

POLICY ON EQUAL OPPORTUNITIES AND PREVENTION OF HARASSMENT AND VIOLENCE AT THE VILNIUS ACADEMY OF ARTS

I. INTRODUCTION

The Policy on Equal Opportunities and Prevention of Harassment and Violence at the Vilnius Academy of Arts (hereinafter referred to as “the Policy”) establishes the principles of ensuring equal opportunities and preventing harassment (including sexual harassment) and violence at the Vilnius Academy of Arts (hereinafter referred to as “the VAA” or “the Academy”), as well as the conditions and procedures for their implementation.

The purpose of this Policy is to ensure that: (1) the Academy observes the principle of equality of persons as enshrined in the Constitution of the Republic of Lithuania and avoids any direct and indirect discrimination on grounds of gender, race, nationality, citizenship, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion; (2) the VAA treats job applicants, existing employees and students with respect, without prejudice to human dignity and rights; (3) the VAA carries out activities to prevent harassment (including sexual harassment) and violence by informing the VAA community about the obligation to comply with the legislation of the Republic of Lithuania, the internal legislation of the VAA (the Policy, the Code of Academic Ethics of the VAA, etc.) governing the prohibition of harassment and violence, the procedures for the implementation of the rights of members of the VAA community (the rights to submit a report, initiate an informal conversation, receive consultations, receive psychological assistance, etc.), and decision-making in cases of harassment and violence.

This Policy governs the following: (1) cases of violation of equal opportunities, (2) cases of discrimination, (3) cases of harassment and violence committed by employees of the VAA in the performance of their job functions and other activities of the VAA (e.g. recruitment, etc.).

The Policy was drawn up in accordance with the Labour Code of the Republic of Lithuania, the Law on Equal Treatment of the Republic of Lithuania, the Law on Equal Opportunities for Women and Men of the Republic of Lithuania, and the Guidelines on the Prevention of Sexual Harassment and Handling of Sexual Harassment Cases drawn up by the Lithuanian University Rectors’ Conference (Vilnius, 2020) and the Methodological Recommendations for Preparing the Violence and Harassment Prevention Policy drawn up by the State Labour Inspectorate (Vilnius, 2022).

II. MAIN TERMS USED IN THE POLICY

1. Academic community means students, lecturers, research fellows, other researchers and professors emeriti, scientists emeriti and other employees of the VAA who directly participate in academic and/or study activities.

2. Complainee means a member of the VAA community whose conduct has given rise to a report of harassment and/or violence in the performance of his/her duties.

3. Direct discrimination means any situation where one person is treated less favourably than another is, has been or would be treated in a comparable situation on grounds of gender, race, nationality,

language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion, except in the following cases:

3.1. restrictions on the grounds of age as established by laws where it is justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary;

3.2. requirement to know the state language as established by laws;

3.3. prohibition of participation in political activities in the cases specified by laws;

3.4. different rights applied on the basis of citizenship as established by laws;

3.5. special measures in the field of health care, safety at work, employment, labour market as established by laws with the view of creating and applying conditions and opportunities guaranteeing and promoting integration into the working environment;

3.6. special temporary measures, as established by laws, which are taken to ensure equality and prevent violation of equal opportunities on grounds of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion;

3.7. where, by reason of the nature of the particular occupational activities concerned or of the context in which they are carried out, a particular human characteristic constitutes an essential and determining occupational requirement, provided that the aim is legitimate and the requirement is proportionate;

3.8. where the legal regulation of restrictions, special requirements or certain conditions relating to the social status of a person is justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary.

4. Discrimination means any direct and indirect discrimination, harassment or instruction to discriminate on grounds of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion.

5. Equal opportunities mean the implementation of human rights enshrined in international instruments on human and civil rights as well as the laws of the Republic of Lithuania irrespective of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion.

6. Harassment means unwelcome conduct which occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading or offensive environment (harassment is a continuous process, i.e. repeated unacceptable conduct) on grounds of gender, race, nationality, citizenship, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin, or religion.

6.1. Sexual harassment means physical, verbal or non-verbal conduct of a sexual nature that is unacceptable or unwelcome to the person being harassed, as defined in paragraphs 6, 7 and 8 of this Policy. The purpose of sexual harassment is sexual gratification, an intention to humiliate a person and show superiority, and sexual harassment may occur: 1) when one has the power by virtue of the position held (e.g. in a superior-subordinate relationship, a hierarchically unequal relationship), 2) when one has the power to make a decision (e.g. a decision on performance appraisal, recognition or promotion), and/or 3) when the power is based on coercion (e.g. inducing psychological and physical fear), and/or 4) between equal persons of the same status.

