



Introduction

In accordance with Article 1.21 of the Dutch Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*, WHW), higher education institutions are obliged to adopt a domestic violence reporting code, which specifies how signs of domestic violence and child abuse should be dealt with step by step and that should reasonably contribute to the fastest and most effective possible help being offered. In addition, the institutions are obliged to promote knowledge and use of the reporting code.

In the reporting code, the Amsterdam University of the Arts (AHK) confidential advisers are the first point of contact for employees who suspect domestic violence and/or child abuse. The confidential adviser fulfils the role of dedicated post holder within the AHK (see flow chart).

Domestic Violence and Child Abuse Reporting Code Resolution

The Executive Board of the Amsterdam University of the Arts (hereinafter referred to as the 'AHK'),

taking into consideration:

- that the AHK is responsible for providing good quality services to its students and employees, and that this responsibility is also relevant in the case of service provision to students or staff members who are (probably) facing domestic violence or child abuse;
- that staff members who are employed by the AHK are expected, on the basis of this responsibility, to be alert in all contact with students and employees to signs that may point to domestic violence or child abuse and that they respond to these signs effectively;
- that the AHK wishes to adopt a reporting code, so that the staff members who are employed within the AHK know which steps are expected of them in the event of signs of domestic violence and child abuse;
- that the AHK also wishes to lay down in this code the way in which it supports staff members with these steps;
- that domestic violence is taken to mean: physical, mental or sexual violence, or the threat thereof from someone in the domestic circle. Whereby violence is understood to mean: the physical, sexual, psychological or economic impairment of the personal integrity of the victim. This also includes elder abuse, violence against parents, female genital mutilation, forced marriage and honour-related violence. The domestic circle of the victim includes: family members, housemates, the spouse or former spouse, (ex-)partner or informal caregivers;
- that child abuse is understood to mean: any form of interaction of a physical, psychological or sexual nature that is threatening or violent to a minor, which the parents or other persons with respect to whom the minor is in a relationship of dependence or unfreedom actively or passively force on the minor, as a result of which serious harm is caused, or is at risk of being caused, to the minor in the form of physical or psychological injury. This also includes honour-related violence, forced marriage, female genital mutilation and being witness (as a minor) to domestic violence between parents and/or other housemates;
- that staff member in this code is understood to mean: any staff member who is employed by the AHK and who, within this context, provides care, guidance, education, professional services or any other form of support to students or staff members of the organisation;
- that student in this code is understood to mean: any person enrolled as a student or course participant at the AHK;
- that where reference is made in this reporting code to a person concerned, this means a student or staff member within the meaning of this reporting code;
- that confidential person is understood to mean a person as referred to in Chapter 2 of the AHK Complaints Procedure regarding undesirable behaviour: (sexual) intimidation, discrimination, aggression/violence and bullying; and



- taking into account Articles 1.20 and 1.21 of the Dutch Higher Education and Research Act, the privacy statement of the AHK in accordance with the General Data Protection Regulations, and procedures concerning (sexual) intimidation and public safety, adopts the following Domestic Violence and Child Abuse Reporting Code.

Domestic Violence and Child Abuse Reporting Code for higher education

Step 1: Identifying and listing signs

The AHK staff member will discuss the signs that confirm a suspicion of domestic violence or child abuse with one of the confidential advisers of the AHK. The confidential adviser will identify and list the signs (with the assistance of the staff member) and document them. The confidential adviser will also document the contact about the signs, as well as the steps and the decisions that will be taken. (In the event of signs of domestic violence and child abuse, he or she will, if required, make use of a warning tool).

The confidential adviser will describe the signs as factually as possible. In addition, the following guidelines will apply:

- a. If hypotheses and assumptions are also recorded, explicitly state that it concerns a hypothesis or assumption.
- b. Make a follow-up note if a hypothesis or assumption is later confirmed or refuted.
- c. Specify the source if information from third parties is recorded.

Child check

The staff member/confidential adviser will ask the person involved whether there are minor children entrusted to his or her care, in all cases in which his or her medical condition or other circumstances constitute a risk or threat to the development or safety of these children. This step may also be left to the confidential adviser who assumes responsibility for handling the sign (see step 3 further). If there are children who are dependent on the person involved, the following will be recorded in the file:

- The number and age of the children;
- Whether the person concerned shares responsibility for caring for the children with an (ex-)partner or with another adult.

