



GREENS/EFA POLICY FOR THE PREVENTION, MEDIATION AND INQUIRY OF PSYCHOLOGICAL AND SEXUAL HARASSMENT

Adopted by the Greens/EFA Group on 08 November 2023

1/ General principles

1.1. The Greens/EFA Group is committed to fostering a workplace¹ free of any type of inappropriate behaviours. This includes psychological, sexual, physical and remote harassment, as well as discrimination, including discrimination based on grounds such as race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation, gender identity, gender expression and sex characteristics, and which will all be equally condemned².

1.2. As an employer caring for the wellbeing, respect and dignity of its staff, Members (MEPs), accredited parliamentary assistants (APAs), local assistants, interns and external staff contractually bound, the Greens/EFA Group is dedicated to implementing a strong zero-tolerance anti-harassment and misconduct policy. Consequently, this policy foresees tailored measures, which shall be commensurate to the seriousness and specificity of each situation reported.

1.3. This policy applies to every person working in the Greens/EFA Group: MEPs, APAs, local assistants, staff members, Group's and MEPs' interns - regardless of grade or status. It also includes external staff contractually bound to the Greens/EFA group, such as external trainers, coaches, and staff hired for events organised for/by the group.

1.4. The Group's mediation and inquiry procedures mentioned (in section 3. & 4.) are independent from the EP's procedures and represent a non-mandatory alternative. They can be triggered at any time unless a formal procedure either in the European Parliament or with the national authorities has already been launched on the same case at any point in time.

¹ Note that "workplace" is not limited to a physical location employees are assigned duties. Workplace must be understood as the place employees are performing their tasks, including remotely and/or from home as the Greens/EFA group has teleworking guidelines and regulations.

² See Article 1d of the Staff Regulations.

2/ Prevention of harassment

2.1. Every MEP of the Greens/EFA Group shall follow a mandatory training on harassment prevention, as well as a management training. MEPs shall send the certificate of completion of the trainings to the Deputy Secretary-General in charge of HR at the latest 6 months after joining the group. The trainings shall be completed every term.

2.2. It is not possible to apply to any position of representation of the Group (Member of the Group's Bureau, committee or campaign coordinators, cluster co-Chairs, EP President, Vice-President or Quaestors, Chairs/Vice chairs of committees and delegations, Rapporteur or Shadow Rapporteur) if the trainings were not completed, or are not foreseen to be completed, at the latest 6 months after joining the group. Failure to do so entails the termination of the position applied for.

2.3. Every Staff member of the Greens/EFA Group shall follow the harassment prevention training organised by the Group within 6 months after joining the Group. Failure to do so shall be mentioned in the staff evaluation report.

2.4. Any person belonging to the categories mentioned in point 1.3 can contact the Group's Confidential Counsellors³, the Group's Ombudspersons⁴ on a conflictual situation, or to request the intervention of a third party internal to the Group at an early stage of a conflict. Confidential Counsellors and Ombudspersons can be in contact with the other party only if this is clearly requested by the party that has requested support; they cannot and will not organise a joint session (e.g. with the person requesting support and the other party involved in the conflict).

3/ The mediation procedure

3.1. Any person belonging to the categories mentioned in point 1.3. has the right to request a mediation procedure. The request should be addressed to the anti-harassment assistant in the Greens/EFA HR Department. A first meeting should take place within a working week after the receipt of the complaint. At this meeting the anti-harassment assistant will explain all options depending on the person's specific situation, while at all times respecting the concerned person's wish on how to have their case handled.

3.2. The purpose of the mediation procedure is both active listening and advice on conflict resolution and/or performing a mediation between both parties of the conflict, with the aim of reaching a joint and amicable agreement.

The mediation is typically adapted to the following situations:

- The person requesting support thinks they are at a stage of a conflict that can still be resolved by improving communication;
- The person requesting support is feeling comfortable sitting in the same room with the other party to discuss the situation in a neutral environment.

