

## 1 Introduction

Everyone at the Student Sports Centre Eindhoven (SSCE), Student Sport Associations (SSAs) and ESSF activities, including students, employees and guests, is entitled to fair treatment. This document details the rules that we all follow, your rights and who you can go to when you feel these rights have been violated.

This Code of Conduct is underwritten and enforced by the Student Sports Centre Eindhoven (SSCE), the Eindhoven Student Sport Federation (ESSF) and the ESSF member associations (together: the signatories). They serve as an extension of the House Rules of the SSCE, ESSF and SSAs and all signatories (and their members) are held accountable to this Code of Conduct by the ESSF.

This Code of Conduct is applicable to all people on the SSCE premises, to all people who make use of facilities of the SSCE or facilities or to all people present at SSA and ESSF activities including those present at training moments of associations that are members of ESSF.

## 2 General

1. Anyone present at any activity or facility of any signatory of this document, or anyone using facilities of said signatory, is bound to following this Code of Conduct as an extension of their (House) Rules.
  - a. This applies to all: students, staff as well as guests.
  - b. The Code of Conduct also applies whenever the signatories organize activities/events outside of the SSCE premises, including during the TU/e and Fontys Introduction Weeks.
2. Violations of the Code of Conduct may result in the measures as described in Section 6 to be implemented, including, but not limited to, the termination of Sports Card membership or to the revocation of access to the SSCE premises.
3. Any person that finds that the rules outlined in this document are violated has the option to report this using the procedure outlined in Section 4.

## 3 Rules

### 3.1 Behaviour

1. Safety Rules and House Rules as posted by the SSCE have to be followed at any time while one is present at the SSCE premises.
2. Safety Rules and House Rules as posted by the responsible organization have to be followed at any time, both inside as well as outside of the SSCE premises.
3. The guidelines in the 'Gedragcodes Sport' as created by the Centrum Veilige Sport Nederland (NOC\*NSF) are to be followed.
  - a. This includes but is not limited to its sections on:

- i. Board Member Integrity and Responsibility  
(<https://centrumveiligensport.nl/gedragscode-voor-functionarissen-bestuurders-werknemers-niet-zijnde-sporters>)
  - ii. Trainer Responsibility, Care and Neutrality  
(<https://centrumveiligensport.nl/gedragscode-voor-trainerscoaches-en-begeleiders>)
  - iii. Referee Responsibility and Neutrality  
(<https://centrumveiligensport.nl/gedragscode-voor-scheidsrechters-en-officials>)
  - iv. Athlete Fairness, Respectfulness and Respectfulness  
(<https://centrumveiligensport.nl/gedragscodes-voor-sporters> and  
<https://centrumveiligensport.nl/gedragscode-voor-topsporters>)
- b. The 'Code of Conduct of the ESSF' is an implementation of these guidelines and takes precedence over recommendations made in the 'Gedragscodes Sport', whenever they recommend differently.
- c. All athletes are expected to behave sportively at all times, both during sports as well as at the bar.
- i. If SSCE employees determine that this rule is not being followed, removal from the SSCE premises will follow.

## 3.2 House Rules

*This section implements the SSCE House Rules, along with some general rules, as they were at the time of last update of this document. They provide an overview of the main House Rules. The most recent rules can be found on the SSCE website.*

1. Accommodations at the SSCE can only be used when one is in possession of a valid Sports Card and must be left tidy after use.
  - a. If this rule is violated, an invoice for cleaning costs may be sent to those that used the accommodation in question.
2. All visitors of the SSCE Sports Bar are obliged to either put on at least a clean shirt and/or to shower before entering the bar.
3. No independent events or activities may be organized on the SSCE premises without consent from the SSCE management team.
4. Unsolicited flyering, distributing or selling goods on the SSCE premises is not allowed without prior consent of the SSCE management team.
  - a. You can distribute solicited items to your members during your training or bar visit.
5. The possession of (legal) drugs, weapons or any illegal items is not allowed at both the SSCE premises as well as any activities under this Code of Conduct, except for weapons considered part of the sporting activities.
6. Smoking is not allowed, as part of the TU/e ban on smoking. This applies for the SSCE premises and all activities under this Code of Conduct, except when specific smoking areas have been assigned by the organizer and the event location permits smoking.

