

Equal Treatment Plan – short version Student 2016-06-01

PART 1 Discrimination Act (2008:567)

Amendments incorporated up to and including SFS 2014:958. Transitional provisions omitted.

Chapter 1. Introductory provisions

The purpose of the Act

Section 1

The purpose of this Act is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.

The contents of the Act

Section 2

The first chapter of the Act contains definitions and other introductory provisions. The second chapter contains provisions on prohibitions against discrimination and reprisals. The third chapter contains provisions on active measures. The fourth chapter contains provisions on supervision. The fifth chapter contains provisions on compensation and invalidity. The sixth chapter contains provisions on legal proceedings.

Section 3

A contract or agreement that restricts someone's rights or obligations under this Act is of no legal effect in that regard.

Discrimination

Section 4

In this Act discrimination has the meaning set out in this Section.

1. Direct discrimination: that someone is disadvantaged by being treated less favourably than someone else is treated, has been treated or would have been treated in a comparable situation, if this disadvantaging is associated with sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.
2. Indirect discrimination: that someone is disadvantaged by the application of a provision, a criterion or a procedure that appears neutral but that may put people of a certain sex, a certain transgender identity or expression, a certain ethnicity, a certain religion or other belief, a certain disability, a certain sexual orientation or a certain age at a particular disadvantage,

unless the provision, criterion or procedure has a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

3. Inadequate accessibility: that a person with disability is disadvantaged through a failure to take measures for accessibility to enable the person to come into a situation comparable with that of persons without this disability where such measures are reasonable on the basis of accessibility requirements in laws and other statutes, and with consideration to
 - the financial and practical conditions,
 - the duration and nature of the relationship or contact between the operator and the individual, and
 - other circumstances of relevance.
4. Harassment: conduct that violates a person's dignity and that is associated with one of the grounds of discrimination sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.
5. Sexual harassment: conduct of a sexual nature that violates someone's dignity.
6. Instructions to discriminate: orders or instructions to discriminate against someone in a manner referred to in points 1–4 that are given to someone who is in a subordinate or dependent position relative to the person who gives the orders or instructions or to someone who has committed herself or himself to performing an assignment for that person.

Sex, transgender identity or expression, ethnicity, disability, sexual orientation and age

Section 5

In this Act the following terms have the meaning set out in this Section.

1. Sex: that someone is a woman or a man.
2. Transgender identity or expression: that someone does not identify herself or himself as a woman or a man or expresses by their manner of dressing or in some other way that they belong to another sex.
3. Ethnicity: national or ethnic origin, skin colour or other similar circumstance.
4. Disability: permanent physical, mental or intellectual limitation of a person's functional capacity that as a consequence of injury or illness existed at birth, has arisen since then or can be expected to arise.
5. Sexual orientation: homosexual, bisexual or heterosexual orientation.
6. Age: length of life to date.

A person who intends to change or has changed the sex they belong to is also covered by sex as a ground of discrimination.

Chapter 2. Prohibition of discrimination and reprisals

Prohibition of discrimination

Section 5

A natural or legal person conducting activities referred to in the Education Act (2010:800) or other educational activities (an education provider) may not discriminate against any child, pupil or student participating in or applying for the activities. Employees and contractors engaged in the activities shall be equated with the education provider when they are acting within the context of their employment or contract. The prohibition of discrimination also applies in cases where an education provider, by taking reasonable measures regarding the accessibility and usability of the premises, can see to it that a person with a disability who is applying or has been accepted for education under the Higher Education Act (1992:1434) or for education that can lead to a qualification under the Act concerning authority to award certain qualifications (1993:792), is put in a comparable situation to people without such a disability.

Section 6

The prohibition in Section 5 does not prevent

1. measures that contribute to efforts to promote equality between women and men in admissions to education other than that referred to in the Education Act (2010:800),
2. the application of provisions that take account of age with regard to preschool education, preschool classes, compulsory schools, compulsory schools for pupils with learning disabilities, Sami schools, special schools or recreational school centres, or educational activities referred to in Chapter 25 of the Education Act, or
3. differential treatment on grounds of age, if there is a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

Nor does the prohibition prevent a folk high school or a study association from taking measures that contribute to efforts to promote equal rights and opportunities regardless of ethnicity, religion or other belief.

