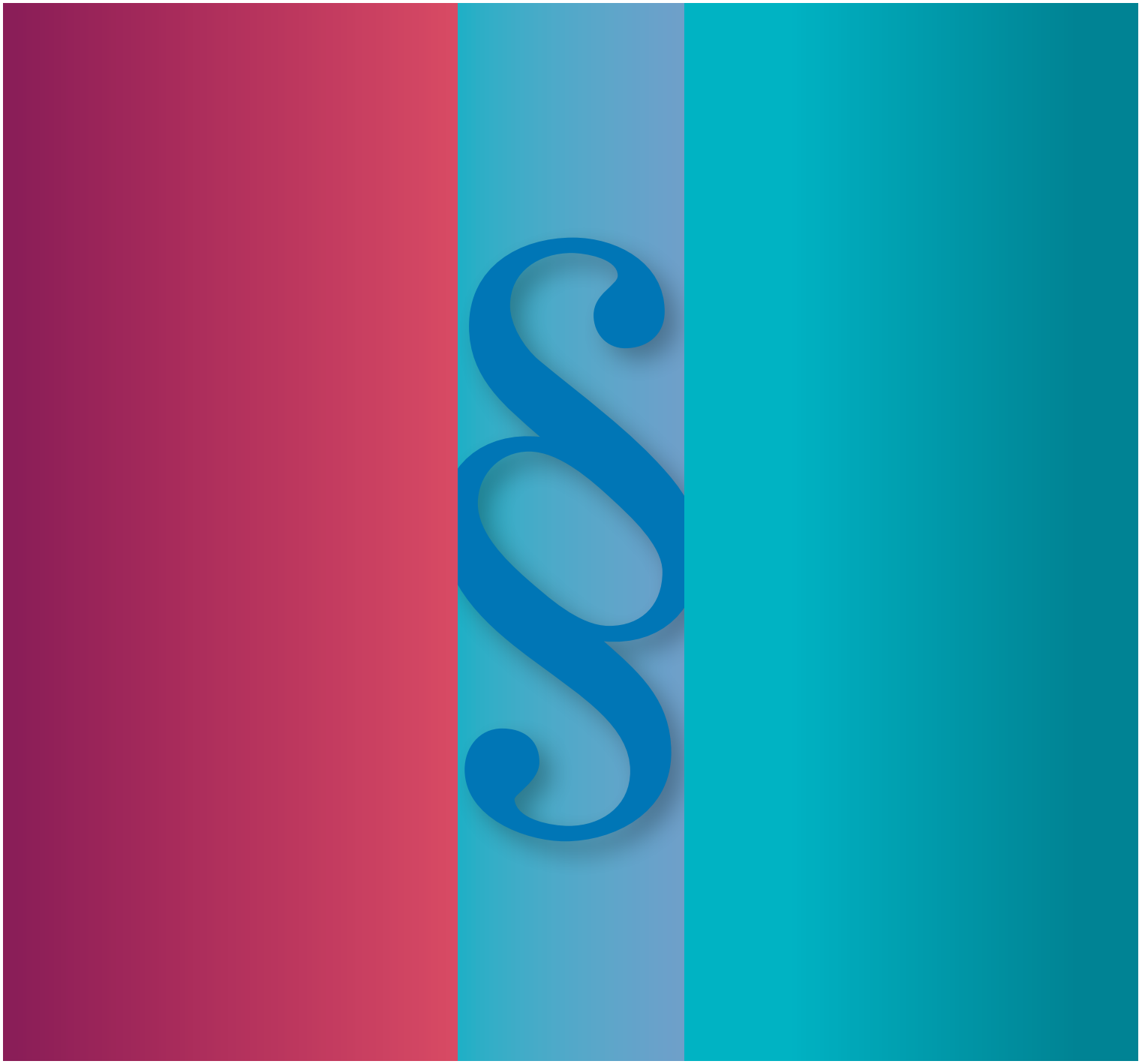
UNIVERSITÄT
HEIDELBERG
ZUKUNFT
SEIT 1386

STATUTE ON SAFEGUARDING FAIR CONDUCT AT HEIDELBERG UNIVERSITY



IMPRINT

Published by
Heidelberg University
The Rector

Layout
Andrea Reuter

UNIFY – Unit for Family, Diversity & Equality
Heidelberg University
Voßstraße 5, Building 4211
69117 Heidelberg
Telefon +49 6221 54-7697
unify@uni-heidelberg.de
www.unify.uni-heidelberg.de

Published: October 2025
Effective: January 30, 2026

CONTENT

Preamble 4

Section One
General Principles 5

Section Two
Procedure in case of conflict and suspicion of non-compliance against the rules of fair conduct 6

Section Three
Final provisions 10

Annex 11

Annex 1
Definitions 12

Annex 2
Concept for Guide – Professional handling of conflicts and misconduct at Heidelberg University 14

Annex 3
Catalogue of possible measures in the event of misconduct 21

For informative use only. Only the German version has legal validity.

Pursuant to § 8 (5) sentence 1, 19 (1) sentence 2 number 10 of the Baden-Württemberg Higher Education Act (Landeshochschulgesetz – LHG)

in the version of 1 April 2014 (GBl. P. 99 ff.), as last amended by Article 24 of the Act of 17 December 2024 (GBl. 2024 No. 114), the Senate of Heidelberg University adopted the following statute at its meeting on 04.11.2025 to ensure fair conduct at Heidelberg University.

PREAMBLE

The university defines itself as an institution for research and education which thrives on the diversity of its members. It is a place where people from a wide variety of backgrounds interact – be it social, economic, ethnic, national or cultural – and regardless of their care responsibilities, their age, gender or sexual identity, religion or belief, physical or mental constitution.