³ See Annex II for the appointment and mandate of the Greens/EFA Confidential Counsellors

⁴ See Annex III for the appointment and mandate of the Greens/EFA Ombudspersons

3.3. The mediation will be performed by external mediators. The optional presence of a Gender Equality, Diversity and Inclusion (GEDI) expert is also possible, both in the private sessions, as well as during any possible joint mediation sessions, upon request by the person that asked for the procedure. This GEDI expert will be entitled to express an opinion on the nature of the conflict, misconduct and/or harassment situation. The anti-harassment assistant will support the mediators in the organisation of their work.

3.4. With prior agreement and consent of the person requesting support, within a week the mediator contacts the other party and offers them a private session to discuss the possibility to have a joint session (e.g. between the mediators and the other party). This first private session with the mediator cannot be declined.

3.5. If the other party does not accept to engage in the mediation process after the first private session with the mediator, the mediator cannot force them to participate. They will come back to the party who had initially requested support to explore whether they would like to go on with receiving advice or to stop the process. The Secretary-General, the Deputy Secretary-General in charge of HR and the relevant line managers are informed.

3.6. Before the joint mediation session, the mediator will foresee at least one preparatory private session for each party to both explain in detail how the joint session will unfold and which specific points each party desires to address during the joint session.

3.7. Once the mediation session has been performed, the mediator will produce written recommendations to be followed by the parties. The recommendations are also communicated to the relevant line managers and to the Deputy Secretary-General in charge of HR. The mediator will then reach out to both parties after 4 months to verify if the recommendations have been implemented and respected, and/or if adjustments are needed. In case of a traineeship or time-limited contract, this should be done before the end of the respective agreement or contract.

3.8. Non-engagement in the mediation procedure, or non-respect of the agreement mentioned in point 3.7. can eventually lead to the pursuance of the inquiry procedure.

3.9. The different parties involved in the mediation procedure and those informed are strictly bound by the duty of confidentiality: no information concerning the person requesting support nor the other party will be shared nor used outside the remits of the procedure. Failure to respect confidentiality may lead to disciplinary measures.

4/ The inquiry procedure

4.1. Any person belonging to the categories mentioned in point 1.3. has the right to request the launch of an inquiry procedure. This right is also applicable up to six months after ceasing to belong to those categories. They should contact the anti-harassment assistant and expect a reaction within a week with a proposition of meeting. During this first meeting, the anti-

harassment assistant will explain all options depending on the person's specific situation, while at all times respecting the concerned person's wish on how to have their case handled. Following this first meeting, the launch of the inquiry procedure needs to be officially confirmed by sending an email to the Secretary-General and Deputy Secretary-General of the group.

4.2. The purpose of the inquiry procedure is to determine the facts and the type of conflict, improper conduct, discrimination and/or harassment, and may lead to internal restrictive measures, or a referral to relevant authorities and subject to legal proceedings, where applicable.

4.3. This procedure is typically adapted to the following situations:

- The person requesting support has already tried the mediation procedure and the mediation session did not produce the expected results or the other party did not respect/commit to the informal joint agreement mentioned in point 3.7.;
- The person requesting support thinks they are at a stage of a conflict that cannot be resolved with the help of an improved communication;
- The person requesting support is not feeling comfortable sitting in the same room with the other party to discuss the situation.

4.4. The inquiry is conducted by a team composed of external qualified experts with either medical, psychological or legal background in the treatment of harassment cases. The inquiry team shall be gender-balanced. It shall act independently and shall not receive any instructions from third parties on how to conduct its work. Upon request by the person requesting support a GEDI expert can take part in the whole inquiry process. The anti-harassment assistant will support the inquiry team with the organisation of its work.

4.5. The relevant line managers are informed of the launch of an inquiry procedure. One designated staff representative is informed when a member of the Group's secretariat is involved. One designated APAs representative is informed when an APA, a local assistant or MEP's intern is involved.

4.6. When a staff member is involved, the inquiry team may propose a reassignment to the management of the Group, or a re-organisation of the working arrangement, for the duration of the inquiry. The aim of such a measure is to separate the two parties, and to put an end to a given situation, as well as to give the victim a chance to recover. Upon request, the HR Department can also help to find psychological support for anyone involved in the procedure. The Group will strive to organise similar arrangements when an MEP's assistant is involved, taking into account the specificities of the situation.

