

APPROVED
by Order of KUAS Director
No. 1-154 as of 30 March, 2022

POLICY ON ENSURING THE PSYCHOLOGICAL SECURITY OF THE STAFF AND PROCEDURE FOR IMPLEMENTING IT

CHAPTER I GENERAL PROVISIONS

1. *Policy on ensuring the psychological security of the staff and procedure for implementing it (hereinafter -Procedure) at Kaunas University of Applied Sciences (hereinafter -KUAS)* establishes the principles for ensuring the psychological safety of staff and preventing psychological violence and mobbing at work, the measures for their implementation, the procedure for registering and investigating the cases of psychological violence and mobbing at work.

2. The aim of the description of the procedure is to ensure the implementation of the prevention of psychological violence and mobbing, the management of psychosocial risks and the establishment of a safe working environment for all employees of KUAS.

3. This description has been developed according to the Labour Code of the Republic of Lithuania, the General Provisions on Occupational Risk Assessment approved by the Order of the Minister of Labour and Social Security of the Republic of Lithuania and the Minister for Health of the Republic of Lithuania No. A1-457/V-961 of 25th October 2012, the *Methodological Guidelines for the Examination of Psychosocial Occupational Risk Factors* approved by Order of the Minister for Health of the Republic of Lithuania and the Minister of Labour and Social Security No. V-699/A1-241 of 24th August 2005, the *International Labour Organisation Convention* No. 190 on Violence and Harassment and the *International Labour Organisation Recommendation* No. 206 on Violence and Harassment.

4. Key concepts used in this Procedure:

4.1. **Responsible person** – a member of staff appointed by order of the KUAS Director in charge of preventing psychological violence and mobbing in KUAS.

4.2. **Intimidation** – a form of harassment referring to a threatening or intimidating work environment where a group of people or an individual is made to feel afraid or insecure by the negative or unfriendly behaviour of another group of people or an individual.

4.3. **Victim** – a member of staff who has suffered or may have suffered psychological violence and mobbing at work.

4.4. **Mobbing** – workplace relationship based on power imbalance, characterised by a consistent, long-term inappropriate behaviour directed towards a staff member, undermining his/her physical, social or psychological well-being and affecting his/her productivity and job satisfaction. Mobbing can be perpetrated by an individual (with the approval of other staff members or with leverage) or by a group of staff members.

4.5. **Notification** – verbal or written disclosure of information about psychological violence and mobbing at work.

4.6. **Harassment** – unwanted conduct on the grounds of gender, race, nationality, citizenship, language, ancestry, social background, religion, beliefs or views, age, sexual orientation, disability, ethnic origin or religious belief, with the purpose or effect of violating the dignity of a person and with the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment.

4.7. **Psychological violence** – repeated non-physically harmful behaviour, based on a relationship of power, which an individual exercises against a subordinate, often resulting in psychological trauma for the latter. Aim: to control others through humiliation, belittling, isolation, silencing and other such tactics.

4.8. **Stress** – a reaction of the staff member to adverse psychosocial factors such as working conditions, job requirements, organisation of work, work content, and relationships amongst staff members and/or with the employer and/or third parties.

4.9. **Psychosocial factor** – a factor that causes psychological stress to a member of staff due to the working conditions, job requirements, organisation of work, work content, relationships amongst members of staff or between a member of staff and an employer.

4.10. **Psychosocial risks** – risks to the psychological and physical health and social well-being of staff members as a result of psychosocial factors related to the employment relationships.

5. Other concepts used in the Procedure shall be understood and interpreted as defined in the *Labour Code of the Republic of Lithuania*, the *Law on Occupational Health and Safety* and the *Methodological Guidelines for Psychosocial Risk Assessment*.

6. The Procedure shall apply to all members of staff of KUAS, regardless of the position held or the type of employment contract concluded.

CHAPTER II PRINCIPLES OF THE POLICY FOR ENSURING THE PSYCHOLOGICAL SAFETY OF STAFF

7. KUAS shall not tolerate any form of psychological violence, such as constant unjustified criticism, sarcasm, repeated unjustified remarks, shouting, ignoring, defamation, manipulation, public humiliation, public ridicule, mockery, belittling of achievements, harassment, threats of violence, threats of dismissal, and so on.