In its mission statement, the university is committed to equal opportunities and recognition of the diversity of all its members. It appreciates diversity as a strength that enriches research and teaching and thus increases the quality of scientific work as well as the reputation of the university.

As an educational institution, the University has a special responsibility and role model function: achievements in research, teaching, studies and in everyday work can only flourish in an environment of intact coexistence, fair competition and equal opportunities as a prerequisite for success and knowledge production. Heidelberg University is committed to establishing and maintaining a culture of fair conduct. Within the meaning of § 2 (4) of the State Higher Education Act (LHG), care for the equal and respectful cooperation of its members and relatives at all functional levels. That is why it promotes measures to create and maintain a conducive working atmosphere and protects the personal rights and dignity of all its members and associated persons within the framework of its competence.

SECTION ONE
GENERAL PRINCIPLES

§ 1 Scope

1 These statutes apply to all members and associates of Heidelberg University within the meaning of § 9 LHG in conjunction with § 4 of the Basic Regulations of Heidelberg University.

2 Responsibilities of other bodies and institutions of the university are not affected by these statutes.

§ 2 Basic Concept

1 All persons covered by the scope of these statutes, in particular those in management and leadership positions, shall ensure, within the scope of their duties, that discrimination based on national, cultural or ethnic origin, social background, gender, religion or belief, disability or chronic mental or physical illness, family care responsibilities, age or sexual identity is prevented and not tolerated. The same applies to the exploitation of dependencies during studies and exploitation in the context of training and employment as well as to sexual harassment, bullying and stalking (see the definitions in Annex 1).

2 The Senate and the Rectorate of Heidelberg University are responsible for ensuring that unlawful discrimination, sexual harassment, bullying, stalking, degradation and the exploitation of dependencies at the university are not accepted and, if necessary, legally punished. This includes the violation of employment contracts, civil servant or university law obligations.

3 Guidelines also result from the following basic rules and guidelines:

- the mission statement and principles of Heidelberg University
- the Diversity Strategy of Heidelberg University
- the Gender Equality Plan of Heidelberg University

§ 3 Organisational Responsibility

1 The university management provides the framework to ensure that an environment characterised by mutual respect and prejudice-free mutual understanding can flourish across all areas of the university. It provides its members with comprehensive information about the problems of bullying, discrimination, stalking and sexual harassment, as well as about the rights of those affected and possibilities for prevention and counselling. Without prejudice to the responsibility of the management of the University, the management of each faculty and any other institution is responsible for its own appropriate organisational structure, which ensures that

1. the tasks of management, supervision, quality assurance and conflict resolution are correctly assigned and carried out with regard to safeguarding fair conduct,
2. the principles of fair conduct are exemplified and passed on,
3. That the members of the university are supervised and guided responsibly and the career of all persons is adequately promoted and
4. abuse of power as well as exploitation in the context of dependencies is avoided.

2 Information and training sessions on fair conduct are offered. People in management positions are separately requested to use these offers. In the context of university didactic training, especially for first-time lecturers, the importance of fair conduct is underlined for the quality of research and teaching.

3 Irrespective of the personal responsibility of all those working at Heidelberg University, the University shall ensure that any concrete suspicion of violations of the principles of fair conduct, laid down in these statutes, is consistently investigated, with the greatest possible respect for the personal rights and wishes of the persons affected, and that the procedures set out in Section 2 are carried out.

SECOND SECTION
PROCEDURE IN CASES OF CONFLICT AND SUSPICION OF FAIR CONDUCT VIOLATIONS

§ 4 Counselling

1 Members of the university affected by discrimination, harassment, stalking or bullying have the right to contact a person of trust, the central contact point (ZA), the responsible departments of the university administration or the rectorate verbally or in writing.

2 Based on the descriptions of the person seeking advice, the selected contact person advises on suitable protective measures and assesses the severity of the accusation or incident and its complexity. Together with the person seeking advice, they decide whether the case should be treated confidentially and can be clarified by the confidential contact points (in neutral cases) or whether a formal procedure should be initiated (in cases by official route).

3 The presumption of innocence applies. Likewise, persons seeking advice and those interviewed as witnesses should not suffer any disadvantages for their own scientific or professional careers due to the accusation made. Persons seeking advice must also be protected in the event of unproven misconduct, unless false accusations have been made intentionally.

4 In order to avert an immediate danger, the selected contact persons can initiate immediate measures to protect the person seeking advice with the official responsible person, such as spatial separation.

§ 5 Responsible Bodies

1 The following bodies are responsible for the professional handling of violations of fair conduct or a corresponding suspicion and for implementing the GUIDE concept (see Annex 2):

- the confidential contact points in accordance with § 6 and other decentralised confidential advisers
- the central contact point in accordance with § 7
- the Rectorate Commission for Fair Conduct in accordance with § 8
- the commissions for clarification in accordance with § 9
- the Central University Administration (Departments for Human Resources, Law and Committees, Student Affairs and Teaching)
- the Rectorate

2 In addition to the university contact points, a trusted lawyer appointed by the Ministry of Science, Research and Arts is available for cases of sexual discrimination, sexual harassment and violence.

3 Pursuant to § 62 a LHG, the Order Commission (Ordnungsausschuss) is responsible for breaches of order by students.

4 As far as employees are concerned, the management of the Human Resources division or, as far as student matters are concerned, the Legal Service of the Student Affairs and Teaching division is responsible for complaints in accordance with § 13 AGG.

§ 6 Confidential Contact Points

1 The confidential contact points (cf. No. 4 of the GUIDE concept, Annex 2) advise in neutral cases, i.e. in cases in which the persons seeking advice wish to handle their case (initially) informally and not through official channels. The confidential contact points may, for example, take the following informal measures:

- Information on and connection to mediation
- Conversation offer of the confidential contact point with supervisors or the conflict party
- Exhorting discussions with the conflict party, either by their superiors or by trusted persons (with the exception of the confidential guides according to (3)).
- Measures adapted to the circumstances in order to pacify the situation: e.g. spatial separation of the conflict parties etc.

