



## **ACTION PLAN**

for the prevention of  
psychological  
and  
sexual harassment  
in the workplace

# People first

## Action plan for the prevention of psychological and sexual harassment in the workplace

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## Introduction

The European Commission does not tolerate psychological and sexual harassment<sup>1</sup>.

Already in 2006, the Institution put at the disposal of its staff a set of informal and formal procedures and a vast array of services ranging from psychosocial support to disciplinary proceedings, to address inappropriate behaviour and harassment. Experience in the implementation of this framework, gained over more than 15 years, has shown that further steps are needed to improve the options available to staff who feel they are victims of psychological or sexual harassment.

In the Human Resources Strategy<sup>2</sup> adopted in 2022, the Commission affirmed its strong commitment to providing a working environment that is safe, respectful, and free of harassment, and of other forms of divisive or inappropriate behaviour, and announced a revision of its anti-harassment policy.

### New anti-harassment policy

The new 2023 Commission Decision on the prevention of, and fight against psychological and sexual harassment<sup>3</sup> puts a victim-centred approach at the heart of the new policy. It sets out the rights and obligations of persons who perceive themselves as victims of harassment in the world of work as well as of those who are accused of harassment. It aims to ensure that all relevant actors and services engage with victims of harassment in a way that respects their rights, needs, wishes and dignity and that victims are well-informed, supported and protected from retaliation. It equally provides information to those who are alleged to have harassed colleagues.

The Decision establishes a new role of Chief Confidential Counsellor, in the Directorate-General for Human Resources and Security, who notably will act as a first entry point for informing, advising and supporting staff who feel they are victims of harassment. This Chief Confidential Counsellor will also oversee the implementation of the Commission anti-harassment policy, where preventive actions will play a prominent role.

The Decision is accompanied by a guide for staff, which explains what harassment is, its impact as well as available remedies and distinguishes harassment from work-related conflicts, from discrimination and from other improper conducts.

### Action plan

This present action plan is established based on the provisions of Article 13 of the 2023 Commission decision, which entrusts the Directorate-General for Human Resources and Security with establishing a set of comprehensive measures to prevent psychological and sexual harassment. The Chief Confidential Counsellor will coordinate the implementation of the action plan.

The action plan builds on the preventive actions currently in place, such as training courses on harassment prevention for all staff (including newcomers) and for managers, courses on psycho-social risks as well as awareness raising events and training on promoting diversity and identifying and combatting discrimination at work.

New measures included in the action plan take account of findings of the 2021 staff survey on respect in the workplace as well as of consultations with the actors and services involved in the prevention of and fight against harassment in the Commission.

The action plan is also linked to various initiatives announced in the 2022 HR Strategy and which aim at fostering a positive working culture and an attractive working environment that is inclusive and free from harassment. These initiatives are in particular relating to staff wellbeing, management development, diversity and inclusion, gender equality and performance management.

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<sup>1</sup> Articles 12 and 12a of the Staff Regulations and Articles 11 and 81 of the CEOS provide that staff members shall refrain from any action or behaviour, which might reflect adversely upon their position, including any form of psychological or sexual harassment.

<sup>2</sup> Communication to the Commission, A new Human Resources Strategy for the Commission, C (2022) 2229 of 05.04.2022.

<sup>3</sup> [Reference to be provided].

Finally, this action plan takes inspiration from best practices in other EU institutions and international organisations, in particular those identified in a benchmark study commissioned by the Commission in 2021<sup>4</sup>.

### Time frame

The measures presented in the action plan are intended to be implemented within 2 years after the appointment of the Chief Confidential Counsellor.

### Governance

A dedicated steering group will monitor the implementation of the action plan on a yearly basis. The steering group will be chaired by the Chief Confidential Counsellor and will include one representative respectively from the Mediation Service, the Appeals & Case Monitoring unit in DG HR unit, IDOC, the DG HR unit dealing with the prevention of psychosocial risks (HR.D7), and from the Central Staff Committee.

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<sup>4</sup> [2021 benchmark study](#).

## Definitions

'Psychological harassment', as defined in Article 12a(3) of the Staff Regulations (SR), means any improper conduct that takes place over a period, is repetitive or systematic and involves physical behaviour, spoken or written language, gestures or other acts that are intentional and that may undermine the personality, dignity or physical or psychological integrity of any person.

