

Unacceptable sexual behaviour

What is it and
what can you do
if you experience
such behaviour?

For students, PhD candidates
and employees

Scan or click
the QR codes in
the brochure to visit
the websites.



This brochure for students, PhD candidates and employees of TU Delft provides information about what unacceptable sexual behaviour is and what you can do if you experience it. This brochure is exclusively about unacceptable sexual behaviour. There are also other forms of inappropriate behaviour, such as bullying, aggression and discrimination. This brochure is not about those behaviours.

TU Delft has a [TU Delft Regulation on Complaints](#) for reporting inappropriate behaviour.

The text of this brochure is largely borrowed from the Leiden University brochure published by the Student and Educational Affairs expertise centre (SEA) in conjunction with the Diversity Office and SC&M of Leiden University.

We are grateful to Leiden University for allowing us to use it.

The text in this TU Delft brochure was adapted and written by the student psychologists in collaboration with the other mentioned contacts and the Integrity Office.

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1. Introduction

TU Delft is committed to providing a safe environment in which all students and employees are protected from unacceptable sexual behaviour. Unacceptable behaviour will not be tolerated, irrespective of the offender's gender. Equal treatment is an important basic principle.

Unacceptable sexual behaviour conflicts with the standards of TU Delft. TU Delft has a Code of Conduct that helps students and employees act according to the values we hold dear, in complex situations. These core values are diversity, integrity, respect, courage and trust. The Code of Conduct can be found on the university's [website](#). The appendix to this brochure contains a list of other relevant regulations and codes.



If you should encounter unacceptable sexual behaviour, please do not keep your experience(s) to yourself. Unacceptable sexual behaviour can lead to isolation, because you may feel that fellow students or colleagues will not believe you or think that your reaction is exaggerated. Those around you often don't know how to deal with the problem, which leads to victims worrying about their problems for far too long.

If a member of the university's staff or a student is guilty of unacceptable sexual behaviour, the university may take far-reaching action.

What is in this brochure?

You will find answers to questions about unacceptable sexual behaviour in this brochure. This behaviour takes many forms and occurs only too often. It happens where people congregate, including at the university.

Unacceptable sexual behaviour leads to a tense and unpleasant learning and working environment. It creates a sense of insecurity and can have devastating consequences for victims.

What sort of behaviour are we talking about? And what sort of consequences? How can we as a university community work together to combat unacceptable sexual behaviour? And why is this necessary?

Furthermore, you will find the answer to the question of what you can do if you or someone you know experience unacceptable sexual behaviour. You will find information about designated contacts in the university who you can go to for help, advice or simply to talk to.

If you still have questions after reading this brochure, don't hesitate to get in touch with one of the designated contacts.

2. A safe learning and working environment

It is important that all TU Delft students and employees are respected and able to develop in an inclusive environment where everyone feels safe, heard and respected and where talent can flourish. Unacceptable sexual behaviour in the university's learning and working environment constitutes a violation of this right.

Consequences

What could be the consequences of experiencing unacceptable behaviour?

Negative effects on studies or work performance

You might start to have motivational or concentration problems, your productivity might fall, you might have trouble achieving long-term goals and problems thinking clearly. Victims of unacceptable sexual behaviour are often reluctant to go to the university and sometimes call in sick. They may also decide to avoid certain courses or other situations or might even decide to give up their studies or their job for fear of encountering the offender (or offenders). Unacceptable sexual behaviour can therefore have a major effect on academic progress and/or someone's academic or other career.

Emotional and psychosomatic problems

Unacceptable sexual behaviour can lead to hyper-alertness. In the worst case, it can cause an acute stress disorder with symptoms such as anxiety, depression and dreams about the traumatic experiences. Physical symptoms can also appear, such as headaches, gastric disorders, stomach ache and trouble sleeping.

Consequences for personal well-being

Self-confidence and trust in others can be affected. It can also lead to a negative self-image. Unacceptable sexual behaviour can furthermore lead to problems in relationships with a partner, friends and family.

