

Code of Conduct Workshop Report

Institute of Physics with the
European Physical Society

25 May 2021

IOP Code of Conduct Report

Workshop Aims

The aim of the workshop was to share good-practice and learning around developing and implementing a code of conduct, particularly in a conference setting. The workshop, organised by the Institute of Physics (IOP) and sponsored by the European Physical Society (EPS), was attended by representatives from physical societies across Europe and included presentations from experts in their field, discussions around the different approaches presented and an action planning session.

Presentations and shared learning

The workshop began with an introduction from Rachel Youngman, IOP Deputy Chief Executive and Professor Petra Rudolf, EPS Vice-President. After welcoming all attendees, highlighting the background to the workshop, and requesting mutual respect and dignity throughout, the various speakers presented and took part in the panel session.

Sarbani Banerjee, representing UK Research and Innovation (UKRI), discussed her experiences of creating a culture of empowerment.

- UKRI are focusing on how to create a culture that encourages and supports physicists, preferring a preventative approach that enables the system to respond effectively.
- Currently in Science, Technology, Engineering and Maths (STEM), there are no agreed definitions of bullying and harassment, which makes it difficult to gather evidence and understand trends.
- There are several types of misconduct, ranging from academic bullying, sexual misconduct, to more passive and less explicit types of bullying and microaggressions. When looking at the evidence, we can see that it is a complex phenomenon.
- In 2019 UKRI commissioned an evidence review¹, with a published position statement alongside it².
- Research across STEM discovered experience of bullying and harassment at all career stages, with underrepresented groups affected disproportionately and demonstrated it can be a significant contributor to driving people out of the profession.
- Bullying and harassment was noted in the research as the greatest challenge to research integrity.
- Currently, reporting instances falls predominantly on individuals, highlighting the need for a whole system approach, with responsibility falling on the employer to ensure a safe working environment.
- In most cases there are low levels of reporting and there is little evidence on effective prevention and response strategies.

¹ <https://www.ukri.org/wp-content/uploads/2020/10/UKRI-020920-BullyingAndHarassmentEvidenceReview.pdf>

² <https://www.ukri.org/wp-content/uploads/2020/10/UKRI-020920-BullyingAndHarassmentPositionStatement.pdf>

Key recommendations

Begin collating an evidence base for bullying and harassment to understand the breath and nuances of the challenges

Form a cross-sector bullying and harassment forum to convene and share knowledge exchange

Work to commence and normalise conversations around professional conduct

Offer support for leadership to tackle bullying and harassment at all levels

Create or utilise existing good practice guidance and resources

Dr June McCombie, a member of IOP Council, discussed the approach of the IOP and the role of Project Juno in addressing bullying and harassment.

- Project Juno was created in response to a review of physics and astronomy university departments, stating that a special focus was needed to attract and retain women in physics.
- Bullying and harassment was evident during the evidence gathering phase, and many people came forward to discuss the extent of this in their department and workplace
- The benefit of Project Juno is its peer review aspect, created for physicists and administered and assessed by physicists.
- In its first decade there were five principles to the scheme, none of which made specific reference to bullying and harassment.
- Whilst Project Juno was created solely in response to concerns around women in physics departments, it was widely considered at the time that if the university departments met all principles, then an inclusive working environment would be achieved.
- In 2018, in response to high profile bullying and harassment cases in the astronomy field, Project Juno created and introduced a sixth principle, to address concerns and ensure clear and robust processes for dealing with bullying and harassment.

The wording of the principle is as follows:

6. An environment where professional conduct is embedded into departmental culture and behaviour.

6.1. Ensure that all staff and students are aware of expected professional conduct.

6.2. Address bullying, harassment, and misconduct

6.2.1. Ensure all staff and students are aware of how complaints of bullying, harassment or other misconduct will be dealt with through an enforceable formal policy.

6.2.2. Ensure there is a transparent reporting mechanism within the department to address any complaints.

- Once a Juno application is created, an action plan is formed alongside, to address the issues and gaps identified in the application.
- This should be a live and agile action plan, that needs constant review and monitoring. An action plan should have clear milestones, especially when addressing principle 6.
- It is advised that staff are trained and there should be a mechanism for reviewing and monitoring progress. When using a code, it is important to review it after any application, to ensure that it remains fit for purpose and can be adapted to a variety of situations.
- The IOP itself, successfully applied for Juno practitioner status, reviewing its own code of conduct in the process, to better outline and define professional conduct and to cover both members and non-members attending events.

Key recommendations

Create an action plan to identify a clear direction moving forward

Set specific, measurable and achievable milestones in a realistic time scale

Ensure any action plan is live, agile and can be adapted and developed as items progress

Review the code of conduct after each use to ensure its continued effectiveness

Professor Petra Rudolf, EPS Vice-President, discussed ending sexual misconduct in higher education.