Obligation to investigate and take measures against harassment

Section 7

If an education provider becomes aware that a child, pupil or student participating in or applying for the provider's activities considers that he or she has been

subjected in connection with these activities to harassment or sexual harassment, the education provider is obliged to investigate the circumstances surrounding the alleged harassment and where appropriate take the measures that can reasonably be demanded to prevent harassment in the future.

Information about qualifications

Section 8

If an applicant has been refused admission to an educational programme, or has not been selected for a test or interview if such a procedure is used in the admissions process, the applicant shall, upon request, receive written information from the education provider about the education or other qualifications that the person had who was admitted to the educational programme or who was selected for the test or interview.

Chapter 3. Active measures

Goal-oriented work

Section 14

An education provider conducting education or other activities under the Education Act (2010:800), education under the Higher Education Act (1992:1434) or education that can lead to a qualification under the Act concerning authority to award certain qualifications (1993:792) is to conduct goal-oriented work within the framework of these activities to actively promote equal rights and opportunities for the children, pupils or students participating in or applying for the activities, regardless of sex, ethnicity, religion or other belief, disability or sexual orientation.

More detailed regulations on the obligations of education providers are provided in Sections 15 and 16.

Section 15

An education provider referred to in Section 14 is to take measures to prevent and hinder any child, pupil or student who is participating in or applying for their activities from being subjected to harassment associated with sex, ethnicity, religion or other belief, disability or sexual orientation, or to sexual harassment.
Equal treatment plan

Section 16

An education provider referred to in Section 14 is to draw up a plan each year containing an overview of the measures needed to (1) promote equal rights and opportunities for the children, pupils or students participating in or applying for the activities, regardless of sex, ethnicity, religion or other belief, disability or sexual orientation, and (2) prevent and hinder harassment referred to in Section

15. The plan is to contain an account of which of these measures the education provider intends to begin or implement during the coming year.

An account of how the measures planned under the first paragraph have been implemented is to be included in the next year's plan.

To read the entire Discrimination Act, including Chapter 4. Supervision, Chapter 5. Compensation and invalidity, Chapter 6. Legal proceedings, see <http://www.regeringen.se>

PART 2 Action Plan

Ersta Sköndal University College shall safeguard and respect the equal value and rights of all its employees and students irrespective of gender, ethnic affiliation, religion or other belief, disability, sexual orientation, gender identity or gender expression and age. Ersta Sköndal University College shall be an environment that prevents, prohibits and takes action against harassment and discrimination. Our efforts to ensure equal status and equality of treatment shall be integrated into our daily activities to ensure that all managers, employees and students work together to realise this vision.

The overall objective of the College is that everyone (managers, employees and students) should be aware of and familiar with the College's current Equality Plan and the procedure for reporting harassment or sexual harassment. The College shall also employ various means of promoting critical reflection and awareness of issues relating to equal status and equality of treatment at the College.

This Action Plan is divided into five areas of work which are described in detail in Part 1. These areas are each provided with a description which sets out that particular area's long-term objectives and the ongoing measures being pursued.

1. Harassment

Long-term objectives

The objective of Ersta Sköndal University College is that no employee or student should be subjected to sexual harassment or harassment that violates a person's dignity in connection with one or more of the grounds for discrimination.

Ongoing measures

The College has a procedure in place for reporting harassment, and this is continually monitored and updated where necessary. If the College is made aware that an employee or student believes that they have been subjected to one or

more of the forms of harassment mentioned above and that this is in connection with either their work or their studies, the circumstances surrounding the reported harassment shall be investigated. Measures shall be taken and followed up where appropriate in order to prevent harassment in the future.

2. Recruitment/Admittance

Long-term objectives

Each stage of the recruitment and admission of new students will be considered from an equality perspective in order to avoid and prevent discriminatory and offensive behaviour.

Ongoing measures

- The College's recruitment material, such as the course catalogue, shall set out the measures being taken by the College to ensure equality of treatment.
- An annual review shall be conducted of the gender distribution between the different courses and study programmes at the College.
- Prior to student recruitment, a broad recruitment base shall be established in the form of widespread and extended dissemination of information and advertising so as to reach those applicants who come from a background other than that of the majority of the students.