7. Indirect discrimination means any act or omission, legal provision or assessment criterion, apparently neutral provision or practice that formally are the same but their implementation or application results or would result in *de facto* restrictions on the exercise of rights or extensions of privileges, preferences or advantages on grounds of gender, race or nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin and religion, unless that action or inaction, legal provision or assessment criterion, provision or practice is justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

8. Person responsible for the prevention of harassment and violence means a person appointed by the Academy to receive reports from members of the VAA community, initiate informal conversations with the complainee, carry out consultations, make recommendations on the prevention of harassment (including sexual harassment) and violence, implement preventive measures and oversee the implementation of the provisions of this Policy on the prevention of harassment and violence at the VAA (hereinafter referred to as “the Responsible Person”).

9. Report means a written submission of information about possible harassment and/or violence and possible violation of equal opportunities or discrimination.

10. Social status means education, qualification or studies at higher education and research institutions acquired by a natural person, his/her property held, income received, the need for state support specified in legal acts and/or other factors related to the person’s financial (economic) situation.

11. Unacceptable or unwelcome physical conduct that constitutes sexual harassment includes:

11.1. touching (e.g. slapping, stroking, fondling, grabbing, attempting to kiss, kissing when the person has clearly expressed his/her objection);

11.2. stalking;

11.3. attempting or having sexual intercourse when the person has clearly expressed his/her objection.

12. Unacceptable or unwelcome conduct that constitutes non-verbal sexual harassment includes:

12.1. showing, sending or giving sexually explicit videos, photographs, drawings or other visual material;

12.2. showing genitals.

13. Unacceptable or unwelcome conduct that constitutes verbal sexual harassment includes:

13.1. sexually explicit language or innuendos that demean women and men or the sexes on the basis of physical characteristics and manners;

13.2. sexually explicit remarks intended to ridicule another person;

13.3. demands for dates and hugs when the person has clearly expressed his/her objection;

13.4. demands for sexual favours (e.g. in exchange for a particular grade or other academic opportunity);

13.5. demands to satisfy sexual fantasies.

14. Unfounded report means any report that is intended to cause harm or humiliation to the complainee. Such a report is regarded as defamatory.

15. VAA community means members of the academic community, members of the governing bodies, non-academic employees, alumni, persons who have made meritorious contribution to the Academy (e.g. emeriti), honorary members (e.g. professors emeriti, honorary doctors, honorary professors), patrons, students and unclassified students, including persons pursuing studies or working within the framework of exchange or cooperation programmes.

16. Violence means a work-related intentional physical, psychological, sexual, economic influence by an act or omission of one member of the VAA community exerted on another member of the VAA community, as a result whereof the employee suffers or is likely to suffer pecuniary or non-pecuniary damage (usually a single, sudden (acute) outburst of misconduct).

17. Victim means a member of the VAA community who may have been harassed and/or assaulted by another member of the VAA community (the complainee) at a time, place or in circumstances specified in Article 30(2) of the Labour Code.

III. RULES OF CONDUCT FOR EMPLOYEES

18. Members of the VAA community must adhere to the provisions of the Law on Equal Treatment of the Republic of Lithuania, the Law on Equal Opportunities for Women and Men of the Republic of Lithuania, this Policy, the Code of Academic Ethics of the VAA, the Rules of Procedure of the Academy and other internal legislation of the VAA.

19. Violation of this Policy, the Code of Academic Ethics of the VAA and the Rules of Procedure of the Academy may be regarded as a breach of job duties. Liability provided for in the Labour Code of the Republic of Lithuania may be applicable to such breaches.

20. Members of the VAA community must respect the dignity of other members of the VAA community, communicate with other members of the VAA community politely and respectfully, and ensure by their conduct a working environment in which other members of the VAA community are not subjected to hostile, unethical, degrading, humiliating, aggressive, abusive, offensive or insulting actions.

21. Members of the VAA community are prohibited from harassment and violence, unethical and disrespectful behaviour towards other members of the VAA community (including students and unclassified students) at the Academy.

22. Members of the VAA community must not discriminate against, harass, bully or intimidate other members of the VAA community on grounds of their gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion, and they must not persecute or otherwise sanction against such members of the VAA community who make unfounded allegations.

