What is discrimination and harassment?
What do I do if it happens to me?

A GUIDE FOR STUDENTS AT THE FACULTY OF FINE AND PERFORMING ARTS IN MALMÖ
Introduction

PURPOSE
This guide aims to describe the core values that apply at Lund University and at the Faculty of Fine and Performing Arts, and to provide the knowledge you need if you are subjected to discrimination or harassment.

CORE VALUES
Activities at Lund University, and thereby at the Faculty of Fine and Performing Arts, are to safeguard democracy, legality, impartiality, freedom of opinion, respect for everyone’s equal value, efficiency and service, as well as democratic principles and human rights and freedoms. Gender equality and diversity are basic principles for all parts of the organisation. All meetings between employees and students are to be characterised by mutual respect and there is zero tolerance for discrimination and other forms of victimisation.

THE STUDENTS’ WORK ENVIRONMENT
Students are covered by the Swedish Work Environment Act and are entitled to a good work environment, both physical and psychosocial. The principal at your academy is responsible for your work environment. This guide focuses on the protection you are afforded by the Work Environment Act and what you can do if you are subjected to discrimination or harassment. Some victimising behaviours and situations cannot be referred to one of the grounds for discrimination in the Discrimination Act and are therefore not categorised as discrimination or harassment. If you feel mistreated or offended, regardless of how, it is important to remember that you are entitled to a good work environment. In practice, this means that you can contact the academy’s principle or another employee according to the information in this guide to get help, regardless of whether or not the event/situation is covered by the Discrimination Act.

The guide was originally produced at Lund University’s Faculty of Engineering and is presented here in a re-worked version for the Faculty of Fine and Performing Arts.
“Discrimination, harassment and victimisation”

According to the Discrimination Act (2008:567) there are different types of discrimination.

Direct discrimination is when 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.

Indirect discrimination is when 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.

Inadequate accessibility is when a person with disability is disadvantaged through a failure to take sufficient measures for accessibility.

Harassment is 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.

Sexual harassment is conduct of a sexual nature that violates someone’s dignity.

Instructions to discriminate are orders or instructions to discriminate against someone 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.

Subjecting a person who has reported discrimination to reprisals is prohibited. Punishing someone for taking part in an investigation of discrimination is also prohibited.

**THE SEVEN GROUNDS OF DISCRIMINATION:**
1. GENDER
2. TRANSGENDER IDENTITY OR EXPRESSION
3. ETHNICITY
4. RELIGION OR OTHER BELIEF
5. DISABILITY
6. SEXUAL ORIENTATION
7. AGE
The following examples (p.5) are hypothetical situations in which we should all think about what we can do to support the person subjected to the behaviour and to contribute to a positive study and work environment. It is important to know and remember that there are employees at the University who are responsible for the students’ work and study environment and who therefore provide support and have an obligation to take any necessary measures.

Example 1

Kalle is sitting with his fellow students, studying. Their banter is usually “coarse but cordial” but lately he has noticed that the jokes have got cruder, which worries him.

A while ago, Per, who is openly homosexual, started studying on the same programme as Kalle and now a lot of gay jokes are flying around. Per tells Kalle that he feels victimised and when Kalle tries to talk to his fellow students about this, he is told “come on, you have to be able to take a joke”.

Kalle talks to the students’ union and finds out that the principal/head of department is responsible for the students’ work environment. Kalle talks to Per about his experiences and suggests that they go and talk to the principal together.

Example 2

Already early on, in her first week as a student, Eva was subjected to sexual advances and propositioned by male students. This happened mostly at various parties, but also at other events at the academy. Sometimes, the advances are direct, such as unwelcome attempts at hugs and kisses. Or they are suggestions such as “Come home with me after the party and we’ll have a bit of fun”.