8. KUAS shall not tolerate any action intended to cause fear of physical, social or psychological harm.

9. KUAS shall not tolerate mobbing in any form: consistent, long-term misconduct, violation of the physical, social or psychological well-being of a member of staff.

10. KUAS shall provide a safe and healthy working environment, and shall ensure that no hostile, unethical, degrading, aggressive, abusive or insulting action is taken by a staff member or a group of staff members towards an individual or a group of individuals violating their honour and dignity, or physical or psychological integrity, or intending to intimidate, belittle or render them defenceless and helpless.

11. The organisation of work shall take into account psychosocial risks and the impact of psychosocial risk factors on members of KUAS staff. Specialists shall be consulted on the improvement of psychosocial working conditions accordingly.

12. KUAS shall ensure effective implementation of measures for preventing psychological violence and mobbing at work and shall encourage members of staff to report perceived or experienced incidents of psychological violence and/or mobbing anonymously or through disclosure in accordance with the procedures established in this Procedure, to discuss such incidents openly, and not to tolerate such conduct.

13. KUAS shall ensure that staff members have the opportunity to submit questions, suggestions, requests and/or complaints regarding perceived or experienced incidents of psychological violence and/or mobbing at work. All public members involved in cases of psychological violence and/or mobbing at work shall have the opportunity to express their point of view.

14. KUAS shall ensure the confidentiality of the information provided and shall protect, encourage and assist individuals reporting misconduct.

CHAPTER III MANIFESTATIONS OF PSYCHOLOGICAL VIOLENCE AND MOBING AT WORK

15. KUAS shall consider the following tactics as acts of psychological violence and mobbing:

15.1. humiliation – conduct of an individual or a group of individuals towards another individual or group of individuals, deliberately or inadvertently offending the self-esteem of the latter. An individual perceiving the behaviour as demeaning experiences a sense of humiliation. The act of humiliation deliberately or inadvertently emphasises the humiliated individual's inferiority, the perpetrator's superiority, and the social hierarchy. Humiliation is recognised as psychological violence and is an integral element of mobbing.

15.2. intimidation – hostile, unethical, degrading, aggressive, abusive or insulting action is taken by a member of staff or a group of members of staff towards an individual or a group of individuals violating their honour and dignity, or physical or psychological integrity, or intending to intimidate, belittle or render them defenceless and helpless.

15.3. undermining of competence - an individual is subject to constant biased criticism, i.e. constantly being spoken ill of, undermined, questioned publicly regarding his/her competence, etc.

15.4. social isolation – an individual is excluded from communication, even regarding work-related issues, not given all the necessary work-related information, ignored, and other staff members are encouraged not to interact with said individual.

16. KUAS shall consider the following acts as psychological violence and mobbing:

16.1. boycott (social isolation, work-related information is not provided, partially or incompletely provided, etc.);

16.2. harassment (abusive behaviour, disrespectful communication, unjustified claims, etc.)

16.3. bullying (hostile, unethical, degrading, aggressive, abusive or insulting action, remarks, etc.);

16.4. providing misleading information, defamation (false information that may harm honour and dignity of, false information with an intent to mislead, etc.);

16.5. tangible damage (work equipment or other items are appropriated, damaged, destroyed, etc., in order to hinder or obstruct work).

17. KUAS shall consider acts in the following respects as psychological violence and mobbing:

17.1. impact on self-expression and communication (actions that hinder the ability for the individual to actualise himself/herself as a social being and maintain relations with others: limiting the ability to voice opinions, constant interruptions, raised tone, shouting, loud scolding, constant criticism of the work and/or private life of the individual, harassment via telephone, verbal or written threats, avoidance of contact, distancing by disparaging glances, gestures, avoidance of contact by innuendo or indirect speech, etc.), interfering with personal and professional self-expression, disrupting social contact and causing social exclusion and intimidation;

17.2. attack on social relations (cutting off communication with an individual: not speaking, communicating or responding, relocating the worksite to an area away from co-workers, attempting to prevent co-workers from communicating with an individual, cutting off social relations at a verbal and non-verbal levels, emphasising localised distance between an individual and co-workers);

