

## **Antidiscrimination Policy of Freie Universität Berlin**

On October 18, 2023, the Academic Senate of Freie Universität Berlin introduced the following policy based on Section 9.1.1.4 of the “Supplemental Rules and Regulations” (Teilgrundordnung, TGO – Erprobungsmodell) of Freie Universität Berlin dated October 27, 1998 (FU-Mitteilungen Nr. 24/1998), in conjunction with Section 5b of the Berlin Higher Education Act (Berliner Hochschulgesetz, BerlHG) in the version published on July 26, 2011 (GVBl. 2011, p. 378), most recently amended on July 11, 2023 (GVBl. p. 260).

### **Preamble**

The university serves the promotion of science through research, teaching, and studying. It can only fulfill these tasks if all of its members work together in an appreciative and equitable manner that is also sensitive to issues of discrimination. Freie Universität Berlin’s core values include ensuring that all university members feel appreciated, taking steps to promote equity, and raising awareness about discrimination in order to dismantle it. At Freie Universität Berlin, “diversity” refers to our ability and readiness to acknowledge and value the many interlinked differences across social categories between individuals, and to remove individual and structural barriers that prevent people from being able to participate equally in society. Members of Freie Universität Berlin are therefore required to contribute to a culture of appreciation, recognition, openness, and respect.

This policy sets out the expectation of respectful, fair, and appreciative relationships while paying attention to power dynamics and differences. It also serves as a code of conduct for the university. Mutual respect is an important pillar for a trusting and less discriminatory teaching, learning, and work environment where the personality, dignity, and reality of life of each individual is recognized. In this ideal environment, it is easier for people to cooperate in order to find productive solutions to problems and resolve conflicts peacefully. It also supports individuals so that they can flourish in their roles and contribute even more. Treating each other with respect is another way to support the equitable participation of all university members and reinforces equal opportunity sustainably on a structural level.

Treating each other with respect means discrimination, sexualized violence and harassment, bullying, and stalking will not be tolerated. These types of behavior can have a long-term negative impact on a person’s personal development, their sense of self-worth, as well as their ability to learn, make decisions, and act independently. They are anathema to the university’s values and expectations. Furthermore, they can be detrimental to people’s relationships, health, and social status. They can damage the quality of a person’s studies, their professional performance, and their quality of life. There is absolutely no room at Freie Universität Berlin for sexualized violence and harassment, , bullying, or stalking: the university is committed to doing everything in its power to prevent and, if necessary, stop such behavior.

The Antidiscrimination Policy serves to advance equity and freedom from discrimination for all people and to prevent and effectively counter all forms of discrimination, sexualized violence and harassment, bullying, and stalking in university life. One further aim is to ensure the best possible inclusive participation in teaching and research. The policy utilizes and concretizes current discrimination regulations and protection rules at Freie Universität Berlin.

The university is committed to the further expansion of antidiscrimination structures to ensure that university members receive the advice and counsel they need as well as to ensure that any breaches against this policy are resolved in the best possible manner while respecting the rights of everyone

involved. Accordingly, this Antidiscrimination Policy should continue to be developed over the course of this expansion, in particular when it comes to setting up advice and complaint structures and procedures in accordance with the Berlin Higher Education Act (*Berliner Hochschulgesetz, BerlHG*), the Berlin State Antidiscrimination Act (*Landesantidiskriminierungsgesetz Berlin, LADG*), and the General Act on Equal Treatment (*Allgemeines Gleichbehandlungsgesetz, AGG*).