Eva finds it unpleasant to have to “defend herself” and be on her guard, and she also notices that a refusal on her part is not taken well. Subsequently, she gets excluded by these male students and is told by them directly that her behaviour isn’t fair. Several of her female fellow students are also subjected to the same treatment, but they think that they just have to “deal with it” or that “this is nothing to worry about”. Gradually, Eva stops going to parties connected to the faculty, feeling left out and lonely as she doesn’t yet have any friends outside her studies in the new city. Eva thinks that she doesn’t fit in at her university and considers dropping out after the first year, even though she likes the programme. She contacts university staff and after a meeting, she gets confirmation that she has indeed been subjected to sexual harassment and that this is something she should not accept.

She also finds out that those responsible for the work and study environment now have an obligation to start an investigation. Eva is informed that if she wants to remain anonymous, those responsible can only take general measures. Since the issue is both serious and important, those responsible hope that Eva will decide to pursue her case. Eva is worried and afraid of being even more victimised, but she arrives at the conclusion that it is important to stand up for herself.

An investigation begins, which entails discussions with both Eva herself and the students who subjected her to the behaviour. The investigation shows that sexual harassment has taken place and the male students are requested to cease their harassment immediately. Some of the students apologise to Eva. The academy launches annual thematic days on discrimination and equal opportunities and, after a while, Eva finds the atmosphere to be much improved.
FURTHER EXAMPLES:

- A lecturer treats you differently because of your age, for example.
- Someone posts pictures, symbols, etc. with racist, homophobic or sexist content or meaning.
- Someone makes a disparaging remark about your disability.
- Someone gropes you or in some other way subjects you to unwelcome sexual advances.

It is always the person who feels discriminated against that determines what is offensive. However, this does not always mean that the offence constitutes discrimination or harassment.

For the sake of clarity, it should be mentioned that temporary differences of opinion, conflicts and problems in collaborative relationships should usually be considered normal and solved through discussion and respect for other people’s right to their opinion, for example.
**IF YOU FEEL VICTIMISED**

If you feel victimised – don’t wait to ask for support. You are entitled to be treated with respect!

You can turn to any employee at the Faculty of Fine and Performing Arts. The employee then has an obligation to contact the person responsible for your study environment, who is usually the principal. The principal is obliged to investigate the circumstances around the alleged sexual harassment or other form of harassment and, where appropriate, take the measures required to prevent further harassment. If you wish to remain anonymous, in most cases it will be difficult for the dean to pursue the investigation, which means that it will only be possible to take general measures.

You can also turn to your student organisation for support.

If the investigation shows that harassment/sexual harassment has taken place, the perpetrator will be advised to cease the behaviour immediately and that sexual harassment and other forms of harassment are prohibited by law. If the behaviour continues, or if it was of a serious nature from the start, disciplinary measures may be taken.

**WHO IS RESPONSIBLE?**

The vice-chancellor of Lund University has overall responsibility for the work environment, but the direct responsibility at the Faculty of Fine and Performing Arts has been delegated to the dean, and at the individual academies, to the heads of department/deans and other managers and work leaders.

In addition, all employees and students at Lund University have a responsibility to contribute to a positive study and work environment.
SEE THE WEBSITE OF EACH DEPARTMENT FOR CONTACT DETAILS OF THE PROGRAMME MANAGEMENT AND THE PRINCIPAL/HEAD OF DEPARTMENT

Malmö Art Academy - http://www.khm.lu.se
Malmö Academy of Music - http://www.mhm.lu.se
Malmö Theatre Academy - http://www.thm.lu.se

STUDENT HEALTH CENTRE
http://www.lunduniversity.lu.se/current-students/health-care/
student-health-counselling

INFORMATION ABOUT GENDER EQUALITY WORK AT THE FACULTY OF FINE AND PERFORMING ARTS AND CURRENT INFORMATION ABOUT THE FACULTY’S CONTACT PERSONS FOR EQUAL OPPORTUNITIES AND GENDER EQUALITY ISSUES:
http://www.performingarts.lu.se/om-fakulteten/jamlikhet

FIND THE STUDENTS‘ UNION FOR EACH ACADEMY ON:
Malmö Art Academy - stud@khm.lu.se
Malmö Academy of Music - stud@mhm.lu.se
Malmö Theatre Academy - stud@thm.lu.se

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