17.3. attack on reputation, authority (undermining the reputation of an individual and convincing him/her of his/her inferiority: constant negative comments, gossip, ridicule, mockery, rumours, suspicions of mental illness, imitation in order to ridicule, attacks on political or religious views, ridicule of private life, nationality, race, gender, age, carrying out tasks with detrimental effect on the subconscious, unjustified negative evaluation of work contributions, questioning of decisions, use of profanity or other derogatory words, sexual innuendo or verbal sexual advances, attacks on the authority and reputation through informal channels of communication, use of preconceived negative notions, prejudices and stereotypes, causing distress and making defence difficult, as stereotypical information is not subject to debate or supported by objective evidence);

17.4. interference with professional and personal quality of life (assigning meaningless and non-competent tasks, suspending from areas of responsibility, assigning excessive (discriminatory, inadequate) workloads, over-controlling work and unrealistic deadlines, assigning tasks which exceed the abilities of the individual, knowing in advance that said tasks will not be performed or will be

performed in a less than satisfactory manner, continually assigning new tasks, assigning offensive tasks, assigning tasks which exceed the qualifications of the individual in order to demonstrate that the individual is incapable of doing the job);

17.5. direct assault on health (threat of physical force, use of physical force in order to discipline, rough treatment, inflicting material damage or imposing expenses, sexual harassment).

18. If a case of physical or psychological violence at work is observed, it shall be addressed by concrete actions and joint efforts, including measures for preventing physical and psychological risks.

19. Checks conducted by the employer in order to ensure compliance with the obligations defined in the contract of employment and legal acts, justified observations on performance shortcomings, i.e. constructive criticism expressed in a respectful manner, taking into account the factual situation, following a proper and objective assessment of the performance of the individual, disagreements, discussions or differences of opinion between the employer and the individual cannot be regarded as psychological violence or mobbing.

CHAPTER IV PREVENTION OF PSYCHOLOGICAL VIOLENCE AND MOBBING

20. KUAS has an approved Code of Academic Ethics, Policy on Equal Opportunities and Procedure for its Implementation, KUAS Rules of Procedure, Policy on Creating a Corruption-resistant Environment, and other internal documents, which precisely establish the standards of conduct of the KUAS community (members of the governing bodies, lecturers, students, and administrative staff).

21. The aim of the preventive measures taken by KUAS shall be to stop or amend, as soon as possible, unacceptable acts which violate the honour and dignity, physical or psychological integrity of an individual or group of staff members.

22. KUAS shall provide and apply the following main measures to prevent psychological violence and mobbing at work:

22.1. improving the psychosocial environment:

22.1.1. making staff aware of what is expected of them at work - familiarising staff with the KUAS internal documents governing their work before they start working, clearly defining job functions in the job descriptions, training staff to perform specific job functions, and clear lines of responsibility for each member of staff;

22.1.2. basing work-related decisions on the principles of justice, integrity, equality of opportunities and respect for human dignity, designating workloads to comply with legal requirements, distributing work equally, sufficient time to complete tasks correctly, etc.;

22.2. improving the physical working environment - making workplaces comfortable and safe, i.e. complying with legal requirements for workplaces;

22.3. fostering the KUAS culture - basing cooperation between staff and superiors on respect and openness, and not tolerating any form of discriminatory behaviour.

22.4. registering and handling cases of psychological violence and mobbing at work - enabling workers to report psychological violence and mobbing incidents and setting up specific regulations for handling reports. For an action plan for employees who have experienced or may have potentially experienced psychological violence and mobbing at work, see Annex 1 of the Procedure.

22.5. informing and training staff:

22.5.1. informing staff (through staff and other meetings, institutional emails or the internal information system) of the policy on psychological safety, the rules on positive conduct and the measures in place;

22.5.2. training staff and superiors on competences of recognising, eliminating, communicating, working in teams, fostering tolerance, and surveys on psychological violence and mobbing;

22.6. continuously monitoring the situation, taking into account psychosocial risk factors,

and organising, carrying out and updating a psychosocial risk assessment as necessary;

22.7. comprehensive and immediate support for victims of psychological violence and mobbing at work - access to a psychologist, legal assistance, necessary information (from psychologists, psychiatrists, social workers, psychological support organisations, etc.), referrals or contacts, ensuring safe working conditions during the investigation, etc.;

22.8. imposing the measures by taking into account the severity and duration of the misconduct, the form and type of fault, previous misconduct and other relevant circumstances.

