

PROTOCOL FOR ACTION AGAINST SITUATIONS CONSTITUTING VIOLENCE AND/OR GENDER DISCRIMINATION AT THE UNIVERSITY OF TALCA.

Article 1. Generalities.

The University of Talca is a Higher Education Institution that, according to its Gender and Diversity Integration Policy, promotes the principles of promotion and protection of human rights, gender equality, eradication of violence in university spaces, non-discrimination, participation and non-sexist education, with a transversal and triestamental look, in all university work, incorporated into this protocol.

In addition, this Protocol declares as guiding principles respect, the confidentiality of the complaint, the non-revictimization of the person(s) affected by a situation of violence and/or discrimination, and the presumption of innocence of the person(s) complaining/ s for such situations.

This instrument constitutes a joint effort of the different levels of the University, which have been involved in the construction of an educational environment of respect, equal treatment and non-discrimination among members of the university community.

Article 2. Objective and Scope.

The objective of this Protocol is to regulate the complaint procedure against any conduct constituting violence against and/or gender discrimination committed by people belonging to the civil servant, academic, student, and those called honorary collaborators and any person who has a contractual link or of any other nature with the University of Talca, in those activities typical of university work and that affect the proper development of the aims and purposes of the institution detailed in the regulations for investigation and punishment of situations that constitute sexual harassment, violence and gender discrimination.

Article 3. Definitions.

The definitions of gender violence and discrimination, sexual harassment, discrimination and violence or harassment due to sexual orientation or gender identity, will be established in the regulations that regulate the investigation and sanction processes of gender violence and/or discrimination at the University. from Talca.

Article 4. Complaint Procedure.

The person(s) affected or those belonging to the institution who are aware of an act of violence and/or discrimination, as established in the regulation that regulates the processes of investigation and punishment of violence and/or discrimination of gender at the University of Talca, may file a complaint with the Gender Directorate in person or remotely.

The face-to-face complaint is made at the Gender Directorate offices by filling out the complaint form and receiving first-reception care in legal orientation and, as the case warrants, psychological support.

The complaint can also be made remotely through the button report gender violence that is available on the intranet by filling out the corresponding form, the referred icon will redirect the information automatically and anonymously; or requesting it, the aforementioned form, to the

email direcciondegenero@utalca.cl to later send it with the complete data and the signature to the same address. When making a remote complaint by one of the indicated means, the professional in charge of receiving complaints from the Gender Directorate will make contact with the person(s) complaining to carry out initial reception orientation in order to explain the procedure and clarify related doubts.

The complaint form must include:

- a) Identification of the person(s) complaining, indicating their full name, Rut, estate to which they belong, telephone number and email.
- b) Identification of the person/s to report, indicating name and surname or some characterization that allows their identification such as the class to which they belong or relationship with the university, telephone and/or email if known.
- c) Report of the facts detailing what the reported conduct consisted of, its estimated date, place and circumstances relevant to the reported facts, for example, relationship with the complainant and other previous similar situations not reported. You can attach any means of proof you have, such as a list of witnesses, documents, copies of communications, etc. The lack of accompaniment of this background, at the time of formulating the complaint will not be grounds for not accepting or rejecting the complaint
- d) Signature of the person(s) making the complaint.

In the complaint process, all the necessary safeguards will be taken by the management professionals to avoid unnecessary repetition of the account of the facts, public exposure of what happened or data that identifies the complainant or denounced person. Regarding the latter, confidentiality implies respect for honor and their right to be presumed innocent.

Article 5. Investigation

The Gender Directorate, once the complaint signed by the complainant has been received and within a period not exceeding two business days, will forward the information to the prosecutor's office, who is the body in charge of the investigation and, when appropriate, the sanction, in particular to an ad-hoc prosecutor designated for this, as established by the regulations that regulate the processes of investigation and punishment of gender violence and/or discrimination at the University of Talca.

Complaint entry process flowchart



Article 6. Additional Background.

Anyone initially aware of a reported case -whether an individual person or a collegiate body recognized by the University- may deliver, while the respective administrative procedure is in force, additional information to the ad-hoc prosecutor.

Article 7. Sanctions Regime.

The regulation that regulates the processes of investigation and sanction of gender violence and/or discrimination at the University, will determine the sanctions regime according to the standards of due process, human rights and gender perspective.

Article 8. Withdrawal.

Withdrawal of the complainant person(s) concludes the procedure, except in those cases in which well-founded precedents arise that allow one to presume that the withdrawal is due to pressure on the part

of the complainant. The withdrawal must be submitted through the withdrawal form by the person/s who made the complaint.

The withdrawal form is sent to the Gender Directorate through digital platforms, by email or in person at this address's offices, who will send the withdrawal and complaint to the prosecutor's office, the body in charge of analyzing the background and resolving whether or not the investigation process continues. The withdrawal may be presented at any stage of the process and will not affect the intervention established in the model of psychological support and reparation determined for the case. The implementation of these measures will have a period of 10 business days.