'Sexual harassment', as defined in Article 12a(4) SR, means conduct relating to sex which is unwanted by the person to whom it is directed and which has the purpose or effect of offending that person or creating an intimidating, hostile, offensive or disturbing environment. Sexual harassment shall be treated as discrimination based on gender.

'Harassment' means psychological or sexual harassment.

'Person' means a person working directly or indirectly for the Commission regardless of the employment status, with the exception of local agents.

'Staff member' means an official, temporary agent or contract agent.

'Victim' means a person who considers being subject to harassment, without prejudice to whether or not such harassment is finally established.

'Informal procedure' means an informal support for staff in a difficult situation which is perceived as harassment. The Chief Confidential Counsellor is the main entry point for the informal procedure. The Mediation Service can also be contacted if a victim wishes to engage in mediation. Essential principles of the informal procedure are the following: presumption of innocence; confidentiality in all procedures; non-qualification of facts no judgement or accusation; no action undertaken without the prior consent of the person concerned (except in situations where the person's vital interests has to be protected).

'Formal procedure', in line with the Commission's obligations under Article 24 of the Staff Regulations, allows the administration to provide effective assistance to (former) staff members who consider themselves as victims of harassment. The formal procedure can be undertaken directly or after an informal procedure, which did not lead to a solution. That procedure includes verifications of the alleged facts, as well as procedural safeguards. Depending on the outcome of such a formal request for assistance, the Appointing Authority may or may not give a mandate to the Investigation and Disciplinary Office of the Commission (IDOC) to carry out an administrative inquiry. Depending on the outcome of the inquiry, IDOC proposes to the Appointing Authority either that the case be closed without further action or that disciplinary proceedings be opened. Allegations of harassment can be brought directly to IDOC (without requesting assistance under Article 24 SR), without prejudice to protection afforded by national law.

## A public health approach

A comprehensive public health approach to addressing harassment requires measures across primary, secondary and tertiary levels of prevention. At the Commission, this approach is articulated around the following objectives:

### 1. Preventing harassment before it occurs

Harassment is much less likely to happen in a workplace where colleagues respect and value each other. Therefore, primary level interventions are proactive and preventive by nature and concentrate on promoting an organisational culture that supports a work environment that is respectful, inclusive, and free from harassment. These interventions, essentially encompassing communication, training and awareness raising, are the most effective way to reduce the risk of psychological and sexual harassment occurring. Therefore, these represent the key element of the action plan.

### 2. Encouraging early interventions to prevent escalation and impact on health and safety

Secondary prevention focuses on support and immediate responses to behaviours perceived as psychological or sexual harassment, with a view to stopping them and preventing escalation and any impact on someone's health and safety.

### 3. Providing care and support and preventing recurrence of harassment

Tertiary prevention is rehabilitative and restorative by nature and focuses on care and support after an incident of psychological or sexual harassment.

## Action Plan

The actions presented below across all three levels of prevention target the following groups of staff:

- all persons working directly or indirectly for the Commission, irrespective of their employment status, with a special attention on specific group of employees, who for various reasons, may more likely be the target of psychological or sexual harassment;
- managers, who - because of their fundamental role in fostering a respectful working environment and in taking timely action in work-related conflicts and harassment allegations - are to be provided with a comprehensive support and guidance;
- staff members who are directly involved in handling procedures to address harassment (e.g. the Chief Confidential Counsellor, the confidential counsellor network, DG HR staff members in charge of the anti-harassment procedures, other HR professionals, where relevant).

The Chief Confidential Counsellor will coordinate the implementation of the measures presented in the action plan. The actions are intended to be put in place within 2 years after the Chief Confidential Counsellor's appointment.

## 1. Preventing harassment before it occurs

Primary prevention includes interventions that are proactive by nature and concentrate on promoting an organisational culture that supports a work environment that is respectful, inclusive, and free from harassment. These interventions comprise regular, targeted and consistent communication and monitoring of the anti-harassment policy; setting the tone from the top through role-modelling standards of conduct as well as building staff's, including managers', capabilities and skills to contribute to a respectful work environment. Primary prevention also encompasses identification and mitigation of psychosocial risks that may be conducive to psychological and sexual harassment. Finally, yet importantly, it includes exchanges of innovative ideas and best practices with other EU institutions and various international organisations.