IV. WAYS OF IDENTIFYING HARASSMENT AND VIOLENCE, PROHIBITED FORMS OF HARASSMENT AND VIOLENCE, EXPRESSIONS OF UNACCEPTABLE BEHAVIOUR

23. Ways of identifying harassment and violence during the course of the employment relationship:

23.1. discovering any information and/or data indicating that a work-related intentional physical, psychological, sexual or economic influence that is being exerted on an employee, as a result whereof the employee suffers or is likely to suffer pecuniary or non-pecuniary damage.

23.2. discovering any information and/or data relating to unwelcome conduct with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading or offensive environment on grounds of gender, race, nationality, citizenship, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin, or religion;

23.3. discovering any information and/or data relating to physical, verbal or non-verbal conduct of a sexual nature defined in paragraphs 6, 7 and 8 of this Policy;

23.4. receiving a report of harassment and/or violence during the course of the employment relationship;

23.5. other ways.

24. The Academy prohibits the following forms of harassment and violence:

24.1. psychological pressure;

24.2. unethical, disrespectful conduct towards other employees;

24.3. ignoring;

24.4. oppression;

24.5. unfounded remarks and criticism;

24.6. shouting;

24.7. insulting;

- 24.8. defamation;
- 24.9. manipulation;
- 24.10. ridicule;
- 24.11. bullying;
- 24.12. dismissing achievements;
- 24.13. unethical comments;
- 24.14. threats;
- 24.15. intimidation;
- 24.16. physical and/or sexual abuse;
- 24.17. cases specified in paragraphs 6, 7 and 8 of this Policy;
- 24.18. other forms.
- 25. The Academy prohibits the following expressions of unacceptable behaviour:
 - 25.1. unacceptable or unwelcome physical contact (e.g. physical touching, caressing, spanking, grabbing, attempting to touch (hug), move closer to another person, etc.), or demanding such physical contact;
 - 25.2. showing or sending obscene content information;
 - 25.3. intrusive questions about the private life and intimate relationships;
 - 25.4. unwelcome comments about the appearance, body shape or clothing;
 - 25.5. insulting jokes, bullying, gossip, rumours, defamation, offensive gestures;
 - 25.6. intentional isolation of an employee at work;
 - 25.7. collection and/or dissemination of information about an employee that is not related to his/her functions;
 - 25.8. conduct aimed at restricting an employee's freedom of choice;
 - 25.9. coercion of an employee for the purpose of performing certain non-work-related functions (services);
 - 25.10. other expressions.
- 26. Harassment and violence are prohibited:
 - 26.1. in places of work, including public and private places when the employee is at the employer's disposal or in the performance of his/her duties under his/her employment contract;
 - 26.2. during rest and meal breaks, or when using utility, sanitary and hygiene facilities;
 - 26.3. during work-related outings, trips, training, events or social activities;
 - 26.4. through work-related communications, including those enabled by information and communication technologies;
 - 26.5. in employer-provided accommodation;
 - 26.6. when commuting to and from work.

V. EQUAL OPPORTUNITIES AT WORK

- 27. All employees of the VAA are provided with equal opportunities at work.
 - 28. The VAA organises work in such a way that all groups of society can be represented in its workforce, and that each employee feels respected and can make full use of his/her skills.
 - 29. When organising its activities, the VAA creates an environment in which the individual differences and contributions of all its employees are recognised and valued. Every employee of the VAA has the right to work in an environment that promotes respect for the dignity of every person.
 - 30. All employees of the VAA are given opportunities to undergo training, develop their skills and advance professionally.
 - 31. The VAA organises its activities in such a way as to ensure equal working conditions and opportunities for professional development, vocational training, retraining, practical work experience for

all its employees and provide equal benefits regardless of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion.

32. The VAA takes measures for conditions to be created for people with disabilities to get a job, work, pursue a career or learn, including the adequate adaptation of premises, provided that the duties of the employer are not disproportionately burdened by the said measures.

VI. EQUAL OPPORTUNITIES IN RECRUITMENT

33. The VAA supports diversity and strives to ensure that all job applicants are treated fairly and that they are only recruited on the basis of their skills and qualifications.

34. Recruitment process and recruitment progress are determined solely on the basis of a person's professional qualities and the criteria relevant to the job in question. In all cases, the focus is placed on the ability to do the job well. At the time of recruitment, the most suitable employees for the job must be selected on the basis of their experience and qualifications.

35. The selection process for new employees of the VAA is carried out systematically for all vacancies at all levels. The selection criteria for all positions are clearly defined and described in detail.

36. Job postings of the VAA are published on online job posting sites. Job postings are drawn up in such a way as to ensure that they do not restrict access to applying for a vacancy to candidates of a particular gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion. The Academy's job postings emphasise the Academy's obligation to comply with the requirements of equal opportunities.