Impact on the study or work environment

Unacceptable sexual behaviour can seriously affect the study and work atmosphere. Where it occurs, a climate of fear is created, which may lead to diminished productivity, discord and rumours. Education and scientific research may be adversely affected due to a lack of mutual respect and trust.



3. Recognising unacceptable sexual behaviour

Unacceptable sexual behaviour occurs anywhere people congregate. The chance of this behaviour occurring is greater in a traditionally hierarchical environment, where highly unequal relationships exist. Furthermore, it is seen more often in a sexualised environment. In such an environment, topics are referred to in sexual terms or mocking and hurtful remarks are frequently made about members of the opposite sex and laughed about. In an environment in which forms of discrimination on the basis of age, sexual preference or ethnic background are tolerated, experiences of unacceptable sexual behaviour are often not incidents, but occur frequently. They are often even regarded as 'normal'.

Specific examples of unacceptable sexual behaviour

- All forms of unwanted physical contact, from putting an arm around someone, holding someone tight, pinching or kissing, to touching or rape, whether or not as a condition for work, promotion or status. However, blocking someone's path can also be a form of undesirable sexual behaviour.
- When someone says they are going to have sex with you.
- Threatening you with punishment if you reject their sexual advances.
- Unwanted sexually suggestive comments, text messages, social media posts, jokes and innuendo.
- Asking personal questions about your private life.
- Making suggestive comments.
- Boasting about sexual performance.
- Openly comparing physical characteristics of female or male colleagues.
- Praising 'really masculine behaviour'.
- Indirect sexually suggestive innuendos such as staring at other parts of your body other than your face.
- Giving preference to people who join in with the unacceptable behaviour and excluding people who don't want to take part.

Victims are most often women

Both women and men can become victims of unacceptable sexual behaviour. The number of female victims, however, is substantially higher. There is often a power imbalance when unacceptable sexual behaviour occurs, such as that between lecturers and students, professors and scientists or PhD candidates, and between staff or managers and subordinates.

Men who become victims of unacceptable sexual behaviour do not always report it, because they think that it is incompatible with their role. Nevertheless, it is important for men to report unacceptable sexual behaviour too if they are victims of it.

Something that started off so well...

Even what begins as a romantic relationship can turn into unacceptable sexual behaviour. For example, if a male lecturer and a female student are in a relationship and work together too, and the student wants to end the relationship. The lecturer could abuse his position of power to force the student to continue the relationship, for example, by continuously criticising the student or threatening to give her a poor mark if she refuses to accept his advances.

The reverse is also possible: the female student may pressure the lecturer to give her a good mark.

Another possible scenario is when a scientist and a higher-ranking person, such as the professor, start a (sexual) relationship, or a manager with a subordinate. Incidentally, sexual relations between someone employed by the university and a minor (person younger than 18) are automatically liable to punishment. Immediate consequences will follow. But unacceptable sexual behaviour can also take place between 'equals', such as between students and between colleagues. There doesn't have to be a sexual relationship for someone to suffer from unacceptable sexual behaviour.

Consent: what, when and who?

Awareness of desirable and respectful behaviour can help to prevent unacceptable sexual behaviour and can help you to recognise it. Equality and mutual agreement (consent) are certainly required where sexual relations or sexual behaviour are concerned. Being aware of your behaviour and the effect it might have on other people is essential. The three Ws provide an idea of what consensus is and how to reach it.

What?

Permission to have sexual contact with someone must be given unambiguously; the other person must have clearly said 'yes'. That is why direct communication is the most reliable. We recommend expressing yourself as clearly as possible, even if that makes you feel uncomfortable. The consent need not always be verbal, but non-verbal and verbal behaviour must match to avoid confusion. Non-verbal communication, such as body language and facial expressions are therefore important in order to establish whether someone is interested or not. Consent is based on *mutual willingness* and *voluntariness*. Assumptions made on the basis of context, for example on clothing or the use of alcohol or drugs, cannot be interpreted as consent to having sex.

