

Regulations on the Protection of Personal Integrity

The Executive Board determines, based on:

- § 7 para. 1 of the personnel ordinance of the Zurich Universities of Applied Sciences and Arts (PVF) dated 22 June 2022 (LS 441.112)
- § 8 point d of the ordinance on the law governing the Zurich Universities of Applied Sciences and Arts (VFaHG) dated 8 April 2009 (LS 414.101)

1 General

1.1 Purpose

The purpose of these Regulations is to protect the personal rights, dignity and integrity of the ZHAW's staff and students. They also define responsibilities, procedures and measures in the event of possible violations.

1.2 Scope

The Regulations apply to staff and students, auditors, continuing education participants as well as visitors of the ZHAW, insofar as behaviours that may violate personal integrity occur in connection with the university.

2 Definitions

Behaviours that may violate personal integrity include discrimination of any kind, sexual harassment, bullying, threats and violence as well as other inappropriate conduct.

Discrimination

Discrimination refers to the demeaning or disadvantaging of a person or a group of persons on the basis of protected characteristics such as origin, skin colour, gender, gender identity or gender expression, sexual orientation, age, language, social status, lifestyle, religious or ideological belief or due to a physical, intellectual or psychological disability.

Unequal treatment based on objectively justified reasons does not constitute discrimination.

Forms of discrimination are diverse and may include, among other things, statements, depictions, hostile behaviours, omissions or refusals.

Sexual and sexist harassment

Sexual or sexist harassment is deemed to be unwelcome behaviour involving a sexual reference or of a sexist nature.

Sexual harassment may, in particular, be expressed through the following behaviours:

- Physical contact, physical advances, requests for sexual favours or intrusive behaviour
- Sexual advances accompanied by promises of rewards or threats of disadvantages

- Salacious remarks or jokes, particularly relating to appearance, physical characteristics and sexual behaviour
- Showing and/or distributing pornographic material
- Insulting or disparaging remarks or actions relating to a particular gender
- Behaviour that creates a hostile environment for persons of a particular gender
- Unlawful sexual acts and behaviour

Bullying

Bullying is systematic, hostile behaviour sustained over an extended period, aimed at isolating or excluding a person at their workplace or place of study or even removing them from their workplace or place of study.

Bullying may be expressed through various actions, including the following:

- Attacks on a person's ability to communicate
- Attacks on a person's social relationships in their study or work environment
- Attacks on a person's social reputation
- Attacks on the nature of a person's professional or personal situation
- Attacks on a person's (mental) health

Threats and violence

A threat is deemed to occur when a person intentionally creates fear through verbal, written or non-verbal expressions or credibly indicates that they will behave violently towards themselves or others. This includes, for example, threats of physical violence, the destruction of property, reputational damage or existential intimidation.

Violence includes any form of physical or psychological impact capable of causing harm to a person or impairing their physical or psychological integrity. This includes physical assaults as well as forms of psychological violence (e.g. coercion, extortion, humiliation, systematic intimidation, stalking).

3 Duties of the university

The ZHAW is obliged not to tolerate any behaviour that violates the personal integrity of others.

3.1 Responsibility for prevention

The ZHAW strives to create a work and study atmosphere that counteracts unwelcome behaviour patterns. It takes the necessary awareness-raising and training measures.

3.2 Duties in dealing with violations

In cases of violations, the ZHAW provides support services and possible courses of action. In doing so, the ZHAW ensures a fair procedure. Where violations of integrity are established, the ZHAW takes appropriate protective and disciplinary measures.

4 Duties of ZHAW staff and students and other involved persons

The groups of persons mentioned in para. 1.2 are to show consideration towards each other and respect the personal boundaries of others. They contribute to an environment that respects and upholds the personal integrity of everyone.

Affected persons should clearly communicate to the offending persons, insofar as reasonable and possible, that the behaviour in question is unwanted.

Persons who become aware of violations of integrity in connection with the university are required, within reasonable limits, to draw attention to the unacceptability of such behaviour. The wishes of the affected person must be respected, and unwanted interference must be avoided.

Senior management and line managers ensure a workplace environment that is free of discrimination and harassment within their area of competence. They exemplify such behaviour and intervene to correct conduct that crosses boundaries. Management figures have a duty of care towards their staff and must take action. They must take relevant indications and reports seriously. Where necessary, they implement appropriate (immediate) measures to protect an affected person and inform them of the contact points or the possibility of a formal investigation procedure.

Teaching staff ensure a respectful and discrimination-free learning environment as well as an inclusive learning culture. They have protective responsibilities towards students and continuing education participants and are thus obliged to prevent behaviour that breaches these Regulations and take appropriate measures.

5 Rights of affected persons

Any person who feels that their personal integrity has been violated:

- a. is entitled to counselling and support and
- b. may, after seeking advice from the internal support service or the external independent mediator in accordance with section 6, submit a request to the President for the initiation of a formal investigation.

6 Contact points

6.1 Confidential counselling centres

The confidential counselling centres do not take actions that are not desired by the persons seeking advice. Depending on the function, statutory exceptions to confidentiality may apply.