37. The selection of new employees of the VAA is based on vacancies, suitability and ability to perform the work, and information provided by candidates, and will only relate to qualifications relevant to the requirements of the job.

38. The VAA employees responsible for selecting, interviewing and appointing candidates are clearly informed of the selection criteria and the requirement to implement the equal opportunities policy. If possible, at least two of the Academy's recruiters are present at the interview with the candidate.

39. All questions asked of candidates for vacancies are related to the selection criteria. The interviewing employees may not ask any questions about the candidate's gender, age, sexual orientation, social status, disability, race or ethnic origin, religion, convictions or belief, make assumptions about the candidate's role in the household or family, insofar as this is not directly related to the application of the guarantees provided for in the Labour Code of the Republic of Lithuania to the employee.

40. Candidates with disabilities who indicate this when applying for a vacancy will be provided with reasonable accommodations during job interviews (e.g., easily accessible interview rooms or the assistance of a sign language interpreter) to ensure that they have equal opportunities with other candidates.

VII. DETERMINATION OF THE REMUNERATION AND PROMOTION

41. The VAA uses solely objective criteria to determine the remuneration of specific employees, including the qualifications of the employee, the degree of responsibility, workload, the nature of the work performed, the results achieved and other objective criteria set out in a separate document. When determining the remuneration, it is prohibited to take into account employee's gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion.

42. All employees of the VAA must be paid the same remuneration for the same or equivalent work, regardless of their gender, age, sexual orientation, social status, disability, race or ethnic origin,

religion, convictions or belief. Same work means the performance of a work activity which, based on objective criteria, is the same as, or similar to, another work activity to the extent that both employees can be interchanged without significant cost for the employer. Equivalent work means work which, based on objective criteria, must be performed by an employee no less qualified and is no less important to the employer in the achievement of its operational objectives than the other work being compared.

43. The criteria used for the selection of candidates for promotion are related solely to the person's skills and the quality of his/her work performed and his/her personal achievements in the professional field, and no employee is subject to discrimination on grounds of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion.

44. Annual or other periodic performance appraisals of the VAA employees are carried out in accordance with and applying the same criteria to all employees, irrespective of their gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin, religion or any other circumstances unrelated to the employee's profession, performance of the job duties, professional achievements or personal performance.

VIII. PREVENTION OF DISCRIMINATION, HARASSMENT AND VIOLENCE

45. The key principle in the implementation of the VAA's anti-discrimination, anti-harassment (including anti-sexual harassment) and anti-violence programme is to respond swiftly and correctly to reports of discrimination, harassment and violence.

46. In order to avoid discrimination, harassment and violence, members of the VAA community are recommended to follow these guiding principles:

46.1. analyse their behaviour and assess whether it is consistent with this Policy;

46.2. be aware of their words and actions, know or have an idea of what kind of behaviour may be considered discrimination, harassment and violence;

46.3. be considerate and sensitive to each other, respect each other's private life, views, convictions, physical and mental integrity, and try to understand whether behaviour expressed in oral or written words, physical actions, may have unpleasant, unwelcome, undignified consequences on, disturb another member of the community in the work or study environment, which may result in an inability to perform of his/her duties properly. It is recommended to ask and discuss in advance with the person or other members of the community whether certain behaviours and forms of communication are acceptable;

46.4. not to be a passive observer of behaviour that violates this Policy and the Code of Academic Ethics of the VAA and to take active steps to stop such behaviour;

46.5. if an employee experiences behaviour that could be treated as harassment, sexual harassment or violence, it is advisable to tell the person behaving in such a way calmly and in a polite tone or express in other way that the behaviour is unacceptable and must stop.

47. The Responsible Person informs and educates the VAA community on the prevention of harassment and violence.

48. The Responsible Person performs the following functions:

48.1. advises members of the VAA community on the prevention of harassment and violence;

48.2. periodically monitors compliance with the instruments governing the prevention, investigation and mitigation of the consequences of harassment and violence;

48.3. if necessary, conducts surveys of members of the VAA community on the prevention of harassment and violence;

- 48.4. makes recommendations on protection from harassment and violence to members of the VAA community;
- 48.5. implements measures to prevent harassment and violence;
- 48.6. taking into account possible risks of harassment and violence, takes measures to eliminate and/or control them;
- 48.7. informs a member of the VAA community who has experienced harassment and/or violence of the assistance measures provided for in paragraph 69 of the Policy;
- 48.8. organises training.
- 49. The following educational measures can be applied to the VAA community:
 - 49.1. training on the risks of harassment and violence, prevention measures and the rights and obligations of members of the VAA community in preventing harassment and violence;
 - 49.2. training on the prevention of discrimination and prejudice (related to gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion);
 - 49.3. discussions, forums, etc.

