

Code of Conduct UM SPORTS

Article 1. Definitions

This Code of Conduct recognizes the following groups and roles. An individual can have one or more roles:

- UM SPORTS: the unit of Maastricht University's Student Services Centre which facilitates sports and exercise activities.
- UM SPORTS member: an individual who possesses a UM SPORTS membership, including day passes.
- UM SPORTS facility user: any person using facilities or attending events, as provided or organised by UM SPORTS.
- Person in a leadership position: an individual who has a position of (perceived) power opposed to (an)other person(s). This includes, but is not limited to, board members, coaches, trainers, UM SPORTS employees and officials.
- Confidential advisor: professional that one can talk to when experiencing unwanted behaviour.

This Code of Conduct applies to all UM SPORTS members, UM SPORTS facility users and persons in a leadership position. The Code of Conduct considers the following behaviours to be unwanted that all parties must refrain from:

- **Unwanted behaviour: behaviour that is experienced by the receiving person as undesirable. This includes amongst others, but is not limited to, (sexual) harassment, (sexual) intimidation, (verbal) aggression and/or violence, racism, bullying, discrimination, abuse of power, match-fixing, substance abuse and doping use.** The definitions of the aforementioned behaviours, which fall under unwanted behaviour, are given below.
 - o (Sexual) harassment or intimidation: any form of (sexually-tinged) verbal, non-verbal or physical behaviour aimed at degrading or demeaning an individual, particularly if it creates an intimidating, hostile, humiliating or hurtful situation.
 - o Aggression and violence: an incident in which a person is physically or verbally harassed, threatened or attacked.
 - o Bullying: an ongoing and deliberate mistreatment in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm.
 - o Discrimination: unfair treatment based on religion, lifestyle, political inclination, race, gender, age or other factors without due cause or justification.
 - o Abuse of power: the improper use of a position of influence, power or authority against another person.
 - o Match-fixing: the act of arranging the outcome of a sports match prior to the match being played.
 - o Substance abuse: usage of a substance, either legal or illegal, in a pattern that causes significant problems or distress.
 - o Doping use: the use of banned athletic performance-enhancing drugs.

Article 2. Safety, health and behavioural norms

UM SPORTS considers the safety, health, and wellbeing of their members, facility users and persons in a leadership position part of their core values. To this end, the promotion of respectful behaviour and prevention of unwanted behaviour are key. This requires a joint effort from all parties. For that purpose, the guiding principles for respectful behaviour are laid down in the [General house rules for the maintenance of public order at Maastricht University](#) and in this Code of Conduct.

Article 3. Behavioural rules

3a. Behavioural rules for UM SPORTS members and facility users

Next to the general rule that UM SPORTS members and facility users must refrain from unwanted behavior, they must:

1. contribute to an environment and atmosphere wherein everyone feels safe.

2. treat others with respect and behave in a respectful manner towards other members, facility users and persons in a leadership position during practices or any other use of training facilities as offered by UM SPORTS.
3. not undertake actions (of which the member and/or facility user may reasonably expect) that will make others feel uncomfortable.
4. not provide a material nor immaterial compensation with the motive to demand behaviour (of a sexual nature) in return.

In those instances wherein the behavioural rules are not (directly) applicable, it lies within the responsibility of the UM SPORTS member and facility user to act in its spirit.

3b. Behavioural rules for persons in a leadership position

All rules that apply to UM SPORTS members and facility users are also applicable to persons in a leadership position. On top of that, they have a duty to:

1. Take preventive steps against unwanted behaviour. A person in a leadership position has to
 - a. Treat everyone with impartiality
 - b. Insofar as can reasonably be expected, intervene when unwanted behaviour occurs.
 - c. Insofar as can reasonably be expected, protect members and facility users from unwanted behaviour.
 - d. Encourage members, facility users and other persons in a leadership position to report or file a complaint of unwanted behaviour.
 - e. Cooperate in any disciplinary procedure following a concern of unwanted behaviour.
 - f. Insofar as can reasonably be expected, intervene in behaviours or in situations that, despite not being mentioned in this Code of Conduct as being prohibited, endanger the social safety in the sports-related atmosphere.
2. Initiate steps when unwanted behaviour occurs in line with article 5b.
3. Be aware of the position of power one is in: the person in a leadership position has the duty to act with extra respect and restraint. The following additional rules apply to the person in a leadership position (not exhaustive list):
 - a. The person in a leadership position must:
 - i. Act professionally.
 - ii. Be aware of their function as role model.
 - iii. Be aware that the threshold of what is experienced as unwanted behaviour can be lower when coming from a person in a leadership position. Certain behaviours are not experienced as unwanted when coming from members and facility users, while the same behaviours can be considered as unwanted when coming from persons in a leadership position.
 - iv. Ask for explicit consent in case of an intimate relationship with a person when there exists an unequal position of power.
 - v. Report a serious (intimate) relationship with a member or another person in a leadership position to their own superior(s). This information will be handled confidentially.
 - b. The person in a leadership position is not allowed to:
 - i. Use the difference in power that exists between the person in a leadership position and the UM SPORTS member and/or facility user with the purpose of forcing the other person to undergo, tolerate or engage in unwanted behaviour.
 - ii. Touch a UM SPORTS member and/or facility user in a way that is experienced as undesirable. There should be consent when it concerns a technically correct way of touching for the sport. In case of accidentally touching an individual in an undesirable way this should be acknowledged by the person in a leadership position.
 - iii. Invite a UM SPORTS member and/or facility user repeatedly or systematically in a personal setting to the home of the person in a leadership position or other secluded place, when such meeting is unnecessary given the tasks of the person in a leadership position and/or can be held elsewhere, such as in the sports facility or in a public place.
 - iv. Accept compensation of erotic or sexual nature of a member and/or facility user.

In those instances that the Code of Conduct does not (directly) cover a given situation, it lies within the responsibility of the person in a leadership position to act in its spirit.

Article 4. Support

4a. UM SPORTS members

Every UM SPORTS member who is confronted with unwanted behaviour can contact the confidential advisors of Maastricht University. The confidential advisor is in principle bound to confidentiality. The confidential advisor will handle all information in good faith and will not take action unless the member wishes to do so. Confidentiality may only be breached by the confidential advisor when the safety of others is in acute jeopardy, in case of legal proceedings, or if the member is underage.

- Confidential advisors for students at UM: vertrouwenspersoon@maastrichtuniversity.nl
- Find more resources at the [support page UM](#)
- Chat anonymously with a health care professional: www.fier.nl
- Centrum Seksueel Geweld: www.centrumseksueelgeweld.nl Telephone: 0800-0118

4b. UM SPORTS facility users

Every UM SPORTS facility user who is confronted with unwanted behaviour can fill out a complaints form available at the UM SPORTS front desk.

4c. UM SPORTS employees

Every UM SPORTS employee who is confronted with unwanted behaviour can contact the Concerns & Complaints Point.

- E-mail: esther.goethart@maastrichtuniversity.nl
Telephone: +31(0)628849965
Address: Kapoenstraat 2, K 2.034

Article 5. Reporting

5a. UM SPORTS members and facility users

UM SPORTS members and facility users are encouraged to ask others whether they are okay if they have the impression that a situation of unwanted behaviour occurs. They may speak up in case unwanted behaviour occurs.

5b. Persons in a leadership position

The following duties and responsibilities exist for persons in a leadership position in cases of other types of unwanted behaviour:

1. they have the responsibility to address the situation.
2. they have the obligation to ask the "are you okay?" question to the people involved.
3. they may talk to the transgressor, but only with permission of the individual(s) involved
4. they never directly handle the case in case of sexual assault or rape, but immediately forward someone to the police or Centrum Seksueel Geweld.
5. they have the duty to file a(n) (anonymous) report if:
 - a. The person involved wishes to report
 - b. The situation of unwanted behaviour is very severe
6. they can forward the person to any of the organisations as mentioned in article 4a.
7. for advice, they can contact their superior or the Concerns & Complaints Point.