

**PROTOCOL AGAINST SEXUAL OR GENDER-BASED HARASSMENT AND STALKING
DISCRIMINATORY OF THE EUROPEAN PROFESSIONAL CENTRE OF MADRID'S
TRAINING CENTRE HIGHER PROFESSIONAL STUDIES**

I. OBJECT

The European Professional Centre of Madrid, in accordance with its commitment not to tolerate any kind of sexual or gender-based harassment and discriminatory harassment, establishes the following Protocol applicable to all students Enrolled in the European Professional Centre of Madrid.

The European Professional Centre of Madrid undertakes to disseminate this Protocol and will propose the inclusion in the Centre's Training Plan of courses on prevention and action in the event of sexual and gender-based harassment, as well as awareness-raising activities. This Protocol will be made known to the collaborating companies and suppliers of the European Professional Centre of Madrid, and will be available from the moment of its approval by the Management Board of the European Professional Centre of Madrid on the Centre's website.

The European Professional Centre of Madrid undertakes to resolve claims, complaints and reports from students regarding sexual or gender-based harassment or discriminatory harassment, which will be processed and, where appropriate, resolved with due guarantees, within the responsibility of the European Professional Centre of Madrid as an educational institution for vocational training and always as an added guarantee to others provided by the legal system.

2.- LEGAL BASIS

Article 2 of the **Universal Declaration of Human Rights** recognised that all persons are entitled to the same rights and freedoms, which implies the right to equal treatment before the law and the right to be protected against discrimination on a variety of grounds, including sex, sexual orientation and gender identity.

Similarly, at the level of the European Union, the **Charter of Core** states that "the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity" and expressly prohibits in Article 21 all discrimination, in particular on grounds of sex or sexual orientation.

Article 14 of the **Spanish Constitution** (EC) proclaims that Spaniards are equal before the law, without any discrimination on grounds of sex in the broad sense or any other personal or social condition or circumstance. Likewise, Article 35.1 of the EC incorporates the right to non-discrimination on grounds of sex in the field of labour relations.

For its part, more specifically, **Organic Law 8/1995 of 3 July 1995, which regulates the right to education**, establishes in Article 3.g) that the right "*To protection against all intimidation, discrimination and situations of violence or bullying at school*" is recognised as a basic right for pupils.

In turn, the **Organic Law 2/2006 of 3 May on Education**, in Article 1.k), considers as a principle of the Spanish education system "*education for the prevention of conflicts and the peaceful resolution of conflicts, as well as for non-violence in all areas of personal, family and social life, and especially in the area of bullying*".

Similarly, Article 2.c) includes among the aims that the education system shall seek to achieve "*education in the exercise of tolerance and freedom within the democratic principles of coexistence, as well as in conflict prevention and the peaceful resolution of conflicts*".

Article 34 of **Organic Law 8/2021, of 4 June**, on the comprehensive protection of children and adolescents against violence, establishes the need to have protocols for action in the event of any type of violence, which must be applied in all educational centres.

Finally, the provisions of the **Resolution of 4 October 2022 of the Vice-Ministry of Educational Organisation of the Autonomous Region of Madrid Region**, by which instructions are issued to educational centres for the application of protocols for action in the event of any type of violence, have been taken into account.

Another Core regulation that has been taken into account for the drafting of the following protocol is the following:

- *Organic Law 3/2007, of 22 March, for effective equality between women and men.*
- *Law 2/2016, of 29 March, on Gender Identity and Expression and Social Equality and Non-Discrimination.*
- *Law 3/2016, of 22 July, on Comprehensive Protection against LGTBphobia and Discrimination on Grounds of Sexual Orientation and Identity in the Madrid Autonomous Region.*

Taking into account this legal framework, the European Professional Centre of Madrid, as an institution that respects the rights and freedoms of all people, establishes this *Protocol*, in order to real and effective equality in the field of Vocational Training students, through a series of actions aimed at preventing and eradicating any type of discriminatory behaviour or harassment at the European Professional Centre of Madrid, and promoting Training in values education that foster a climate of respect for the rights and dignity of the students who make up the educational community.

3.- SCOPE OF APPLICATION

This Protocol applies to all students of the European Professional Centre of Madrid cases of sexual harassment, harassment based on sex and discriminatory harassment on grounds other than sex.