When?

Consent to certain sexual acts may, by definition, not be viewed as consent to other acts, for example future sexual acts. Consent can always be withdrawn and at any time. Consent must not be obtained through threats, coercion or violence. There is certainly no consent in such situations by any means.

Who?

You cannot obtain consent to sexual contact from anyone who is asleep or who is mentally or physically incapable, for example due to alcohol or drugs. You are mentally or physically incapable if you are unable to take conscious decisions about whether or not you want to have sex. The question of mental or physical incapacity can also occur if one of the parties is dependent upon the other. Sexual acts with people whom you know are incapable of making a conscious decision are by definition not mutual and are considered to be sexual misconduct and can be interpreted as assault or even rape.

Violation of the Code of Conduct

The university will take disciplinary action against employees, lecturers and students who violate the TU Delft **Code of Conduct**. Such cases constitute a violation of the rules, specifically where it concerns unacceptable sexual behaviour. If you are confronted with this, you can file a formal complaint (see Regulation on Complaints Concerning Undesirable Behaviour). An independent complaints committee will advise the Executive Board on the handling of the complaint, which may result in disciplinary action. If you are considering filing a complaint, you can contact one of the confidential advisers for help and advice.



New Consent Act

A bill is currently in the works that would criminalise sex without consent. For more information on the latest developments, please visit the Dutch government website. *Written in 2022.*

4. Forms of unacceptable sexual behaviour

In this brochure we make a distinction between unacceptable sexual behaviour and sexual violence. Sexual assault and rape are well-known forms of sexual violence. They are criminal offences. We include more than sexual assault and rape under the term unacceptable sexual behaviour, namely all forms of sexual behaviour or sexually suggestive advances which are undesirable, one-sided or imposed. Any gesture and any comment of a sexual nature which makes you feel uncomfortable, threatened, intimidated or pressurised can be an indication of unacceptable sexual behaviour. Terms associated with this are sexual harassment and sexual intimidation.

Unacceptable sexual behaviour can be displayed by a student or member of staff at the university. It makes no difference whether the unacceptable behaviour occurred within or away from the context of study or work.

Sexual violence

Sexual violence includes rape and other unwelcome sexual acts which involve the use or threat of violence. This also includes taking advantage of a situation in which the victim is unable to refuse, due to the use of alcohol or drugs for example. Sexual contact which was originally welcome can still turn into sexual assault or rape. You have the right to say that you do not wish to continue at any point. If the other person then forces you to continue, that constitutes assault or rape. This is always a criminal offence.

This brochure does not fully cover situations in which you experience sexual assault or rape. For help, advice and a listening ear within the university please talk to the Confidential Adviser, your academic counsellor in your faculty or contact the student psychologists (see section 'contacts'). You can also go straight to the police to file a report.

You can also contact the Sexual Assault Center (*Centrum Seksueel Geweld*). At the Sexual Assault Center you will be met by a nurse who will stay with you throughout your visit. This nurse will ensure that you don't have to repeat your story more than is necessary. A team of doctors, nurses, police, psychologists, social workers and sex therapists collaborate there to give you the best possible care. Anything you tell them is treated confidentially.

www.centrumseksueelgeweld.nl

You can also contact Victim Support (*Slachtofferhulp Nederland*) for information about sexual violence and where to get emotional support, legal advice and practical help.

www.slachtofferhulp.nl



Unacceptable sexual behaviour

We make a distinction between two types of unacceptable sexual behaviour:

1. One good turn deserves another

This type of behaviour links performance in a learning or working environment to sexual favours. This is also the case if agreeing to or rejecting sexual favours leads to a change in learning or working circumstances. In the most extreme form, offenders enforce sexual favours by study-related or work-related means, such as a negative assessment. This enforcement of sexual favours can be occasional or ongoing. Agreeing to or rejecting such requests for sex can have major consequences for the way the victim performs.