### 1.1. Communicating and monitoring the anti-harassment policy in a regular, targeted and consistent manner and sharing best practices

N°	Action	Description
1.1.1.	<b>Design communication tools and campaigns on the anti-harassment policy</b>	DG HR will design a comprehensive set of communication tools and campaigns for all staff on the anti-harassment policy. Particular attention will be paid to groups of employees who may more likely be the target of psychological or sexual harassment, for instance because of their employment status or personal characteristics.
1.1.2.	<b>Carry out regular staff surveys</b>	The Commission will carry out regular surveys on a respectful work environment and communicate their results to all staff, and take action on the results.
1.1.3.	<b>Share best practices on harassment prevention</b>	The Commission will build on its collaboration with other EU institutions and international organisations in order to share innovative ideas and best practices as regards harassment prevention.



## 1.2. Setting the tone from the top through role-modelling standards of conduct

N°	Action	Description
1.1.1.	<b>Organise leadership talks to promote respectful and inclusive management practices</b>	The Chief Confidential Counsellor, in collaboration with relevant DG HR services, will organise leadership talks with the participation of senior and middle managers to promote respectful and inclusive management practices across the Commission.
1.1.2.	<b>Senior management to support facilitated conversations on harassment prevention</b>	The Chief Confidential Counsellor will encourage senior management across the Commission to lend its voice in support of facilitated conversations on harassment prevention within their respective Directorates-General and Services. DG HR will provide support by means of information material, talking points, and moderation.
1.1.3.	<b>Address harassment prevention at the Middle Management network meetings</b>	Harassment prevention will be regularly addressed at the meetings of the Middle Managers network; for instance, through peer support or workshops with various actors involved in the anti-harassment procedures at the Commission.

## 1.3. Building staff's and managers' capabilities and skills to contribute to a respectful work environment

N°	Action	Description
1.1.4.	<b>Design and promote a new training package dedicated to the development of interpersonal competencies</b>	Strong interpersonal skills, especially assertive communication skills, are crucial to help staff stand up to inappropriate behaviours and harassment. The Commission will therefore make available a new training package dedicated to the development of interpersonal competencies that contribute to a respectful work environment. In particular, it will include training courses and resources on assertiveness, emotional intelligence, non-violent communication, fighting unconscious bias and stereotypes and collaborating and handling conflicts in a multicultural environment.
1.1.5.	<b>Design and promote new training initiatives and resources on how to identify, prevent</b>	Building on the existing training and awareness raising actions, DG HR will design, promote and make easily accessible to all staff, including managers, new training initiatives and resources on appropriate and inappropriate workplace behaviour and on what staff can do to prevent and respond to harassment. These may

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	<b>and address harassment</b>	include traditional and e-learning training courses, online material as well as tools to self-diagnose attitudes towards the workplace culture, including gender equality. Training already available includes a mandatory module on ethics and harassment prevention included in the induction sessions for newcomers and newly appointed managers, the <i>Let's talk about harassment course</i> for all staff and managers respectively and awareness raising sessions for trainees.
1.1.6.	<b>Design and promote training initiatives and resources to strengthen people management skills</b>	DG HR will design and promote training initiatives and resources particularly targeting managers and staff with team coordination responsibilities in order to foster positive leadership styles, strengthening people management skills, and managers' confidence and capacity to solve conflicts early as well as raise awareness of unconscious biases and of various diversity and inclusion topics.
1.1.7.	<b>Promote (team) coaching to help build a respectful work environment</b>	Managers will be made aware of the availability of (team) coaching to help them build a respectful work environment.

### 1.4. Enhancing identification and mitigation of psychosocial risks conducive to psychological and sexual harassment

N°	Action	Description
1.1.8.	<b>Proactively help the Commission services to identify and mitigate psychosocial risks</b>	To enhance identification and mitigation of psychosocial risks, the Chief Confidential Counsellor will coordinate a proactive outreach to the Commission entities facing an extraordinary workload and pressure and other risks (identified notably based on the staff survey findings and a pattern of long-term sick leaves in a particular service), which may be conducive to inter-personal tensions, conflicts or harassment. He or she will support the Commission services in putting in place appropriate support measures, tailored-made to the identified situation.
1.1.9.	<b>Promote training sessions for managers on preventing psychosocial risks, including harassment</b>	Harassment prevention will continue to be addressed as part of training sessions "Preventing psychosocial risks" for managers.

