the full university context. However, Section 3 (4) AGG for direct protection against sexual harassment only applies for employees of a university and not for the university's students. The requirements in relation to the commission of an offence under Section 3 (3) AGG are higher than those under Section 3 (4) AGG. In addition to the violation of dignity, a hostile environment must also apply here. The non-applicability of Section 3 (4) AGG therefore represents an enormous gap in the protection of students here.

activity, sexual physical contact, comments of a sexual nature and the unwelcome display and visible installation of pornographic imagery, causes or has the effect of injuring the dignity of the affected person, particularly if an environment is created that is characterized by intimidation, hostility, humiliation, abasement or insults. It relates to all forms of harassment that are sexualized, in other words, that are loaded with sexual content and connotations. **Sexual violence** is any behavior that breaches a person's sexual autonomy and development, or disregards their will, without seeking their consent and enquiring for their welfare.⁵ It begins below the criminal liability threshold and also comprises assaults punishable by the legislator and that are listed in the penal code (such as rape and sexual assault (§177 of the German Criminal Code (StGB)), violating the genital area through image capturing (§184k StGB)).

Sexual harassment and sexual violence are an expression of an abuse of power, dominance or a need for control. The perpetrator exploits people's distinct vulnerability and sensitivity in the area of sexuality.⁶

Sexual harassment and sexual violence represent massive intrusions into the affected person's personal rights. Their perspective is always at the center when dealing with sexual assaults. As soon as someone considers an act, a behavior or a comment with sexual connotations to be "unwelcome", this is considered sexual harassment. Sexual harassment is not an oversight.

→ There is no typical "victim" of sexual assaults. They can affect any person irrespective of their gender or gender identity, their looks, age or background, their behavior or their marital status. However, studies show that women and Trans people as well as queer, bisexual, lesbian or gay people are especially at risk of being exposed to sexual harassment or sexual violence. The same applies to people with disabilities and/or people with a migrant background.

4. Forms of sexual harassment

Sexual harassment and sexual violence at the workplace/place of study are hugely stressful for those affected, as are sexism⁷, bullying or discrimination. Uncertainty among those affected as to what is classified as sexual harassment and whether they will be taken seriously makes it difficult to raise specific cases. Many acts of harassment may appear casual and be expressed in the form of innuendo, looks and gestures.

Sexual harassment is particularly grave when a dependency relationship is exploited at the workplace or place of study. This applies in all relationships of superiority and subordination. Here

⁵ <https://www.sexuellegewalt.at/informieren/was-ist-sexuelle-gewalt-an-frauen/>

⁶ See DGB (Deutscher Gewerkschaftsbund – German Trade Union Confederation) federal board in cooperation with SowiTra – Institut für sozialwissenschaftlichen Transfer: *Sexualisierte Belästigung am Arbeitsplatz verhindern! Ein Handlungsleitfaden für betriebliche Interessenvertretungen*, (Prevent sexual harassment in the workplace! A guide for special representative groups) 2016, p. 6.

⁷ See pilot study of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, as of 2022, 4th Edition, p. 8: *Sexismus im Alltag – Wahrnehmung und Haltungen der deutschen Bevölkerung (Sexism in our day-to-day life: Perceptions and attitudes of the German population)*: "Sexism degrades an entire sex, or a specific person on account of their sex, reduces them only to their external appearances and does not recognize them as a person, but rather objectifies them for their own purposes. From the point of view of the population, this mainly involves social profiling (demonstrated in the context of a group through dismissive remarks), sexual arousal (particularly through images, advertisements, films) and dominance and power tactics."

we can also mention situations where someone promises personal or professional benefits in return for a sexual approach. The key factor is always the impression that arises for the affected person. Dependencies are susceptible to an abuse of power, so particular care should be taken here.⁸ However, sexual harassment and sexual violence can also occur within a hierarchical level.

Forms of sexual harassment (for detailed explanations see **Annex 1**):

- Unwelcome touching
- Suggestive comments, jokes, remarks, looks
- Intrusive sexualized offers
- Showing around pornographic images and videos
- Requests to perform sexual favors or physical actions
- Threatening professional/study-related disadvantages or offering the prospect of benefits
- Bullying and systematic exclusion^{9 10}

Golden rule: Harassment begins where the boundaries and the implicit or explicit “no” of the other person are not respected. Where a dependency relationship exists (student and lecturer/employee and manager), “no” should always be assumed because there is a high probability that those affected do not even dare to distance themselves.