2. Intimidation in the study or work environment

We talk about an intimidating environment when disturbing sexual jokes, mocking sexual preferences or sexual comments about clothing are commonly made. An intimidating environment is also one in which obscene or sexually suggestive pictures are handed or sent round or hung on the wall. These forms of unacceptable sexual behaviour are not aimed specifically at one person, but they do create an intimidating learning or working environment. This form of unacceptable sexual behaviour is often not a matter of isolated incidents, but of a repetitive pattern.

The victim's perception is the starting point

An indication of unacceptable sexual behaviour is that you feel uncomfortable, threatened, intimidated or put under pressure. In other words, it is different from innocent flirting between two equals or friendly physical contact. Your personal perception is the starting point. In an academic setting where protecting freedom of expression is paramount, there can be a subtle difference between normal use of language and sexually suggestive comments or behaviour. Whether a person perceives these comments as undesirable will differ from person to person and from one situation to another. Some people might interpret an encouraging pat on the shoulder as an unpleasant and undesirable encounter. The starting point is not the intention of the person behaving in an unacceptable sexual manner, but the perception of the victim. The victim is the one who decides what is unacceptable sexual behaviour for him or her and which acts are unwelcome, hurtful or threatening. The intentions of the alleged offender are taken into consideration in judgements by legislative authorities. This may be changed in the new Consent Bill.

5. What to do if you experience such behaviour

Don't be tempted to think it is happening because of you, but take your feelings seriously. It is important to understand that you are not alone, and to share your experience in your network with a friend, fellow student, family member or another trusted person. TU Delft contact persons are also available to support you (see section 'contact persons').

Please be aware that taking (immediate) action can change the situation and help stop the unacceptable behaviour, including towards others.

We have listed some actions you can take below:

Bring up the subject

Bringing up the subject is not always easy because this type of behaviour is often accompanied by feelings of shame and guilt. It is also the first step for you in processing what has happened.

