



The Business School
for the World®

INSEAD Anti-Harassment Policy

February 2023

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Topic : Anti-Harassment	Last Review date : September 2022	Policy Owner : Guy De Herde Chief People Officer
Policy Applicable for : Staff, Faculty, Students, Participants, Service Providers	Approved by : Ilian MIHOV (Dean of INSEAD),	Responsible Office : Human Resources



Policy Statement

As the Business School for the World, whose mission is to *bring together people, cultures and ideas to develop responsible leaders who transform business and society*, INSEAD strives to create a work and study environment where members of our community display inclusiveness, respect and responsibility in their dealings with each other. Treating others as such creates a positive and innovative learning, working and social environment. Engaging in or tolerating harassment compromises the integrity and reputation of the school (for which we are all responsible), our tradition of intellectual freedom and the trust placed in, between and by our community members.

As an academic institution, INSEAD is indeed committed to the principles of free inquiry and free expression in accordance with accepted scholarly and professional standards and the laws of the countries in which we operate. Discussion and debate are fundamental to INSEAD. This policy is not intended to stifle teaching methods or freedom of expression generally, nor will it be permitted to do so. However, harassment is neither legally protected expression nor the proper exercise of academic freedom.

The protection of physical and psychological integrity in the workplace or study place is governed by national legislation and other local regulatory requirements and cultural norms where the alleged harassment took place.

It follows that:

1. INSEAD will follow up on all complaints relating to sexual, moral or discriminatory harassment related to staff, faculty, students, participants, contractors, INSEAD coaches, volunteers, alumni or visitors, in a manner described in this policy.
2. All harassment complaints will be treated with confidentiality to the extent reasonably possible. Great care will be taken to protect the interests of both the Complainant and the Respondent and to establish the true nature of the situation.
3. Any person found to have harassed another as described in this policy will face a disciplinary action commensurate with the facts and in accordance with the applicable rules and regulations.
4. In the case of deliberate false accusations of harassment, the so-called Complainant will equally be subject to disciplinary actions.
5. INSEAD will not tolerate any form of retaliation against a Complainant, a witness or anyone involved in the reception of the complaint or investigation process.

This Policy is essential to fulfill INSEAD's mission and expresses deeply held values of the School. This Policy enables building a culture of respect and of responsibility. The Policy should not be improperly invoked leading to unintended consequences.



Article 1 – Personnel and Geographical Scope

This Policy applies to all students, participants, faculty, staff and others who participate in INSEAD programmes and activities, including INSEAD affiliates providing services to INSEAD such as coaches and volunteers, and other third parties, such as alumni, contractors, vendors, and visitors.

It covers harassment taking place within INSEAD premises or through the use of INSEAD devices and IT systems and means (INSEAD email, telephones, platforms, applications, chats, etc.), or off-campus in the context of any event organized by INSEAD (social events, business trips, training sessions or conferences).

Harassment taking place in the private sphere between two members of the INSEAD community and without use of INSEAD devices or IT systems and means, cannot be investigated by INSEAD. We however, nonetheless, strongly encourage the concerned to inform an INSEAD Point of Contact in such event so that the School may:

- take temporary protective measures, pending police/official investigation;
- provide psychological and/or health support.

It is also reminded that off-campus private incidents, when such incident can potentially constitute a crime, an offence or any other type of legally sanctionable fault, may lead to permanent measures or sanctions decided by INSEAD, in accordance with applicable regulations and with INSEAD Codes of Conducts.

Article 2 – Definitions

2.1. Harassment

Under harassment, this Policy considers discriminatory harassment, sexual harassment, and moral harassment.

For behaviour to qualify as harassment,

- a. it must be perceived by the victim as intimidating, hostile, offensive or discriminating and it should also be objectively, i.e., by neutral reasonable observers, perceived as intimidating, hostile, offensive or discriminating;
- b. it should be – in principle – repetitive. However, one-off behaviour can be sufficient to qualify as harassment depending on the circumstance and the gravity of the act;
- c. intent to harass is not required.