Parental signs

There is generally no contact with the children of the person involved in higher education. The staff member/confidential adviser therefore records any 'parental signs' if the physical or mental condition, or other circumstances, could form a threat to the safety or development of the children who are dependent on the person involved. The steps of the reporting code are also applicable to these 'parental signs'.

Signs of violence by a staff member within the AHK

Signs of possible violence against a student committed by staff member will be handled in accordance with the internal guidelines of the AHK: <https://www.ahk.nl/en/facilities/student-affairs/student-health-wellbeing/public-safety/> In that case, the steps from this Domestic Violence and Child Abuse Reporting Code will not be applicable.

Signs of violence between students

Signs of possible violence committed between students will be handled in accordance with the internal guidelines of the AHK: <https://www.ahk.nl/en/facilities/student-affairs/student-health-wellbeing/public-safety/> In that case, the steps from this Domestic Violence Reporting Code will not be applicable. There is one exception to this rule: the signs of possible violence do fall under the Domestic Violence and Child Abuse Reporting Code if the violence takes place between partners who are both students or staff members of the AHK, for example if they cohabit as spouses or partners.



Step 2: Consultation between colleagues and, where necessary, consulting Veilig Thuis or an expert in the field of injury interpretation

The confidential adviser can discuss the signs with an expert colleague. If there is a need for more clarity about the (nature and cause of the) injury, it is also possible to request advice from the Dutch child protection organisation *Veilig Thuis* (Safe at Home) or an expert in the field of injury interpretation.

Advice about possible risks of follow-up steps in the event of specific forms of violence
If there is insufficient knowledge about tackling specific forms of violence within the AHK, such as honour-related violence, forced marriage, sexual abuse and female genital mutilation or elder abuse, the confidential adviser will always ask for advice from Veilig Thuis about follow-up steps. This advice is also important to be able carefully consider the possible safety risks of any follow-up steps.

The confidential adviser will record the results of consultation between colleagues and/or the advice given by Veilig Thuis.

Step 3: Discussion with the student or staff member

The confidential adviser will hold a discussion with the person concerned. The following steps will be taken in the discussion:

- explains the purpose of the discussion with the person concerned;
- describes the facts that were documented and the observations that were made;
- invites the person concerned to respond to this;
- only comes up with an interpretation of that which was seen, heard and observed, if necessary, after this response;
- in the case of female genital mutilation, use the '*Verklaring tegen meisjesbesnijdenis*' (Statement opposing female circumcision) in the process;
- discusses the possibility of sharing the sign with Veilig Thuis;
- notifies the person concerned that a case dossier will be formed in accordance with the (privacy) guidelines of the AHK.

Making a report without discussing the signs with the student or staff member is only possible if:

- there is concrete evidence that the safety of the person involved, that of the confidential adviser himself/herself or that of another person is, or could be, at issue;
- the confidential adviser has good reason to believe that the person involved will break off contact with the AHK as a result of this discussion and the person involved can no longer, therefore, be adequately protected against the possible violence.

The confidential adviser will discuss these last cases with Veilig Thuis.

Step 4: Weigh up the nature and the severity of the domestic violence or the child abuse and if in doubt always ask for advice (again) from Veilig Thuis

The confidential adviser weighs up the risk of violence or child abuse on the basis of the signs, the advice sought and the discussion with the person involved. The confidential adviser also weighs up the nature and the severity of the domestic violence or the child abuse.

When assessing the risk of domestic violence or child abuse, the confidential adviser will, if necessary, make use of a risk assessment tool (see reference list).

In case of doubt, the confidential adviser will always consult Veilig Thuis (again). The employees of Veilig Thuis provide support when weighing up the violence and the risks of damage, and they can provide advice about follow-up steps.

The confidential adviser of the AHK runs through the following considerations. If necessary, he or she seeks the assistance of internal experts and/or asks for advice from Veilig Thuis.

Considerations in step 4:

1. *On the basis of steps 1 to 4 of the reporting code, do I suspect (the threat of) domestic violence and/or child abuse?*
 - **No:** Close and record in case dossier.
 - **Yes:** Continue with consideration 2.



2. *On the basis of steps 1 to 4, do I assess there to be evidence of acute danger and/or structural danger?*
- **No:** Continue with consideration 3 in step 5.
 - **Yes:** Report to Veilig Thuis. Go through considerations 3 to 5 together with Veilig Thuis.