Article 9. Accompaniment and reparation model for gender violence and discrimination.

The accompaniment model is the one in charge of giving orientation and psycho-socio-legal attention to people affected by violence and gender discrimination who belong to the university community, directly or through referrals to internal or external units, as the case may be.

The purpose of the reparation model is to repair the damage caused by the situation of gender violence and discrimination to those who are directly affected, that is, to the person affected by these events, and/or indirectly, to the university community. (courses, careers, work environments, etc.), through internal intervention actions or external referrals

The models for accompaniment and reparation for violence are the responsibility of the Gender Department, and the interventions described therein will be carried out when appropriate.

Article 10. Prevention Actions.

In order to eradicate behaviors constituting violence and/or gender discrimination, the University, through the Gender Department, will implement the corresponding prevention model established in the Gender and Diversity Integration Policy.

ANNEXES

1. Informed consent for psychological care.
2. Complaint form.
3. Withdrawal form.

INFORMED CONSENT FOR PSYCHOLOGICAL CARE

Dear member of the University of Talca community:

Please read the following document carefully, which aims to explain the use and confidentiality of your data, as well as your rights and commitments regarding the psychological care process. If you have any questions, consult the accompaniment professional from the Gender Department.

1. USE AND CONFIDENTIALITY OF DATA

All information concerning your evaluation and treatment, including any audio recording, video recording, or written report, is confidential and will not be disclosed or released to any other institution or individual without your express, free, and informed consent, except when ordered of delivery comes from a competent judicial authority. The foregoing in compliance with Law No. 19,628 on Protection of Private Life and Law No. 20,584 on Rights and duties that people have regarding actions related to their health care, except those cases in which, by legal mandate, such information must be provided

2. OWNERSHIP OF THE DATA CONTAINED IN THE CLINICAL RECORD. The person who receives psychological care is the owner of the data contained in a clinical file, which is why they can request access to the information contained therein, a copy of it or part of it, which will be delivered, in whole or in part, at the express request of its owner, in the terms established in article 13 of Law No. 20,584.

3. TREATMENT MODEL

The treatment provided to the affected person is carried out based on an empirically validated psychological model.

During the first sessions, the psychologist will discuss your situation with you and obtain relevant information. The term of the treatment will be the one that the professional deems necessary according to the problem that has generated the consultation. In this case, a preliminary total of _____ sessions is agreed, which can be modified (extended or shortened) by means of a new agreement, depending on the degree of progress in meeting the established objectives. Then you could be referred to psychiatric care or to the public network as decided by the treating professional.

The psychological care process requires your commitment to attendance, punctuality, and participation, as well as your collaboration in completing a series of documents and/or tests, with personal information that will be used by the professional for evaluation and treatment.

The absence of two consecutive interviews without effective notice from the patient will be interpreted as an abandonment of the treatment and the scheduled time could be available, concluding the treatment.

4. FREE PROVISION

The psychological care offered by the Gender Department of the University of Talca to the members of its community in accordance with the provisions of article 11 of the Action Protocol against situations constituting gender violence and/or arbitrary discrimination of the University of Talca, it is absolutely free.

5. WITHDRAWAL OF CONSENT

Decisions about the continuity or suspension of the activities scheduled by the psychologist for the evaluation and treatment of the situation addressed, are made by you.

You can revoke this informed consent for psychological care at any time you deem appropriate, without any negative consequences for you.

6. DECLARATION OF CONSENT

I, _____, Identity Card number _____,
_____ (student of the XX career, academic official, administrative official),
from the University of Talca declare:

- a) My acceptance of the evaluation and treatment process offered by the University of Talca through the Gender Department. I hereby certify that I have been informed of the technical characteristics of the approach to be applied and all pertinent questions have been answered.
- b) That the personal data provided for the preparation of the clinical history itself are true.
- c) That I have been informed that the treatment will be carried out with a certain periodicity indicated by the treating professional. The consultations have an average duration of 50 minutes, and there may be variations depending on what happens during their course.
- d) That I agree to attend the sessions previously scheduled with the treating professional, follow the therapeutic indications that the treating professional gives, including consultation with medical and non-medical professionals and eventual institutional referral.

That I have fully read and understood this document and consequently I accept its content and the consequences that derive from it and I agree to the aforementioned.

_____/_____/_____/_____
City / day / month / year

Signature

Format for complaints of Violence and/or Gender Discrimination

(It is requested to complete all the requested background information)

Individualization of the accused (name, surname, occupation, relationship with the University)	
Relationship to the complainant	
Date, time and place of the events	
Form/type of bullying	
Description of the events and how they have affected you	
Background, witnesses and evidence (if you have them)	
Complainant RUT and link with the University	
Complainant contact information (telephone, email)	

DATE: ___/___/___

SIGNATURE: _____