2.1.1. Discriminatory harassment

Discriminatory harassment refers to the conduct (e.g., verbal or physical) that denigrates or shows hostility toward an individual on the basis of personal characteristics such as race, colour, gender, gender identity, nationality, religion, age, physical or mental disability, sexual orientation and non-academic background or (perceived) inferior academic or educational background.

Distinguishing between individuals based on performance, aptitudes or qualifications required for particular employment does not constitute as such discrimination nor harassment.



2.1.2. Moral harassment

Moral harassment (also called bullying, mobbing, stalking, emotional abuse, victimisation, “*harcèlement psychologique*”) concerns, in principle, any repeated actions having the purpose or effect to degrade an individual’s work or study conditions, to negatively affect one’s rights, dignity or reputation, to damage one’s mental or physical health or to jeopardise one’s professional future.

Setting performance standards and expectations (i.e., on the quality and way of delivery) in line with the role, responsibilities and seniority of the person, giving verbal or written feedback on performance, holding someone to performance standards or managing the improvement of performance do not equate to moral harassment when done in line with the School’s values and in accordance with good management practice.

2.1.3. Sexual harassment

Sexual harassment is a form of sexual misconduct that includes:

- situations where a person brings any kind of serious pressure on another person for the actual or apparent purpose of obtaining an act of sexual nature as a condition of his/her employment (conditions), advancement, or avoidance of harmful situations such as, but not limited to dismissal or unwanted transfers.
- repeated verbal or physical conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated.

2.2. Sexual misconduct

Sexual misconduct encompasses a range of unwelcome behavior of a sexual nature that is committed without consent or by intimidation, coercion, threat or force. Sexual misconduct includes but is not limited to sexual assault and sexual coercion.

Some of such behaviors are of such gravity that investigation falls necessarily within the scope of the local police authorities and cannot be investigated by INSEAD. However, in any event, INSEAD will not tolerate any kind of sexual misconduct and will take all necessary measures to protect the involved parties and to promote a study and work environment free of such behaviors.

Anyone can be a victim of sexual harassment, regardless of their gender and sexual orientation of the harasser.

2.3. Definitions of the involved parties and stakeholders

For the purpose of the present Policy:

The Complainant is the person believing in good faith that they are a victim of harassment and have filed a formal complaint submitted to an INSEAD Case Manager.

The Respondent is/are the person/s against whom the Complainant has filed a formal complaint submitted to an INSEAD Case Manager.

The Point of Contact (see *Appendix 1*) is personnel who INSEAD has put in charge to meet confidentially with potential Complainants, speak about the events and consider next steps with them. They will redirect them to a Case Manager under the process set out in *Appendix 2*. The Point of Contact will answer any questions or concerns regarding the application of this Policy.



The Case Manager (see Appendix 1) is INSEAD personnel who INSEAD has put in charge:

- to receive formal complaints within the scope of this Policy,
- to lead and be part of the Investigation Team,
- to coordinate the investigation and propose protective or interim measures to the Relevant Stakeholder for decision,
- to serve as a contact point for local authorities as regard to the case.

The INSEAD Relevant Stakeholder is the INSEAD executive responsible for taking decisions concerning and/or implementation of measures within in the relevant populations, in consultation with the Dean of the School if need be :

- for Students: Dean of Degree Programme
- for EDP Participants: Dean of Executive Education
- for Faculty: Dean of Faculty
- for Staff: Chief People Officer
- For alumni: Associate Dean of Advancement
- for Contractors: Chief Operating Officer

If the INSEAD Relevant Stakeholder is a party in the harassment complaint, the Relevant Stakeholder is then in principle their INSEAD superior unless otherwise decided by the Dean of the School at their sole discretion. If the Dean of the School is a party to an harassment complaint, the Relevant Stakeholder is the Chair of the Board.

The Investigation Team is comprised of the Case Manager and of internal or external experts as required by the case. The Investigation Team is in charge of conducting the investigation as per the process described in Appendix 2.

Article 3 – Making a Complaint

Before making a formal complaint, anyone believing that they are a victim of discriminatory, moral or sexual harassment could, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome.

INSEAD recognizes that harassment may occur in unequal relationships (for example, between a supervisor and their employee) and that it may therefore not be easy for the victim to inform the alleged harasser. If a victim feels they do not want to or are not capable of a direct dialogue with the alleged harasser, they can turn to

- their line manager to facilitate the dialogue or to devise an intervention
- their HRBP for the same
- or a Point of Contact (see list on Appendix 1) for confidential advice.