## **Section 1 Objectives**

- (1) Freie Universität Berlin has set the following interconnected objectives related to diversity:
  - Appreciative cooperation among all member groups; to achieve this requires trusting and constructive relationships that are shaped by mutual respect and consideration for the dignity of each person.
  - A more accessible and non-discriminatory teaching, learning, and work environment ; to achieve this the university encourages critical self-reflection and the dismantling of mechanisms of inequality, as well as protection against discrimination and intervention when it occurs.
  - The equitable participation of all university members regardless of their positioning in different dimensions of diversity or social categories; to achieve this requires a mode of interacting shaped by an awareness of asymmetrical power relations and the ways they can make certain people vulnerable.
  - The sustainable actualization of equal opportunities on a structural level; this entails acknowledging the importance of diversity and promoting it in addition to actively working to reduce discrimination.
- (2) The Antidiscrimination Policy should contribute to reaching these objectives and to promoting the university's responsibility as a whole in fostering mutual respect among its members and dismantling all forms of discrimination. In addition, each individual has a personal responsibility to help create and maintain a positive and discrimination-free teaching, learning, and work environment, especially persons in management positions.
- (3) This policy should also provide transparency about support services and procedures for dealing with complaints related to discrimination, sexualized violence and harassment, bullying, and stalking.

## **Section 2 Scope**

- (1) The Antidiscrimination Policy applies in particular to all members of Freie Universität Berlin in accordance with Section 43.1 of the Berlin Higher Education Act (*Berliner Hochschulgesetz, BerlHG*) and to scholarship recipients at Freie Universität Berlin (hereinafter called "members"). The term "members," as defined by this policy, also covers student assistants working at Freie Universität Berlin even if they are enrolled at another institution of higher education as students. Furthermore, it continues to apply for the whole of Freie Universität Berlin whenever persons have a connection to Freie Universität Berlin, its members, or institutions.

(2) In the case of sexualized violence and harassment and sexualized discrimination, the directive on dealing with sexualized violence and harassment and sexualized discrimination applies.<sup>1</sup>

(3) In the case of research misconduct, the Statutes for Safeguarding Good Research Practice additionally apply.

### **Section 3 Principles**

(1) All members of Freie Universität Berlin are required to act in such a way that they do not discriminate against anyone.

(2) Freie Universität Berlin protects all of its members and its guests against

- Discrimination
- Sexualized violence and harassment
- Bullying
- Stalking

(3) Members of the university, who experience discrimination, sexualized violence and harassment, bullying, or stalking, should be encouraged not to accept such behavior, but instead to take a stand and, if necessary, call on a third party for help. This requires trust in the position of the institution and in the appropriate course of action taken by the staff providing support. Both should be reinforced by this policy and other measures introduced by the university.

(4) All members are encouraged to be aware of the actions defined under Section 3.2 and to offer support where such violations occur.

(5) In particular, university members with HR responsibilities, or with management, training, and qualification functions in teaching, research, administration, and governance structures at all levels of the university have a duty to actively contribute to promoting respectful, appreciative, and discrimination-sensitive mutual relationships through their own behavior and with suitable preventive measures. Furthermore, they should ensure that conflicts are dealt with appropriately and resolved, and that remedial action is taken in cases of discrimination and sexualized violence and harassment, bullying, or stalking. They are required to contribute to compliance with the standards described here and to emphatically stand up for the rights of victims of discrimination, sexualized violence and harassment, bullying, and stalking. Also, they have to protect them where possible, immediately follow up on any complaints received, ensure consistent measures to clarify the facts, sanction proven misconduct appropriately, and take suitable precautions to prevent misconduct in the future.

(6) Mutual respect within the meaning of this policy shall also be encouraged among guests and other third parties, for example, by referring to this policy when formulating contracts or conditions of participation.

### **Section 4 Definition of Terms**

---

<sup>1</sup> [www.fu-berlin.de/service/zuvdocs/amtsblatt/2020/ab412020.pdf](http://www.fu-berlin.de/service/zuvdocs/amtsblatt/2020/ab412020.pdf)

The definitions given here are not an exhaustive catalog, but are intended to raise awareness of what is meant by mutual respect and which actions run counter to it. Discrimination, sexualized harassment, sexualized violence, bullying, and stalking can constitute a breach of contractual, employment, civil service, or university law obligations, or even criminal conduct.

An instruction to perform an action is equivalent to an action. Abstaining from taking necessary measures and actions is equivalent to an act if there is an obligation to take action.

#### (1) Discrimination

Discrimination occurs when a person experiences unjustified disadvantages or personally offensive treatment based on an actual or ascribed characteristic such as age, disability, chronic illness or health issues, gender (including gender identity), sexual orientation, social status, socio-familial situation, nationality, ethnic origin, racist or antisemitic attributions, language, religion, or beliefs.