For the purposes of this Protocol, sexual harassment or harassment based on sex is defined in article 7 of *Organic Law 3/2007, of 22 March, for effective equality between women*, which is transcribed below:

*"Without prejudice to the provisions of the Penal Code, any verbal or physical conduct of a sexual nature which has the purpose or effect of violating the dignity of a person, in particular when it creates an intimidating, degrading or offensive environment, constitutes **sexual harassment**.*

*2. **Harassment on grounds of sex** is any conduct carried out on the basis of sex with the purpose or effect of violating the dignity of a person and of creating an intimidating, degrading or offensive environment.*

3. Sexual harassment and harassment based on sex shall in any case be deemed to be discriminatory.

*4. The conditioning of a right or an expectation of a right on the acceptance of a situation constituting sexual harassment or harassment on grounds of sex shall also be deemed to **constitute discrimination on grounds of sex**".*

4.- PROCEDURE

1. The procedure shall be initiated at the request of the student concerned or of any person who may have knowledge of the facts by means of a letter addressed to the Management Board of the Vocational Training Centre, completing the document attached as Annex I.

2. The Director of the Training Centre shall forward the letter received to the **Student Anti-Harassment Committee** within 1 working day of receipt of the letter.

3. Complaints will be dealt with by the **Student Anti-Harassment Committee** depending on whether the accused are students or teachers and non-teaching staff:

- a) In the case of reports of a student being harassed by a teacher or staff not teaching staff, the Department of Human Resources will be informed so that it can intervene directly in the research into the facts caused by a teacher or teaching staff in accordance with its own regulations. The outcome of the research will be reported to the Director of the Vocational Training Centre and to the Student Harassment Committee.

b) In the case of reports of a student being bullied by another , will refer them to the Anti-Bullying Committee set up for this purpose.

4. The Student Anti-Bullying Committee shall be composed of the following persons:

- The Director of the European Professional Centre of Madrid Training Centre
- The Head of Studies.
- The Student Welfare Coordinator.
- The Tutor of the pupil alleged to have been bullied.
- Two teachers from the school, appointed by the Management Board, who will be responsible for gathering the information necessary to determine the existence of bullying.
- The Guidance Counsellor of the Centre.
- A member of the Department of Student Services, who will act as guarantor and will act as custodian of the required documentation.

5. The teachers appointed to carry out the research into the case may gather any information they deem appropriate. In the process of gathering information, which should be carried out as quickly as possible, within a period of no more than 5 working days, they will act with the utmost sensitivity and respect for the rights of each of the parties concerned and in compliance with the duty of confidentiality. To this end, any evidence and interviews deemed appropriate may be carried out; the persons affected (complainant and accused) shall be heard. Depending on the complexity of the case, the investigation may be extended for a further three working days.

6. The Anti-Student Harassment Committee may, during the research and information gathering process, take any precautionary or preventive measures it deems necessary to ensure adequate protection of the complainant.

7. Once the research has been carried out, the teachers in charge of the research shall complete the document attached as Annex II, which shall contain a summary of the research and observations made, and submit it signed to the Management Board of the Centre.

The information in this annex shall be included as a preliminary record or preliminary proceedings in the event that disciplinary proceedings are instituted for the very serious offence of physical or moral harassment of a colleague.

8. Following the submission of Annex II, the Student Anti-Harassment Committee shall hold a decision-making meeting, which shall be minuted in accordance with Annex III.

At this meeting, which is designed to assess the data collected in Annex II and to make decisions about the existence of bullying, three situations may arise:

a) If it is understood that there are no signs of bullying, the Intervention Plan is not activated, but suitably documented prevention and awareness-raising actions may be carried out, such as monitoring the situation, tutorial action, sociometric procedures,

group cohesion activities, information actions on bullying and mistreatment among peers, etc. In this case, a systematic observation will be maintained with a record of the information obtained, which will be incorporated into the documentation of the case.

- b) In the event of a positive decision on the grounds that there has been a case of harassment, a resolution will be sent to the Disciplinary Commission with the actions taken, as well as precautionary measures, with the proposal to open disciplinary proceedings.