7. The use of alcohol not purchased at the SSCE catering facilities on the SSCE premises is not allowed. Abuse of alcohol is prohibited at all times and may result in removal from the premises.

### **3.3 Harassment, Discrimination, Fair Treatment, Vandalism and Bullying**

1. Undesirable, unsafe<sup>1</sup> or illegal behaviour, including but not limited to the list below, will not be tolerated.
  - a. Undesirable behaviour will be identified as such when one indicates to the perpetrator that the exhibited behaviour was undesirable.
  - b. This indication is considered to be the first warning of the perpetrator.
  - c. Examples of undesirable behaviour include:
    - i. (Sexual) Harassment, both verbally as well as non verbally, including the spreading or possession of (sexual) media of those involved.
    - ii. Aggression, violence and intimidation, both verbally as well as physically.
    - iii. Bullying or the abuse of power, both by organizations as well as persons.
    - iv. Discrimination.
    - v. Boisterous behaviour and vandalism, both with or without damages.
2. As a ground rule: no discrimination of any kind is allowed, including but not limited to discrimination on race, sex, gender, religion, language, age, political affiliation, national origin, sexual orientation and (mental) disabilities.
  - a. As in sports differentiation depending on physical ability may be necessary, when one cannot reasonably partake in the activity.
  - b. For non-sporting events, discrimination on the basis of physical ability is not allowed.
3. Organizers are responsible for making sure that any activities organized by them comply with the following rules and are accessible to all persons, whenever possible.
  - a. This includes all events organized by the signatories.
  - b. All events should at least be accessible to those speaking Dutch and/or English, as the official languages of the TU/e.
  - c. Whenever an activity includes alcohol use, a non-alcoholic alternative must be provided to participants upon request and no peer pressure to consume alcoholic drinks may be applied on participants.
  - d. Whenever an activity includes food, care must be taken for allergies and for those with specific life choices regarding food consumption by providing/allowing alternatives.
  - e. Organizers are required to ask attendants beforehand if any special restrictions apply when preparing their events. Organizers cannot be held accountable for not

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<sup>1</sup> Unsafe is defined as causing more risk or injury or harm than is acceptable given the context of a particular sport.

providing/allowing special provisions when no response was received.

4. Discrimination regarding signing up as a member of an SSA may be punished by immediate suspension as a member of ESSF and retraction of any rights to SSCE premises and materials. ESSF does not tolerate discrimination regarding signup by SSAs.
  - a. Imposing limits on member signup due to limits in capacity may only be done in discussion with the ESSF and SSCE to prevent unfair selection and discrimination.

## 4 Rights

1. Under this Code of Conduct, a confidential counsellor ('vertrouwenspersoon') is available as a contact point. This counsellor serves as a neutral party, and is thus not involved in any further procedures (e.g. Section 6) as outlined in this document, and is bound to handle your case confidentially.
  - a. You may contact the counsellor without starting any further procedures at the signatories. The counsellor may however suggest that you take further steps, such as outlined below.
  - b. Details on the confidential counsellors appointed under this Code of Conduct can be found at <https://essf.nl/en/about/code-of-conduct>
    - i. The SSCE and ESSF commit themselves to providing (or pointing to) one male and one female confidential counsellor.
  - c. Your association may also offer its own confidential counsellor. You can find information about that on your SSA website.
  - d. You may also decide to contact the TU/e confidential counsellor instead. You can find more information there:  
  
<https://www.tue.nl/en/our-university/about-the-university/integrity/undesirable-behaviour/>
    - i. This also applies to non-TU/e students and employees.
2. Any persons held to the Code of Conduct additionally have the right to report violations to the signatories.
  - a. You can contact the signatories through:
    - i. The ESSF contact point for reporting found at <https://essf.nl/en/about/code-of-conduct>
    - ii. The SSCE contact point for reporting:  
*Wim Koch* ([W.Koch@tue.nl](mailto:W.Koch@tue.nl), 040 247 3979)
    - iii. Your SSA board.