The specific interconnection and interaction of different forms of discrimination and group affiliations of individuals (intersectionality) can lead to specific experiences of discrimination that require careful consideration.

An action can be discriminatory regardless of its intention.

Discrimination can be directly related to persons or be indirect, e.g., occur through regulations or procedures that appear to be neutral.

a) Disadvantageous discrimination occurs when unjustified unequal treatment occurs due to one or more actual or ascribed group-specific characteristics, meaning the person affected is, has been, or would be treated less favorably than another person in a comparable situation.

Unequal treatment is justified if it is based on a legitimate aim and a sufficient objective reason, in particular if it is intended to contribute to equity or the empowerment of structurally disadvantaged groups of people, e.g., the advancement of women (positive measures as defined by Section 5.2 of the Berlin Antidiscrimination Act [*Landesantidiskriminierungsgesetz Berlin, LADG*] and Section 5 of the General Act on Equal Treatment [*Allgemeines Gleichbehandlungsgesetz, AGG*]).

b) Discrimination that violates dignity involves the degradation of human dignity, human rights, and personal freedoms that are inviolable according to the German Basic Law. This also includes harassment that creates an environment characterized by intimidation, hostility, humiliation, degradation, insult, sexualization, or oppression. Discrimination that harms a person's dignity can be, e.g., spoken or written statements or actions with degrading content for the reasons mentioned in the first sentence of this item, but also the spoken or visual presentation of racist, pornographic, or sexist material or the use of websites, image, audio and data media, or software featuring racist, pornographic, or sexist content. This does not apply, however, if the content is contextualized and addressed in an adequate manner to meet academic standards.

#### (2) Sexualized harassment and sexualized violence

Sexualized harassment and sexualized violence include any unwanted, gender-related, or sexually biased behavior of a verbal or non-verbal nature that has the purpose or effect of violating the dignity of the person affected. This form of discrimination is defined in more detail in the directive on dealing with sexualized harassment, discrimination, and violence.

#### (3) Bullying

Bullying is repeated hostility, harassment, or discriminatory behavior over longer periods of time with the aim or consequence that the dignity of the persons affected is violated or that they are excluded from their study or work environment, or severely disadvantaged. It also includes cyberbullying downward bullying (“Bossing”).

Bullying actions are, for example:

- Systematically withholding information required for work and studies or specifically spreading incorrect information
- Defamation against persons or groups of people
- Spreading damaging or negative rumors or confidential personal information
- Threats and humiliation, in particular threats of physical or psychological violence
- Verbal abuse, hurtful treatment, mockery, and aggression
- Systematically ostracizing individual persons
- Ridiculing or making fun of people , e.g., regarding a disability or illness, or due to other matters in their private life
- Not talking to, ignoring and “cutting off” people
- Unjustified or excessive checks without objective reason and with the aim or consequence of harassment

#### (4) Stalking

Stalking is the willful, intentional, and repeated pursuing, following, or harassment of a specific person against their will.

Stalking actions are in particular:

- Unwanted, frequent contact (face-to-face, via telephone, letter, email, or social networks)
- Unwanted presence near somebody, including walking or driving behind them

#### (5) Research misconduct

Irrespective of whether an action can be considered “disrespectful” within the meaning of this policy, the Statutes for Safeguarding Good Research Practice (GWP-Satzung) alone apply to cases of research misconduct in accordance with Section 2.3.

## **Section 5 Working Structures**

(1) The Diversity and Antidiscrimination Office supports and advises both the university management and the other bodies and work units of the university in the strategic development and implementation of the diversity objectives set out in Section 1.1. This includes monitoring, the investigation of structural risks of discrimination as well as advice on the development of degree programs, on questions of study suitability, and on appointment procedures. It requires needs-based measures for promoting diversity, prevention of and protection against discrimination, and supports other work units in the development and implementation of measures to achieve diversity objectives

in accordance with Section 1.1. It offers antidiscrimination services (individual case advice and expert advice) and advice on conflict and complaint management in the areas of diversity and antidiscrimination.