23. The Human Resources Service shall be responsible for implementing measures to prevent psychological violence and mobbing (hereinafter - measures). Reports of potential psychological violence and/or mobbing shall be received, registered, reported to the Director and monitored by a member of staff appointed by order of the Director (hereinafter - responsible person).

24. Preventive measures shall be reviewed (taking into account the manifestations of psychological violence and mobbing at work identified by KUAS) and updated as necessary.

25. Additional preventive measures shall be taken following an investigation into psychological violence and mobbing at work.

CHAPTER V REGULATION FOR CASES OF PSYCHOLOGICAL VIOLENCE AND MOBBING AT WORK

26. KUAS shall ensure the protection of the notifier from hostile treatment or adverse consequences if he/she reports a case of potential psychological violence and/or mobbing.

27. A staff member who may have experienced or observed a case of psychological violence or mobbing has the right to report it (including anonymously):

27.1. via e-mail pasitikėjimas@go.kauko.lt;

27.2. by sending a notification by post;

27.3. by informing his/her line manager, who shall forward the information to the responsible person referred to in point 23.

28. It is recommended that the notification shall include:

28.1. date of the notification;

28.2. the name, surname, e-mail address and telephone number of the notifier;

28.3. if known, information about the individual whose actions are being reported (the alleged perpetrator) - name, surname, job title, other known details (e-mail address, telephone number);

28.4. the situation, manifestations, time (date) and circumstances of the incident;

28.5. potential witnesses (names, surnames and known contact details);

28.6. other information available (video and/or audio recordings, photos, e-mails or text messages, etc.);

28.7. the formulated requirement/request.

29. All reports shall be registered in the document management system by the responsible person under the confidentiality regime and in the Psychological Violence and Mobbing at Work registration form (see Annex 2).

30. If the notification is received by post, it shall not be registered by the staff member performing the document management functions. He/she shall forward it to the responsible person without delay, but no later than the next working day, who shall register it in the document management system.

31. The responsible person shall evaluate the information received and submit it to the Director without delay, but no later than the next working day. The Director, having taken note of the information submitted concerning a potential case of psychological violence and/or mobbing, shall instruct the responsible person to initiate an investigation of the case.

32. Cases of psychological violence and mobbing that may have been experienced or observed shall be examined, and preventive measures shall be proposed by the Committee for Cases

of Psychological Violence and Mobbing at Work (hereinafter - Committee), established by order of the Director.

33. Before taking up his/her duties on the Committee, a committee member shall sign a declaration of impartiality and non-disclosure agreement (see Annex 3). In the event of any reasonable doubt as to impartiality and objectivity, a Committee member shall withdraw from the investigation of the notification and from the decision-making process.

34. The Committee shall have the right to invite experts in the areas concerned (hereinafter - experts) to participate in the meetings of the Committee. Experts shall participate in the work of the Committee after signing a declaration of impartiality and non-disclosure agreement. Experts shall not vote when decisions are being taken.

35. Principles for investigating a notification:

35.1. promptness - investigating the incident as quickly as possible.

35.2. immediacy – giving all individuals involved in the incident (the victim, the abusive or allegedly abusive employee, the witness(es)) every opportunity to present explanations;

35.3. impartiality - treating an incident objectively, without preconceived notions about the circumstances.

36. confidentiality - forbidding to disclose any information relating to the investigation of psychological violence and mobbing at work to anyone not involved in the investigation.

