INSEAD Anti-Harassment Policy

March 2020

<table>
<thead>
<tr>
<th>Category</th>
<th>Originally Issued</th>
<th>Policy Ref</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance Policy</td>
<td>March 2020</td>
<td>132</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Last Review date</th>
<th>Policy Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Harassment</td>
<td></td>
<td>Guy De Herde</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Policy Applicable for</th>
<th>Approved by</th>
<th>Responsible Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff, Faculty, Students, Participants, Service Providers</td>
<td>Ilian MIHOV (Dean of INSEAD)</td>
<td>Human Resources</td>
</tr>
</tbody>
</table>
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 consideration, kindness 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 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 a legally protected expression nor the proper exercise of academic freedom.

The protection of physical and psychological integrity in the workplace is protected by International and National Labour Law and – oftentimes – offenses are also subject to national Criminal Law.\(^1\)

It follows that:

1. INSEAD will investigate all complaints relating to sexual, moral or discriminatory harassment between staff, faculty, students, participants, contractors, INSEAD coaches, volunteers or visitors, whether it has taken place within INSEAD premises or outside, including at social events, business trips, training sessions or conferences organised by INSEAD.
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 (“alleged victim”) and the respondent (“alleged harasser”) and to establish the true nature of the situation.
3. Any person found to have harassed another as described in this policy will face disciplinary action. In the case of deliberate false accusations of harassment, the “complainant” will equally be subject to similar disciplinary actions. As such, this policy should enable building a culture of respect, but also of responsibility in that it is not improperly invoked and does not lead to unintended consequences.
4. No one will be (allowed to be) victimised for making a harassment complaint.

This Policy is therefore essential to fulfill INSEAD’s mission and expresses deeply held values of the school. By having an anti-harassment policy, communicating it, training our stakeholders and applying it, INSEAD also complies with international and national law.

\(^1\) This Policy is therefore also subject to the national legislation and other local regulatory and cultural requirements where the alleged harassment took place. It follows that for INSEAD North America this policy as well as relevant US regulation apply.
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 contractors, vendors, and visitors.

It covers harassment whether it takes place within INSEAD premises or outside, including at social events, business trips, training sessions or conferences organised by INSEAD.

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; 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 verbal or physical conduct that denigrates or shows hostility towards an individual on the basis of personal characteristics e.g. race, colour, gender, 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 discrimination.

2.1.2 Moral harassment

Moral harassment (also called bullying, mobbing, 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.

2.1.3 Sexual harassment

Sexual harassment 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 dismissal or unwanted transfers.
- Repeated verbal or physical conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated.
Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. Sexual harassment may also occur between people of the same sex.

2.2. Definition of Complainant, Respondent, Appointed Officer

2.2.1. The Complainant is the person believing that he/she is a victim of harassment and has filed a formal complaint with an INSEAD Appointed Officer.

2.2.2. The Respondent is/are the person/s against whom the complainant has filed a formal complaint with an INSEAD Appointed Officer.

2.2.3. An Appointed Officer is INSEAD personnel who INSEAD has put in charge

• to answer any questions or concerns regarding the application of this Policy
• to receive complaints within the scope of this Policy and be part of the Investigation Team with an outside (i.e. someone with no relationship with INSEAD) expert.

When the harassment situation involves persons from locations in different national geographies, the INSEAD Labour Law expert will automatically become part of the investigation team.

On reception of a complaint, the Appointed Officer is obliged to inform the HR Business Partner of the parties involved and the INSEAD CPO (and the Dean of Faculty when a faculty member is involved). If the case involves a student or participant, the Dean of Degree Programmes or Dean of Executive Education will be involved.

Article 3 – Making a Complaint

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

INSEAD recognises 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 an Appointed Officer for confidential advice; or ask the Appointed Officer or their HR Business Partner (for staff/faculty) to assist in the organisation of a meeting between the parties.

3.2. If this first reconciliatory step does not lead to a satisfactory outcome, or if this first step is impossible for reasons specific to the case and its circumstances, the alleged victim can file a formal complaint with the Appointed Officer. Making a complaint can be done orally or in writing.