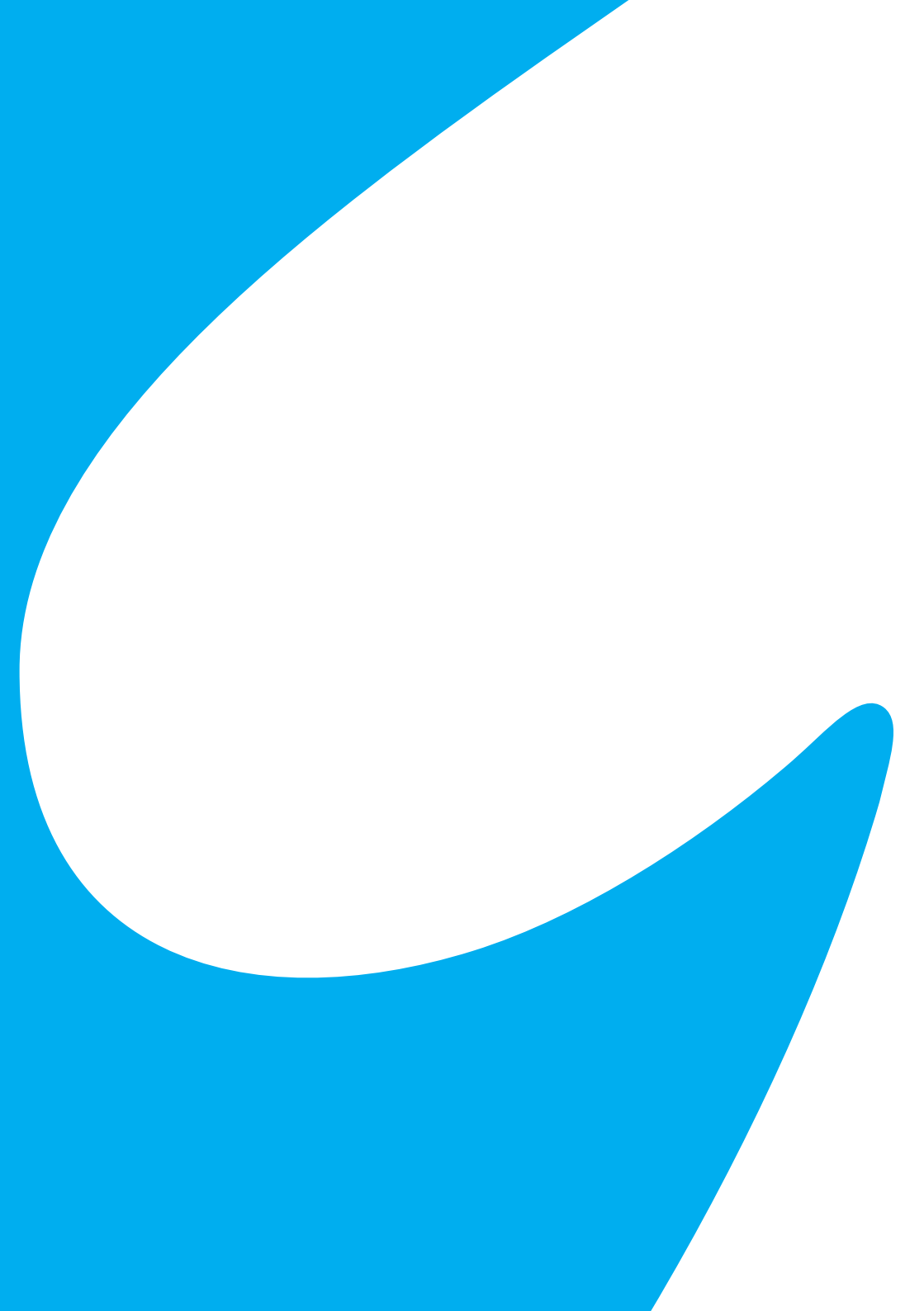
Unacceptable sexual behaviour can and should always be addressed. It is important to realise that what happened is not your fault and that you are not responsible for the perpetrator's situation and feelings. Talk about it with others: with friends, family, a fellow student or colleague, your academic counsellor, the university psychologist or the confidential adviser.

Challenge the offender about their behaviour

If possible (for example, if there is little imbalance of power between you and the perpetrator and you feel safe and strong enough) challenge them about their unacceptable sexual behaviour.

Explain why you find the behaviour inappropriate. You can have a conversation about this or put it in writing.

If the other person persists in their behaviour, if they deny the unacceptable behaviour, if the behaviour is difficult or impossible to discuss, or if you are unsure of what steps to take, please contact one of the contact persons.



Contact persons

Again, don't be tempted to think it is happening because of you, but take your feelings seriously. It is important to understand that you are not alone, and to share your experience in your network with a friend, fellow student, family member or another trusted person. If you experience unacceptable sexual behaviour, you can contact one of the following contact persons at TU Delft.

Academic counsellor (for students)

Each study programme has one or more academic counsellors. Your academic counsellor is your first point of contact within your faculty. You can contact an academic counsellor if you have any questions about or related to your study programme.

Student psychologists for students and PhD candidates

The help offered by the student psychologists is easy to access. Don't hesitate to tell them your problems. They can offer a listening ear, support you mentally and explore with you what may be helpful for you.

Jaffalaan 9a, Delft
(Building 30A, desk 1, entrance Mekelweg)
psychologen@tudelft.nl

Daily walk-in office hours. More information on the website:
[Psychologen.tudelft.nl](https://psychologen.tudelft.nl)

Confidential advisor for students, PhD candidates and employees

A confidential advisor provides support and advice to students, PhD candidates and employees who encounter inappropriate behaviour or unequal treatment within their degree programme.



Examples include: bullying, discrimination, stalking, (sexual) intimidation, abuse of power and violence.