4.7. The inquiry team will have a maximum of one month after the official request referred to in point 4.1 to meet the person requesting support. During the meeting, the person will provide all details of the situation to support their allegations.

4.8. The person requesting support may be accompanied at the hearings by a person of their choice belonging to the EP, provided that this person cannot be called as a witness in the course of the inquiry. The same applies for the alleged harasser or performer of misconduct.

4.9. The inquiry team will communicate, no longer than 3 months after the meeting mentioned in point 4.7., a preliminary report to the two parties. Both parties will have one month to communicate comments or additional information to the inquiry team.

4.10. At the end of its inquiry, which shall be no longer than 1 months after receiving additional comments mentioned in point 4.9., the inquiry team, in consultation with the GEDI expert if applicable, will present its report to the Co-Presidents, the Secretary-General and the Deputy Secretary-General in charge of HR, unless they are party to the procedure . The report will propose either that the case will be closed without further action or that further action is required.

4.11. If the report recommends further action, they will be adopted and enforced according to the procedures applicable to the respective positions and in line with Section 5/. If necessary, the report is transferred to relevant national authorities for legal proceedings.

4.12. The different parties involved and those informed are strictly bound by the duty of confidentiality: no information concerning the person requesting support nor the other party will be shared nor used outside the remits of the procedure. Failure to respect confidentiality may lead to disciplinary measures.

5/ Measures following the inquiry procedure

5.1. Measures concerning MEPs

5.1.1. Within one month after the reception of the report, the Co-Presidents of the Group shall present a proposal of measures to the Group's Bureau, on the basis of the Group's statutes, after hearing the concerned MEP. Measures can include, but are not limited to: limitation of speaking time, committee membership, end of position referred to in point 2.2, etc.

5.1.2. The proposal of measures is to be adopted by the majority of the Greens/EFA Bureau members. Bureau members will be able to consult a summary of the report by the inquiry team before the meeting when the decision of measures will be on the agenda. Such provisions do not apply to a Bureau member shall they be party to the procedure.

5.1.3. The Co-Presidents will also notify the adoption of measures to the relevant responsible person in the national party to which the MEP belongs.

5.1.4. The costs arising from the inquiry procedure shall be borne by the MEP in case the procedure concludes with measures against them.

5.1.5. The Bureau of the group reserves the right to introduce additional measures following the imposition of a penalty on an MEP from the Greens/EFA group in the context of an EP procedure.

5.2. Measures concerning staff members with the status of temporary agents

5.2.1. The appointing authority of the Group⁵ will initiate disciplinary proceedings according to the Staff Regulations [of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community](#).

5.3. Measures concerning staff members with the status of officials or contractual agents

5.3.1. The Secretary-General and Deputy Secretary-General in charge of HR will formally request the relevant appointing authority within the European Parliament to initiate disciplinary proceedings according to the Staff Regulations [of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community](#)..

5.4. Measures concerning interns of the Group

5.4.1. The Deputy Secretary-General in charge of HR will terminate the internship contract in accordance with “Rules for interns carrying out an internship in the Greens/EFA Secretariat”, and in particular its point 11.

5.5. Measures concerning parliamentary assistants with the status of APA

5.5.1. The Co-Presidents of the Group will formally request the relevant authority within the European Parliament to initiate disciplinary proceedings according to the Staff Regulations [of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community](#) and internal rules of the Parliament, and will inform the relevant MEP(s).

5.6. Measures concerning parliamentary assistants with the status of local assistant

5.6.1. The Co-Presidents of the Group will ask the relevant MEP to adopt measures in accordance with the national regulations.

5.7. Measures concerning interns in MEPs’ offices

5.7.1. The relevant MEP will terminate the internship contract.

5.8. General provisions

5.8.1. Following the decision on any measures, the Co-Presidents will notify the person requesting support and the perpetrator on a strictly confidential basis of the decision that has been taken pursuant to the above.

5.8.2. The different parties involved and those informed are strictly bound by the duty of confidentiality: no information concerning the person requesting support nor the other party will be shared nor used outside the remits of the procedure. Failure to respect confidentiality may lead to disciplinary measures.