Step 5: Decide: organise help yourself or report

Reporting possible domestic violence or child abuse to Veilig Thuis is something the AHK recognises to be a professional norm and necessary as such:

- in ALL cases where there is acute danger and/or structural danger;
- in all OTHER cases in which the confidential adviser believes that he/she is unable to provide or organise effective help to a sufficient extent in the case of (risks of) domestic violence and/or child abuse, in view of his/her skills, his/her responsibilities and his/her professional boundaries;
- if a confidential adviser, who provides help or arranges for persons involved to be protected against the risk of domestic violence and/or child abuse, observes that the danger has not ceased or is recurring.

Considerations in step 5:

3. *Am I able to provide or organise effective help in order to avert the threat of (future) domestic violence and/or child abuse?*
- **No:** Report to Veilig Thuis.
 - **Yes:** Continue with consideration 4.

The AHK is unable to provide or organise effective help in order to avert the threat of (future) domestic violence and/or child abuse if the confidential adviser:

- has insufficient opportunities to form an up-to-date picture of the safety and/or
- is unable to gain an adequate picture of unsafe events in the case history and/or the facts that are the basis of the danger possibly identified and/or
- has insufficient opportunities to provide or organise appropriate and connected help with safety being the result.

4. *Does the person involved/Do the persons involved accept help in order to avert the threat of (future) domestic violence and/or child abuse, and are they willing to make an effort for this?*
- **No:** Report to Veilig Thuis.
 - **Yes:** If providing or organising help, continue with consideration 5.

If YES was answered to consideration 3, the confidential adviser of the AHK will make arrangements with the person involved about cooperating organisations (including Veilig Thuis in any case), objectives, results, monitoring results and the period of time over which results will be evaluated.

5. *Does the help provided lead to the necessary results with regard to the safety and wellbeing (recovery) of all persons involved within the desired period of time?*
- **No:** Report (again) to Veilig Thuis.
 - **Yes:** conclude help with agreements about future safety procedures with the persons involved and cooperation partners.

Preconditions

In addition to establishing the reporting code that complies with the law, the AHK shall commit itself to the following preconditions:

1. Publicising the existence, purpose and contents of the reporting code.
2. Make provisions for professional development (for example in the deans' meeting) so that confidential advisers can develop and maintain sufficient knowledge and skills with



- regard to identifying domestic violence and child abuse, and so that staff members and teachers/lecturers are able to alert a confidential adviser adequately.
3. Availability of adequate expertise in order to support staff members and teachers/lecturers who want to report signs.
 4. Align the reporting code with the relevant work processes.
 5. Test how the reporting code functions in practice by regularly evaluating it and sharing the knowledge thus acquired within the organisation.

Adopted by the Executive Board of the Amsterdam University of the Arts on 1 March 2019.

Appendices:

Stroomschema afwegingskader (Assessment framework flow chart)

Stroomschema stappenplan (Step-by-step plan flow chart)

Reference list (Dutch only):

Augeo, Movisie, *Nederlands Jeugdinstituut* (Netherlands Youth Institute), *Ministerie van Veiligheid en Justitie* (Ministry of Security and Justice), *Ministerie van Volksgezondheid, Welzijn en Sport* (Ministry of Health, Welfare and Sport), *Basisdocument: Het afwegingskader in de Meldcode huiselijk geweld en kindermishandeling* (2017),

<https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/richtlijnen/2017/07/28/afwegingskader-in-de-meldcode-huiselijk-geweld-en-kindermishandeling/afwegingskader.pdf>

Ministerie van Veiligheid en Justitie, Ministerie van Volksgezondheid, Welzijn en Sport, *Vereniging Nederlandse Gemeenten* (Association of Netherlands Municipalities), *Geweld hoort nergens thuis. Aanpak huiselijk geweld en kindermishandeling* (2018),

<https://www.rijksoverheid.nl/documenten/publicaties/2018/04/25/actieprogramma-geweld-hoort-nergens-thuis>

Ministerie van Volksgezondheid, Welzijn en Sport, *Basismodel meldcode huiselijk geweld en kindermishandeling* (2016),

<https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2017/01/09/basismodel-meldcode-huiselijk-geweld-en-kindermishandeling/Basismodel+meldcode.pdf>

Movisie, *Factsheet: De meldcode bij vermoedens van eer gerelateerd geweld* (2014),

<https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/brochures/2015/02/02/de-meldcode-bij-vermoedens-van-eergerelateerd-geweld/de-meldcode-bij-vermoedens-van-eergerelateerd-geweld.pdf>