Sexual harassment is not a misunderstanding, nor does it have anything to do with hypersensitivity, rather it is an assault. If my counterpart feels harassed by my behavior, my jokes or my emails, it goes without saying that I should stop, otherwise I have crossed the threshold into sexual harassment.¹¹

5. Boundaries and areas that are unambiguous

- ✓ Unwelcome conduct
- ✓ Humiliation and abasement
- ✓ One-sidedness
- ✓ Crossing boundaries
- ✓ Promising professional benefits in return for sexual concessions
- ✓ Threats of professional disadvantages upon refusal¹²

In the context of a dependency relationship we must generally suspect that this type of conduct is “unwelcome” and “one-sided”. Consent to flirt or to engage in sexual activity, etc. is a prerequisite for all persons involved, particularly for the dependent person, and must be clearly formulated.¹³

⁸ See Pädagogische Hochschule Heidelberg- University of Education: Ein Handlungsleitfaden – Gegen sexualisierte Belästigung und Gewalt (A guide – Preventing sexual harassment and violence) (as of May 2021), p. 5.

⁹ See [Stärker als Gewalt: SEXUALISIERTE GEWALT AM ARBEITSPLATZ: FORMEN UND DEFINITIONEN \(staerker-als-gewalt.de\)](https://www.staerker-als-gewalt.de) (Identifying sexual harassment in the workplace – sexual violence in the workplace, forms and definitions) (as of July 19, 2021)

¹⁰ See Pädagogische Hochschule Heidelberg- University of Education: Ein Handlungsleitfaden – Gegen sexualisierte Belästigung und Gewalt (A guide – Preventing sexual harassment and violence) (as of May 2021), p. 6.

¹¹ Ebd., p. 6.

¹² see [Was tun bei sexueller Belästigung am Arbeitsplatz \(antidiskriminierungsstelle.de\)](https://www.antidiskriminierungsstelle.de), p. 7 (accessed: January 27, 2022)

¹³ See Rona Torenz: Ja heißt Ja? (Yes means yes?) (2019) ([Schmetterling Verlag: Ja heißt Ja?. \(schmetterling-verlag.de\)](https://www.schmetterling-verlag.de) (accessed: March 21, 2022): “Feminists have been fighting since the 1970s using the slogan “no means no” for sexual self-determination and against “violence against women”. This is about nothing less than the recognition of women as (full-

6. Recommendations

- **Seek social support:** Where sexual harassment or sexual violence occurs, social support, in particular, may be a key factor for the affected person or witness. Discussion and consultation with colleagues or fellow students can be corroborative and can help to provide clarity in order to avoid further compromising situations and build up the courage to lodge a complaint.
Involving management and persons in positions of responsibility can also be an option. A trusting relationship is also of key importance here.
Affected persons also have the option to turn to internal reception centers (**see under 7.**). All internal reception centers will always treat discussions in confidence.
Incidents are counted in an anonymized file.
- **Verbal, physical, spatial boundaries:** Another important strategy when responding to sexual harassment and sexual violence are clear verbal boundaries and physical resistance, as well as putting an end to situations where boundaries are breached by means of spatial distancing.

7. Internal reception centers

In order to support you with the recommendations in cases of sexual harassment and sexual assault, SRH University Heidelberg offers the following reception center:

Contact persons in cases of sexual harassment and sexual violence:

- a. Brigitte Braun brigitte.braun@srh.de 06221-6799-933
- b. Alexander Koob alexander.koob@srh.de, 06221-6799-233

Additional internal reception centers:

1. Contact persons for all diversity-related matters:
 - a. Angelika Pröll angelika.proell@srh.de, 06221-6799-882
 - b. Birte Rehm birte.rehm@srh.de, 06221-6799-864
2. Works Council (for employees only): betriebsrat.hshd@srh.de

fledged) sexual subjects: The political catchphrase "no means no" demands that the word "no", when uttered by women, must be taken seriously. The feminist requirement that "yes means yes" grew out of a recognition that not everyone finds it equally possible to say "no". Sex cannot be considered to be consensual just because the word "no" has not been formulated. Rather, the express consent of all parties is required. This is also intended to shift the responsibility for sexual violence: Away from those who do not say "no" (clearly enough) to those who do not wait for the necessary "yes".