(2) The Diversity and Antidiscrimination Office supports the decentralized support services in accordance with Section 6 of this policy in performing their tasks with due attention to discrimination and diversity. The confidentiality required while carrying out their work is guaranteed as far as possible.

(3) The overall responsibility for complaints about discrimination at Freie Universität Berlin lies with the university management. Until further notice, the operational implementation should be delegated to the Diversity and Antidiscrimination Office that shall fulfill the function of complaint office not bound by directives and in accordance with Section 5b.3 of the Berlin Higher Education Act (*Berliner Hochschulgesetz*, BerlHG). The Diversity and Antidiscrimination Office shall ensure that the tasks it performs as a complaint office not bound by directives and as an office bound by directives are handled separately.

(4) To support and advise the Diversity and Antidiscrimination Office in accordance with Section 5.1 in the fulfillment of objectives in accordance with Section 1.1 and for support with the further development of the work structures, a Committee for Diversity and Antidiscrimination shall be formed as a standing committee. When assembling the committee, the representation of all member groups from the university, expertise in structural discrimination, and the representation of structurally disadvantaged groups are to be taken into consideration. Further details are covered by a separate set of operational rules and regulations (*Geschäftsordnung*). The committee will elect a chairperson from among its members, who, subject to appointment by the Academic Senate, takes on the duties of a representative as described in Section 59a of the Berlin Higher Education Act (*Berliner Hochschulgesetz*, BerlHG). The chairperson has the right to information about all university bodies as well as the right to participate, make motions, and speak in them. They submit a report on the activities of the representatives to the Academic Senate every two years.

(5) A dedicated diversity contact is appointed in each department, central institute, central facility, and division of the central university administration. They act as an interface to the Diversity and Antidiscrimination Office and safeguard the flow of information between the diversity work structures and the respective work unit. In this way, they contribute to the interlinking of activities. Deputies can be nominated.

(6) The responsibility of an Executive Board member for diversity (including antidiscrimination) and equity is shown on the Executive Board's organizational chart.

(7) Every four years, the Executive Board documents its strategy for achieving the objectives set out in Section 1.1 in a diversity concept in accordance with Section 5b.2 of the Berlin Higher Education Act (*Berliner Hochschulgesetz*, BerlHG) and sets needs-oriented objectives and measures for the subsequent period that can be operationalized.

## Section 6 Rights of Persons Affected

(1) It is the right of all persons affected to seek advice if any breaches of this policy occur. If they do not wish to do so, that should be respected. Confidential advice is provided by the support services listed under Section 6.2.

(2) The persons affected can turn to the following support services in particular for confidential advice:

a) All members:

- The antidiscrimination consultation service offered by the Diversity and Antidiscrimination Office in accordance with Section 5
- The central and departmental gender equality officers
- The Office of the Standing Working Group on Sexualized Harassment, Discrimination, and Violence
- The Center for Academic Advising and Psychological Counseling

b) Students:

- Advice offered by the General Student Council (*Allgemeiner Studierendenausschuss, AStA*) at Freie Universität Berlin
- The Office for Students with Disabilities at Freie Universität Berlin, and the corresponding representatives.

c) Employees:

- Social Counseling Service
- The Social Support Contact Persons (SozAP)
- Specific staff councils respective of affiliation (except for professors, guest professors, guest lecturers, and staff whose primary employer is not Freie Universität Berlin)
- The Youth and Apprentices Representatives (for trainees)
- The relevant representative for persons with disabilities

The Diversity and Antidiscrimination Office publishes an overview of the existing support and complaint structures along with their areas of advising, target groups, and contact details on the diversity website ([www.fu-berlin.de/diversity](http://www.fu-berlin.de/diversity)). It supports the networking and quality assurance of the support services.

The support staff are subject to confidentiality in this work. They can only be released from their duty of confidentiality if the person affected grants their consent.

The person affected will be supported and advised there in the strictest confidence, unless the parties jointly agree to disclose the subject of the conversation or parts of the conversation to third parties. If the person affected asks to be advised by a person of the same gender, this request will be fulfilled where possible. Counseling services are voluntary and free of charge.