2 Pursuant to § 4 a (1) and (2) LHG contact persons are set in place for questions in connection with sexual harassment and anti-discrimination. The contact persons advise as trusted persons and are not bound by instructions in this function. Pursuant to § 8 (2) the contact persons are proposed by the Rectorate Commission for Fair Conduct and appointed by the Rectorate. The term of the contact persons are two years each, a successor should be appointed six months before the end of the term in order to enable a joint handover phase. Re-appointment is possible.

3 For each faculty and each institution, several volunteer trusted persons are to be appointed according to a ratio previously determined by the Rectorate Commission for Fair Conduct. As a professional first and low-threshold confidential point of contact and referral, their task is to catch conflicts and misconduct at an early stage. They are not bound by instructions in this function. Employees of the university work as trusted persons during working hours. For this purpose, they are released from their obligation to work to the extent necessary while continuing regular pay. Trusted persons can apply on their own or be nominated by the deans and the institution management or by the constituted student body. The Rectorate Commission for Fair Conduct chooses in accordance with § 8 (2) from the circle of applicants suitable trusted persons. Their appointment is carried out by the Rectorate. The term of office for students as trusted persons is one year, otherwise three years. The succession should be appointed three months before the end of the term in order to enable a joint handover phase. Re-appointment is possible. In the event of the premature departure of trusted persons, the term of office of the replacement is limited to the remaining term of office of the departing person.

4 For good cause, the appointment of contact persons and trusted persons may be terminated before the end of their terms of office in accordance with § 6 (2) or (3) by the Rectorate.

§ 7 Central Contact Point

1 The central contact point acts as a control authority of the system for dealing with conflicts and violations of the rules of fair conduct. Its responsibilities are:

- the confidential advising of persons affected by cases of conflict and violations of the rules of fair conduct,
- the documentation of anonymised reports of cases of conflict and violations of the rules of fair conduct and coordination of the processing steps,
- the evaluation and quality assurance of the system for dealing with cases of conflict and violations of the rules of fair conduct,
- the organisation and coordination of training courses as well as supervision and intervision (peer consultation) of all contact points and
- annual reports to the Rectorate.

2 The central contact point is organisationally affiliated with UNIFY – Unit for Family, Diversity and Equality of Heidelberg University, but works without instructions.

§ 8 Rectorate Commission for Fair Conduct

1 The university installs a permanent Rectorate Commission for Fair Conduct. The elective members of the commission and a personal deputy are proposed by the Rectorate and elected by the Senate.

Members of the Commission are

- the Equal Opportunities Officer of Heidelberg University as Chair,
- the Equal Opportunities Commissioner,
- the confidant for persons with a severe disability and those of equivalent status,
- the contact persons for questions relating to sexual harassment and anti-discrimination in accordance with § 4 a LHG,
- a member appointed by the Staff Council,
- the Head of the Human Resources Division at Heidelberg University,

as elective members, one person each from the group of

- University professors,
- academic staff,
- students
- PhD students,
- other employees within the meaning of § 10 (1) sentence 2 number 5 LHG.

As official or elective members, the Commission includes at least three members from the group of university lecturers. If, at the time of the election, there are not at least two members of this group appointed the number of elective members from this group shall be increased until this number is reached.

The Head of the Office of the Rectorate may participate in the meetings of the Commission in an advisory capacity. The term of office of students is one year, that of the other elected members three years. Re-election is possible. The members of the commission are independent and work without instructions.

2 The Rectorate Commission advises on structural issues that are relevant in the context of fair conduct. It is authorised to report to the Rectorate or the Senate about the Chairperson and to submit proposals relating to:

- the task of the university management to provide its members and relatives with comprehensive information about bullying, discrimination, stalking and sexual harassment, about the rights of those affected and possibilities for prevention and counselling,
- the improvement of institutional and regulatory channels, procedures and measures to prevent violations of the principles and to improve the situation of those affected,
- further questions in relation to the principles and the concept of professional handling of conflicts and misconduct at Heidelberg University,
- the adoption of a resolution concerning a proposal to appoint contact persons for questions relating to sexual harassment and discrimination in accordance with § 6 (2) together with § 4 a (1) and (2) LHG,
- the election of and adoption of a resolution concerning a proposal to appoint volunteer trusted persons in accordance with § 6 (3)

3 The Rectorate Commission may, with the consent of the person(s) seeking advice, set up a commission to investigate complex cases in accordance with § 9. A case is considered complex when different types of conflict overlap, a large number of people are involved and/or the case falls within the responsibility of several people or institutions.

4 The Rectorate Commission assumes the tasks and powers of the previous Rectorate Commission for Fair Conduct.

5 UNIFY acts as the office of the commission. Within the framework of the specifications of the chairperson, UNIFY prepares the meetings and arranges for the implementation of the decisions by the responsible authorities.

§ 9 Commissions for Clarification

1 At the proposal of the Rectorate Commission, 15 candidates are nominated for the committees in accordance with § 8 (3) by the Rectorate. When selecting candidates, it is important to ensure that the members and staff of the university are represented as accurately as possible. From this pool of members, commissions for clarification are formed in a rotation principle as required and on a case-by-case basis by the Rectorate Commission, each of which consists of 5 members. The members elect one person as the chair.

2 The commissions for clarification are independent commissions of inquiry that investigate an accusation, evaluate it in free evaluation of the evidence and, if appropriate, develop proposals for mediating the conflict. The committees may consult other members of the university and other experts. Members and institutions of the university are obliged to provide comprehensive support to the committees in fulfilling their tasks. Defendants can comment at any stage of the proceedings. Upon request, they are to be heard orally, for which they can seek assistance. If persons seeking advice are heard orally, they are also entitled to seek assistance. Decisions are taken by a simple majority; in the event of a tie, the vote of the chair decides the outcome.