Internal support service for the protection of personal integrity

The Diversity Unit operates the ZHAW internal support service for the protection of personal integrity. (hereinafter referred to as the “internal support service”)

The internal support service is responsible for the following:

- It provides confidential advice and support to all persons named under 1.2 regarding questions in relation to violations of personal integrity.
- It can be asked to mediate discussions within the ZHAW if the persons involved agree.
- It can take intervention measures if this is desired by those seeking advice.

- It provides information about possible courses of action. It informs persons seeking advice about the options under section 7 if a formal procedure is desired and points out the consequences, in particular the associated lifting of confidentiality. If an affected person wishes to request an investigation, the internal support service provides information on preparing the application.
- If an exception to confidentiality applies pursuant to section 6.1 para. 1, the internal support service forwards the matter to the President.
- It records the cases and reports on them anonymously in the annual report.
- It implements prevention measures and offers relevant awareness-raising and training services.

Independent mediator

ZHAW staff can alternatively contact the independent mediator (external counselling centre). In this case, the provisions set out in the [regulations on independent mediation](#) (in German) apply.

Psychological counselling centre

The psychological counselling centre offers ZHAW staff and students support and counselling as an alternative and/or in addition when the violation of personal integrity causes psychological stress or for personal coping.

6.2 Other contact persons and services

Other contact persons and services advise and support the persons involved and inform them of possible courses of action. These contact persons and services have a duty of care and must take action.

Line managers or programme directors and heads of continuing education programmes

They receive concerns from the persons affected, involve counselling centres where necessary, assess the situation as far as possible and take the necessary measures within their function while respecting the personal rights of everybody involved.

HR consulting

The HR business partners offer advice on personal matters relating to the violation of personal integrity and outline possible courses of action. They support HR processes and interventions.

ZHAW Safety and Security

In situations involving threats and violence, the persons named under 1.2 may contact ZHAW Safety and Security directly. It assesses the need for clarifications and/or measures and involves internal and external services where necessary.

7 Investigation

7.1 Initiation of the investigation

When a request for the initiation of a formal investigation is submitted, the President decides whether the facts are clear or whether these need to be clarified through an investigation and thus whether an investigation should be initiated. If necessary, expert recommendations may be obtained in advance.

The ZHAW may examine on its own initiative whether an investigation should be conducted if there is a suspicion of a violation of these Regulations.

If an investigation is initiated, the President determines whether the investigation should be internal or external and designates the coordination unit.

The coordination unit coordinates the investigation, issues a written mandate to the investigating body, ensures regular communication with all parties, maintains documentation and supports the implementation of any measures.

7.2 Conducting of the investigation and decision

Provided that these Regulations do not contain provisions to the contrary, the investigation proceedings and the rights of all those involved in the investigation shall be governed analogous to the provisions laid down in the law on administrative procedures and jurisdiction of the Canton of Zurich.

The investigating body is charged with establishing the facts and conducting the necessary enquiries. It may request the involvement of experts from the designated coordination unit.

The investigation is documented.

The investigation body establishes whether a violation of personal integrity has occurred and issues a recommendation to the President. This recommendation may include a proposal for the ordering of measures in accordance with section 8.

The investigation is concluded with the decision of the President. Depending on this outcome, measures must be ordered.

7.3 Rights of the persons involved

The persons involved have the right to be accompanied during interviews. They also have the right to submit statements. Following the completion of enquiries, they are entitled to inspect the relevant files.

If the overriding interests on the part of the ZHAW, an affected person or a third party so require, the right to be heard and the right to inspect files may be restricted within the limits of the law.

7.4 Ban on further discrimination

No further disadvantages may arise for the affected person as a result of the violation of personal integrity.

Para. 1 applies by analogy to all persons who perform tasks, assume functions, request or decide measures or are in any other way involved in the investigation pursuant to these Regulations.

7.5 Costs

The investigation is free of charge for the persons involved, with the exception of cases of vexatious litigation (e.g. knowingly false accusations).

In individual cases, it may be examined whether the affected person or the person wrongly accused may be granted compensation for costs incurred as a result of the investigation.

7.6 Communication

Persons are to be informed to the extent necessary. The personal rights and other interests worthy of protection must be safeguarded in the best possible manner in any communication about the proceedings.

8 Precautionary measures

The ZHAW takes measures against persons who violate the personal integrity of others.

The measures are undertaken in accordance with the provisions applicable to the legal relationship between the accused person and the ZHAW. These range from supportive measures through to dismissal or ex-matriculation, and they are taken independently of possible criminal proceedings.

In the event that a person chooses to falsely or frivolously accuse another individual of improper conduct pursuant to these Regulations, then the above measures shall apply to the wrongful accuser.

9 Final provisions

These Regulations enter into force on 1 January 2026 and replace the Regulations on the Protection against Discrimination, Sexual Harassment and Bullying of 1 May 2019.

10 Regulation documentation

Disclaimer

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