

Guideline for Confidential Counsellors

Preamble: The confidential counsellors should be easily accessible contacts for all students and employees in the institutes and the BI of Faculty V of Oldenburg University. The confidential counsellors should help to recognise conflicts and misunderstandings at an early stage, mediate appropriate experts for conflict resolution in case of conflicts, and thus provide a positive working atmosphere.

Understanding/Definition

[Sexualised Discrimination \(Link: Sexualisierte Diskriminierung\)](#)

According to the policy of Oldenburg University, acts, e. g. actions or omissions, are considered sexualised discrimination or sexualised violence if sexually determined acts take place without the consent of the person to whom such acts are directed. It is about sexually determined acts that are unwanted from the point of view of the person concerned by them and can violate their dignity.

See guideline:

https://uol.de/fileadmin/user_upload/dezernat1/download/conTakt/Richtlinie-gegen-sexualisierte-Diskriminierung-und-sexuelle-Gewalt-der-Uni-Oldenburg-2019-03.pdf

[Anti-Diskriminierung \(Anti-discrimination\)](#)

Discrimination in the legal sense of the AGG (General Equal Treatment Act) is unequal treatment of a person based on one (or more) legally protected discrimination categories without an objective reason justifying the unequal treatment. The disadvantage can be expressed, for example, by the behaviour of a person, by a regulation, or a measure.

[Scientific misconduct - Scientific integrity \(Link: Wissenschaftliches Fehlverhalten – Wissenschaftliche Integrität\)](#)

Scientific misconduct or a lack of scientific integrity unfortunately also often involves the abuse of power, as is known from the context of sexualised violence. This is not tolerated by the research community. Within the framework of its funded projects and its members, the DFG (German research community) funding organisation requires the implementation of the [Code of Scientific Integrity \(Link: Kodex zur wissenschaftlichen Integrität\)](#) by the summer of 2022. Within the framework of the University of Oldenburg, among other things, the organisation of scientific cooperation is regulated as follows in accordance with [§7 der Ordnung über die Grundsätze guter wissenschaftlicher Praxis der Universität Oldenburg](#) (§7 of the Regulations on the Principles of Good Scientific Practice of the University of Oldenburg):

(1) If several persons contribute proportionally to theoretical work or experiments, to the evaluation of data, to scientific publication or to the patent law exploitation of results within the framework of a scientific collaboration or research group, the leading scientists (e. g. heads of working groups) are responsible for an appropriate communication culture and organisation. This also includes transparency regarding the criteria of authorship for planned publications. The lead researchers must ensure that the tasks of management, supervision, conflict resolution, quality assurance and transparency are clearly assigned and actually carried out.

(2) The head of a working group is responsible for ensuring appropriate supervision of junior scientists (PhD students, but also students and researchers in the early postdoc phase). For each of them, a primary reference person must be appointed in the working group, who also teaches them the principles of ensuring good scientific practice.

(3) The utilization of scientific results that have arisen through collaboration in a working group shall be organised in such a way that the individual copyrights of all working group members are preserved even after they have left the group.

Tasks of a confidential counsellor

The confidential counsellors are not professional experts but offer a more accessible contact point in cases of sexualised violence, harassment, discrimination, or academic misconduct.

An affected person can turn to a confidential counsellor of their choice, regardless of status group and institute affiliation. These persons know about the possible procedures in the institutes, the faculty and at the university and can, if desired, accompany the first steps.

The discussions held with the confidential counsellor are confidential and should take place at an agreed date and time in a place that allows confidentiality.

It is the responsibility of the institutes to provide the confidential counsellors with access to such a space.

Confidential counsellors remain neutral and do not actively act as mediators in cases of conflict.

Confidential counsellors can act as good role models by raising awareness on the topic of discrimination and sexualised violence and thus contribute to a good appreciative culture in the institutes and the faculty in the long term.

Goals of a first conversation as a confidential counsellor

The aim of a confidential conversation between a person concerned and a confidential counsellor is to make a first assessment of what the problem is. This is an estimation and not a certainty.

According to this assessment, the person concerned can be referred to professional services:

Sexual harassment/sexualised violence: Counselling Centre ConTakt, Oldenburg University

Academic misconduct: Ombudsperson of faculty V: Prof. Al-Shamery, Oldenburg University

Discrimination: Antidiskriminierungsstelle des Bundes (Federal Anti-Discrimination Agency), Berlin

It is important that the confidential counsellor's task and expertise is clearly explained to the person concerned at the beginning of the interview. Here, it is important to bear in mind:

Own attitude:

No solutions are offered, but ways and possibilities for action. Those seeking advice can be referred to the university's counselling services.

Confidentiality:

Taking seriously what those affected or involved have experienced without judging; the conversation is treated confidentially.

Memory protocol: For your own relief and for the future, make a memory protocol after a conversation. Inform the person seeking advice about this in advance - clarify data protection - do not do this until it has been clarified!