3 The identity of the person seeking advice may not be disclosed to the accused without their express consent. This does not apply if there is a legal obligation to disclose, if the accused is otherwise unable to defend himself or if the allegations have been deliberately made incorrectly. Before disclosing the identity of persons seeking advice and those interviewed as witnesses, they will be informed of this and can decide whether to retract their statement – if the name is not disclosed.

4 The procedure must be completed within a reasonable time. If the conciliation fails, the Commission shall submit a report to the Rectorate Commission and the Rectorate on the investigation and its results; it may make recommendations on the measures to be taken. The Chairperson of the respective commission shall inform the accused person(s) in writing of the essential reasons for the evaluation by the commission. An appeal procedure against the Commission's assessment is not possible.

5 The Rectorate decides whether and, if so, how a report of the Commission will be announced. The rector informs the committee members about the further procedure.

§ 10 Duty of Confidentiality

The contact persons at the confidential contact points referred to in § 6 (the staff of the Central Contact Point in the context of their advisory work, the members of the Rectorate Commission insofar as their duties are affected in accordance with § 8 (3), as well as the commissions for clarification in accordance with § 9 must maintain confidentiality and not disclose any information to third parties. This obligation shall continue after the termination of their duties in these offices.

§ 11 Completion of the Investigation

If a case is reported through official channels, the relevant university departments will assess whether any action needs to be taken and, if so, what measures should be taken to address the misconduct and prevent similar incidents in the future. A commitment to evaluations and recommendations of the report of the commissions for clarification does not exist. In particular, the measures listed in Annex 3 can be considered as measures.

SECTION THREE
FINAL PROVISIONS

§ 12 Documentation and Data Protection

1 All conflict resolution centres document their consultation cases anonymously and hand over the documents on informally clarified cases to the central contact point for documentation purposes. The central contact point keeps the files for ten years.

2 The collection of personal data must be limited to the extent necessary and is subject to data protection. The processing of personal data within the framework of this statute takes place in compliance with the applicable data protection regulations, in particular the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) and applicable state data protection laws (LDSG). The University processes personal data exclusively for the purpose of ensuring fair conduct and for processing reports of discriminatory, harassing or otherwise inappropriate behaviour.

§ 13 Rules of Procedure

The Rules of Procedure of Heidelberg University, as currently in force, shall apply.

§ 14 Entry into Force

These Statutes shall enter into force on the day following its publication in the Rector's Bulletin. At the same time, the Senate Guideline on Fair Conduct of 01.10.2002 shall expire.

Heidelberg, 20 January 2026

signed by Prof. Dr. Frauke Melchior
Rector

ANNEX

ANNEX 1
DEFINITIONS

Exploitation in the context of training and employment, sexual harassment, bullying, stalking or discrimination are perceived subjectively differently. As a starting point for the objective assessment, however, the following definitions must be taken into account.

Exploitation in the context of training and employment

According to the legal definition of § 232 (1) sentence 2 of the Criminal Code, there is exploitation by employment if the employment is executed out of a ruthless pursuit of profit under working conditions that are conspicuously disproportionate to the working conditions of those employees who pursue the same or comparable employment (exploitative employment).

However, illicit exploitation in training and employment relationships also exists below the criminal liability limit if, out of the reckless self-interest of the superior person, services are systematically demanded, taking advantage of dependency relationships, which are structurally in a conspicuous disproportion to the service contractually owed by the employee.

Sexual Harassment

Sexual harassment is any sexually suggestive behaviour that is unwanted by the person concerned and degrades them as a person. The intention is less decisive rather than the subjective crossing of boundaries.

Such behaviours range from inappropriate sexual innuendo, obnoxious staring, salacious remarks, and the dissemination of pornographic material to sexual assault.

The following acts are defined in § 3 (4) AGG as sexual harassment:

- Unwanted sexual acts and requests to carry them out,
- Physical contact of a sexual nature,
- Comments of a sexual nature,
- unwanted display or attachment of pornographic images,

if they have the purpose or effect of violating the dignity of the person concerned.

Discrimination

Discrimination based on racial or ethnic origin, gender, religion or belief, disability, age or sexual identity shall be prevented or eliminated by the AGG. According to § 3 (1) AGG, there is a direct disadvantage if one person receives less favourable treatment for one of the reasons mentioned than another person experiences, has experienced or would experience in a comparable situation. In the professional context, there is also a direct disadvantage due to gender in the case of less favourable treatment of a woman due to pregnancy or maternity. According to § 3 (2) AGG, there is an indirect disadvantage if apparently neutral regulations, criteria or procedures can disadvantage persons in a particular way compared to other persons for one of the reasons mentioned, unless the relevant regulations, criteria or procedures are objectively justified by a legitimate goal and the means are appropriate and necessary to achieve this goal.

The most common forms of discrimination include:

- Racism
- Sexism
- Hostility towards trans and queer people
- Ableism
- Anti-Semitism
- Hostility towards Muslims
- Age discrimination
- Discrimination based on belief or religion

Inadmissible discrimination may also exist for reasons other than those explicitly stated in the AGG. For example, disadvantages due to a political statement, a certain party or association membership, social background, national/regional background, the financial circumstances or weight, height, shape and appearance. Since the AGG is not applicable in such cases, however, the threshold for legal liability (tort law, violation of contractual obligations to protect) is much higher.