- Sexual harassment happens at all levels of studies and career levels.
- A US survey in 2017 found that three quarters of women had reported experiencing at least one type of sexual harassment.
- Harassment manifests itself in many different forms and it is up to institutions to be able to define, outline, identify and address this.
- It can be both verbal and non-verbal, physical, and non-physical, it can take the form of jokes, or of sexual and non-sexual behaviour.
- There are both online and offline behaviours, direct and indirect behaviours and task-related or person-related behaviours.
- Awareness of harassment can vary across cultures, which can be difficult for organisations working across many countries and continents with differing cultures
- Whilst there is no shared homogenous culture, there are shared experiences that happen at all levels, one that happens across Europe and the rest of the world.
- Within EPS experiences, the greatest challenge is lack of awareness. When EPS created a code of conduct, there were questions as to why it was needed or necessary and there were many issues around denial, refusal to believe its existence and conflict of interest.

- Conflict of interest can happen, especially when there are power relationships at play. There can be an unwillingness for institutions to attack powerful successful academics who bring in funding and research opportunities. If there is no clear reporting structure, there can often be no consequence for a person's behaviour.
- From the victim's perspective, there can be a reluctance to report. There are often questions around the seriousness of an incident and the gap between clear definitions of harassment or violence. There can be an unwillingness to be labelled as a 'victim'.
- A supportive culture and education and training is required to encourage people that witness bullying and harassment to speak up and avoid a 'fix the women approach'.
- There are still occasions where the problem is not acknowledged, there is a lot of work still to do.

Key recommendations

Embrace a zero-tolerance policy and culture

Implement procedures for inquiry, reporting, and sanctions

Invest in and undertake bystander training

Increase and improve awareness of issues through visibility, championing, resources, and training

Dr Luc Berge, President of EPS, presented the experience and best practice developed by EPS.

- The EPS equal opportunity committee (EOC) promotes gender equality and aims to reduce the underrepresentation of women in physics. The committee has focused their efforts on reducing the gender gap at EPS conferences by recognising and profiling female physicists.
- Initiatives include interviewing outstanding physicists, and the creation of a calendar to recognise 12 excellent women in physics for 2020.
- Data has been collected across all aspects of conferences from a gender perspective, and a positive trend can be seen with increasing participation from women.
- Feedback suggests that local organising committees have greater participation of women although they mainly fill secretarial roles.
- The data indicates areas for EPS to improve, highlighting and targeting focused areas.
- Recently, EPS created a code of conduct that follow examples from the American Physical Society, the Optical Society, and the French Physical Society.
- The code prohibits any act of discrimination and harassment, sexual or moral misconduct during EPS-led or partnered events. EPS policy states that all participants, including attendees, speakers, exhibitors, and all other stakeholders at EPS meetings shall conduct themselves in a professional manner.

- Conference organisers are asked to assist victims and witnesses by reporting all cases of unprofessional behaviour and are advised to act timely on the conference site. Additionally, there is an option to utilise an online portal to report incidents.
- Other aims are to increase the participation of women to 25-30% in committees and as invited speakers. Additionally, to address the gender imbalance, organisers are encouraged to consider prestigious women speakers who may be overlooked, compared to their male counterparts.
- Each of the seven delegations are invited to delegate a board member to attend the Equal Opportunities Committee, to improve communication and further embed diversity and inclusion in operations.

Key recommendations

Present and approve a code of conduct

Involve relevant stakeholders during the sign off process

Ensure accessibility to the code of conduct by making it available on websites and event pages

Ensure registrants read and agree to the code of conduct upon registration of a conference

Display the code of conduct at the conference, including during the introduction and printed visibly

Panel Discussion

- Presentations prompted discussions, exploring some challenges in greater detail, especially looking at the role of positive action vs positive discrimination - in summary positive action is legal, and is used to reflect the composition of society and positive discrimination is illegal.
- Coming forward can be difficult. Good online reporting systems, that include opportunities for anonymous reporting is a key area.
- Providing regular updates is important, often people report issues but are not kept updated with the process. Sometimes updates are not always possible due to legal sanctions but doing this where possible is key. This can also contribute to improving processes and reporting.
- Within Project Juno, the biggest success has been the transparency and self-reflection imposed on applicants, leading to greater transparency around appraisal and recruitment.
- It was agreed that serious progress can only be made if everyone addresses these challenges together. Cases where societies can publicly demonstrate the consequences of the behaviour should be shared and used as examples.
- The impact of the pandemic has seen an increase in calls to women's refuge centres and an increase in violence against women. This demonstrates the importance that societies and organisations can have in providing a safe environment for everyone to practice physics.
- Regarding digital conferences, female participation can be under-represented relatively easily at remote conferences, sometimes there can be a gender imbalance in those speaking.