If confidentiality cannot be observed for legal reasons or due to the factual circumstances, this information must be conveyed immediately.

(3) Employees affected can also consult their supervisors. They should take appropriate measures to protect the person affected in order to fulfill their duty of care and in accordance with Section 3.5. Taking into account their responsibility as supervisors, it may happen in individual cases that they cannot act in agreement with the wishes of the person seeking advice or that anonymity and confidentiality cannot be guaranteed. In this case, the supervisors should inform the employees concerned immediately about this.

Students affected can also consult the vice dean for student affairs in their department. Where cases of sexualized harassment or sexualized violence are involved, the vice deans for student affairs have a duty of care in accordance with the directive on dealing with sexualized violence and harassment, and sexualized discrimination. They also have to ensure that the persons affected are protected. Therefore, they cannot act in agreement with the wishes of the person seeking advice in all cases. Furthermore, this means that anonymity and confidentiality cannot be guaranteed in all cases. In this case, the vice dean for student affairs should inform the person seeking advice immediately about this.

In addition, the person responsible in the personnel office functions as a contact for employees, too.

(4) If preferred, the person affected can report the incident anonymously since Freie Universität Berlin believes that clarification in this way is also better than silence.

(5) If it is the express desire of the person affected to pursue further steps after their initial consultation, the staff member will also help them plan and document this. For all meetings, the person affected has the right to be accompanied or – in suitable individual cases – to be represented by a person of their choosing; this person may be from outside the university.

(6) The support services mentioned under Sections 6.1 and 6.2 as well as employee representatives should advise the person affected responsibly and promptly once they have been informed about an incident within the meaning of this policy, taking into account the advisory bodies' freedom from directives. If the person affected so wishes, they can also, for example

- help write down a description of the facts
- accompany the person affected to meetings – including meetings with representatives from the personnel office or with the vice dean for student affairs – provide advice, and support them in representing their interests.

(7) Furthermore, the person affected is free to make use of other internal and external counseling services. Employees can consult the staff complaint office in accordance with Section 13 of the General Act on Equal Treatment (*Allgemeines Gleichbehandlungsgesetz, AGG*) if they experience discrimination related to their employment at Freie Universität Berlin. The latter is obliged to investigate the complaint and inform the employees about the result.

(8) This policy does not prevent either the persons affected or anyone else involved, in particular the accused persons, from seeking legal assistance from third parties and taking legal action on their own responsibility.

(9) The prohibition of victimization applies. Persons affected and witnesses may not suffer any disadvantages if they make use of support services or legitimately report breaches to the responsible



office in accordance with Section 3. The same applies for a refusal to carry out instructions that contravene this policy.

(10) In cases of direct personal discrimination, sexualized harassment, sexualized violence, bullying, or stalking, the person affected is entitled to cease work without loss of pay and remuneration, insofar as this is necessary for protection, if the employer takes no or clearly inappropriate measures to prevent this. The personnel office must be informed before work is ceased. Section 273 of the German Civil Code (BGB) remains unaffected.

## **Section 7 Measures and Procedures**

(1) Should this policy be violated, action must be taken depending on the specific circumstances and the severity of the individual case, while respecting the anonymity wishes and protection needs of the person affected. For this purpose, the following measures, among others, can be taken by the support service with the consent of the person affected:

- Speak directly with the person affected
- Speak directly with a supervisor
- Speak directly with the person accused of committing the act in question
- Consult with the academic affairs office to discuss options, such as switching courses even after the registration deadline or making exceptions to attendance requirements (in the case of students)
- Seek out more extensive counseling support from university offices or establish contacts with other support services either at the university or elsewhere
- Have a supervised conversation between the person affected and the person accused of committing the act in question.

Communication aids (such as interpreters) can be used in a conversation at the request of any person involved.