The confidential advisor:

- Provides adequate care and assistance for persons who experience inappropriate behaviour
- Offers a listening ear
- Initially looks for possible solutions in the informal atmosphere
- Discusses other available options with you
- Supports you, but only if you want them to
- May also signpost you to other helping agencies or health care professionals
- Has a duty of confidentiality



TU Delft's confidential advisor for undesirable behaviour can be found via the [portal](#), or you can scan the QR code.

Most study and student associations also have their own confidential contact person within their association. Check your association's website for more information on this. They can also inform and refer you.

Ombuds Officers: one for students and employees

TU Delft has two Ombuds Officers: one for students and one for employees. They hold an independent, impartial and authoritative position within the university. Conversations you have with them are always confidential. You can turn to them if you have been treated inappropriately by an employee, student or representative of TU Delft, if you are dealing with unacceptable behaviour or if university policy has an undesirable or unfair impact.

The Ombuds Officers deal with individual reports, but also keep an eye out for patterns and structures. They can advise students or employees who turn to them on how best to proceed, refer them, mediate, or advise representatives of a faculty or department or the

Executive Board. The Ombuds Officer may also investigate a broader pattern and issue a report on it. Where necessary, the Ombuds Officer will consult with other contact persons, such as one of the Confidential Advisors, to assess who is best placed to handle your report; for confidentiality purposes, the Ombuds Officer will, of course, consult with you first.

TU Delft's Ombuds Officers can be found via the [portal](#), or scan the QR code.



In case of emergency

112 can always be contacted, in all cases of emergency.

TU Delft emergency centre

The emergency centre is staffed 24 hours a day, 7 days a week. Please contact the emergency centre in case of emergency. The alarm centre will alert the emergency response team and, if necessary, emergency services. The emergency centre can be reached by phone at **112** (landline) or **+31 (0)15 27 88888** (mobile). For non-urgent cases: please use the information number: **+31 (0)15 27 82777**.

Complaints, objection and appeal

If you have a complaint about TU Delft, the faculty or an employee, please try to resolve it with the relevant employee or department first. Explain your complaint and ask for a response. If this does not result in a solution, you can turn to the 'central complaints office'.

For students:

For more information, please visit the student portal on the [Complaint, Objection and Appeal page](#) or scan the QR code on this page.



For employees:

If you want to file a formal complaint, please check the employee portal, where you can find more information about the **Regulation on Complaints Concerning Undesirable Behaviour** and how to report aggression and violence.

Throughout the entire procedure, you will be able to count on advice and support from the Confidential Advisor and contact persons at the university. You may also feel the need for personal guidance and support afterwards. Be assured that the designated contacts will continue to assist you.

Other useful websites**Sexual Assault Center (*Centrum Seksueel Geweld*)**

Centrum Seksueel Geweld offers help after an unwanted sexual experience. [centrumseksueelgeweld.nl](https://www.centrumseksueelgeweld.nl)

**Victim Support Netherlands (*Slachtofferhulp Nederland*)**

They will assist when you feel you are ready, in a way that suits you. You can turn to them for emotional support and help during the criminal process, among other things. www.slachtofferhulp.nl

**What can help (*Wat kan mij helpen*)**

You can go to this website for more information and help after experiencing sexual violence. www.watkanmijhelpen.nl

**Is Everything Okay? (*Alles Oké?*) Support Line (*Supportlijn*)**

Are things not going too well for you? Call us or chat with us, because talking can really help! For anyone aged 18 to 24. www.allesoke.nl

Conclusion

Whatever you decide to do, remember it isn't your fault.

You have every right to protection!

Appendix

Overview of relevant codes and regulations at TU Delft

TU Delft has a Code of Conduct that includes the rules of conduct on how employees are expected to interact with each other, and lecturers with students.

The main codes of conduct and regulations are:

- TU Delft Code of Conduct
- TU Delft Integrity Roadmap
- TU Delft Regulations for Complaints about Undesirable Behaviour
TU Delft House Rules

All these regulations and codes can be found on the website.