IX. REPORTING VIOLATION OF EQUAL OPPORTUNITIES AND DISCRIMINATION

50. The VAA takes measures to ensure that members of the VAA community and candidates for vacancies do not suffer from any violation(s) of equal opportunities or discrimination.

51. Members of the VAA community, candidates for vacancies who have information and/or data relating to a possible violation(s) of equal opportunities or case(s) of discrimination have the right to contact one of the following people with a report of such violation(s) (hereinafter referred to as “report”): (1) the immediate supervisor/head of the unit, (2) the Dean/Vice Dean, (3) the VAA psychologist, or (4) the Equal Opportunities Group formed by the Rector, and to specify the member of the VAA community who may have committed a violation of equal opportunities or whose acts or omissions have resulted in discrimination. The report can be submitted at Maironio g. 6, LT-01124, Vilnius or electronically (by e-mail). Candidates for vacancies submitting a report must complete a consent form for the processing of personal data (Appendix 1). Once the report has been submitted to the immediate supervisor/head of the unit, Dean/Vice Dean, VAA psychologist, it is referred to the Equal Opportunities Group. Upon receipt of the report of possible discrimination by a member of the academic community, the Equal Opportunities Group refers the report to the Academic Ethics Committee of the VAA (hereinafter referred to as “the Ethics Committee”).

52. Reports of possible violations of equal opportunities or cases of discrimination at the Academy are investigated by the Equal Opportunities Group formed by the Rector, and, if necessary, reports may be referred to the Equal Opportunities Ombudsperson or other competent authorities for investigation. The Equal Opportunities Group examines the received report, makes a decision, and informs the persons concerned in accordance with the procedures set out in Sections XI, XII, XIII of the Policy and the Operational Guidelines of the Academic Ethics Committee of the VAA.

53. During the investigation of a possible violation of equal opportunities or cases of discrimination, the VAA cooperates with the investigating authorities and provide all available information relevant to the investigation of the possible violation.

54. The VAA takes measures to ensure that members of the VAA community who have submitted a report, who are involved in a case concerning a possible violation of equal opportunities or possible discrimination, their representatives or persons testifying and providing explanations are not subjected to victimisation and are protected against any hostile treatment or adverse consequences.

X. REPORTING HARASSMENT AND VIOLENCE

55. If a member of the VAA community (the victim) suspects or believes that he/she has experienced harassment (including sexual harassment) and/or violence, he/she has the right to:

55.1. submit a report of harassment and/or violence (hereinafter referred to as “report”). Cases of harassment and violence must be reported as soon as possible so that there can be an immediate response;

55.2. contact in writing the persons (any of them) provided for in paragraph 56 of the Policy to initiate an informal conversation in which the person(s) provided for in paragraph 56 of the Policy communicates separately with the complainee, with or without the presence of the victim, with a view to resolving the disagreement amicably, or decide to reacquaint the member of the VAA community (the complainee) with the Policy, the Code of Academic Ethics of the VAA, the Rules of Procedure of the Academy and/or other internal legislation of the VAA, drawing additional attention to what was complained about;

55.3. consult with the persons specified in paragraph 56 of this Policy without submitting a report (e.g. through discussion and formal mediation).

56. The report can be submitted at Maironio g. 6, LT-01124, Vilnius, or electronically (by e-mail/by filling in the electronic report form on the VAA website). The report can be submitted to one of the following: (1) Responsible Person, (2) VAA psychologist, (3) Dean/Vice Dean, (4) immediate supervisor/head of the unit, (5) Ethics Committee. When the report is submitted to the Responsible Person, VAA psychologist, Dean/Vice Dean, immediate supervisor/head of the unit, the report is referred to the Ethics Committee (if the report is not submitted in relation to possible harassment and/or violence by a person who is not a member of the academic community of the VAA (the complainee), the Ethics Committee refers the report to an ad hoc committee formed by order of the Rector).

57. The member of the VAA community (the victim) submitting a report must disclose his/her identity. However, this information is used exclusively for the purposes of investigating the report, is protected and not disclosed (it can only be accessible to the persons investigating the report). The VAA is not responsible if the information contained in the report becomes publicly known through the media, social networks or other means of information dissemination through no fault of the VAA.