Making a complaint can be done orally or in writing to the Point of Contact (see appendix 1), or by sending an email to the following dedicated address: ahp@insead.edu. Upon receiving such a complaint, the Point of Contact will refer to the Relevant Stakeholder who will appoint a Case Manager. Upon reception of the complaint, the Case Manager will make an initial assessment. At their discretion, the Case Manager may decide to offer a mediation route, launch the investigation or take any step or action that seem appropriate based on the factual circumstances.

The Complainant may choose to report the facts to the local authorities or choose other legal ways as they see appropriate based on national law. Under some circumstances and based on applicable regulations, INSEAD will not be in a position to investigate certain matters and/or might also be



obliged to report the situation to the authorities. In such event, the Complainant will be notified by the Case Manager.

The full process of making and handling the formal complaint is described in Appendix 2.

People who witness harassment but are not directly a victim can submit a report via the following online platform: <https://insead.ethicspoint.com>.

Article 4 – Protective Measures

Additional steps might be necessary in order to ensure safety of the Complainant, as is the case where the Complainant and the Respondent work or study together or frequently interact with each other.

The Case Manager shall make recommendations (if deemed necessary upon discussion with the parties) to the INSEAD Relevant Stakeholders as well as:

- for Staff: direct manager and HRBP;
- for Faculty: Faculty Administration;
- for Students: Student Life;
- for Participants: Programme Director;
- For Alumni: Associate Dean of Advancement

on potentially appropriate or required protective measures (altering routines or schedules, temporary changes in reporting lines, moving to online classes, temporary suspension...).

Each of these INSEAD Relevant Stakeholders is accountable for deciding, implementing and enforcing protective measures with regards to the parties involved in the respective AHP case of their population(s).

Protective measures are to be considered and decided based on the facts of the case, characteristics of the parties involved and applicable laws and regulations.

In doing so, the Case Manager and the INSEAD Relevant Stakeholders alike shall weigh the pros and cons of the protective measures with due consideration for the safety, well-being and rights of the Complainant and the Respondent.

Article 5 – Sanctions

INSEAD will initiate disciplinary actions against anyone who has been found to have harassed another person or to have indulged into retaliation under the terms of this Policy. Such actions and follow-up sanctions will be decided in accordance with applicable INSEAD Codes of Conduct, internal regulations and applicable laws.

In the case of deliberate false accusations, INSEAD will initiate disciplinary proceedings against the Complainant leading to similar sanctions. The Investigation Team will assess the intent with which the complainant has invoked the AHP, i.e. in good faith or not.



The nature of the sanctions and/or other remedial measures will depend on the severity of the offense which depends, amongst others, on the relationship between the parties and on the gravity/frequency of the alleged harassing behaviour. The process of the investigation and of defining the sanctions is explained in Appendix 2.

The above is without prejudice of possible additional civil, criminal or administrative sanctions decided by local authorities or courts.

Article 6 – Confidentiality

All complaints will be taken seriously and treated with the utmost discretion and confidentiality to the extent reasonably possible, without prejudice of disciplinary, legal or judicial requirements.

INSEAD is committed to maintaining the confidentiality of the entire investigation process, and that the identity of the Complainant, of any other person involved, and any information provided by the Complainant will be treated with the utmost discretion and confidentiality by INSEAD and its authorized representatives.

However, preservation of confidentiality also depends on the Complainant and the Respondent and is intended as a protection for both parties. While the parties are in no way prohibited from talking about the situation, they cannot without consequences defame anyone, spread rumors or make false accusations. The investigation team and Case Manager will include this in their scope during the investigation and – if proven - propose sanctions to the Relevant Stakeholders as per step 4 of the Complaint Management Process (Appendix 2).

INSEAD cannot be held accountable for the consequences of breach of confidentiality initiated or caused by the Complainant or Respondent themselves.

Article 7 – Retaliation

INSEAD will not tolerate any form of retaliation against a Complainant, a witness or anyone involved in the reception of the complaint or investigation process.