Bullying

The German Federal Labour Court defines bullying as "systematic hostility, harassment or discrimination against employees among themselves or by superiors".[1] These actions are repeated over a longer period of time, are targeted and systematic and aim to exclude the person concerned or to hurt their personality. Bullying does not always have to be related to the characteristics mentioned in the General Act on Equal Treatment (AGG), such as origin, gender or age, but can also result from tensions within the work environment, power struggles or personal aversion.[2] The definition of bullying also takes into account the social context in the workplace, which leads to the stressful situation.[3]

Typical acts of bullying are:

- Destructive criticism that is humiliating and improper or that aims to wear down the person concerned by constant control.
- Attacks against performance, such as arranging pointless activities, assigning too much work or systematically challenging tasks.
- Attacks against the existence of the employment relationship, for example by claiming misconduct, arbitrary warnings or deliberately unjustified bad performance reviews.
- Attacks against social integration in the workplace or the reputation of the person concerned.
- Attacks against the self-esteem and privacy of the person concerned.
- Insults and death threats (also relevant under criminal law) in chat groups.
- Creating fear, horror and disgust or refusing to help.[4]

Stalking

"Stalking" refers to the persistent pursuit, insistent harassment and following of a person against their will, so that they can be seriously impaired in their way of life (§ 238 StGB). The manifestations of stalking can be very different.

The most common forms of stalking include:

- Looking for spatial proximity to the victim
- Attempt to establish contact with the victim
- Orders of goods or services for the victim
- Threatening the victim or a close person with injury to life, physical integrity, health or freedom
- Initiation of contact by third parties
- Other comparable actions

---

1 BAG decision of 15 January 1997, file no.: 7 ABR 14/96

2 https://www.antidiskriminierungsstelle.de/DE/ueber-diskriminierung/was-ist-diskriminierung/diskriminierungsformen/diskriminierungsformen-node.html

3 BAG decision of 15 January 1997, file no.: 7 ABR 14/96

4 Cf. Litzcke, Sven/Schuh, Horst/Pletke, Matthias: Stress, Mobbing und Burn-out am Arbeitsplatz. Umgang mit Leistungsdruck – Belastungen im Beruf meistern – Mit Fragebögen, Checklisten, Übungen, Springer Verlag Berlin-Heidelberg, 2012, p. 104 ff.

ANNEX 2
CONCEPT FOR GUIDE – PROFESSIONAL HANDLING OF CONFLICTS AND MISCONDUCT [5] AT HEIDELBERG UNIVERSITY

Summary

Conflicts or misconduct can arise at Heidelberg University as a place where people research, work and study together. The university already offers prevention services, confidential conflict resolution centres and measures to help those affected by workplace-related conflicts as well as discrimination, bullying, stalking and (sexual) harassment. However, in particular at the potential interfaces of the various conflict counselling and processing centres, the processes for resolving conflicts are not yet or insufficiently defined.

In a participatory, multi-stage process with relevant stakeholders of the university, the current handling of conflicts and misconduct has been put to the test over the past two years and a comprehensive procedure for dealing with conflicts and misconduct has been developed together. It builds on the existing, optimises the interlinking and cooperation of the individual bodies and professionalizes existing processes. The aim is to clarify conflicts and misconduct as quickly as possible without big losses and to prevent escalations.

The internal process flow model clearly shows at which point the person seeking advice moves in the confidential area (neutral cases) and where legal action (cases by official route) is already being taken.

The core of the concept is the establishment of an independent Central Contact Point. As a consulting and training institution, it coordinates, documents and evaluates neutral cases in the confidential consulting area and keeps track of the necessary, often cross-departmental, work steps. The Central Contact Point is not part of the disciplinary procedure. With the structural connection of this central contact point to the central institution “UNIFY – Unit for Family, Diversity and Equality”, it experiences independence, freedom of instruction and involves all relevant persons and members. As a result, parallel structures can be avoided, confidential points of contact for those affected can be found more quickly and resources can be spared. Institutions should be able to communicate better with each other and develop and implement common, professional standards in consulting.

With a professional procedure for conflicts and misconduct, Ruperto Carola meets the requirements placed on international universities with a claim to excellence and takes on a pioneering role of the universities of excellence in Germany.

In addition, unfavourable and cost-intensive consequences for the university and its members can be avoided: lawsuits and litigation, reduced productivity, high medical costs, financial losses due to failed research projects,

[5] Misconduct includes the topics of discrimination, bullying, stalking and sexual harassment. The commission for academic misconduct is responsible for academic misconduct.

loss of top scientists, additional expenses due to (unnecessary) dismissals and new hires as well as negative reputation of the university.[6]

1 Current situation

Heidelberg University is a place of diversity where people from a wide variety of (cultural) backgrounds, values and working methods research, work and study together. Respectful and fair treatment is the basis of daily coexistence. Wherever people come together and work, conflicts and misconduct also arise – with unfavourable consequences for the university and its members.

The university already offers prevention services, confidential conflict centres and measures to help those affected by workplace-related conflicts as well as discrimination, bullying, stalking and (sexual) harassment. The aim is to clarify conflicts and misconduct as quickly as possible and without big losses and to prevent escalations.

Although there are some legally prescribed interfaces between consulting institutions, these processes for cooperation with conflict consulting and conflict management centres for conflict resolution are not yet sufficiently defined.

The diversity of the existing positions already brings great added value, which must be maintained. Therefore, a procedure for dealing with conflicts and misconduct should be set up that optimizes the interlinking and cooperation of the individual bodies and makes these processes more professional.

2 Target group and objectives

The target group of the procedure for dealing with conflicts and misconduct are employees, managers, students and all members of the university.

The strategic goal is to expand the cooperation culture at the university, to avoid unnecessary (personnel) costs and to maintain the reputation and competitiveness of Heidelberg University. Based on the university management, a corresponding culture should be further expanded in order to effectively counter the negative effects of conflicts and misconduct. The conflict management structures named in the concept are provided with the mandate and required resources by the university management.