(2) If the steps mentioned in Section 7.1 are not successful or do not appear sufficient due to the seriousness of the incident, the following measures in particular can be considered by the support service with the consent of the person affected:

- Involving the personnel office
- Involving the vice dean for student affairs
- Involving the head of administration/division
- Submitting a formal complaint, for example, to the staff complaint office in accordance with Section 13 of the General Act on Equal Treatment (*Allgemeines Gleichbehandlungsgesetz, AGG*)
- The possibility of also longer-term conflict mediation or mediation processes involving qualified mediators or conflict resolution specialists.

(3) Depending on their respective authority and the seriousness of the incident, the personnel office, the vice dean for student affairs, or the Diversity and Antidiscrimination Office may take appropriate and reasonable measures to investigate the allegation. The personnel office or the vice

dean for student affairs can also take appropriate and reasonable measures within their authority against the accused person, as long as the accusation has proven to be valid.

a) Personnel office, for example:

- Conducting a personnel interview
- Initiation of disciplinary proceedings
- Verbal or written caution/warning; disciplinary warning letter
- Reassignment/transfer to another workplace
- Ordinary or extraordinary termination
- Suggestion to the president to impose a ban on entering the premises

b) Vice dean for student affairs, for example:

- Suggestion to the dean's office to terminate a teaching assignment contract
- Suggestion to Executive Board to exclude the accused person from teaching or from individual courses
- Suggestion to Executive Board to exclude the accused person from using university facilities or institutions
- Suggestion to the president to impose a ban on entering the premises
- Suggestion to the examination board to change examiners
- Notification of the personnel office

(4) The accused person is to be informed immediately about the result of the measures used to clarify the facts as well as about measures in accordance with Section 3. Information to the (affected) person reporting a violation of this policy can be provided in compliance with data protection, labor, and personal rights regulations.

(5) In order to make it easier to react quickly in urgent situations, the Executive Board has conveyed the authority to ban someone from the premises to the heads of university units in individual cases where a person is causing an immediate disturbance. This transfer of authority helps to ensure that disruptive individuals can swiftly be removed from university property (rooms, buildings, or grounds) while adhering to the appropriate legal parameters. Freie Universität Berlin publishes an overview of the heads who have this right to deny access to premises.

## **Section 8 Acknowledging Different Gender Identities**

(1) Freie Universität Berlin respects the gender self-determination of its members. It represents a wide-ranging understanding of gender beyond a binary model and opposes the essentialization of gender and gender roles. It takes into account the needs of people with different gender identities and works toward eliminating existing discrimination and preventing potential discrimination.

(2) Equitable participation of all genders is pursued, among other things, through respectful spoken and written language and forms of address that respect a person's gender identity and include non-binary people as well as women and men. All university members are called upon to take the entire range of gender identities into account when communicating with others, unless the

communication is only addressed or refers to people of a specific gender. Ensuring that the language used in official Freie Universität Berlin communications is as gender-neutral and gender-inclusive as possible is defined by a regulation issued by the Executive Board.

(3) Upon request, students can set their chosen first name as their display name in all university systems. Trans\*, inter\*, and non-binary\* students can also request the use of their chosen name on all documents issued by Freie Universität Berlin. This also covers changes to the last name that are directly related to gender identity. Suitable measures must be taken to ensure that coursework and examinations can be assigned to a person without any doubt as to the identity of the person in question (e.g., documentation of student number). This does not apply to documents that have to be issued in a person's official name due to legal requirements.

(4) Trans\*, inter\*, and non-binary\* employees of Freie Universität Berlin can request that their self-chosen name be used as a display name in all university systems and that this name be used on all documents created by Freie Universität Berlin. This also covers changes to the last name that are directly related to gender identity. This does not apply to documents that have to be issued in a person's official name due to legal requirements.

(5) Trans\*, inter\*, and non-binary\* persons can use their self-chosen name for enrollment as long as a declaration of consent has been submitted.

(6) Students can specify their gender in all systems and documents at Freie Universität Berlin with one application. Due to external reporting obligations, the gender entry for employees can only be changed in the data system if an official change has been made. However, if requested, a note on gender identity will be made in the personnel file, and this will be taken into account in communication, or gender-neutral language will be used.