Retaliation is any adverse action that would dissuade a reasonable person from making or supporting a claim of harassment or discrimination. Retaliation can be direct, such as changing an employee's work location, pay or schedule, or for students, changing a grade or denying access to a programme, or it can be indirect such as intimidating, threatening, or harassing an employee or student who has raised a claim or participated as a witness in an investigation.

If an individual believes they have suffered reprisals for taking measures under this Policy, they must immediately inform their Case Manager. Retaliation complaints will be dealt with immediately and a full investigation will be conducted according to the terms of this Policy.

Anyone who indulges in retaliatory acts will be subject to disciplinary action (see article 5).



Article 8 – Miscellaneous

8.1. Security and retention of personal data

Personal data related to complaints and investigations under this Policy shall be securely processed and stored using adequate technical and organisational measures.

Personal data will be stored and processed throughout the duration of the respective actions related to this Policy and, beyond their duration, for as long as necessary: (i) for compliance with legal obligations or (ii) for the establishment, exercise, or defence of legal claims. Provided that confidentiality obligations are duly in place, personal data processed in the context of this policy may be shared and/or disclosed within INSEAD's legal entities and with third-party providers. Furthermore, where legally required, personal data may also be shared with / disclosed to competent authorities and other legally foreseen recipients.

Individuals whose personal data is processed in relation to this Policy shall be provided with data protection notices which shall cover all the legally required information under applicable data protection laws, including the rights of data subjects and how they can exercise them. It is important to note that such rights are not absolute and may be limited or restricted in certain circumstances, where there is a legal ground for such limitation or restriction or depending on the applicable legal basis for processing.

8.2. Conditions of diffusion

The INSEAD Anti-Harassment Policy has its dedicated [web-page](#) and can also be consulted on [One INSEAD](#). Furthermore, the Policy will be shared with each faculty, staff, student upon joining INSEAD and the existence of the policy will be shared with each participant and external collaborator.

8.3. Revision

This Policy will be reviewed regularly, and appropriate changes will be made should these be required. This Policy may be amended to ensure compliance with all applicable legislation.



Appendix 1 – WHO TO CONTACT

Points of Contact

- **Students**

Point of Contact FBL: AHPstudentcontact.FB@insead.edu

Point of Contact SGP: AHPstudentcontact.SG@insead.edu

Point of Contact AD: AHPstudentcontact.AD@insead.edu

The points of contact are:

FB and AD: Anna Le Van Huy

SG and AD: Sara Menon

- **EDP Programmes** Program Director
- **Faculty** Anne-Beatrice Trouvain, Global Executive Director Faculty Administration
- **Staff**
 - Libera Bigenwald, Human Resources Director
 - Sandrine Leroy, Human Resources Director Europe Campus & Employee Relations
 - Louis Arnaud, Associate Director HR & Europe Campus Employee Relations
 - Christophe Leviaux, Associate Director Service Delivery & Global Support
- **Alumni**
 - Marie-Angelique Picard, Director of Advancement and Institutional Events
- **Contractors**
 - FBL: Olivier Pollard, Director Operations and Campus Services
 - All other: James Middleditch, Director Operations and Campus Services
- **San Francisco Hub:** Victoria Woo, Director INSEAD San Francisco

Case Managers

- **Singapore**
 - For all stakeholders except alumni
 - Duarte Lima, Chief Risk Officer
 - Joana Teo, Associate Director Legal
 - Antoine Thomas, Human Resources Director
 - For all stakeholders, except students
 - Larry Medina, Director Career Coaching and Education
 - For alumni
 - To be defined – for alumni
- **Fontainebleau**
 - Isabelle Lanouguère, Risk Control & Audit Manager
 - Judith Cittee, Internal Controls & Audit Manager
 - Monique van Donzel, Global Director of Research Strategy
 - Andrew Bueno, Associate Director Business Partnering & Analysis
 - Virginie Fougéa, Global Director Admissions, Financial Aids, Scholars
 - Thibault Seguret, Program Director MiM
 - Uliana Muravyeva, Associate Director Employee experience, Engagement & Well-being



- **Middle East Campus**
 - Hind El Moumen, Human Resources Director Middle East Campus
- **For SF**
 - External expert

Based on the INSEAD Whistleblowing Policy, people who witness harassment but are not directly a victim can submit a report via the following online platform: <https://insead.ethicspoint.com>.