3. Introduction, communication and knowledge

Long-term objectives

The objective is that managers, employees and students should be fully aware of equality issues in relation to:

- The current regulations – the rights and obligations of each individual.
- The College's Equality Plan and the procedure for reporting harassment or sexual harassment.
- The way that a person's approach to and treatment of another can be felt at a subconscious level to be derogatory and discriminatory, and the way to consciously prevent and prohibit harassment and discrimination and promote a good study and work environment.

Ongoing measures

- All new students and employees shall be informed about the College's Equality Plan and to whom the students should turn if they feel they are being discriminated against or harassed.
- Exchange students shall be made especially aware of information about the College's Equality Plan at the time of their introduction.
- There are special procedures complying with the College's policy for students with a disability at the time of their introduction.

- The College's measures to ensure equality shall be presented at the staff introduction days which are held regularly.
- Continual monitoring shall take place to ensure that students and employees are familiar with equality issues.

4. Study environment and situation

Long-term objectives

The study environment and study situation (the psychosocial and physical environments respectively) at the College and the placements shall be such that all students irrespective of grounds for discrimination are able to study at and visit the College on equal terms. All students at the College shall be able to combine studying with parenting. There shall be no educational materials or methods of teaching that could be perceived as offensive and constituting one or more of the grounds for discrimination.

Ongoing measures

- The course syllabus shall be made available two months before the start of the course.
- The course and placement timetables and lists of educational materials shall be made available three weeks before the start of the course and placement.
- The supervisors at the placements shall be informed of the College's measures to ensure equality to avoid students being subjected to harassment at their placement.
- Continual inspection of educational materials and methods of teaching shall be carried out in order to detect inappropriate materials and methods such as those giving a prejudiced picture of or rendering invisible various groups in society that are covered by the Discrimination Act.

5. Grades, examination

Long-term objectives

The assessment of examinations and grades shall not be influenced by the student's gender, ethnic affiliation, religion or other belief, disability, sexual orientation, gender identity or gender expression and age.

Ongoing measures

Examinations are regularly carried out on an anonymous basis in all departments.

Procedure in cases of harassment

The College's obligation to investigate and take measures against harassment

Ersta Sköndal University College does not tolerate employees or students being subjected to harassment that violates a person's dignity in connection with one or

more of the following grounds for discrimination: gender, transgender identity, ethnic affiliation, religion or other belief, disability, sexual orientation, age or sexual harassment.

If the College in its capacity as employer or education provider is made aware that an employee or student, in connection with work or study, believes they have been subjected to one or more of the forms of harassment stated above, the circumstances surrounding the reported harassment shall be investigated. Measures shall be taken and followed up where appropriate in order to prevent harassment in the future.

Report

Every department/unit has an equality representative who is elected to this position. The representative acts as a contact and receives reports of harassment.

Investigation

The report is forwarded to the College's staff specialist who summons those involved for a one-to-one interview as soon as possible in order to investigate and document what happened. Appropriate support shall be offered to both the victim and perpetrator of the harassment.

Secrecy and confidentiality

The report and documentation include personal details. The records of the meetings and other documents that are submitted to and issued by the Equality Council include only the case number and no personal details. Likewise, the Vice-Chancellor's decision includes only the case number.

Access to report and documentation

The report and other documentation are kept by the staff specialist and are treated as confidential documents. The person who has made the report and the person who has been reported shall each receive a copy of the report, documentation and decision. Copies of the report and documentation shall not be submitted to the Equality Council but shall be presented orally by the staff specialist or in writing in summary form and omitting personal details.

Case number

The date on a report of harassment shall be given in the order of year, month and day, e.g. 150903.

Information

Those who shall be notified of a report of harassment are:

- The person who has been reported
- The chairperson of the Equality Council

- The head of department/head of unit at the department of each of the parties involved
- The trade union representative (in the case of an employee)
- The students' union equality officer (in the case a student)
- Contacts at the College and placement or other higher education institution in the case of a placement or an exchange teacher/exchange student.

All those notified of the report are obliged to treat the details in confidence.