- b. You may decide to not share (parts of the) information with all or any of the parties involved. All issues will be dealt with confidentially. No actions will be taken if unwanted by the reporter.
  - c. If actions are requested, a committee will be established as described in Section 6.1.3. The involved parties (ESSF, SSCE and your SSA if applicable) will discuss its establishment and proposed member list confidentially.
3. All students are entitled to neutral representation by the ESSF as the representative for student sports in Eindhoven, both regarding general issues within student sports, as well as regarding issues with their student sports association or the SSCE.
  - a. Board members of the ESSF are students themselves with experience in the student associations field.
4. All persons at the SSCE or SSAs within this Code of Conduct are entitled to a safe sporting and working environment.
  - a. This applies both socially as well as physically.

## 5 Responsibilities of ESSF Members

1. Board members of ESSF member associations are held responsible for:
  - a. Behaving in accordance with the Code of Conduct at their (co-)organized activities
  - b. Making sure that their association members do not violate the Code of Conduct and taking measures accordingly if and when they do violate the Code of Conduct
  - c. Making sure that they, and their association members behave in accordance with the Gentlemen's Agreement of the TU/e Introduction Week, upon communication of these rules by ESSF.
  - d. Behaving in such a way that is always in agreement with all regulations and norms and values and refrain themselves from statements that bring a sport/association in discredit.
  - e. Acting as transparent as possible, such that there is insight in their actions and motives.
  - f. Handling confidential information carefully and correctly.
  - g. Paying attention to each other and SSA members and report any infringements in accordance to the procedure in Section 4.
  - h. Should appoint or point to a confidential counsellor ('vertrouwenspersoon') which members can contact if they want to talk about sensitive situations in the SSA or about other businesses around it and make sure that members are aware of the Code of Conduct and their rights.
  - i. Communicate the existence of this Code of Conduct clearly and openly in their main communication, often on the website.
2. If infringements occur within an association or if reports are received by the SSA board, the board will work together with the ESSF for options to handle the infringement.

## 6 Violation Measures

### 6.1 Measures and Procedure

1. To give a framework to handle violations of this Code of Conduct, a list is provided in Appendix A1 stating the category of the offense, type of the offense and guidelines on how this will be handled.
  - a. Violations may be handled, in order of severity, by the SSA within which they occurred (if applicable), by the committee in Section 6.1.3 or by the TU/e or Fontys. This depends on the general severity and category of the offense.
  - b. Any participant in the violation case, including the victim and the perceived perpetrator may escalate the issue to another party, for instance, from the SSA to the committee in Section 6.1.3, at any time in the process, even if guidelines recommend another party.
    - i. Section 6.2 details on this procedural step.
2. Measures on violations of the Code of Conduct may be decided upon by the signatories depending on the severity of the violation and the perpetrator.
  - a. When deciding on the procedure, the list in Appendix A1 may be used to determine what the best course of action is and to standardize outcomes depending on the type of offense.
    - i. The categories indicated in Appendix A1 may also be used to communicate about the offense publicly or to our partners within the TU/e Community (such as the other umbrella organizations, like FSE and Scala), if the victim allows us to do so and the offense is severe enough.
    - ii. Upon repeat offense, a higher category may be chosen for an offense than indicated by Appendix A1.
  - b. Violations of this Code of Conduct may result in warnings, fines or temporary denial of access or suspension of rights.
  - c. Violations of this Code of Conduct by guests present at the SSCE premises may result in a ban of entrance to any activities of the signatories, or the restriction of access to the SSCE premises for the guest after involvement of TU/e Security.
  - d. Violations of this Code of Conduct by Sports Card holders may result in the termination of the Sports Card with no restitution or a ban on purchasing any further memberships (at the final decision of the SSCE), membership of an SSA or a full ban to enter the SSCE premises, or a recommendation to do any of those. Additionally, the TU/e Campus Community (including other umbrella organizations) may be notified of offenses when they are sufficiently severe and if they extend into their fields.