5.8.3. In accordance with the Staff Regulations [of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community](#), the disciplinary measures can range from a written warning to removal from post

⁵ The Group’s Appointing Authority is one of the Group’s Co-Presidents appointed by the Bureau. This post may subsequently be delegated to one of the Vice-Chairpersons.

and, where appropriate, reduction pro tempore of a pension or withholding, for a fixed period, of an amount from an invalidity allowance.⁶

5.8.4. The element of repeated action or behaviour will be taken into consideration when determining internal restrictive measures.

6/ Final provisions

6.1. The personal information the Group requests, in the context of the Policy for the Prevention, Mediation and Inquiry of Psychological and Sexual Harassment, will be processed in line with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

6.2. The external experts and mediators, the Secretary-General, the Deputy Secretary-General, the group's anti-harassment assistant, the Group's Ombudsperson(s), and designated staff and APA representatives are all bound by professional secrecy. They shall not keep personal data on a case for a period longer than three months following its closure. Personal data should be either destroyed or returned to the data subject who provided them.

6.3. The Greens/EFA HR Department holds the historical memory of anti-harassment procedures for a maximum of ten years from the opening of the procedure. Ten years is the period considered necessary for the HR Department to evaluate the harassment prevention policy, to reply to any legal questions and to identify multiple or recurrent cases. Files may be

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Article 9 of Annex IX

1. The Appointing Authority may impose one of the following penalties:

- (a) a written warning;
- (b) a reprimand;
- (c) deferment of advancement to a higher step for a period of between one and 23 months;
- (d) relegation in step;
- (e) temporary downgrading for a period of between 15 days and one year;
- (f) downgrading in the same function group;
- (g) classification in a lower function group, with or without downgrading;
- (h) removal from post and, where appropriate, reduction pro tempore of a pension or withholding, for a fixed period, of an amount from an invalidity allowance; the effects of this measure shall not extend to the official's dependants. In case of such reduction however, the former official's income may not be less than the minimum subsistence figure laid down in Article 6 of Annex VIII, with the addition of any family allowances payable.

2. Where the official is in receipt of a retirement pension or an invalidity allowance, the Appointing Authority may decide to withhold an amount from the pension or the invalidity allowance for a given period; the effects of this measure shall not extend to the official's dependants. The official's income may not, however, be less than the minimum subsistence figure laid down in Article 6 of Annex VIII, with the addition of any family allowances payable.

3. A single case of misconduct shall not give rise to more than one disciplinary penalty.

retained for a further ten year period in case an administrative or legal action is pending (e.g. with the European Ombudsperson or the Court of the European Union).

6.4. The Greens/EFA Policy for the Prevention, Mediation and Inquiry of Psychological and Sexual Harassment enters into force on 08 November 2023. It replaces the Greens/EFA Policy on Protecting the Dignity of the Person and Preventing Psychological and Sexual Harassment adopted on 30 January 2019.

6.5. The policy will be published on a dedicated page of the Greens/EFA Group website and all persons referred to in point 1.3 will be informed about it.

6.6. The policy will be assessed by an external audit at the latest three years after its entry into force, following which it shall be updated if necessary.

List of Annexes:

Annex I: How to recognise harassment

Annex II: Appointment and mandate of the Greens/EFA Confidential Counsellors

Annex III: Appointment and mandate of the Greens/EFA Ombudspersons

Annex I: How to recognise harassment

Taking into account the new way of working

It is important to highlight that harassment does not only occur at the usual workplace. It may also occur at work-related social events, at off-site work functions such as conferences, but also in the digital sphere, including via SMS and online messaging platforms, including when sent outside the workplace. This applies especially to a type of harassment that has grown more and more since teleworking is more common.

Psychological harassment

Under the Staff Regulations⁷, psychological harassment means any improper conduct that takes place over a period, is repetitive or systematic and involves physical behaviour, spoken or written language, gestures or other acts that are intentional and that may undermine the personality, dignity or the physical or psychological integrity of any person.

Psychological harassment can manifest itself in various forms, in particular by:

- offensive or degrading comments, in particular in public, bullying, antagonism, pressure, offensive behaviour, even refusal to communicate;
- insults relating to someone's personal or professional competence;
- insulting or threatening remarks, both oral and written;
- belittling someone's contributions and achievements;
- being isolated, set apart, excluded, rejected, ignored, disparaged or humiliated by their colleagues;
- impairing their social relations;
- setting manifestly unattainable work objectives;
- consistently not confining communication to regular working hours;
- not giving someone any work or systematically giving them work which does not meet the profile of their job;
- assigning someone systematically to a job which manifestly does not meet their competences.