In addition, an Intervention Plan will be put in place which will include specific actions for intervention with the bullied pupil, the bully, their families, the teaching staff and groups of bystander pupils. The member of the action group responsible for each action should also be designated. The frequency of monitoring and assessment shall also be indicated. This situation will be reported to the welfare coordinator for emotional monitoring of the pupil.

- c) If it is considered that there is insufficient or inconclusive evidence. A new observation, data recording and follow-up will be planned, establishing provisional organisational and monitoring measures if deemed appropriate. The family of the possible victim shall be informed of these measures, which shall be recorded in the minutes for the record. Once the agreed time for observations and recording has elapsed, this meeting will be repeated, with new minutes, incorporating follow-up records. In any case, the final decision must decide whether or not there is evidence of harassment.

Annex III should incorporate the analysis of the elements that determine harassment, specifying whether there has been, and what has been the repetition of the harmful acts, the intention to harm and the imbalance of power.

9. The Student Anti-Harassment Committee shall keep a register of cases of harassment and/or discrimination on grounds of sex, sexual orientation or gender identity, disaggregated by sex, and shall be responsible for monitoring and assessment of these cases, in order to check the effectiveness of measures implemented.

Assessment and periodic review of the functioning and implementation of the procedure and this Protocol shall be carried out.

5.- PRINCIPLES OF ACTION AND GUARANTEES OF THE PROCEDURE

The procedure set out in this Protocol shall be governed by the principles professionalism, objectivity and impartiality in accordance with the following criteria:

- The presumption of innocence of alleged harassers shall be guaranteed in all cases.
- The dignity of individuals and their right to privacy must be guaranteed throughout procedure, as well as the equal treatment of women and men.
- Confidential treatment of information relating to situations that could constitute sexual harassment or harassment on grounds of sex, sexual orientation or gender identity, or discriminatory harassment shall be guaranteed, without prejudice to the provisions the disciplinary rules.

The following safeguards must also be complied with in procedure:

- Confidentiality: Persons involved in the procedure are obliged to maintain strict confidentiality and reserve and must not transmit or divulge information about the content of complaints filed, resolved or under investigation of which they are aware.
- Promptness: The research and the resolution of the alleged conduct must be carried out diligently and without undue delay, so that the procedure can be completed in the shortest possible time while respecting due process.
- Protection of the dignity of the persons concerned: The European Professional Centre of Madrid will take appropriate measures to ensure the right to protection of the dignity of the persons concerned, including the person allegedly harassed and bullying.
- Prohibition of retaliation: Retaliation against persons who make a complaint, appear as a witness or participate in a research on sexual harassment or harassment based on sex, sexual orientation or gender identity or discriminatory harassment is expressly prohibited.
- Data protection: The personal data generated in the application of this Protocol shall be governed by the provisions of *Organic Law 15/1999, of 13 December, on the protection of personal data; and the GDPR which came into force on 25 May 2018.*
- The European Professional Centre of Madrid will take the measures that deems appropriate to guarantee the right to protection of the students concerned.

6.- STUDENT MISCONDUCT AND DISCIPLINARY SANCTIONS

In accordance with the provisions of art. 5. d) of the Disciplinary Regulations of the European Professional Centre of Madrid, any verbal or physical act or conduct, which has the purpose or has the effect of violating the dignity of a person as sexual harassment, harassment based sex or discriminatory harassment, as defined by Organic Law 3/2007, of 22 March, for effective equality between Women and Men, will be sanctioned as a very serious offence.

GENERAL CONSIDERATIONS

The procedure is voluntary, and it is not necessary to avail oneself of it in order to be able to



initiate the legal actions deemed pertinent in the Head office or in the courts. In this regard, it should be noted that the initiation of the procedure established in this Protocol does not interrupt or extend the deadlines for the filing of appeals and/or the exercise of the actions established in the regulations in force.

The European Professional Centre of Madrid may take such action as it deems appropriate in the event of manifestly malicious use of this procedure, given that false allegations of harassment are a manifestation of intolerable bullying, and may be subject disciplinary action.

The entire educational community is obliged to collaborate in the research and in the processes that are developed in relation to the actions contemplated in this protocol.