- e. Violations of this Code of Conduct by SSAs may result in (immediate) suspension of membership of the ESSF and thus result in the loss of rights to SSCE materials and accommodation.
    - i. Suspension of membership will be publicly announced by ESSF.
  - f. Violation of this Code of Conduct by SSCE staff may result in suspension or in case of a very serious violation: termination of employment. All of this in accordance with the TU/e policy regarding violations by staff members.
  - g. The signatories may additionally decide to charge any damage caused by violations of the Code of Conduct to the perpetrator.
3. The following procedure is followed if the case is to be handled by the hearing committee (known as the 'Section 6.1.3 Committee'):
- a. To impose the measures, the claims made by the victim need to be validated on a basic level.
    - i. For some claims, it may be required to report the claim to the police and provide proof of this, before the claim is heard by the committee.
  - b. Both parties will be invited to be heard individually by the committee, if they consent to this, consisting of at least two persons:
    - i. Persons from the ESSF Board or Advisory Council, SSCE or TU/e staff and/or applicable SSA Board or Advisory Council may sit in this committee.
      - 1. Persons in the committee may not have any (strong) personal ties to any of the persons involved.
      - 2. Persons representing other umbrellas observing a similar Code of Conduct, may be asked to sit in to provide a neutral view.
      - 3. Any persons proposed for the committee may be veto-ed by any party involved, including the victim and the perpetrator for any reason.
      - 4. The committee member list for a case will be co-determined by the applicable signatories and sent to all involved parties.
      - 5. If the case concerns a student or SSA (both as an association or its members), an ESSF representative must be part of the hearing committee.
      - 6. If the case concerns an SSCE staff member, the manager of the affected staff member must be part of the hearing committee, unless he/she is also part of the problem.
    - ii. The goal of the committee is to understand if the claim is legitimate. For this, they will ask the victim to explain the claims and ask the perpetrator to refute the claims made on a basic level.
    - iii. Note that the committee is not the police, and cannot make a judgement on the validity of the contents of the claim itself. They will only estimate the



probability of the validity of the claim.

- iv. You may at any time decline questions from the committee, or answer in more general terms.
- c. If the committee judges it to be sufficiently evident that the claim has legitimacy, it will advise on the measures to be taken to protect the community and the victim. This decision announcing whether a (combination of) measure(s) is (are) imposed and if so which one, shall be substantiated and communicated in writing to the perpetrator and victim within two working weeks after all persons concerned were heard.
  - i. If the victim decides to forgo any measures, no further actions will be taken.
4. When the Appendix A1 recommends either handling by the SSA or by the TU/e or Fontys, you will be provided with further instructions by those parties. For the TU/e and Fontys, these procedures are detailed by their policies on this matter, which are available publicly.

## 6.2 Objections

1. One can object to imposed measures within two weeks after communication of said measures. If so, they will be dealt with like so:
  - a. If the matter concerns an SSA as an organization, the case will be brought before the General Members Meeting of the ESSF and the outcome will be voted upon by all other members of ESSF. This vote is final.
  - b. If the matter concerns any other party, the case will be referred to the TU/e Complaints Council for hearing, following the TU/e procedure for such violations. Decisions of the TU/e are final with regards to the termination of employees, the termination of Sports Card membership at the SSCE and the termination of access rights to the TU/e properties.
  - c. If one wishes to object after a final decision has been reached, one holds the rights to start a legal case under Dutch law to object to the final decisions.
2. If one can prove, for instance using a court case, or the official marked outcome of a police case, that the claims were illegitimate, the measures will be lifted immediately.

## 7 Final Provisions

1. This document will be referred to as the "Code of Conduct of the ESSF".
2. These rules, including amendments shall be adopted at the General Members Meeting of the ESSF, on behalf of ESSF and its members.
3. These regulations will take effect on its GMM acceptance date for ESSF and/or at the point that an SSA has accepted the Code of Conduct as part of their SSA policy.
4. These regulations will be available at any time on the website of the signatories, and should be available to members of SSAs and guests at any time.