XI. EXAMINATION OF REPORTS OF HARASSMENT AND VIOLENCE

58. The Ethics Committee must promptly initiate an examination of a report from a member of the VAA community (the victim) and ensure that the examination is reactive, thorough, impartial and confidential. If the Ethics Committee receives a report from a victim of possible harassment and/or violence by a person who is not a member of the academic community (the complainee), the Ethics Committee refers the report to the Ad Hoc Committee formed by the order of the Rector. The Ad Hoc Committee formed by the order of the Rector examines the report, makes a decision and informs the persons concerned in accordance with the procedure set out in Sections XI, XII and XIII of this Policy and the Operational Guidelines of the Academic Ethics Committee of the VAA.

59. The purpose of examining the report is to gather data that allows a reasonable conclusion to be drawn that acts of harassment and/or violence have been committed, or that the report is unfounded, or that there is insufficient evidence that such acts have been committed.

60. The investigation (examination) of reports is based on the principles provided for in the Code of Academic Ethics of the VAA and the following principles:

60.1. direct involvement – all persons involved are afforded every opportunity to provide explanations;

- 60.2. promptness – reports are examined in the shortest possible time;
- 60.3. assistance to the victim – following the receipt of a report of harassment and/or violence, psychologically safe working conditions are provided;
- 60.4. objectivity and impartiality – the report is examined and the investigation is carried out in an objective manner, with no preconceived notions about the assessment of the circumstances;
- 60.5. presumption of innocence – the person complained against are presumed innocent until a decision has been taken on the violation or his/her misconduct.

61. The Ethics Committee examines the report in accordance with the legislation of the Republic of Lithuania, this Policy, the Operational Guidelines of the Academic Ethics Committee of the VAA, the Code of Academic Ethics of the VAA and other internal legislation of the VAA. If necessary, the appropriate professionals (psychologist, counsellor or other specialist with relevant expertise) will be called in to examine the report. The Responsible Person has the right to participate in the Ethics Committee's examination of the report. When examining the report, the Ethics Committee takes all steps it deems necessary to ensure a full and complete examination of the report (interviewing the victim, witnesses, gathering information, etc.).

62. The limitation period for examining cases of harassment and/or violence at the VAA is three years from the date of the act(s) that may have constituted the violation(s) referred to in this Policy or in the Code of Academic Ethics of the VAA.

63. Upon receipt of the victim's report, the Ethics Committee informs the victim, the complainee and any other interested persons who have a right or legitimate interest in the subject matter of the dispute (legal personality) of the procedure for examining the report. The victim and the complainee are also informed that they can have an advisor/mediator if they wish.

64. The victim and the complainee have the right to submit a reasoned request to the Ethics Committee for the removal of a member of the Ethics Committee on grounds of possible partiality if that member's participation in the examination of the report may give rise to a conflict of interest or may not ensure objectivity/impartiality.

65. All members of the VAA community must cooperate in the investigation of the report and come forward with any information they may have regarding possible harassment and violence. Any member of the VAA community who believes he/she has been a victim of harassment or violence should report it and cooperate in the investigation of any possible violations.

66. The victim and the complainee have the right to choose whether or not to participate in the meeting of the Ethics Committee at which the report is examined. Refusal to participate in the examination of the report does not prevent the Ethics Committee from examining the report and making a decision based on the information and/or data available.

67. Harassment and violence are assessed in the light of the totality of the circumstances: nature, frequency, intensity (degree of confrontation), location, context, duration.

68. The Ethics Committee examines the report and makes a decision on it within 60 days from the date of receipt of the report. The Ethics Committee has the right to extend this time limit in accordance with the procedure set out in the Operational Guidelines of the Academic Ethics Committee of the VAA.

69. The VAA takes active steps to assist the victim(s) of harassment and/or violence, taking into account the specific case and the impact on the emotional health of the victim(s) involved:

- 69.1. the victim(s) of harassment and/or violence are provided with the opportunity to use the services of all necessary professionals (psychologists, psychiatrists, etc.);
- 69.2 job rotation is carried out;

69.3. the victim is transferred to another workplace (without prejudice to the provisions of the Labour Code of the Republic of Lithuania);

69.4. the victim is granted leave or unpaid time off in accordance with the Labour Code of the Republic of Lithuania;

69.5. remote work is applied to the victim in accordance with the Labour Code of the Republic of Lithuania;

69.6. other reasonable measures.

70. The Responsible Person, VAA psychologist, Dean/Vice Dean, immediate supervisor/head of the unit and the Ethics Committee have a duty to inform the victim of harassment and/or violence of the assistance measures provided for in paragraph 69 of the Policy.