The aim at the operational level is to create transparency in addition to the professionalisation of the entire conflict management process: low-threshold offers for university members and clear response structures in the event of conflict should help those affected, such as consultants, to find their way around the structure quickly and safely.

A bilingual organisation chart, also in simple language, shows the relevant structure at the university and helps with questions such as: Where am I in the process? Who are my possible contact persons? In addition, a flow chart should be used to make possible ways and processes transparent in order to meet the frequent questions of those affected: What happens if I contact a confidential contact point? Up to what point can I, as a person concerned, decide how to proceed with my concern?

---

[6] There are hardly any studies that assess the financial consequences of conflicts at universities. However, assuming that the differences in conflict costs between companies and universities are relatively small, it can be assumed that conflict costs amount to 20 per cent of personnel costs. 10 to 15 percent of the working time in each company is spent on conflict resolution.

- 30 to 50 percent of the weekly working hours of managers are spent directly or indirectly managing conflicts or the consequences of conflicts.
- Absenteeism due to operational fears and bullying in the workplace burden companies with approximately 30 billion euros annually.
- The average cost per bullying case is 60,000 euros.
- Fluctuation costs and health care costs due to internal conflicts burden companies with several billion euros annually.
- 25 percent of sales depend on the quality of communication in the company.
- "According to the survey, the most expensive are failed and delayed projects: every second respondent spends at least 50,000 euros per year unplanned; every tenth even over 500,000 euros."
- (1,2 KPMG Conflict Cost Study. Die Kosten von Reibungsverlusten in Industrieunternehmen, https://christianehuismans.de/wp-content/uploads/2017/10/KPMG-Konfliktkostenstudie.pdf)

Furthermore, the conflict management skills of the employees of the university, in particular the managers, are to be further developed and steadily expanded. Furthermore, the contact persons should be relieved according to LHG.

3 GUIDE procedures for handling conflicts and misconduct at Heidelberg University

Conflict management is teamwork, so the procedure for dealing with conflicts and misconduct should be set up as a network that is effective throughout the university and uses and optimizes existing resources and interfaces.

Attitude: Conflict management and prevention should be equivalent. The first step is to appeal to the individual responsibility of each employee, and in a second step to the managerial responsibility of the respective supervisor – an attitude that already corresponds to the self-image of Heidelberg University in the Senate Guideline on Fair Conduct.[7]

This is supported by preventive offers and further training on the relevant topics as well as advisory offers by representatives of the respective service units, ombudspersons at the institutes, etc.
If conflicts or misconduct occur that can no longer be resolved without "specialist staff" due to their escalation level or protracted nature, the university's professional procedure for dealing with conflicts and misconduct takes care of it.

In the following, the structure and processes of the procedure for dealing with conflicts and misconduct will be explained.

4 Structure

The process flow model shows an ideal typical conflict handling process.

4.1 Process[8]

Who is responsible? If the cases arrive at the confidential points of contact, neutral advice is given first. Legal expertise for the consultants can be found at this point while maintaining confidentiality via a central contact point in order to understand the facts correctly and to be able to advise. If it turns out that the person to be advised wants to take legal/official action, the cases are forwarded to D5 or D1 (depending on the situation). In this case, the consensual counselling service withdraws and is no longer involved in the case. If necessary, it will be active again after completion of the non-consensual process, for example, when it comes to restoring the ability to work in a team or similar topics arise.

As shown in the process, the conflict management process differs depending on whether a case is discussed confidentially (neutral cases) or whether legal action has been taken (cases by official route).

4.1.1 Consensual/Neutral Cases

Definition: Cases that can be clarified by the confidential conflict points (e.g. also through mediation), or if those to be consulted wish to remain anonymous with the case.