Such behaviour, while unacceptable, may in isolation appear of little consequence. When occurring on a regular basis, however, such conduct can cause serious harm to the person at whom it is directed.

Sexual harassment

Under the Staff Regulations⁸, sexual harassment means conduct relating to sex which is unwanted by the person at whom it is directed and which has the purpose or effect of offending that person or creating an intimidating, hostile, offensive or disturbing environment. Sexual harassment is also treated as a discrimination based on gender.

⁷ See Article 12a of the Staff Regulations.

⁸ See Article 12a of the Staff Regulations

Sexual harassment may take different forms (physical, verbal, written or other), and involve persons of the opposite sex and of the same sex. The essential characteristic of sexual harassment is that it is unwanted by the recipient; it is therefore for each individual to determine what behaviour is acceptable to them and what they regard as offensive. Contrary to psychological harassment, a single incident may constitute sexual harassment if it is sufficiently serious⁹

Where circumstances do not allow the victim of harassment to express disagreement, this will not prevent the reporting of the unwanted behaviour to a third party.

Online harassment

Online harassment covers two situations:

1) Improper conduct that takes place repetitively or systematically over a period in a digital context.

for instance:

Inappropriate jokes, comments, innuendo in employee emails, chats, text messages, online employee forums

blatant exclusion or ridicule (such as intentionally muting individuals during web conferences or defacing their profile pictures)

Distributing offensive photos, gifs, or memes based on protected characteristics

2) Repetitive or systematic uninterrupted and unwanted digital contacts related to work matters and occurring before or after official core working hours, during official bank holidays, during leaves, during weekends.

In that perspective, The Greens/Efa Group has also implemented a strict right to disconnect policy whose main purposes are both to maintain a healthy work-life balance but also to prevent such harassment.

Harassment based on discriminatory grounds

Any improper conduct that takes place over a period, is repetitive or systematic and involves physical behaviour, spoken or written language, gestures or other acts that are intentional and that may undermine the personality, dignity or the physical or psychological integrity of any person. These behaviours, language, and other acts will always blatantly or via innuendoes refer to the race, the colour, the ethnic or social origin, the genetic features, the language, the religion or belief, the political or any other opinion, the membership of a national minority, property, birth, disability, age, or sexual orientation of the person.

⁹ For example: groping, torn clothing, etc.

Annex II: Appointment and mandate of the Greens/EFA Confidential Counsellors

Appointment and mandate of the Greens/EFA Confidential Counsellors

Revised and subsequently adopted by the Greens/EFA Bureau on 25 October 2023

1. Role and mandate of Confidential Counsellors

In the context of the Greens/EFA Group's effort on the prevention of psychological and sexual harassment and in line with the Greens/EFA policy on Prevention, Mediation and Inquiry of Psychological and Sexual Harassment, the Group's staff, Group's interns, and MEP staff (APAs, LAs and MEP's interns) can consult the Greens/EFA Confidential Counsellors. The Confidential Counsellors can be staff members or APAs. They have all received relevant training on the matter, and clearly defined responsibilities.

The Greens/EFA Confidential Counsellors exercise their role on a voluntary basis. Their role is to actively listen to persons who feel are victims of psychological or sexual harassment, as well as to any other person involved in a conflict, which appears to constitute harassment (alleged harasser, colleagues, witnesses), abiding to strict confidentiality. They shall remain objective and neutral. They shall help individuals to understand and assess their situation, inform them of existing procedures, provide guidance without passing judgement, and may be in contact with the other party only if this is clearly requested by the party that has requested support; they cannot and will not organise a joint session.

Their tasks are carried out within their normal working time. They are entitled to spend up to one and a half day per week on average on their responsibilities as Confidential Counsellors. The units/clusters/MEP's offices are invited to consider the tasks of the Confidential Counsellors and to ensure that they can carry out their work as best as possible.