71. The VAA takes all appropriate measures to protect the member(s) of the VAA community who submitted the report, who testified and who examined the report, from any possible reprisals (negative consequences).

XII. IMPLEMENTATION OF THE PRINCIPLE OF CONFIDENTIALITY

72. The VAA respects, as far as possible, the choice of a member of the VAA community not to submit a report and to maintain the confidentiality of a report of a possible violation of equal opportunities, discrimination, harassment (including sexual harassment) and/or violence. In exceptional cases where there is a significant risk of harm to the health or safety of the member of the academic community who submitted the report to the VAA, one or both of the following actions may be taken on the recommendation of the Ethics Committee/Ad Hoc Committee/Equal Opportunities Group:

72.1. investigation of the report by the Ethics Committee/Ad Hoc Committee/Equal Opportunities Group (in this case, the member of the VAA community who submitted the report of a possible violation of equal opportunities, discrimination, harassment and/or violence has the right not to participate in the examination of the report);

72.2. referring the report, information and/or data received to the competent external authorities (e.g. the Office of the Equal Opportunities Ombudsman, the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania, the police or others).

73. The report and related information and/or data, the written request to initiate an informal conversation, the consultation without the submission of a report (e.g. through discussion and formal mediation) is confidential, except where:

73.1. the VAA must disclose information to external authorities;

73.2. there is a direct threat to the health or safety of a member of the VAA community. Several related reports concerning the same member of the VAA community have been received and there is reason to believe that the health or safety of members of the VAA community may be threatened.

74. The VAA must ensure the highest level of confidentiality in conversations with members of the VAA community and witnesses.

75. The VAA adheres to the principle of reasonableness in ensuring confidentiality: members of the VAA community are encouraged to report a violation of equal opportunities, discrimination, harassment and violence, even if they wish to maintain the confidentiality of such information, which the Academy makes every effort to ensure (information identified as confidential can only be accessed by members of the Ethics Committee/Ad Hoc Committee/Equal Opportunities Group who are obliged to protect it and not to disclose it). However, while protecting the confidentiality of the information, the Academy cannot be placed in a position where it is unable to adequately fulfil its obligations to investigate the report, prevent further discrimination or a further violation of equal opportunities, harassment and/or violence, and where a member of the VAA community is unable to adequately defend himself/herself.

76. The wish of a member of the VAA community not to disclose his/her identity must be respected, but only if the VAA is able to fulfil its obligation to properly investigate a possible violation of equal opportunities, possible discrimination, possible harassment and/or violence, and take action to prevent such a violation of equal opportunities, discrimination, harassment and/or violence.

XIII. DECISION MAKING

77. If a violation is found, the Rector of the VAA, on the recommendation of the Ethics Committee/Ad Hoc Committee/Equal Opportunities Group, or the Ethics Committee/Ad Hoc Committee/Equal Opportunities Group decides on the imposition of sanctions against a member of the VAA community in accordance with the Labour Code of the Republic of Lithuania, the provisions of the internal regulations of the VAA (the Policy, the Code of Academic Ethics of the VAA, the Operational Guidelines of the Academic Ethics Committee of the VAA, the Study Regulations of the VAA, the Rules of Procedure of the Academy, etc.).

XIV. LODGING AN APPEAL

78. The Rector, the Ethics Committee/Ad Hoc Committee or the Equal Opportunities Group informs the members of the VAA community, candidates for vacancies and other interested persons who have a right or a legitimate interest in the subject matter of the dispute (legal personality) of the decision taken by the Rector, the Ethics Committee/Ad Hoc Committee or the Equal Opportunities Group and of the possibilities of appealing against the decision in accordance with the procedure established by law. Members of the VAA community, candidates for vacancies, other interested persons who have a right or a legitimate interest in the subject matter of the dispute (legal personality) have the right to lodge a complaint with a competent authority (e.g. the Office of the Equal Opportunities Ombudsperson, the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania, the Labour Dispute Committee, a court).

XV. FINAL PROVISIONS

79. This Policy is reviewed and updated as needed or in the event of changes in the legislation governing the matters covered by this Policy and in the cases specified in Article 30(5) of the Labour Code of the Republic of Lithuania.

80. Members of the VAA community are introduced to this Policy through their work email addresses and by making it publicly available on the Academy's website (vda.lt), and must comply with it.