Responsible: Confidential Conflict Resolution Centres

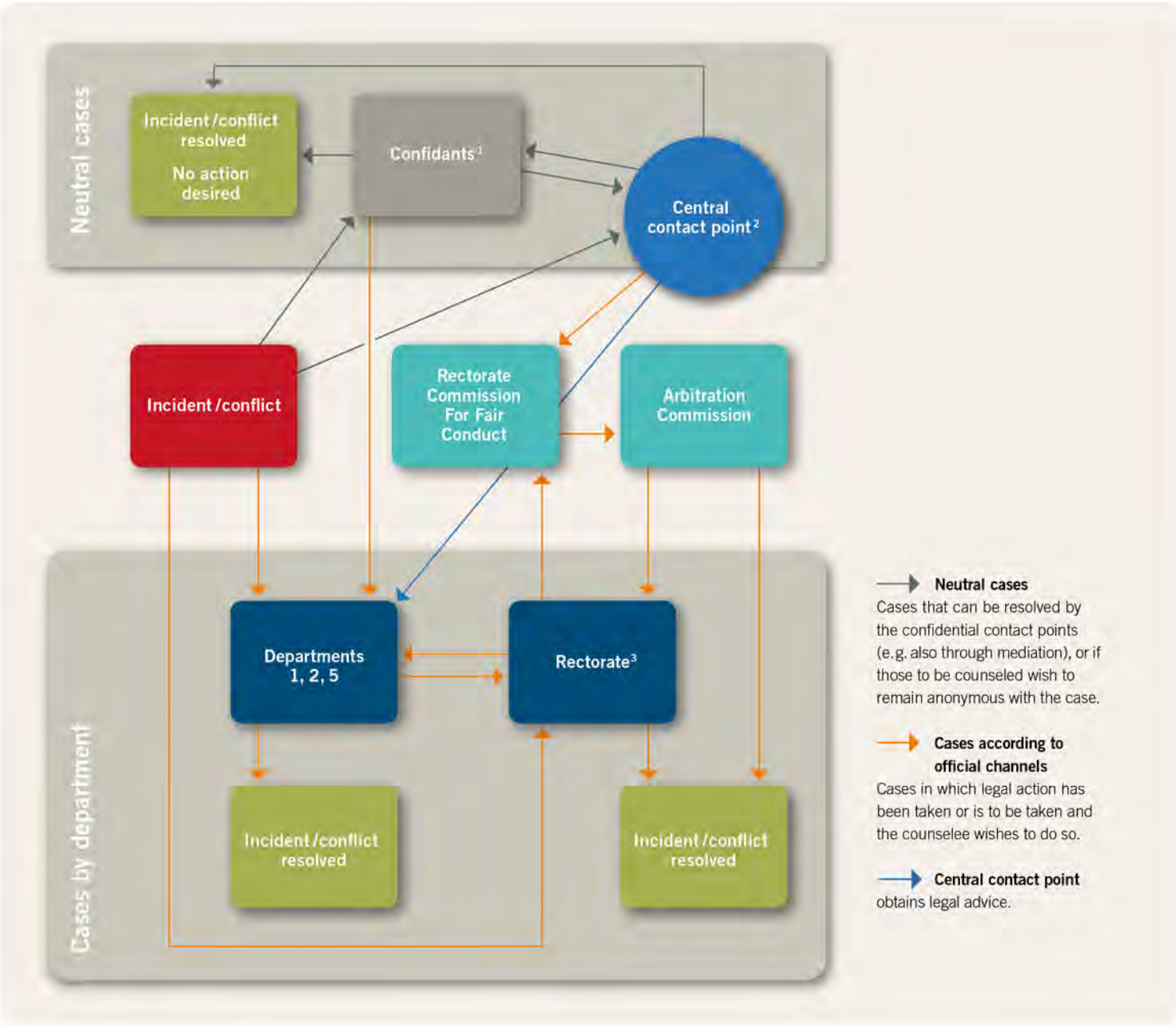
Process: If a case is solved at a low threshold, the consultants then pass the case on to the Central Contact Point for documentation purposes (monitoring) or inform them. If it is unclear to the advisors who is responsible for the case, or if this goes beyond their competence, the case is handed over to the Central Contact Point, which forwards the case to the right confidential contact points:

---

[7] See https://backend.uni-heidelberg.de/de/dokumente/senatsrichtlinie-partnerschaftliches-verhalten/download = this statute

[8] Cf. Viadrina model: The desired conflict management system is based on the "Viadrina model" and contains six elements: 1. Conflict Resolution Centres, 2. Conflict management, 3. System of procedure selection, 4. Procedural standards, 5. Documentation/controlling/quality assurance, 6. Interior-external representation and communication. https://www.ikm.europa-uni.de/de/_publikationen-dokumente/euv-pwc-studie-konfliktmanagement-systeme_2011.pdf

Process workflow



[1] **Confidential conflict contact points**
- Contact persons according to LHG
- Equal Opportunities Officer
- UNIFY
- Staff Council
- Contact person for mediation/coaching (D5)
- Disabled Employee Representative
- Officer for students with disabilities and chronic illness
- Central Student Advisory Office, Academic Advisory Services
- Psychosocial counselling for students PCS (Studierendenwerk)
- Heidelberg School of Education
- Conflict guides for GUIDE

[2] **Central contact point**
- forwards complex cases to the Rectorate Commission for for Fair Conduct according to official channels
- requests expertise
- monitoring/documentation
- counselling
- coordination

[3] **Rektorate**
- initiates legal channels
- ultimate responsibility
- duty to inform; KUM is involved if a case requires internal or external communication

If there is an intrapersonal conflict, the occupational health service takes care of the psychosocial counselling of the employee, or the psychosocial counselling center of Studierendenwerk as well as the central student counsellingfor students.

If there is an interpersonal conflict without labour law relevance, one of the departments of consensual conflict counselling takes care of the case (see figure p. 19), possibly also with the help of external conflict coaches or mediation, via personnel development.

The consultants in the areas of psychosocial counselling centres as well as consensual conflict counselling are subject to confidentiality and should sign appropriate confidentiality agreements. Only these may exchange information about cases (intervision/supervision).

4.1.2 Cases by official route

Definition: Cases in which legal action/the official route has been taken or is to be taken and persons seeking advice wish this.
Responsible: D5, D2 and D1, depending on the situation

Process: If there is a conflict or misconduct that is legally relevant under labour law or otherwise, the Internal Procedures/Legal Processes department takes care of the conflict or misconduct.

Internal procedural paths: On the basis of the existing and relevant legal bases, processes and procedural paths are presented in an exemplary and transparent manner.

Procedural paths D5: In order to ensure smooth cooperation between and within the areas as well as role clarity for the individual actors, processes are exemplified by the individual departments. These processes are not part of this present concept, but have yet to be defined. They are developed in cross-departmental working groups, regularly reviewed and adjusted. In addition, the applicable time limit regulations still have to be anchored, especially with regard to the transition from consensual/neutral cases to cases by the official route.

4.1.3 Complex issues

Definition: Cases that turn out to be highly complex, i.e. in which the types of conflict overlap, many people are involved, and/or which fall within the responsibility of several people or institutions. In addition, the legal/official route may have been taken.

D5, D1, D2, the central contact point, Senate and Rector can hand over cases that prove to be controversial and turn out to be complex to the Rectorate Commission for Fair Conduct (with the consent of the parties concerned).

Responsibility: The Rectorate Commission for Fair Conduct advises and decides whether the complex/controversial case (with the consent of the parties concerned) should be clarified by the commission for clarification. The members vote on this by a simple majority.