The Group's Human Resource Department is responsible for the practical coordination of the selection procedure, training and duties of the Confidential Counsellors.

2. Selection procedure and training

2.1. Expressions of interest

Persons wishing to become Confidential Counsellors must:

- Respond to the call for expression of interest within the stipulated timeframe;
- Send a curriculum vitae and a letter of motivation to the Group's Human Resource Department;
- Meet the requirements.

2.2. Requirements

The Confidential Counsellors must:

- Be a member of the temporary or contract staff of the Greens/EFA Group, or an APA in an office of an MEP belonging to the Greens/EFA Group;
- Have at least one year of service in the Group's Secretariat or as an APA for an MEP of the Greens/EFA Group at the closing date for the call;
- Have a work contract with the Greens/EFA Group or with a MEP from the Greens/EFA Group for a minimum of two years at the closing date for the call;
- Be prepared to undergo a series of compulsory, specific training modules;
- Exercise their role with the highest degree of confidentiality, neutrality and tact;
- Have well-developed communication, listening, and advocacy skills;
- Demonstrate sound judgment, maturity and the willingness to be introspective in terms of their role;
- Not have been subject to disciplinary action.

Previous experience and/or participation in relevant training courses (i.e. coaching, mentoring etc.) are an asset.

2.3. Incompatibly criteria

- The Confidential Counsellors cannot:
- Be a Staff or APA Staff Representative;
- Work in the Group's Human Resource Department;
- Work under the direct supervision of the Secretary-General or Deputy Secretary-General;
- Be a Team Leader;
- Work in the Co-Presidents' office;
- Work in the office of the Group's Ombudspersons;
- Be or have been subject to disciplinary action;

2.4. Selection

The Human Resource Department will screen the applications and send a list of eligible candidates to the selection committee, which is composed of the Secretary-General and the Deputy Secretary-General, responsible for Human Resources, a staff representative, and an APA staff representative.

The selection committee will assess each candidate during an interview on the basis of the requirements referred to above. Gender balance and a representation of the different categories of staff should be ensured.

The Group's Human Resource Department will inform candidates in writing of the outcome specifying that their mandate will not be confirmed until after successful completion of the compulsory training, which they must undertake, as outlined in section 2.5.

The Confidential Counsellors must sign a declaration of confidentiality upon their appointment.

2.5. Training

It is a requirement for Confidential Counsellors to participate in an initial six full-day training offered by the Greens/EFA Group in order to be formally appointed. In addition, Confidential Counsellors shall strive to improve their skills on an ongoing basis through peer-to-peer exchanges.

3. Term of mandate

Confidential Counsellors will be appointed for a period of two years, renewable once. As this is a voluntary role, Confidential Counsellors may for personal reasons withdraw from office at any time during their mandate. In order to terminate their mandate, Confidential Counsellors must address a written request to the Deputy Secretary-General, responsible for Human Resources, and contact the Group's Human Resource Department to organise the transfer of cases and files for which they were responsible, by mutual agreement.

3.1. Renewal of mandates

Every two years, three months before the end of the mandate of the Confidential Counsellors, a call for expression of interest is sent out by the Group's Human Resource Department to all staff and APAs. Shall they wish to renew their mandate as per point 3., current Confidential Counsellors shall express their interest in line with point 2.1. This will be followed by an interview with the Group's Human Resource Department, which on this basis will give a recommendation to the selection committee on the renewal. All other candidates will undergo the selection procedure as stipulated in section 2.1. and 2.4.

3.2. Withdrawal of the mandate

The Deputy Secretary-General, responsible for Human Resources, and the Secretary-General may withdraw the mandate of a Confidential Counsellor in case of grave infringement of the Staff Regulation and the Greens/EFA policy on Prevention, Mediation and Inquiry of Psychological and Sexual Harassment. After being heard, the Confidential Counsellor will be informed in writing and must transfer any current case(s) with the relevant files to another Confidential Counsellor, with the complainant's consent. The appeal procedure in line with Art. 90 of the Staff Regulations applies.