Specialist Support

Specialist staff and independent psychologists are also available to give confidential assistance to members of the INSEAD community and visitors to the campus. These experts are available to provide counselling, support and medical assistance.

The information shared with the staff listed below will be held in confidence, unless the person sharing the information gives their consent for its disclosure or presents an immediate danger to themselves or someone else.

The people available to help are as follows.

For all Campuses: [Psychological Services | INSEAD](#)

- **FBL:**
 - Natalie Cosquer, Nurse
 - Anna Le Van Huy, Psychologist
- **Singapore/Middle East:**
 - Sara Menon, Psychologist

Specific for employees based on the Europe Campus: the referent for sexual harassment and sexist acts appointed by the CSE is **Nathalie Prodhomme** (nathalie.prodhomme@insead.edu).



Appendix 2 – COMPLAINT MANAGEMENT PROCESS

For the record, complaints can only be raised by persons under the scope of the policy who are directly involved in a potential harassment situation. Complaints should be raised either:

1. by contacting orally or in writing a Point of Contact (who will in turn contact the Relevant Stakeholder who will appoint a Case Manager) or
2. by sending an email to the following dedicated address: ahp@insead.edu.

Upon reception of the formal complaint, the Case Manager immediately acknowledges receipt to the Complainant.

When a formal complaint is made, the Case Manager informs the INSEAD Relevant Stakeholder as defined in Article 2.3. above as well as:

- for Staff: direct manager of the Complainant
- for Students: Student Life
- for Participants: Programme Director

If a complaint is lodged against somebody who by this Policy should be part of the Investigation Team or should be a Relevant Stakeholder in the case, that person will be exempted from their role in the process, in accordance with the mechanism described in Article 2, paragraph 2.3 above. The same precaution will apply as needed in situations where there is a risk of perceived or actual conflict of interest between one of the parties and the Case Manager, Investigation Team or the Relevant stakeholder.

Step 1: Initial assessment of the complaint

The Case Manager will first gather the factual elements and check whether the situation falls within the scope of this Policy. Accordingly, the Case Manager invites the Complainant to a meeting. This meeting shall take place as soon as possible.

In this meeting, the Case Manager will:

- ensure that the Complainant understands the School's procedures for dealing with the complaint;
- discuss and agree on the next steps;
- keep a confidential record of all discussions;
- ensure that the Complainant knows that they can lodge the complaint outside of the company through the relevant country legal process;
- recall the scope of investigation and action for INSEAD (see Articles 1 and 2);
- outline the parameters of confidentiality;
- request and collect all supporting information and evidence (on whatever media or format) available at this stage.

Following the meeting with the Complainant and if needed for the initial assessment, the Case Manager may meet with the Respondent according *mutatis mutandis* to the same parameters as above.

Further to these preliminary meetings, an **initial evaluation of the situation** will be made by the Case Manager who may seek advice from any internal or external expert or other party as the Case Manager deems necessary.



As per Article 4 of this Policy, the Case Manager will work with all the INSEAD Relevant Stakeholders to protect the safety, well-being and rights of the Complainant and the Respondent.

As a consequence, the Case Manager will make recommendations for protective or interim measures to INSEAD Relevant Stakeholders. These will supervise their swift implementation:

- for Staff: by the HRBP together with line manager;
- for Faculty: by Faculty Administration together with the relevant CAC lead;
- for Students: by DP leadership and Student Life;
- for EDP Participants: EDP management and Programme Director;
- for contractors: the relevant Campus Services Director.
- For alumni: the Associate Dean of Advancement

Step 2: Result of initial assessment

If it is determined by the Case Manager that the situation does not fall within the scope of this Policy, they will write a final report of the case which shall be shared with the INSEAD Relevant Stakeholder. The final report will be stored in a protected data base as referred to in Article 8.1.

The final report will not be shared with the Respondent or the Complainant (without prejudice of any rights or obligation arising from applicable laws and regulations). The Case Manager will however meet in person with the Complainant and Respondent separately and explain the reasons why the situation is not considered to be a harassment case, will mention any relevant alternative steps or processes and will provide them with a formal conclusion.