4.1.4 Commission for Clarification (independent ombudsman)

- Installed by the Rectorate Commission for Fair Conduct in complex and controversial cases
- Composition of the members in a rolling procedure, so that there are no personnel ties with the case
- Tasks: Clearing, consulting, development of solutions.
- Informs the Rectorate, which can take legal action if necessary
  - Personnel law measures (→D5)
  - Disciplinary measures (→D5)
  - Higher education law measures (→D1)

4.2 The role of Conflict Resolution Centres[9]

4.2.1 Central Contact Point (ZA)

The central contact point (Zentrale Anlaufstelle ZA) acts as a steering authority for the procedure for dealing with conflicts and misconduct as well as for all cases of (sexual) harassment, bullying, stalking, discrimination and labour disputes at the university. As such, it is approved by the Rectorate of the University and endowed with a corresponding mandate. It is supported by a

[9] Organisations participate in the process on the basis of their own decisions, within the limits of the law, and after consulting with those affected.

The role of Conflict Resolution Centre



administrative office (central telephone number and e-mail address). The central contact point should be organized in the form of an instruction-free office at UNIFY.

In addition to its advisory function, the ZA is informed in anonymous form by all conflict resolution centres about new cases of conflict and misconduct (advisory centres act in accordance with their legal mandate) and coordinates the processing steps and follows up. It keeps an eye on the process selection methodology and ensures compliance with procedural standards. In addition, after the case has been closed, it is responsible for the collection and storage of the case documentation in accordance with data protection regulations and takes care of the evaluation and quality assurance of the procedure. It reports annually to the Rectorate and contributes to the optimisation of the process as well as external representation and communication. A division of staff responsibilities, for example, with one part-time position for coordination and advisory services and another part-time position for evaluation, is possible.

In addition, the central contact point ensures the professional training of all confidential contact points via the internal education program (IB) or HeiSKILLS and creates structures for the regular exchange of all participants such as supervision (external) and intervision.

4.2.2 Confidential Conflict Resolution Centres

Employees, managers and students alike should be able to freely choose their trusted points of contact. Therefore, the various existing channels for accessing guidance will remain in place, building on well-established structures.

Existing conflict resolution centres are: LHG contact persons for (sexual) harassment, bullying, stalking and discrimination, university equal opportunities commissioners, UNIFY – Unit for Family, Diversity & Equality, contact person for mediation/coaching (D5), Staff Council, Commissioner for Equal Opportunities, Disabled Employee Representative, Officer for students with disabilities and chronic illness, Psychosocial Counselling for Students (PBS, Studierendenwerk), Central Student Counselling, Student Counsellors, Heidelberg School of Education, Ombudsmen. These are supported by (voluntary) trusted persons in the individual institutes/faculties, that either pass cases to the ZA or intercept low-scale, light cases.

The confidential contact persons according to § 4 (9) LHG should change every two years in the form of a rolling procedure, whereby the succession (on-boarding) with the current person in office and the leaving consultant (off-boarding) in the sense of a handover phase are always in office simultaneously for one year. This also increases the number of available counsellors in the event of sexual harassment, bullying, stalking and discrimination.

All conflict resolution centres hand over the documentation for data protection-compliant storage to the central contact point. As soon as a case seems to become more complex, contact is again made with the ZA. The ZA can forward these complex cases to the Rectorate Commission for Fair Conduct. If necessary, the ZA takes over the "project management" in certain cases and coordinates the further procedure. This prevents cases from being neglected due to unclear responsibilities. In order to be able to perform their tasks adequately, all conflict resolution centres are professionally and regularly trained.

If the corresponding department determines that other departments must also take action, a handover takes place with the involvement of the ZA, unless otherwise regulated by law. This prevents resource overlap and unclear responsibilities. Exception: This is not possible in compliance with labour law deadlines.

When transferring the procedure for conflicts and misconduct into practice, further interfaces to, for example, external providers are defined (clubs/ associations, police prevention, guide4you, etc.). UNIFY is responsible for the implementation process.

In addition, there should be an option to engage an external law firm on a case-by-case basis and only via the Central Contact Point. In this way, an independent contact point from the institution is formed – following the example of the Max Planck Society. Those affected can only be put in ccontact with the university's trusted law firm by the ZA in order to receive completely independent legal advice there. The costs will be covered by Heidelberg University.

ANNEX 3
CATALOGUE OF POSSIBLE MEASURES IN CASE OF MISCONDUCT

In the event of violations of these statutes, the appropriate, necessary and suitable measures must be taken. Those affected can rest assured of this, even if, for legal reasons, they are not informed in detail about the measures taken.

Which specific measures are taken in individual cases depends on the nature and severity of the violation, the sanctioning body and to which of the following groups of people the person belongs to: civil servants, including professors, employees, apprentices, students, lecturers, private lecturers/ adjunct faculty, honorary professors visiting scientists, persons working free of charge or external persons. Depending on the criteria mentioned, the following measures can be taken, for example:

Labour law measures

- Formal written warning
- Participation in trainings
- Transfer
- Termination

Disciplinary measures

- Suspension, fine, salary reduction
- Transfer, demotion
- Removal from service
- Reduction/withdrawal of pension

Study-related measures

- Exclusion from a course
- Threat of exmatriculation
- Exmatriculation

Other measures

- Call for improvement in behaviour
- Exclusion from the use of university facilities (e.g. university sports, university library)
- Withdrawal of the right to use university IT
- (temporary/permanent or partial/comprehensive) ban
- Revocation of the teaching appointment
- Revocation of teaching qualification and revocation of the designation as “private lecturer”
- Revocation of the designation “extraordinary professor” or “honorary professor”
- Termination of contractual relationships with external parties
- Reporting Criminal Offences

UNIFY – Unit for Family, Diversity & Equality
Heidelberg University
Voßstraße 5
69115 Heidelberg
unify@uni-heidelberg.de
www.unify.uni-heidelberg.de