3.3. Temporary withdrawal

If a Confidential Counsellor is accused of harassment in the context of a formal procedure by the EP, or undergoing an inquiry in the context of the Group's internal policy on the Prevention, Mediation and Inquiry of Psychological and Sexual Harassment, they are temporarily removed as a Confidential Counsellor while the procedure is ongoing. The

Confidential Counsellor concerned shall withdraw from all cases. If a disciplinary procedure is opened or if a decision is taken negatively affecting the Confidential Counsellor, the mandate will be permanently withdrawn. Otherwise, the concerned person can be reinstated into their role as Confidential Counsellor.

In certain cases, temporary withdrawal of a Confidential Counsellor may be voluntary and based on personal reasons of a private nature, notably illness, long-term absence, workload etc. In such cases, Confidential Counsellors must notify the Group's Human Resource Department in writing and ensure that ongoing cases are transferred and reassigned to another Confidential Counsellor. Except in very exceptional cases, the period of temporary withdrawal may not exceed a total of six months during one mandate.

Annex III: Appointment and mandate of the Greens/EFA Ombudspersons

Appointment and mandate of the Greens/EFA Ombudsperson(s)

Adopted by the Greens/EFA Bureau on 3rd April 2019

Everyone in the Greens/EFA Group has a responsibility to play their part in building and maintaining good, respectful and dignified working relationships based on mutual respect and trust. In this spirit, it is unacceptable behaviour to insult one another or to make offensive comments, especially in public. Also, no form of harassment is acceptable in the working environment.

In order to help resolving problems that may arise in the Group with reference to the above-mentioned context, the Greens/EFA have introduced the role of the Ombudsperson(s).

The Ombudsperson(s) are Greens/EFA Members elected by the Group (see point 2).

1. Role and content of the mandate of the Group's Ombudsperson(s)

The role of the Ombudsperson(s) shall be to find ways of resolving through mediation - rapidly, fairly and in a consensual way - disputes/conflicts between the various entities of the Group: MEPs, staff members, accredited parliamentary assistants and interns.

Examples of typical issues brought to the Ombudsperson(s) are listed in the annex.

The Ombudsperson(s) may be consulted for advice, mediation and resolution of conflicts by the Group's MEPs, their assistants and interns, the Group's staff members and interns.

On 08 November 2023 the Greens/EFA group adopted a new policy for the prevention, mediation and inquiry of psychological and sexual harassment. In the context of this policy the Ombudsperson(s) may be consulted by the Group's staff members and interns, the MEPs' assistants and interns on a conflictual situation, or to request an intervention at an early stage of a conflict. Ombudspersons can be in contact with the other party only if this is clearly requested by the party that has requested support. They cannot organise a joint session.

The role of the Group's Ombudsperson(s) shall consist of listening actively, and in complete confidentiality, to persons who feel they are victims of harassment or inappropriate behaviour that may escalate to harassment, as well as to any other person involved in a conflict, which may constitute harassment (alleged harasser, colleagues, witnesses).

They shall remain objective and neutral. They shall help individuals to understand and assess their situation, inform them of existing procedures, provide guidance, and may assist them in the steps they take with the aim of finding a solution together.

The information provided to the Ombudsperson(s), orally or in written form, shall be regarded as confidential. Such information may be divulged only in the context of procedures relating to harassment, and with the explicit consent of the person concerned. Where more than one person is involved, all parties are required to respect each other's confidences, except if confidentiality is expressly waived.

If matters come to the Ombudsperson(s) attention that appear to be seriously prejudicial to the Group, especially if there is a concern about inappropriate/illegal conduct, the Ombudsperson(s) shall - after notification to the person(s) concerned - make a report on the matter in question to the Group's Secretary-General or Deputy Secretary-General responsible for Human Resources, for reference - if necessary - to the Bureau.

2. Election of the Group's Ombudsperson(s)

At the beginning of the legislative term, the Greens/EFA Group shall elect two Ombudspersons. Gender balance shall be respected.

Candidatures may be proposed by:

- Individual Members who wish to be Ombudsperson;
- One or more MEPs;
- The Greens/EFA Bureau;
- The representatives of the Greens/EFA staff;
- And, where applicable, the representatives of the Greens/EFA accredited parliamentary assistants.

The election of the Ombudsperson(s) shall take place after the first Group's study days organised after the European elections, and in any case at the latest during the month of December of the beginning of the legislative term.

