



Annual Report 2021
Confidential advisers for
undesirable behaviour at
the UvA

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University of Amsterdam

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Introduction

Any inappropriate behaviour (sexual harassment, aggression, violence, bullying, discrimination) towards students or staff at UvA will adversely impact the safety of their study or work environment. This may have serious consequences.

Students and staff who experience inappropriate behaviour can contact one of the UvA's confidential advisers for inappropriate behaviour for support and help in seeking a solution to the problem. This annual report sets out how many times the confidential advisers provided support to students and staff in 2021 and the inappropriate behaviour involved. It also looks briefly at the role, position and training of the confidential advisers.

This annual report discusses reports made to the confidential adviser. It is vital to distinguish between reports that are made to the confidential adviser and reports that are made to, for example, a supervisor, a lecturer or the ombudsperson. The difference is that reports to the confidential adviser do not always involve some form of follow-up. The reporting party will decide for themselves whether, and if so which, follow-up steps will be taken.

The annual report provides records of the number and nature of reports to the confidential adviser, subdivided according to the nature of the inappropriate conduct. The report has the following objectives:

- To inform:* providing information on the number and nature of registered cases of inappropriate conduct;
- To highlight:* the number of cases may be an indication that (parts of or the implementation of) existing policy on inappropriate behaviour needs to be modified;
- To ensure accountability:* it enables the confidential advisers to justify the use of time and resources.

The report provides an extremely limited analysis of the background to the cases of inappropriate behaviour reported to the confidential advisers. The information required for a more extensive analysis is confidential and is covered by the confidential adviser's duty of confidentiality. This report only contains an overview of the number of reports made to the confidential adviser and its purpose is to register all types of inappropriate conduct within the UvA. The reports should primarily be seen as an indication of whether people know how to access a confidential adviser. To paint a picture of the frequency of inappropriate conduct at the UvA, the Employee Monitor and the Student Social Safety Survey would be more suitable sources.

1. Confidential advisers for undesirable behaviour

Confidential advisers for undesirable behaviour are there to support current and former students and staff who experience or experienced inappropriate conduct. Staff members who are not employees of the UvA but do perform (or have performed, e.g. guest lecturers or interns) tasks for the UvA can speak to the confidential advisers. Confidential advisers provide support and can help find a way to stop or de-escalate the inappropriate behaviour concerned. Confidential advisers guarantee confidentiality and will never take action without the consent of the person reporting the issue. The reports submitted to the confidential adviser are registered in a manner that cannot be traced back to the party submitting the report. If necessary, confidential advisers refer people on to professional sources of support within the UvA or externally. Confidential advisers can also help reporting parties submit a complaint to the complaints committee.

Positioning / appointment / facilitation

Every faculty and shared service unit of the UvA has at least one confidential adviser for inappropriate conduct, appointed by the Dean or the Secretary General of the University. Confidential advisers are appointed for a period of 3 years and can be re-appointed without limitation. Confidential advisers are facilitated by the Secretary General/Dean so they can fulfil the role of confidential adviser within their existing function.

Freedom of choice

All students and staff are entitled to speak to the UvA's confidential advisers regardless of where they study or work. Consequently, students and staff have a choice as to who they contact and can choose to consult someone who is either close to their own unit or indeed slightly more distant from their own unit, for example.

Number / recruitment / diversity

On 31 December 2021, the UvA had 14 employees who fulfil the role of confidential adviser for inappropriate conduct. Some of them act as confidential advisers for students only, some for staff only and others for both students and staff. Vacancies for the role of confidential adviser are filled through a process of open recruitment on the UvA's job vacancy page and through newsletters or an email to staff. Table 1 gives an overview of the changes in the number of confidential advisers in 2021.

Table 1: Changes in and makeup of confidential advisers at the UvA in 2021¹

Confidential advisers	Total	Academic staff	Support staff
As of 31-12-2021	14	3	11
Started in 2021	2	0	2
Stopped in 2021	8	3	5

¹ Confidential advisers who have not yet completed the basic course are not included in this overview. In principle, the UvA has between 20 and 25 employees who fulfill the role of confidential adviser.

When appointing confidential advisers, as much attention as possible is paid to the makeup of the group: the aim is to put together a diverse group of confidential advisers across the whole of the UvA (e.g. in terms of role, gender and background). Of the existing confidential advisers, 3 have an academic role and 11 have a support role. The independent position of the confidential adviser is crucial for the performance of the tasks involved. Consequently, the role of confidential adviser must not conflict with any other role or function of the staff member concerned.

Professional training

The confidential advisers have been trained by an accredited training institution for confidential advisers. In addition, the confidential advisers coordinator organises professionally led peer review meetings and a training meeting on an annual basis. In 2021, however, the in-person peer feedback and training meetings did not take place due to COVID-19 restrictions. Online peer review meetings took place in February 2021. During evaluations, participants expressed their satisfaction with these sessions.

2. Cases of inappropriate conduct by students and staff in 2021

Tables 2 and 3 give an overview of the total number of separate reports submitted by students and staff members. It is not possible to draw hard and fast conclusions from the making of these reports regarding the extent to which the environment within the UvA is socially safe or otherwise. Students and staff are not obliged to consult a confidential adviser if they experience inappropriate behaviour.

The reports are registered based on the unit in which the student or staff member studies/works. The reports are subdivided according to the nature of the inappropriate behaviour. Although sometimes the same case involves several types of inappropriate conduct, generally speaking reports involve one main type of inappropriate conduct. In this annual report, the reports are based on this main type of behaviour only.