Training and exchange of confidential counsellors

Theme block: Sexualised violence and harassment

Introductory workshop: ConTakt

Theme block: Anti-discrimination

Introductory workshop NN

Theme block: Scientific misconduct:

Introductory workshop: Anne Depping; Beate Grünberg

General role reflection/supervision: NN - PSB requested (as of 07.2021; interview 24.08.2021)

Peer Coaching: faculty V-Equality

FAQ:

1. Why are confidential counsellors so important in the Institute? Why do we need confidential counsellors in addition to equal opportunities, the staff council and other contact points?

Sexual harassment, discrimination and sexualised violence unfortunately still occur frequently, especially in hierarchical working and training relationships. To raise awareness for adequate behaviour and to change inadequate behaviour, many people must want a cultural change and actively cooperate in it. It is known that the threshold to report to experts or "official contact points" is surprisingly high when there is uncertainty whether an incident is important enough or the people of the contact points are unknown. There are low-threshold contact points at the university for those affected, but unfortunately they are often not sufficiently well known.

We would therefore like to offer a new format and service in the faculty that is aimed at both staff and students. Therefore, confident counsellors from all status groups have been appointed to keep the inhibition threshold for a first conversation low.

The confident counsellors are in no way intended to be an additional intermediary body. Rather, they are available as an "initial contact" to conduct a first confidential conversation, to point out further counselling offers (and, if desired, to establish contact and to possibly take the next step together). Often it is just a matter of hearing a second opinion in order to better understand a situation (e. g. if someone has witnessed a possible case of discrimination).

Intensive professional support should be provided by the experts of the counselling centres, but support and advice from the immediate environment can be very valuable.

2. What are the tasks of a confidential counsellor and what are they not?
Confidential counsellors are not experts, not emotional counsellors, not lawyers - the confidential counsellors are familiar with the structural procedures within the university and offer initial counselling and, if desired, accompaniment to the experts.

In many cases, this is an enormous support and should not be underestimated. The confidential counsellors should remain neutral and not become active in the conflicts themselves.

3. Where can a confidential counsellor find help (a list of internal contact points at the university with areas of responsibility and contact details is handed out to confidential counsellors)?

The confidential counsellors receive initial training. Peer coaching should be offered on a regular basis. Supervision by suitable persons should also take place at regular intervals. Supervision is intended to ensure that psychological stress on the confidential counsellors is recognised in good time. The task of the confidential counsellor is an elective office within the framework of academic self-administration and can be resigned at any time without giving reasons. The faculty's equal opportunities office and ConTakt will regularly draw attention to this.

4. How should discretion/obligation of confidentiality be guaranteed?

Talks must not take place "between door and door". The talks must be arranged and held at a specific time and in a protected space.

It is the responsibility of the institutions to provide the confidential counsellors with access to such a room. Confidentiality must be clarified before the interview (see obligation of confidentiality form and data protection sheet); the tasks and area of competence of the confidential counsellors must be clear to the person concerned.

In peer coaching among the confidential counsellors, a confidentiality clause/declaration of confidentiality is also given in order to enable a safe exchange.

5. How long will the elective office last?

The elective office is held for a period of 2 years. Any confidential counsellor is free to resign from the elective office before the end of this period without giving reasons. All discussions held in the elective office are subject to the duty of confidentiality, even after the end of the elective office.

Each institute may appoint as many confidential counsellors as it wishes in accordance with its own working structure and social culture. However, at least one active person is obligatory.

6. Are there trainings?

The initial training is provided by the experts of the ConTakt counselling centre. Further training on emerging topics can and will be organised in consultation with the faculty's Equal Opportunities Officers and ConTakt.

7. Can/should the confidential counsellor also act directly as a mediator in discussions between the conflict parties?
NO!

8. What is the best way to react when I experience/observe discrimination (autonomous action)?
In case of own experiences and observations, advice should be sought from the experts or from a person from the team of confidential counsellors and the corresponding usual procedure should be followed. Confidential counsellors are not "behavioural police".

9. What if I, as someone who is not directly involved, feel uncomfortable in a situation, or observe what I consider to be inappropriate behaviour, but the people directly involved do not seem to have a problem with it?
Ask to talk to other confidential counsellors or go to the experts, use the peer coaching service.

10. An elected confidential counsellor can hand over a case to a colleague from the faculty team at any time without giving reasons. This should be the case if the person feels emotionally, socially, or collegially biased or is involved in any way in the situation described.
The transfer of the case must be communicated transparently to the person concerned and it must be ensured that there is a discussion with an unbiased confidential counsellor in a timely manner.

11. The task of the confidential counsellor should not take up more time than any other elective office (e. g. member of the institute or faculty council, or Equal Opportunities Officers). The supervisor cannot veto the elective office, but an objection from the supervisor can be heard if the work takes up more than 7 hours/month. A solution must then be sought together with the head of the institute.