The Ombudsperson(s) are elected by secret ballot. If there are only two candidates - respecting gender balance - they can be elected by acclamation if the Group so decides.

The candidates who receive the number of votes representing at least the absolute majority of the Members of the Group are duly appointed.

Each Member can vote for a maximum of two candidates of different genders.

Voting by proxy shall be permitted, but no one may be appointed proxy for more than one Member. Proxy voting has to be notified in written form to the Secretary-General or the Deputy Secretary-General responsible for Human Resources.

Upon their appointment the Ombudsperson(s) must sign a declaration that they will perform their duties with complete independence and impartiality and that during and after their term of office they will respect the obligations arising therefrom, in particular their duty to behave with integrity and discretion.

The Ombudsperson(s) shall follow training(s) on the issues that may be brought to them (mediation, conflict resolution and harassment).

3. Duration of the mandate of the Group's Ombudsperson(s)

The Group's Ombudsperson(s) are elected for a period of five years (full parliamentary term). They can be re-elected in a following legislature.

If, for personal reasons, an Ombudsperson withdraws from office at any time during their mandate, the Group shall appoint a new Ombudsperson following the above-mentioned procedure.

In case of a breach of confidentiality, the Group can - on a proposal from the Bureau - dismiss an Ombudsperson, through a Group vote.

The Group shall then appoint a new Ombudsperson following the above-mentioned procedure.

4. Reporting

The Group's Ombudsperson(s) shall have regular meetings (twice a year) with the management team (Secretary-General, Deputy Secretaries General and Team Leaders) to discuss occurring malfunctioning or other possible problems.

The Group's Ombudsperson(s) shall meet once a year (at least) with the representatives of the Greens/EFA staff and, where applicable, with the representatives of the Greens/EFA accredited parliamentary assistants.

The Ombudsperson(s) shall present a report to the Bureau and to the Group, at least twice during the parliamentary term (two years after the beginning and one year before the end of the legislature).

The Ombudsperson(s) may be invited to participate in the meetings of the Group's staff and of the MEPs' accredited parliamentary assistants.

Annex

Typical issues brought to the Ombudsperson(s)

- Mediation / Conflict resolution (examples)
 - Disagreement
 - Misunderstandings
 - Personality differences
 - Cultural differences
 - Dislikes causing problems with work relationships
 - Perceived inappropriate behaviours
 - Group internal functioning
 - Employment conditions

- Psychological harassment

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

Psychological harassment can manifest itself in various forms, in particular by:

- offensive or degrading comments, in particular in public, bullying, antagonism, pressure, offensive behaviour, even refusal to communicate;
- insults relating to someone's personal or professional competence;
- insulting or threatening remarks, both oral and written;
- belittling someone's contributions and achievements;
- being isolated, set apart, excluded, rejected, ignored, disparaged or humiliated by their colleagues;
- impairing their social relations;
- setting manifestly unattainable working objectives;
- consistently not confining communication to regular working hours;
- not giving someone any work or systematically giving them work which does not meet the profile of their job;
- systematically assigning someone to a job which manifestly does not meet their competences.

Such behaviour, while unacceptable, may in isolation appear of little consequence. When occurring on a regular basis, however, such conduct can cause serious harm to the person to whom it is directed.

- Sexual harassment

Under the Staff Regulations (see Article 12a), sexual harassment means conduct relating to sex which is unwanted by the person to whom it is directed and which has the purpose or effect of offending that person or creating an intimidating, hostile, offensive or disturbing environment. Sexual harassment is also treated as discrimination based on gender.

Sexual harassment may take different forms (physical, verbal, written or other), and involve persons of the opposite sex and of the same sex. The essential characteristic of sexual harassment is that it is unwanted by the recipient; it is therefore for each individual to determine what behaviour is acceptable to them and what they regard as offensive. Sexual attention becomes sexual harassment if it persists. Contrary to psychological harassment, a single incident may constitute sexual harassment if it is sufficiently serious¹⁰. Where circumstances do not allow the victim of harassment to express disagreement, this will not prevent the reporting of the unwanted behaviour to a third party.

¹⁰ For example: groping, torn clothing, etc.