## 2. Encouraging early interventions to prevent escalation and impact on health and safety

Secondary prevention focuses on support and immediate responses to behaviours perceived as psychological or sexual harassment with a view to stopping them and preventing escalation and impacts on person's health and safety. More particularly, this level of prevention encompasses actions aimed at encouraging an early resolution of conflicts and incidents involving inappropriate or unwelcomed behaviours. The Chief Confidential Counsellor with the network of Confidential Counsellors as well as the Mediation Service will have an important role to play in that respect, as part of the informal procedure. Staff will also be supported in addressing alleged perpetrators themselves, where possible, in order to stop an unwelcomed behaviour and maintain a professional working relationship.

This level of prevention also includes effective emergency measures for victims. Moreover, as part of secondary prevention, the institution will promote an ethical bystander approach so that staff are equipped with the knowledge, skills and confidence to intervene when they witness inappropriate behaviours.

### 2.1. Encouraging an early resolution of conflicts and incidents involving inappropriate or unwelcomed behaviours

N°	Action	Description
2.1.1.	<b>Emphasise the importance of an early resolution of conflicts and harassment incidents</b>	Communication and awareness raising actions and tools on harassment prevention will emphasise the importance of an early resolution of conflicts and incidents involving inappropriate, disrespectful or unwelcomed behaviours either by the affected persons themselves, or through seeking advice of the Chief Confidential Counsellor or else with help of trained professionals (i.e. the Mediation Service).
2.1.2.	<b>Strengthen the Confidential Counsellors' competences to support victims in addressing alleged perpetrators themselves, where possible</b>	Confidential counsellors, who will act under the aegis of the Chief Confidential Counsellor, will be specifically trained with a view to supporting persons who feel as victims of psychological or sexual harassment to raise the matter directly with the alleged perpetrators, where possible, in order to explain what behaviour they find unwelcomed, to make clear that they want it to stop and maintain a professional working relationship.
2.1.3.	<b>Provide comprehensive training to all staff members in charge of the anti-harassment procedures</b>	In order to provide most effective support to persons in distress, the Chief Confidential Counsellor, the confidential counsellors and other staff members directly involved in the procedures to address harassment will be offered training on mental health first aid. They will also benefit from training on unconscious biases in relation to racial and ethnic origin, disability, religion and other grounds of discrimination.  Moreover, DG HR will explicitly encourage staff members representing diversity groups (e.g. candidates with

disabilities, candidates with a minority ethnic background) to apply for the confidential counsellors function.

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2.1.4.	<b>Collect feedback on the informal procedure</b>	The Chief Confidential Counsellor will explore ways for collecting feedback from the persons who have made use of the informal procedure. The purpose would be to get insights into persons' satisfaction with the service offered and inquire about their situation after having received support. The collection of feedback will have to respect personal data protection rules.
2.1.5.	<b>Promote the Chief Confidential Counsellor's function as the main go-to person for managers on harassment prevention</b>	The Chief Confidential Counsellor will become the main go-to person for managers to obtain advice and support when they detect or face harassment or inappropriate behaviours within their teams or experience harassment themselves.
2.1.6.	<b>Make available a tool-kit for managers</b>	A tool-kit will be made available to managers on how to establish respectful work relationships, detect possible signs of harassment and react early, effectively and with confidence when team members complain about harassing conducts as well as where to find help.
2.1.7.	<b>Promote an ethical bystander approach</b>	A training course (or training module) for all staff on bystanders' interventions will be made available to empower and encourage staff to step in when they feel they can help address disrespectful behaviour or harassment incidents and provide them with the right tools to do so. This will be in addition to the material and resources on bystander interventions already made available by the Diversity and Inclusion Office in DG HR.

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## 2.2. Effective interim protective measures for victims

N°	Action	Description
2.2.1.	<b>Issue guidance on the implementation of the interim protective measures</b>	DG HR will make available guidance for Directorates-General and Services on how to respond to requests for interim protective measures. The Chief Confidential Counsellor may also be asked by the DG or service responsible for the staff member concerned to provide support in the assessment aiming to establish whether interim protective measures are needed in a given case. In this context, the Chief Confidential Counsellor may also facilitate the implementation of such protective measures.