**CONSENT
TO THE PROCESSING OF PERSONAL DATA**

[Day] [Month] [Year]

.....
(place)

I,.....,
(name and surname of the person)

agree and have been informed that:

1. The Vilnius Academy of Arts (hereinafter the “VAA”, the “Academy”) will receive and process my personal data listed below:

No.	Personal data
1.	Name
2.	Surname
3.	Mobile phone number
4.	E-mail address

2. The purpose of the processing of the personal data listed above:

The personal data of the data subject are collected and processed by the VAA for the purpose of investigating the report of a **possible violation of equal opportunities, possible discrimination**, making a decision thereon and informing the data subject of it.

3. The personal data listed above would be subject to the following processing operations:

Collection and storage of personal data.

4. If the Academy identifies a violation of the legislation of the Republic of Lithuania, it will notify the competent authorities and transfer personal data to them. The received report and the related information and/or data, personal data of the data subject may be transferred to the competent external authorities (e.g. the Office of the Equal Opportunities Ombudsman, the Office of the Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania, a court, law enforcement agencies or state authorities). Your personal data may only be transferred to other persons with your consent, if such consent has been obtained for a specific case or in cases provided for by law.

5. The VAA will process personal data lawfully, fairly and transparently, in compliance with the statutory requirements and only for the purposes set out in this consent form.

6. In the event of a change to your personal data processed in accordance with this consent, please notify the Equal Opportunities Group of the VAA (hereinafter the “Equal Opportunities Group”) at the following e-mail address: lygios.galimybes@vda.lt.

7. Period of validity of the consent: the consent is valid until the Equal Opportunities Group has decided on the received report, has informed the data subject and has decided to delete the personal data, within a maximum period of 6 (six) months from the cessation of the purposes specified in this consent

form. This period may be extended if the personal data are used or may be used as evidence or as a source of information in a pre-trial or other investigation, including an investigation by the State Data Protection Inspectorate, a civil, administrative or criminal proceeding or any other case provided for by law.

8. In accordance with Article 13 of Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter the “General Data Protection Regulation”), the information regarding the processing of my data on the basis of this consent is as follows:

8.1. **Data controller:** Vilnius Academy of Arts, LT-01124, Maironio g. 6, Vilnius.

8.2. **Contact details of the Data Protection Officer:** email address: dap@vda.lt, telephone number: (+370 5) 210 5453

8.3. **Purposes of data processing:** the personal data provided in this consent form will be processed only for the purposes for which the consent is given in paragraph 2 above.

8.4. **Legal basis for data processing:** the legal basis for the processing of your personal data provided in this consent form is this consent.

8.5. **Recipients of personal data:** your personal data specified in this consent form may be transferred to:

8.5.1. To the recipients listed in paragraph 4 of this consent.

8.6. **Data subject rights.** The right to request to allow access to his/her data, rectify or delete such data, the right to limit the processing of his/her data, the right to object to the processing of his/her data and the right to data portability. I can exercise these rights in accordance with the procedure established by law.

To exercise the data subject rights, please contact the Data Protection Officer of the VAA using the contact details provided in sub-paragraph 8.2.

8.7. **Right to withdraw consent.** I have the right to withdraw this consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal. I can withdraw my consent in writing (either by me or my representative coming to the VAA directly, by sending a request by post, or by electronic means: fax or e-mail to dap@vda.lt; lygios.galimybes@vda.lt). The withdrawal of consent must be signed. The withdrawal of consent sent to the VAA by electronic means must be signed with a qualified electronic signature or signed on paper and formatted by electronic means that ensure the integrity and inalterability of the text (e.g. in PDF format, by fax).

8.8. **Personal data retention period.** The Academy complies with the principle that personal data collected when the purposes for which they were collected and processed no longer exist are selected, deleted or depersonalised within a period of time not exceeding 6 (six) months. This period may be extended if personal data are used or may be used as evidence or as a source of information in a pre-trial or other investigation, including an investigation by the State Data Protection Inspectorate, a civil, administrative or criminal proceeding or any other case provided for by law. In this case, personal data may be stored for as long as necessary for these processing purposes and destroyed as soon as they are no longer necessary.

8.9. **Automated decision-making.** The data will not be used to make any automated decisions about you, including profiling.

8.10. **Lodging a complaint.** The data subject has the right to lodge a complaint with the State Data Protection Inspectorate and a court against the acts/omissions of the Academy in relation to the processing of personal data, in accordance with the procedure established by law.

I note that my consent to the processing of personal data is freely given, that it is clear to me and I understand that the consent is given for the specific purposes specified in the consent to the processing of personal data, and that I understand the reasons for which I consent to the collection and processing of my personal data.

(name, surname, signature)