8. External counselling centers

- **Women's Emergency Hotline, Bergheimer Straße 135, 69115 Heidelberg**
Tel.: 06221 183643, consultation hours: Mon., Wed., Fri. 10-12:00 and Tue., Thu. 14-16:00 info@frauennortuf-heidelberg.de
www.frauennotruf-heidelberg.de
- **Men's Emergency Hotline, Heidelberg:**
Tel.: 06221 6516767
info@fairmann.org
- **Helpline: Violence against women:** Tel.: 08000116 016 (free hotline, staffed around the clock)
- **In case of questions: Federal anti-discrimination office:** Tel.: 030/18 5551855 !
www.antidiskriminierungsstelle.de
- **In case of questions:** Federal anti-discrimination office: 030 / 18 5551865 !
- **Victims' helpline (Germany-wide):** Tel.: 116006
- **Crisis helpline (Germany-wide), staffed around the clock**
Tel.: 00800 1 11 01 11 (protestant)
Tel.: 0800 1 11 02 22 (catholic)
www.telefonseelsorge.de
- **Heidelberg/Wieblingen police station:** Tel.: 06221 830740
- **Sicheres Heidelberg ("Safe Heidelberg") – SicherHEid e.V.:** Tel.: 06221 618161
- **Equal Opportunities Office Heidelberg:** heidelberg.de - Amt für Chancengleichheit
- **Outpatient clinic for victims of violence of University Hospital Heidelberg:** +49 152 54648393
[Universitätsklinikum Heidelberg: Gewaltambulanz \(uni-heidelberg.de\)](http://Universitätsklinikum Heidelberg: Gewaltambulanz (uni-heidelberg.de))
Rhein-Neckar crime prevention: <https://www.praevention-rhein-neckar.de/>

9. Your input is welcome

We are always keen to improve! If you have suggestions for improvement or other ideas, you can address these to one of the internal reception centers of SRH University Heidelberg at any time. Many thanks!

Heidelberg, October 13, 2022

Annex 1

Detailed explanation of the forms of sexual harassment

This list of practical examples of sexual harassment should help you to classify different incidents:

- Unwelcome touching: e.g. the apparently inadvertent touching of the buttocks or breast when passing by. However, approaching someone too closely during a conversation can also represent an intrusion.
- Suggestive comments, jokes, remarks, looks: sexist language or inappropriate comments/compliments on someone's appearance or figure, lewd staring, dog-whistling
- Intrusive sexualized offers
- Showing around pornographic images and videos: e.g. hanging up sexist, obscene or pornographic images in the workplace, in common areas or in teaching and learning spaces
- Requests to perform sexual favors or physical actions: e.g. "Hey, come here and sit on my lap" or "I'm so tense, would you mind rubbing my neck?" Threatening professional/study-related disadvantages or offering the prospect of benefits: "My manager/my professor has written to me privately and wants to meet me" – this can put employees and students in a difficult position. Many are fearful of the consequences if they turn down this attempt at contact. If the sexual harassment comes from a manager, the manager may e.g. threaten professional consequences if the affected person does not submit to sexual advances or invitations. On the other hand, prospects of better career opportunities and opportunities for success may be offered if the affected person consents to a relationship. The reverse may also be true, with people feeling the need to offer certain favors in the hope of better opportunities.
- Bullying and systematic exclusion: Bullying in the workplace, just like sexual harassment, is a form of violence. Bullying is legally understood to mean systematic hostility towards, hazing of or discrimination against people. Sexism in the workplace can also be a form of bullying. For example, if employees experience discrimination against women in the workplace: This can be through comments such as "Look darling, let the expert handle this" or the systematic exclusion of women during important projects.^{14 15}

¹⁴ See [Stärker als Gewalt: SEXUALISIERTE GEWALT AM ARBEITSPLATZ: FORMEN UND DEFINITIONEN \(staerker-als-gewalt.de\)](https://www.staerker-als-gewalt.de) (accessed on: July 19, 2021)

¹⁵ See Pädagogische Hochschule Heidelberg- University of Education: Ein Handlungsleitfaden – Gegen sexualisierte Belästigung und Gewalt (A guide – Preventing sexual harassment and violence) (May 2021), p. 6.