Decision

The investigation is then presented to the Equality Council which may propose the following options for a decision:

- reject/dismiss the case
- close the case on the grounds that no measures need to be taken
- propose measures to prevent violations/harassment in the future

All cases are brought before the Vice-Chancellor who shall take the decision within a month of the date of the report. The parties affected shall be informed of the decision irrespective of whether measures are taken or not. The decision may not be appealed.

Current measures/sanctions

Taking a decision on measures requires an assessment to be made in each individual case. The measures may be of a general nature, such as a change in procedures within a particular area, or they may be disciplinary measures. The Higher Education Act Chapter 10 stipulates that a student may be given a suspension or warning. According to the "general terms of employment" stated in Section 3 item 5:1, an employee may be given a disciplinary sanction in the form of a written warning, and ultimately, according to Sections 7 and 18 of the Employment Protection Act (LAS), he or she may be given notice of termination or dismissed.

Follow up

The measures shall be followed up 4-6 months after their implementation. The College's staff specialist brings the cases before the Equality Council.

Impartial investigation

Ersta Sköndal University College seeks to be impartial at all stages during an investigation of a report of harassment or sexual harassment. The person appointed to handle the case will be considered biased if the case relates either to him or her personally or to someone with whom he or she has a close relationship, or if there is any particular circumstance that calls into question his

or her impartiality in the case. A person who could act in their own interest is not permitted to handle the case – or to take decisions in the case.

Anyone who is aware of a circumstance that could be construed as meaning that he or she has a personal interest is to volunteer this information. The Equality Council takes the decision on potential bias. A person seen to be potentially biased may not take part in a hearing regarding bias.

<i>Step</i>	Equality representative	Staff specialist	Equality Council	Vice-Chancellor	Staff specialist	Staff specialist
6						Presents follow-up of measures, where required, to the Equality Council
5					Follow up of measures, where required, within 4-6 months of implementation	
4				The Vice-Chancellor takes the decision within one month of receipt of the report	All those involved are notified of the Vice-Chancellor's decision	
3			The Equality Council meets and proposes options for the decision			
2		The documentation on the case is gathered by hearing all the parties involved	The Equality Council is notified and a special notice issued within two weeks of receipt of the report	The Vice-Chancellor is informed about the case		
1	Receipt of written report of harassment					



Appendix 2 Form for reporting harassment/discrimination

Details of person making the report

First name:	Surname:	Telephone number:
E-mail address:		

Details of area of organisation/person being reported

Name of area of organisation, course or department:	
First name:	Surname:

What do you wish to report?

Describe in as much detail as possible what has happened. State the time and date where possible. If you do not remember exactly when it happened, please give an approximate time, such as the year and month. Try to include all the occasions it took place. If space won't allow this you can write on another piece of paper and attach it to your report.

Click here to enter text.

Is it still going on? <input type="checkbox"/> Yes <input type="checkbox"/> No
Have you explained/ what has happened/ to a member of the teaching staff or the person in charge of the course? <input type="checkbox"/> Yes <input type="checkbox"/> No
When did you do so? Click here to enter text.
Who did you tell? Click here to enter text.
What did you say? Click here to enter text.

What do you think the discrimination or harassment was in connection with?

<i>Choose one or more alternatives which apply</i>		
<input type="checkbox"/> Ethnic affiliation	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender
<input type="checkbox"/> Gender identity or gender expression	<input type="checkbox"/> Religion or other belief	<input type="checkbox"/> Sexual orientation
<input type="checkbox"/> Age	<input type="checkbox"/> Parental leave	
<input type="checkbox"/> Other, state which		



Why do you believe there is a connection?

[Click here to enter text.](#)

Has the incident been reported to someone else?

Yes

No

Information

[Click here to enter text.](#)

Is there anyone or anything able to support your account?

No

Yes, one or more people (witnesses)

Yes, details in writing (e.g. documents, contracts, receipts, decisions, entries in records etc)

Yes, one or more people and details in writing

Other, state which:

Any other information

[Click here to enter text.](#)

Attached documents supporting your report

[Click here to enter text.](#)

Signature:

Date:

Name:

To be filled in by the
contact person

Received by:

Date:

Name:

Report reference number (in order of year, month, day e.g. 150428): [Click here to enter text.](#)