(7) University degrees are awarded in female, male, or gender-neutral form. Trans\*, inter\*, and non-binary\* persons can use either their official or their self-chosen name when issuing graduation documents. Issue in a self-chosen name is possible upon request. Clear assignment to a person needs to be ensured in this case. Graduates of Freie Universität Berlin who have officially changed their name in accordance with the German Law on Civil Status (*Personenstandsrecht*) may have new degree certificates issued. Only the details on their name and gender will be changed and the certificate will be reissued without the remark "Zweitschrift" (reissued document).

(8) Easily accessible information on the procedures for changing one's name and gender entry and on gender-neutral and gender-inclusive language is published on the Freie Universität Berlin website.

## **Section 9 Acknowledging Disability, Chronic Illness, and Health Issues**

(1) Freie Universität Berlin is committed to its legal obligation to prevent discrimination on the grounds of disability or chronic illness and to eliminate existing discrimination. It supports university studies for and employment of people with disabilities, chronic illnesses, and health impairments. It takes into account the special needs of its members and applicants with disabilities or chronic illnesses and implements the necessary measures for their inclusion in all areas. Suitable measures must be taken to ensure that the course of study and examinations are carried out in a way that compensates for disadvantages while maintaining equality. Freie Universität Berlin is working to ensure that its courses can be found, accessed, and used without barriers. The Executive Board reports regularly, at least every three years, on the progress made in achieving barrier-free accessibility.

(2) The Academic Senate elects a representative and a deputy for students with disabilities or chronic illnesses. The representative works in accordance with Section 28a of the Berlin Higher Education Act (*Berliner Hochschulgesetz, BerlHG*) to achieve equal access and equitable study and examination conditions for applicants and students with disabilities or chronic illnesses and to remove barriers at the university. The representative is supported by the central Office for Students with Disabilities and Chronic Illnesses.

(3) The Representative for Employees with Disabilities represents the collective and individual interests of persons with severe disabilities and persons with equivalent disabilities at Freie Universität Berlin in accordance with the German Social Code IX (SGB IX). It promotes the integration and inclusion of employees with severe disabilities, represents their interests, and provides them with advice and support. It advises the Diversity and Antidiscrimination Office and the other bodies and institutions at the university, and should be thoroughly informed about and involved in all matters concerning an individual or all employees with severe disabilities at an early stage, including application and hiring processes.

## **Section 10 Data Security/Confidentiality and Documentation**

(1) If personal data is processed on the basis of measures and procedures in accordance with this policy, the provisions of the applicable data protection laws must be upheld.

(2) In accordance with the principles of data minimization and the need to process personal data, the number of persons informed about a process must be kept to a minimum. All personal data may only be used for a specific person, i.e., as part of a consultation and, possibly, the processing of a complaint. Unless otherwise stipulated, all persons involved in a procedure are required to treat the personal data made accessible to them confidentially even after termination of the employment relationship. They also may not make the data accessible to third parties, unless the transfer is regulated by this policy or another legal provision, or the persons affected have given their express consent to this.

(3) As soon as the purpose of the data processing ceases to exist, the personal data provided must be returned to the person affected and/or destroyed in accordance with data protection regulations. In accordance with data protection regulations, personal data can be anonymized instead of being deleted as an exception to this rule.

(4) For the purpose of monitoring, all support services within the meaning of Section 6.1 as well as the personnel office and the vice deans for student affairs collect case numbers on violations of this policy, as well as data on the categories and forms of discrimination. This data is anonymized according to uniform standards in compliance with data protection regulations. Templates will be provided by the Diversity and Antidiscrimination Office and checked on a yearly basis.

(5) Only the personal data required to carry out the procedure under the Antidiscrimination Policy may be processed. This normally involves identity and contact data. These data are to be deleted or anonymized after completion of the procedure unless statutory retention periods apply.

## **Section 11 Final Provisions**

(1) This policy comes into force on the day of its publication in the official bulletin of Freie Universität Berlin (*FU-Mitteilungen, Amtsblatt der Freien Universität Berlin*). It will be published in

accessible format in German and English and handed out to all newly hired employees and newly appointed civil servants at Freie Universität Berlin. The German version is legally binding.

(2) This Antidiscrimination Policy is valid indefinitely.