If after this initial evaluation the Complainant is deemed not to be bona fide or has provided false information regarding the complaint, they may be subject to disciplinary action.

If it is considered plausible by the Case Manager that the incident falls within the scope of this Policy, they will form an Investigation Team for the purpose of a full investigation. Immediately after this consideration is made, it will be confirmed in writing by the Case Manager to the Complainant, to the Respondent, and to the INSEAD Relevant Stakeholder.

Step 3: Investigation of situations judged to be potential harassment

If the Case Manager concludes that the situation is **potential harassment**, then they will inform the Respondent and the Complainant that a further investigation will be conducted to determine whether the reported facts genuinely constitute a case of harassment.

The investigation will be conducted as expeditiously as possible given the complexity of the case. The Case Manager will keep both parties updated regarding progress and timings.

Every party will be given the opportunity to be heard during the investigation. They may be assisted (i.e. be themselves present and accompanied) by an external lawyer of their choice, without prejudice of other type of assistance under applicable laws and regulations. In any event, the Complainant and Respondent cannot be represented (i.e., not being themselves present) by a third party (including an external attorney) at the investigation meetings.

The Investigation Team may also hear witnesses and study evidence (to be handed over by any party upon request). While INSEAD does not formally state cooperation as an obligation, it is brought to the parties' attention that lack of cooperation in establishing the facts might have consequences on the final conclusion of the case.



Each interview transcript (anonymized) and piece of evidence collected will be recorded as an annex to the final report. The identity of witnesses will be kept confidential (without prejudice of applicable laws and regulations).

Throughout the investigation, INSEAD will take the appropriate measures to guarantee the privacy and security of every person involved. However, it is to be noted that confidentiality may be superseded in case of disciplinary or judicial action.

Preservation of confidentiality also depends on the Complainant and the Respondent and is intended as a protection for both parties. While the parties are in no way prohibited from talking about the situation, they cannot without consequences defame anyone, spread rumors or make false accusations. The investigation team and case manager will include this in their scope during the investigation and – if proven - propose sanctions to the Relevant Stakeholders as per step 4 of the Complaint Management Process (appendix 2).

The scope of the investigation is defined and limited by the AHP: the Investigation team investigates whether the reported facts genuinely constitute a case of harassment, whether the Complainant has acted in good faith and whether none of the parties have defamed the other or spread false rumors. The Investigation team's mandate is NOT to assess or conclude if the facts constitute an infringement of any other policy than the Anti-Harassment Policy.

When harassment is proven, or when it is proven that the Complainant has not acted in good faith, or it is confirmed that any party has defamed or spread rumors, the Relevant Stakeholder will determine the disciplinary actions (see step 4). It is not the Case Manager nor the Investigation Team that *propose the disciplinary actions* to the Relevant Stakeholder. They can make suggestions with regards to *lessons learnt or non-disciplinary actions* to the relevant stakeholder. They only bring forward the facts of the case that will inform the decision of the Relevant Stakeholder.

The Investigation Team will write a final report holding recommendations which will not be shared with the Respondent or Complainant and will be stored in a protected data base as referred to in Article 8.1.

The Investigation Team will present their findings and recommendations to the relevant INSEAD stakeholder.

The Case manager and the Relevant Stakeholder will meet with each party to provide a restitution of the investigation results to them. Each party will then be provided with a written summary of this conclusion, to be handed over shortly after the meeting.

Step 4: Follow-up actions and measures

As per Article 5 of the Policy, the INSEAD Relevant Stakeholder will follow the applicable laws, practices and internal regulations to determine the appropriate potential sanctions or other remedial measures to be taken further to the conclusion of the investigation.

For information and in addition to applicable laws and practices, such sanctions and measures may be subject to:

- for Staff: Labour laws and internal regulations (or assimilated processes and policies);
- for Faculty: Labour laws, Faculty Handbook and Faculty Guidelines;
- for Students: Code of Conduct applicable in the programme they are enrolled in;
- for Participants and Contractors: according to the terms of commercial contract with INSEAD.