Keynote Speaker

Louise Carvalho, C.E.R.N, presented thoughts on developing and implementing a code of conduct and harassment investigation framework.

- When creating a work environment in which we can bring our full selves to work, we experience our full potential.
- Focusing on addressing misconduct in STEM has identified key themes of duty of care, legal and policy framework, and the creation of a code of conduct and harassment investigation framework.
- As an employer and as a host to a vast community of users producing world leading research, C.E.R.N is required to fulfil certain obligations around duty of care. They provide a safe working environment, not just through security and physical safety but an environment where collaboration between colleagues can thrive.
- The obligation for a safe working environment, a transparent framework, a preventative and timely response to any concern and clear accountability, are all key under a duty of care.
- The impact of the obligation centres around trust in the framework, improved individual performance, improved team performance and overall better results.
- The code of conduct at C.E.R.N is not part of the legal framework, but a vitally important policy. Created in 2010, it was designed to enhance the staff rules and regulations, being seen as more tangible.
- Code of conducts set out a common standard of behaviour, that is based around the core values of the organisation or institution. C.E.R.N core values of integrity, commitment, professionalism, creativity, and diversity can be clearly identified and are a common theme.
- The code itself is relatively short. Each of the values has a high-level definition, followed by a more detailed definition.
- The creation of the code was collaborative, it came into existence from expertise in the organisation and an external specialist. Wider consultation with staff, the user's community and key stakeholders also took place to ensure inform the process from across the community.
- Over the course of the design phase, nine focus groups were held with over 80 participants in attendance. These combined group leaders, section leaders and contractors, over 14 different nationalities
- The code does not add to the rights of existing documents but adds a baseline for expected behaviours from all who are bound by the code.
- Also included is a list of FAQ's that is updated regularly in the instance that scenarios cannot always be anticipated in advance.
- Sitting alongside the code, is the Harassment Investigation Framework. This outlines and dictates the way in which cases are governed. Within the framework is a clear set of definitions, for both sexual harassment and moral harassment. The investigation framework explains how the procedure works in practice and have both a formal and informal resolution process.

Key recommendations

During a disciplinary process, ensure there is no face-to-face encounter with the harasser for the victim

Panels should be assistive, confidential, impartial and ensure a timely hearing and resolution

All staff should visibly champion diversity and inclusion efforts by wearing lanyards or showing your support by familiarising yourself with the framework and procedures

Take the time and effort to introduce and present the code of conduct and investigation framework to different groups to discuss and familiarise

Discussion

The final session of the workshop saw attendees divided into two streams, one focusing on the creation of a code of conduct and the other focusing on utilising and strengthening an existing code. Attendees summarised and shared feedback and final reflections as they came back together for the end of the workshop.

Stream 1	Stream 2
<ul style="list-style-type: none">• Opening and starting the conversation was noted as a difficult challenge for organisations that haven't started on their journey yet.• Senior and visible support is key in encouraging people to come forward and feel comfortable sharing• Societies that are run by and rely on volunteers noted difficulties in capacity to implement all recommendations.• Example code of conducts were requested as a starting template.• Agreed that there needs to be precise examples and definitions of what constitutes bullying and harassment and that there needs to be a clear mechanism to report issues.	<ul style="list-style-type: none">• Whilst demonstrating the use of the Code of Conduct and individuals are brought to account is a positive, the difficulty in reporting this was noted.• Data collection should be minimal especially with a perceived and actual risk of exposing individuals.• Organisations are aware of and nervous of the risk that sharing data relating to bullying and harassment poses.• There is no standardised approach across organisations in the discussion around the application of the Code of Conduct.

<ul style="list-style-type: none"> • Cross cultural challenges were raised as difficult to navigate, and required a greater level of understanding • Organisations need to ensure that a Code of Conduct is not only used for in person events but online such as video conferencing. • Creating forums of support such as these where societies can share challenges and raise issues are greatly appreciated 	<ul style="list-style-type: none"> • Sanctions are sometimes used, however others see the Code of Conduct as influencing inclusive behaviours. • However, a Code of Conduct is applied, it needs to have credibility and not just be seen as a 'paper tiger'. • 'Talk to Spot' was referenced as an example of an online reporting tool for raising difficult topics or potential discriminatory, bullying, or harassing behaviour in an anonymous way. • 35-40% of people don't want to make a complaint; they want to be heard and 'Talk to Spot' can support that • The option to submit anonymous complaints to HR was recommended • A Code of Conduct should apply to all demographics, not just gender based. It should include disability, gender identity, religion, ethnicity, LGBT+ and more.
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Closing Remarks

The workshop was formerly closed by Dr Berge, EPS President, who summarised discussions and stressed the importance of demonstrable commitment from all. A call to action was made to work on their actions plans and bring them, and any progress, to the EPS Council meeting in 2022, to report back and share experiences.