37. Functions of the Committee:

37.1. informing the individuals concerned (the notifier and the alleged perpetrator, other interested parties) of the opening of the investigation, if the Committee is aware of their contact details, by electronic means no later than 5 working days, and, if necessary, request them to provide information and explanations relevant to the investigation. Submissions may be made in writing or orally. Oral submissions shall be audio-recorded, and a detailed protocol shall be prepared. A copy of the record shall be sent via e-mail to the individual who has given the explanation. The individual requested to provide explanations shall be informed that in the absence of explanations, the individual shall be deemed to have waived the right to be heard;

37.2. if necessary, gathering additional information related to the notification, to clarify additional circumstances of the incident;

37.3. investigating the case of psychological violence and mobbing at work as soon as possible, but no later than 1 month from the date of the notification. When, for objective reasons, the report cannot be investigated within this time limit, said time limit may be extended, but not beyond 10 working days. At least 2 working days before the expiry of the time limit, KUAS shall send a written notification to the individual concerned stating the reasons for the extension;

37.4. after investigating a case of psychological violence and mobbing at work, submitting a written report to the Director, who shall decide on further action and/or measures. Informing the notifying employee of the decision made (if the employee so requests);

38. The Committee has the right to:

38.1. suggest to the Director that the victim be given the opportunity to be absent from the workplace while the notification is being investigated;

38.2. submit proposals to the Director for further action to be taken in regard to the victim and the person who has misbehaved or who has subjected the staff member to psychological violence and mobbing;

38.3. recommend that KUAS Director rejects the report as unfounded.

39. The notification shall be dismissed from an investigation if:

39.1. it is not possible to open an investigation due to a lack of data, or if the text of the notification is unreadable and the notifier does not provide or correct the data at the request of the Committee, within the time limit or there is no other possibility to verify and/or clarify the data provided;

39.2. the investigation of the circumstances referred to in the notification is not within the KUAS competence. When KUAS is not competent to investigate the notification, the notifier shall be informed by e-mail no later than 3 working days, provided that his/her contact details are known;

39.3. a notification on the same subject has been, is being (to KUAS knowledge) or is required by law to be investigated in court;

39.4. the re-submitted notification on the same issue has already been investigated by KUAS, unless new circumstances or new facts are presented.

40. Taking into account the conclusion of the Committee on the investigation of the case of psychological violence and/or mobbing, KUAS shall immediately take measures to eliminate the situation, in accordance with the regulation laid down in the *Labour Code*, shall have the right to terminate the employment contract without notice, and shall take other general measures to prevent psychological violence and mobbing.

41. KUAS shall ensure that any case of psychological violence and mobbing are dealt with informally, at the victim's discretion. The notification investigation procedure shall be applied if it is impossible to resolve the case through informal mediation.