3.3. 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 INSEAD might also be obliged to report the situation to the authorities.

---

2 Please refer to Appendix 1 for the list of Appointed Officers.
3 In case of a formal harassment investigation where a staff member of the Europe Campus is involved, the Head of Labour Relations France must also inform the appointed person within the CSE.
4 The full process of making and handling the formal complaint is described in Appendix 2.
Article 4 – Sanctions

4.1. The nature of the sanctions 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. Anyone who has been found to have harassed another person under the terms of this Policy is liable to sanctions subject to applicable laws, regulations and jurisprudence in the applicable jurisdiction.

4.2. In the case of deliberate false accusations, INSEAD will initiate disciplinary proceedings against the complainant leading to similar sanctions.

Article 5 - Confidentiality

All complaints will be taken seriously and treated with the utmost discretion and confidentiality to the extent reasonably possible.

Article 6 - Retaliation

INSEAD will not tolerate any form of retaliation against a complainant, a witness or anyone involved in the investigation.

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 his/her Appointed Officer. Retaliation complaints will be dealt with immediately and a full investigation will be conducted.

Anyone who indulges in retaliatory acts will be subject to disciplinary action (see article 4).

Article 7 – Miscellaneous

7.1 Conservation of personal data

In the context of the INSEAD Anti-Harassment Policy, personal data includes name, address and function and is not related to the content of the reports and complaints.

The personal data relating to complaints and investigations will be stored in a separate information system with restricted access for a duration not exceeding the applicable statutes of limitations.

Any person identified based on this Policy has the right to access his or her personal data and request their modification or suppression if they are incorrect, incomplete, ambiguous or outdated, all subject to the limitations provided by the applicable law.

---

5 The process of the investigation and of defining the sanctions is explained in Appendix 2
7.2 Conditions of diffusion

This Policy will be published on the INSEAD website and made available on each INSEAD Campus. The availability of the Policy will be communicated to each faculty, staff, student, participant and external collaborator upon joining INSEAD.

7.3 Revision

This Policy will be reviewed regularly by the HR and Legal departments, and appropriate changes will be made should these be required. This Policy may be amended to ensure compliance with all applicable legislation.
Appendix 1