Passed by the Management Board of the Centre 23 April 2025

ANNEX I.- APPLICATION FORM

For the attention of the Management Board of the Vocational Centre

DETAILS OF THE PERSON CLAIMING TO BE HARASSED

NAME AND SURNAME	
DNI	
FILE NUMBER	
VOCATIONAL TRAINING STUDIES	
CAMPUS	
TELEPHONE	
E-MAIL	

DETAILS OF THE PERSON SUBMITTING THE WRIT (complainant)



(Do not fill in if the person submitting the application is the same as the submitting the application)

NAME AND SURNAME	
DNI	
EXPEDIENT NUMBER	
VOCATIONAL TRAINING STUDIES	
CAMPUS	
TELEPHONE	
E-MAIL	
ACCOMPANYING DOCUMENTATION	<input type="checkbox"/> If , express consent of the person alleged to be suffering harassment

Delivered in Madrid, on _____ of _____ of _____

Signature of the person submitting the submission

The interested party gives full consent and accepts the registration of the data on the form. The data provided in the form will be processed by the person responsible for the file, Universidad Europea de Madrid, S.A.U., for the purposes of managing the harassment protocol and, in accordance with current legislation, where appropriate, sending information to the competent authorities and transferring the data to the Universidad Europea Group of entities for the management of its activity. To this end, the data on this form will be included in an automated and mixed file for which UNIVERSIDAD EUROPEA DE MADRID, S.A.U., with address at C/ Tajo s/n, Villaviciosa de Odón, 28670 (Madrid), is responsible. Likewise, in the absence of a reliable statement to the contrary, the holder expressly consents to the total or partial automated processing of said data for the time necessary to fulfil the indicated purposes. You have the right to access, rectify and delete the data, limit its processing, oppose its processing and exercise your right to the portability of personal data, all free of charge, as detailed in the complete information on data protection on the University's website: <https://universidadeuropea.com/politica-privacidad/>. You may contact UNIVERSIDAD EUROPEA DE MADRID, S.A.U., at the e-mail address dpo@universidadeuropea.es.



DESCRIPTION OF THE FACTS

(This page can be submitted in a sealed envelope)

NAME AND SURNAME (of the person submitting the submission)	
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Give a detailed description of the events that you consider to be harassment. Include the dates on which the harassment took place.

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DATA OF WITNESSES (if any)

--

Delivered in Madrid, on _____ of _____ of _____

Signature of the person submitting the submission

The interested party gives full consent and accepts the registration of the data on the form. The data provided in the form will be processed by the person responsible for the file, Universidad Europea de Madrid, S.A.U., for the purposes of managing the harassment protocol and, in accordance with current legislation, where appropriate, sending information to the competent authorities and transferring the data to the Universidad Europea Group of entities for the management of its activity. To this end, the data on this form will be included in an automated and mixed file for which UNIVERSIDAD EUROPEA DE MADRID, S.A.U., with address at C/ Tajo s/n, Villaviciosa de Odón, 28670 (Madrid), is responsible. Likewise, in the absence of a reliable statement to the contrary, the holder expressly consents to the total or partial automated processing of said data for the time necessary to fulfil the indicated purposes. You have the right to access, rectify and delete the data, limit its processing, oppose its processing and exercise your right to the portability of personal data, all free of charge, as detailed in the complete information on data protection on the University's website: <https://universidadeuropea.com/politica-privacidad/>. You may contact UNIVERSIDAD EUROPEA DE MADRID, S.A.U., at the following e-mail address dpo@universidadeuropea.es



ANNEX II. DATA COLLECTION AND ANALYSIS

CONFIDENTIAL

Student data	
File :	Year / group:

1.- DATA COLLECTION: INTERVIEWS

The aim of this document is the qualitative analysis and assessment of the situation in which the pupil finds himself/herself, for the purposes of appropriate decision-making and subsequent planning of actions to facilitate well-being and protection in the educational environment.

Synthesis of interviews conducted with the family

They conduct the
interview:
Date:
Synthesis:

Synthesis of interviews conducted with students

They conduct the
interview:
Date:
Synthesis:

Summary of other interviews and information

They conduct the
interview:
Date:
Synthesis:

2. SITUATION ANALYSIS: TYPES OF , POSSIBLE WARNING SIGNS AND CONTEXTUAL PROTECTIVE FACTORS

Indicators are provided in the supporting documents to assess the types of bullying, possible warning signs and contextual protective factors of the learner. These indicators are intended to assist in decision-making.