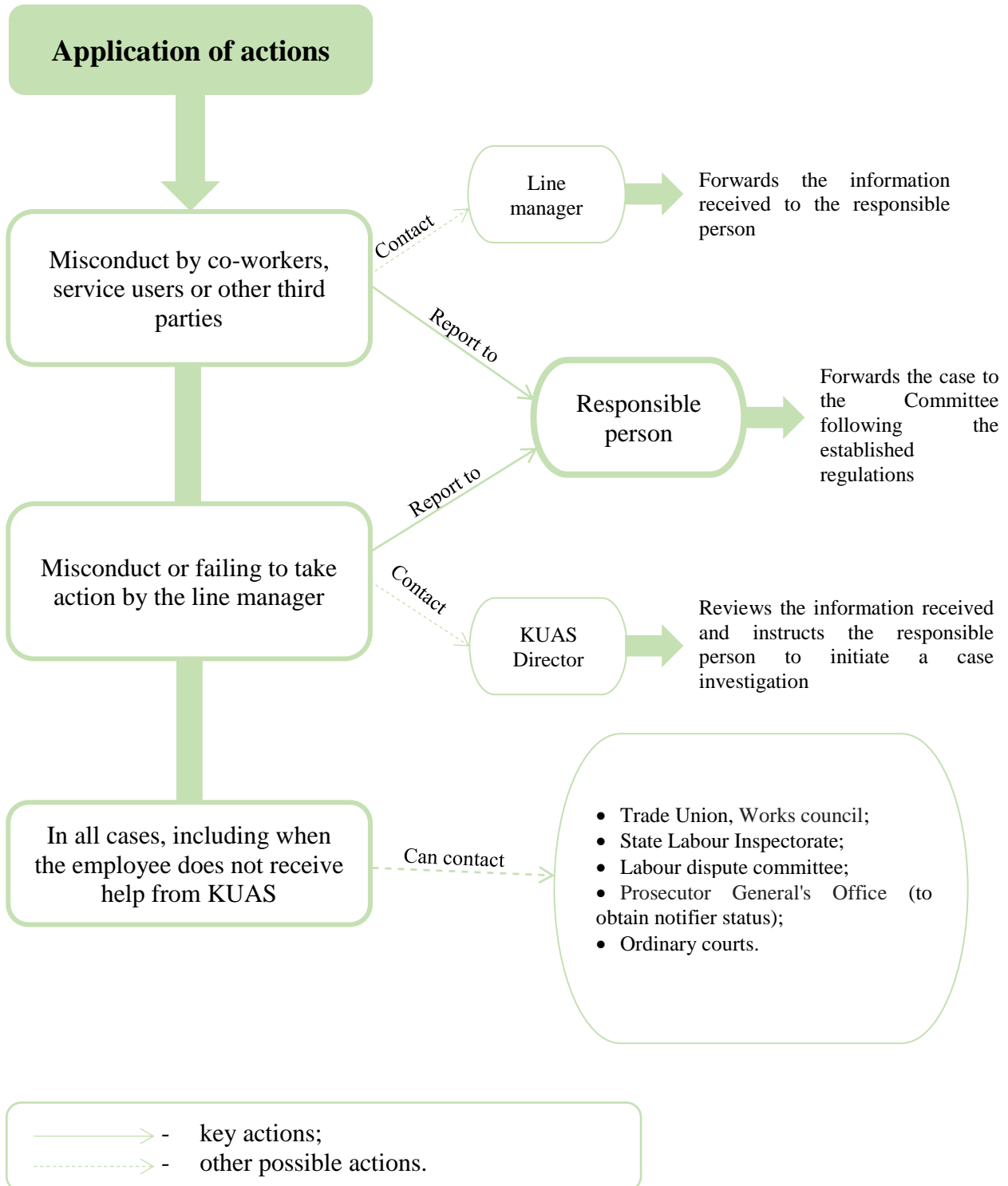
CHAPTER VI FINAL PROVISIONS

42. Description shall be issued, amended or invalidated by order of the KUAS Director.

43. This description shall enter into force on the day following its publication on the internal information system of KUAS.

44. Psychological violence and mobbing at work shall be considered misconduct of work duties and academic ethics. Such misconduct shall be subject to the liability provided for in the internal legislation of the Republic of Lithuania and KUAS.

AN ACTION PLAN FOR EMPLOYEES WHO HAVE EXPERIENCED OR MAY HAVE POTENTIALLY EXPERIENCED PSYCHOLOGICAL VIOLENCE AND MOBBING AT WORK



PSYCHOLOGICAL VIOLENCE AND MOBBING AT WORK REGISTRATION FORM

No.	Notifier's first name, surname	Date	Summary of a case of psychological violence and mobbing at work	Decision

DECLARATION OF IMPARTIALITY AND NON-DISCLOSURE AGREEMENT

_____, 20____
Kaunas

I, being a member of the Psychological Violence and Mobbing Committee, undertake:

1. To perform the duties assigned to me objectively, professionally, without any prejudice, following the principles of equality, non-discrimination, proportionality, and transparency.

2. I declare that I have no private interests directly or indirectly related to the cases investigated by the Committee, nor are there any other circumstances which could result in the existence of private interests within the meaning of the Law of the Republic of Lithuania on Public and Private Interests in the Government Institutions.

3. If private interests do exist or may arise, I undertake to inform the Chairperson of the Committee and, at all times to withdraw from the investigation and decision-making.

4. I understand that, in the course of performing my duties in the Committee, I will have access to information about individuals that is subject to confidentiality.

5. I am aware that confidential information includes the details of the person who has made a notification of potential or observed psychological violence and mobbing and other directly or indirectly identifiable information, as well as information obtained during the course of the investigation from other interested parties.

6. I oblige not to disclose any information to a third party that comes to my knowledge in performing my duties as a member of the Committee. I undertake to protect documents entrusted to me containing confidential information in such a way that third parties do not have access to or use of them.

7. I am aware that this undertaking will remain in force for the duration of my employment at KUAS and when I take up other duties or when my employment terminates.

8. I am warned that if I fail to comply with this undertaking, I shall be liable under the laws of the Republic of Lithuania.

(signature)

(first name, surname)