Key Actors in the execution of the Anti-Harassment Policy by geography

<table>
<thead>
<tr>
<th>Fontainebleau</th>
<th>Employees' Appointed Officers</th>
<th>Faculty Appointed Officers</th>
<th>Student/DP Appointed Officers</th>
<th>Participants/EDP Appointed Officers</th>
<th>Coaches' Appointed Officers</th>
<th>Contractors' Appointed Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Anne-Sophie SIPOS</td>
<td></td>
<td></td>
<td>OEP/CSP : Isabelle GIRAULT (FBL)</td>
<td></td>
<td>Olivier POLLARD</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:annesophie.sipos@insead.edu">annesophie.sipos@insead.edu</a></td>
<td></td>
<td><a href="mailto:kajta.boytler@insead.edu">kajta.boytler@insead.edu</a></td>
<td><a href="mailto:isabelle.girault@insead.edu">isabelle.girault@insead.edu</a></td>
<td></td>
<td><a href="mailto:olivier.pollard@insead.edu">olivier.pollard@insead.edu</a></td>
</tr>
<tr>
<td></td>
<td>Andrew BUENO</td>
<td></td>
<td></td>
<td>Lucia BALLORI (SGP)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:andrew.bueno@insead.edu">andrew.bueno@insead.edu</a></td>
<td></td>
<td></td>
<td><a href="mailto:lucia.ballori@insead.edu">lucia.ballori@insead.edu</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Monique VAN DONZEL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:monique.vandonzel@insead.edu">monique.vandonzel@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Abu Dhabi</th>
<th>Employees' Appointed Officers</th>
<th>Faculty Appointed Officers</th>
<th>Student/DP Appointed Officers</th>
<th>Participants/EDP Appointed Officers</th>
<th>Coaches' Appointed Officers</th>
<th>Contractors' Appointed Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hind EL MOUMEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Hind.elmoumen@insead.edu">Hind.elmoumen@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Roger BASSOUL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:roger.bassoul@insead.edu">roger.bassoul@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Samia ALI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:samia.ali@insead.edu">samia.ali@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Singapore</th>
<th>Employees' Appointed Officers</th>
<th>Faculty Appointed Officers</th>
<th>Student/DP Appointed Officers</th>
<th>Participants/EDP Appointed Officers</th>
<th>Coaches' Appointed Officers</th>
<th>Contractors' Appointed Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Choo Tatt SAW</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:choootatt.saw@insead.edu">choootatt.saw@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>James MIDDLEDITCH</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:james.middleditch@insead.edu">james.middleditch@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Anne Gaelle GONET</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:annegade.gonet@insead.edu">annegade.gonet@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Christophe LEVIAUX</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:christophe.leviaux@insead.edu">christophe.leviaux@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jason SILENCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:jason.silence@insead.edu">jason.silence@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>OEP/CSP : Ai Lin TAN (SGP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:ailin.tan@insead.edu">ailin.tan@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lucia BALLORI (SGP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:lucia.ballori@insead.edu">lucia.ballori@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>James MIDDLEDITCH</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:james.middleditch@insead.edu">james.middleditch@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>San Francisco</th>
<th>Employees' Appointed Officers</th>
<th>Faculty Appointed Officers</th>
<th>Student/DP Appointed Officers</th>
<th>Participants/EDP Appointed Officers</th>
<th>Coaches' Appointed Officers</th>
<th>Contractors' Appointed Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Isabelle FINGER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><a href="mailto:isabelle.finger@insead.edu">isabelle.finger@insead.edu</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Based on the INSEAD Whistleblowing Policy, people who witness harassment but are not directly a victim can either contact the Appointed Officers as above or submit the complaint via the following online platform: [https://insead.ethicspoint.com](https://insead.ethicspoint.com).

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](mailto:nathalie.prodhomme@insead.edu)).
Appendix 2 – FORMAL COMPLAINT MANAGEMENT PROCESS

When a formal complaint is made, the Appointed Officer informs the direct manager of the complainant (for staff/faculty) as well as the Chief People Officer and the Dean of Faculty when a faculty member is a party in the case. If the case involves a student or participant, the Dean of Degree Programmes or Dean of Executive Education will be involved. If necessary, the Appointed Officers may discuss potential remedial solutions, such as altering routine or schedule, with the relevant stakeholders depending on the parties involved (for instance, for staff: HR/direct management; for students/participants: Programme Director/Student Life, for Faculty: Faculty Administration).

If a complaint is lodged against somebody who by this policy is part of the investigation team or decision-making body, that person will be exempted from his or her role in this process and a neutral party of a similar standing will be put in his or her place for the investigation.

Upon reception of the complaint, the Appointed Officer immediately records the dates, times and facts of the incident(s), acknowledges to the complainant receipt and – where possible – establishes an Investigation Team by appointing an outside expert.

Step 1: Assessment of admissibility of the complaint

The Investigation Team will first make an assessment of whether the situation potentially constitutes a harassment situation covered by this policy and/or national law. To that end the Investigation Team invites the complainant to a meeting. This meeting shall take place as soon as possible.

In this meeting, the Investigation Team will:
- Ensure that the complainant understands the company’s procedures for dealing with the complaint
- Discuss and agree the next steps
- Keep a confidential record of all discussions
- Respect the choice of the complainant
- Ensure that the complainant knows that he/she can lodge the complaint outside of the company through the relevant country legal process
- Outline the parameters of confidentiality.

Following the meeting with the complainant, the Investigation Team will meet with the respondent. Subject to prior information from the complainant and respondent, there may also be meetings with any witnesses who can provide additional information.

Further to these preliminary meetings, an initial evaluation of the situation will be made by the Investigation Team, if necessary, with the involvement of other INSEAD stakeholders (e.g. the Legal Department, Psychological Services) or other outside experts.