### 3. Providing care and support and preventing recurrence of harassment

Tertiary prevention is rehabilitative and restorative by nature and focuses on care and support after an act of psychological or sexual harassment. It includes actions aimed at encouraging reporting to enable an appropriate examination of instances of alleged psychological or sexual harassment as part of the formal procedure. To this end, and with a view to ensuring a victim-centred approach, the new Commission decision provides for a number of new measures at the stage of the preliminary examination of facts following a request for assistance under Article 24 of the Staff Regulations. Namely, the unit in charge of the formal procedure may ask for an assessment of the situation by a psychologist or psychiatrist from the Medical Service. In case the appointing authority envisages not to open an inquiry because of insufficient *prima facie* evidence, the victim may ask the Chief Confidential Counsellor to provide independent opinion on the preliminary examination of facts. Moreover, if the appointing authority decides to reject a request for assistance, it will inform about all other options to address the situation beyond the formal procedure. The Medical Service or the Chief Confidential Counsellor will be available to provide victims with psychological or moral support during the formal procedure. The actions described below complement these new measures.

In addition, the tertiary prevention encompasses rehabilitation measures to victims of harassment, support to teams impacted by harassment, and preventing the recurrence of harassment, with a view to re-establishing a work environment that is respectful and free from harassment.

#### 3.1. Increasing clarity and transparency of the formal procedure

N°	Action	Description
3.1.1.	<b>Case handlers to provide comprehensive &amp; practical information on the formal procedure</b>	Upon request, staff members in charge of the formal procedure will provide the victims of harassment the possibility to ask for information about this procedure before they decide to engage into it. To this end, the victims of harassment will be encouraged to contact the Appeals & Case Monitoring Unit in DG HR and/or IDOC. The purpose will be to explain to the victims of harassment the various steps of the formal procedure as well as the requirements for launching it and its opportunities and constraints.
3.1.2.	<b>Develop a leaflet to inform victims on a full catalogue of HR support services available outside the formal procedure</b>	Where the preliminary examination concludes that there is no <i>prima facie</i> evidence of harassment, the appointing authority, when informing victims of the reasons of rejecting their requests for assistance, will provide information concerning other options to address their situation, including the possibility to turn to the Chief Confidential Counsellor, as well as detailed advice on HR support services available (e.g. career guidance, psychosocial support, training and learning material).

3.1.3. **Collect feedback on the formal procedure** DG HR, under the Chief Confidential Counsellor’s lead, will explore ways to collect user feedback on the formal procedure with a view to ensuring its improvement over time.

### 3.2. Putting in place effective rehabilitation measures for victims

N°	Action	Description
3.2.1.	<b>Enhance the existing Return to Work programme with best practices adapted to victims of harassment</b>	Existing processes, such as the Return to Work programme managed by the Commission Medical Service, will be examined with a view to integrating best practice developed in managing the return to work for victims of harassment who have been absent.
3.2.2.	<b>Explore additional rehabilitation measures</b>	DG HR will explore other rehabilitation measures aimed at re-establishing and maintaining a satisfactory work environment for victims of harassment.
3.2.3.	<b>Explore a possibility to address a structured questionnaire for people returning to work</b>	In order to help gauge the effectiveness of these initiatives, DG HR will explore a possibility to address a structured questionnaire for people returning to work to seek their views on the support that they have received since their return.

### 3.3. Preventing recurrence of harassment and supporting teams impacted by harassment

N°	Action	Description
3.3.1.	<b>Propose awareness raising actions for a Directorate-General or Service concerned by recurrent cases of alleged harassment</b>	In addition to informing the Director-General or the Head of Service concerned of recurrent allegations of harassment, the Chief Confidential Counsellor may propose to organize awareness-raising actions for a Directorate-General or Service concerned by such recurrent cases of alleged harassment.

- 3.3.2. **Make available coaching for teams impacted by effects of harassment** The ripple effect of harassment can also impact teams. Managers will be made aware of the availability of (team) coaching to help them restore and maintain a respectful work environment.
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