- 5. If violations are actively ongoing, we encourage you to call TU/e Campus Security at 040-247 20 20**

## A1 Appendix 1: Overview of recommended measures

*These measures only form a recommendation and guideline for SSA boards and the Section 6.1.3 committee to operate. Other measures or different procedural steps may be deemed necessary in specific situations.*

### Category I

<b>Offense</b>	<b>Who should handle this?</b>	<b>What measures may be taken or recommended (depending on specific severity)?</b>
Any violation of those rules listed in Section 3.1 and 3.2	House Rules violation; dependants on House Rules party	Involvement of TU/e Security Services; Temporary denial of access to SSCE properties.
Unwanted requests of sexual actions, both verbally as well as non-verbally	If within SSA → SSA; Otherwise → Section 6.1.3	Warning, fines or temporary denial of access.
Incidental aggressive or abusive behaviour without injury	If within SSA → SSA; Otherwise → Section 6.1.3	Warning, fines or temporary denial of access.
Incidental aggressive or abusive behaviour with injury	Section 6.1.3	Warning, fines or temporary denial of access; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable);
Incidental bullying or abuse of power by persons	If within SSA → SSA; Otherwise (including trainers) → Section 6.1.3	Warning, fines or temporary denial of access; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable);
Incidental Discrimination by Persons	If within SSA → SSA; Otherwise → Section 6.1.3	Warning, fines or temporary denial of access; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable);
Incidental Vandalism or Boisterous Behaviour	If within SSA → SSA; Otherwise → Section 6.1.3	Warning, fines or temporary denial of access;

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## Category II

For Category II, a police report (“aangifte”) may be required depending on the specific offense. The handling party will inform you on this after you report the offense.

<b>Offense</b>	<b>Who should handle this?</b>	<b>What measures may be taken or recommended (depending on specific severity)?</b>
Sexual assault (“aanranding”)	Section 6.1.3	Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable); Possible (Temporary) Termination of Sports Card;
Unwanted (public) sharing of sexual media	Section 6.1.3	Warning, fines or temporary denial of access; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable);
Structural aggressive or abusive behaviour without injury	Section 6.1.3	Warning, fines or temporary denial of access; Termination of Sports Card; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable);
Structural bullying or abuse of power by persons	Section 6.1.3	Warning, fines or temporary denial of access; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable); Termination of Sports Card; Termination of Employment (if applicable);
Structural Discrimination by Persons	Section 6.1.3	Warning, fines or temporary denial of access; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable); Termination of Sports Card;
Structural Vandalism or Boisterous Behaviour with Damages	Section 6.1.3	Warning, fines or temporary denial of access; Recommendation of Termination of Membership to the SSA of the perpetrator (if applicable);

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		Possible Termination of Sports Card; Replacement or Financial Compensation for the Damages;
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## Category III

For Category III violations, a police report (“aangifte”) is **always** required if the claim regards a person (not an organization) for the violation to be taken into consideration to verify the legitimacy of the claim.

Offense	Who should handle this?	What measures may be taken or recommended (depending on specific severity)?
(Attempted) Rape (“verkrachting”)	Section 6.1.3 (or if the committee decides so → TU/e or Fontys)	Termination of Sports Card; Notification of the TU/e Community and the TU/e of a Category III offense; (Temporary) Recommendation to Terminate Membership to all SSAs and the TU/e Community;
Structural aggressive or abusive behaviour with injury	TU/e or Fontys	Measures to be determined by TU/e or Fontys; Termination of Sports Card; Notification of the TU/e Community and the TU/e of a Category III offense; (Temporary) Recommendation to Terminate Membership to all SSAs and the TU/e Community;
Bullying, structural unfair treatment or discrimination by SSAs (including their boards or SSA organizations, such as committees) or abuse of power	Section 6.1.3	Suspension of member status of the SSA and their rights at the SSCE; Termination of ESSF Membership of the SSA; Strong Recommendation to Terminate Membership of those involved;
Bullying, structural unfair treatment or discrimination by other organizations (including the ESSF board) or abuse of power	Depends on the party, for instance for ESSF board → ESSF GMM; For SSCE → TU/e; otherwise Section 6.1.3	To be determined by the handling party.