The Investigation Team will work with the HR Business Partner (for staff/faculty) and all those affected to ensure safety and well-being of the complainant and respondent.

Step 2: First Conclusion

If it is determined by the Investigation Team that the situation does not appear to be a case of harassment, this team will write a final report of the case which shall be shared with the Chief People Officer and Dean of Faculty if a faculty member is involved, and the Dean of Degree Programmes or the
Dean of Executive Education if a student or participant is involved. This shall not be shared with the respondent and/or complainant.

The Appointed Officer will meet in person with the complainant and respondents separately and explain the reasons why the situation is not considered to be a harassment case.

If it is determined by the Investigation Team that the incident may be a situation of harassment, an investigation will be launched. Immediately after the evaluation is made, it will be confirmed in writing by the Appointed Officer to the complainant, to the respondent, and to the Chief People Officer. The Dean of Faculty will also be informed when a faculty member is a party in the case, while the Dean of Degree Programmes or Dean of Executive Education will be informed if a student or participant is party in the case.

If after an investigation it is discovered that the complainant is not bona fide or has provided false information regarding the complaint, they may be subject to disciplinary action. Also, this information will be shared with the Chief People Officer and with the Dean of Faculty when a faculty member is involved, and with the Dean of Degree Programmes or Dean of Executive Education when a student or participant is involved.

**Step 3: Investigation of situations judged to be potential harassment**

Following the preliminary meetings as a result of which the Investigation Team concluded that the situation is potential harassment, they will inform the respondent that a further investigation will be conducted to determine whether the reported facts genuinely constitute a case of harassment or whether they could represent another form of disagreement or conflict not covered by this Policy.

The investigation will be conducted in a timely manner. Every party will be given the opportunity to be heard during the investigation.

The Investigation Team will write a final report holding recommendations which shall not be shared with the respondent and/or complainant.

The Investigation Team will present their findings and recommendations to the Chief People Officer and to the Dean of Faculty when a faculty member is a party in the case and to the Dean of Degree Programmes or the Dean of Executive Education when a student or participant is involved. In order to provide all parties with a fair and contradictory process, the Chief People Officer and the Dean of Faculty / Dean of Degree Programmes / Dean of Executive Education shall seek advice as follows:

- For Faculty: The competent body for Faculty members in accordance with the Faculty Guidelines
- For Employees: The appointed person of the employee’s representative body (where such a body exists)
- For Faculty/Staff: The Dean and the INSEAD Chief Legal Officer
- For Degree Programme students and participants: The Judicial Committee

This will be done to determine the disciplinary actions and any other measures they seem fit.

The final report will not be shared with the complainant, the respondent and/or witnesses. If after an investigation it is discovered that the complainant is not bona fide or has provided false information regarding the complaint, he/she may be subject to disciplinary action.
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.

Appendix 3 – SPECIALIST SUPPORT

Specialist staff and independent psychologists are available to give confidential assistance to members of the INSEAD community and visitors to the campus who have been the victim of any form of harassment – or have been affected by the harassment of someone else. These experts are available to provide counselling, support and medical assistance, as well as information about and help with lodging a formal complaint.

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

The people available to help are as follows.

**Psychological Services for faculty and staff:**

- Alexia Blime, Psychologist (alexia.blime@insead.edu), or Daniel Irago, Psychologist (daniel.irago@insead.edu), both Fontainebleau.
- Kristina Burgetova, Psychologist (kristina.burgetova@insead.edu), Singapore.

**Psychological Services for students, participants, contractors:**

- Virginia Picchi, Global Director of Psychological Services (virginia.picchi@insead.edu), Fontainebleau.
- Alexia Blime, Psychologist (alexia.blime@insead.edu), or Daniel Irago, Psychologist (daniel.irago@insead.edu), both Fontainebleau.
- Gisela Guttman, Psychologist (gisela.guttman@insead.edu), or Kristina Burgetova, Psychologist (kristina.burgetova@insead.edu), both Singapore.

Approved date :16/11/2021

Approved by : Ilian MIHOV (Dean of INSEAD)