Final summary (types of bullying, warning signs and contextual factors) and conclusions:

Date	Signatures involved

ANNEX III. EDUCATIONAL INTERVENTION/DECISION-MAKING

CONFIDENTIAL

Student data	
File number:	Year / group:

Meeting after the qualitative data analysis. Attendees					
<p>The undersigned (indicate those present), having met and analysed the situation arising from the detection and knowledge of a possible situation of risk, suspicion or evidence of bullying (specify situation):</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Physical assaults <input type="checkbox"/> Verbal assaults <input type="checkbox"/> Emotional aggressions <input type="checkbox"/> Cyber-bullying </div> <div style="width: 45%;"> <input type="checkbox"/> Sexual harassment <input type="checkbox"/> Gender-based violence <input type="checkbox"/> LGTBlphobia <input type="checkbox"/> Xenophobia </div> </div>					
Director O	Tutorial O	Counsellor O	Welfare Coord. O	Teacher O	Teacher O

Subject (Specify)

Analysed		
Student testimonial O	Other testimonies O	Supporting documents (if applicable) O

It is concluded



There is NO evidence of bullying <input type="checkbox"/>	There are NOT sufficient or inconclusive indications. It is decided to prolong the enquiries with observation record. <input type="checkbox"/>	YES there is evidence of bullying. The information collected reveals: <input type="checkbox"/> Imbalance of power <input type="checkbox"/> Reiteration <input type="checkbox"/> Intent to harm
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Agreed (please select as appropriate)			
With the alleged victim			
Individualised intervention plan for the student <input type="radio"/>	Communicating to the family <input type="radio"/>	Referral to social services <input type="radio"/>	Referral to specialised external services <input type="radio"/>
With the alleged stalker			
Individualised intervention plan for the student <input type="radio"/>	Communicating to the family <input type="radio"/>	Referral to social services <input type="radio"/>	Referral to specialised external services <input type="radio"/>
With the observers			
Individualised intervention plan with students <input type="radio"/>	Communicating to the family <input type="radio"/>	Referral to social services <input type="radio"/>	Referral to specialised external services <input type="radio"/>
INDIVIDUAL PLAN OF INTERVENTION WITH PUPIL(S): educational measures. (select as appropriate)			

Review and update the measures included in the Individual Protection Plan for the pupil(s) following the opening of the protocol. The following are some possibilities:

- ☐ Organisational:
 - ☐ Surveillance in classrooms, corridors, recesses and other facilities.
 - ☐ Monitoring of time changes
 - ☐ Entrances and exits from the centre
 - ☐ Reorganisation of classrooms/groups
 - ☐ Reorganisation of timetables
 - ☐ Surveillance in extracurricular activities and Complementary Services
- ☐ Sociometric procedures.
- ☐ Intervention of the counsellor / Welfare and protection coordinator: emotional support for psychological recovery, social skills training, etc.
- ☐ Individualised tutorials: reinforcement of positive aspects, monitoring of the student, etc.
- ☐ Tutorial action sessions in the group.
- ☐ Awareness-raising and prevention talks at the centre by specialised services.
- ☐ Existing peer support programmes in the school, where appropriate, in accordance with the provisions of the school documents.
- ☐ Interviews with Head of Studies, Counsellor, Tutor, Welfare and Safeguarding Coordinator, etc.: work to develop empathy and awareness of potential harm.
- ☐ Development of actions for reflection and reparation of harm.
- ☐ Signed commitment to attitudes and behaviours.

- ☐ Implementation of corrective measures

Follow-up and closure of the individualised intervention plan with the pupil(s).

When follow-up meetings of the Individualised Intervention Plan are held with pupil(s), this should be recorded:

- Follow-up meetings (the specific situation of the learner on each date should be noted).
- Closure of the plan (the reason should be noted).

- ☐ Significant improvement of the situation
- ☐ Transfer of the pupil to another centre
- ☐ Completion of schooling

Date

Signatures



Director/Tutor/Guidance/Guidance/Welfare and Protection Coordinator/Other

The annex shall be kept on file by the Management Board.