Table 2 Number and nature of reports by students

Faculty	Sexual harassment		Aggression/violence		Discrimination	Bullying	Stalking	Other
	Verbal	Physical	Verbal	Physical				
ACTA		1	5					4
Faculty of Law	6		1		5		2	3
Faculty of Economics and Business			1			1		5
Faculty of Humanities	3	4	3		6	6	1	1
Faculty of Social and Behavioural Sciences		1	5		2	5	3	7
Faculty of Science	3	1			1		2	2
Unknown		1						
Total	12	8	15	0	14	12	8	22

In 2021, 69 out of a total of more than 39,000 students reported a case of inappropriate conduct to a confidential adviser. The number of reports of inappropriate conduct by students increased by 25 compared with 2020 (44).

Referrals

In the case of 10 reports of inappropriate conduct, the student was referred on by a confidential adviser to a professional source of support such as a doctor or a (student) psychologist. None of the reports from students resulted in the submission of a formal complaint to the complaints committee.

Relationship between reporter and alleged perpetrator

When documenting the number of reports by students, the relationship between the reporter and the alleged perpetrator of the inappropriate behaviour was also recorded. Of the 91 reports (including the 'other' category), 32 relate to conduct between students and 50 relate to conduct between a student and a staff member. For 9 reports, the relationship was not registered.

Other reports

The reports for which no inappropriate conduct took place were recorded in the 'other' category. In the case of the 22 reports in this category, the reporter was referred on to another body within the UvA (e.g. study adviser, student counsellor or the examinations board) and/or the behaviour was different to the above-mentioned categories.

Table 3 Number and nature of reports by staff members

Faculty	Sexual harassment		Aggression/violence		Discrimination	Bullying	Stalking	Other
	Verbaal	Fysiek	Verbaal	Fysiek				
ACTA	1		12		2	2	1	9
Faculty of Law			2					
Faculty of Economics and Business			1		3		2	
Faculty of Humanities	2		6		1	9		5
Faculty of Social and Behavioural Sciences	3		6		1	1	2	5
Faculty of Science		1	2		1	5	2	2
Shared service units and staff departments			7		3	5		7
AMC/Faculty of Medicine								1
Total	6	1	36	0	11	22	7	29

In 2021, 83 out of a total of nearly 7,000 staff reported a case of inappropriate conduct to one of the UvA's confidential advisers. The number of reports of inappropriate conduct by staff members increased by 14 compared with 2020 (69).

Referrals

In the case of 8 reports of inappropriate conduct, the reporter was referred on by a confidential adviser to a professional source of support such as a doctor, psychologist or staff welfare service. Two reports resulted in a formal complaint being made to the Complaints Committee.

Relationship between reporter and alleged perpetrator

When documenting the number of reports by staff members, the relationship between the reporter and the alleged perpetrator of the inappropriate behaviour was also taken into account. Of the 112 reports (including the 'other' category), 79 relate to conduct between staff members, 6 relate to a staff member and a supervisor, and 9 relate to conduct between a staff member and a student. For 18 reports, the relationship was not registered.

Other reports

The reports for which no inappropriate conduct took place were recorded in the 'other' category. In the case of the 29 reports in this category, the staff member was referred on to another body within the UvA (e.g. confidential adviser for individual legal status, P&O or manager) and/or the behaviour was different to the above-mentioned categories.

As the AMC is an independent legal entity and hence has its own safety and complaints policy (including confidential advisers), AMC students and staff are not included in the scope of the UvA confidential advisers. Despite this, one staff member from the AMC did approach a confidential adviser.

3. Reflection on the reports of inappropriate behaviour submitted in 2021

Reports by students and staff

In 2021, a total of 152 reports of inappropriate conduct were discussed with the confidential adviser by a student or a staff member. This is 39 more than in 2020 (see Table 4).

Table 4 Reports of inappropriate behaviour submitted to confidential advisers 2017-2020

	2017	2018	2019	2020	2021
Students	37	27	52	44	69
Employees	37	49	84	69	83
Total	74	76	136	113	152

The increase in the number of reports in 2021 in which a confidential adviser was contacted is probably partly due to the fact that in 2021, less of the study activities were conducted from home compared to 2020. Another possible explanatory factor is the increased awareness of the theme of social safety at the UvA in general and the role of the confidential adviser in particular. In general, we consider the rise in the number of reports to be a positive development. It means that students and staff members know where to find the confidential advisers, are willing to discuss the issue and contribute to solutions and improvements in relation to social safety.

Recorded number of reports involving the confidential adviser

Given the number of students and staff at the UvA, it is natural to wonder why the number of reports to the confidential advisers is not higher. However, it is likely that some staff and students who experience inappropriate behaviour will seek support from family, friends and colleagues first and will not feel the need to talk to a confidential adviser. Also, there were more options for reporting inappropriate behaviour, e.g. the ombudsman (106 reports in 2021) and the external hotline for social safety (12 reports in 2021).

4. Relevant developments in the field of social safety at the UvA

Creating and maintaining a safe, healthy and pleasant study and work environment is no easy task and requires an ongoing investment in time and focus. It calls for an integrated package of measures, frequent communication and exchanging best practices. A brief overview of the key developments in the field of social safety in 2021 is set out below.

- The new confidential adviser regulations - together with the revised regulations for the handling of complaints by staff and students of the UvA and the new regulations on the ombudsman - were adopted following approval by the central representative advisory bodies.
- In September, Samera Ouchene was appointed as ombudsperson for a period of four years. She took over from Jacqueline Schoone, who had worked at the UvA as interim ombudsperson since November 2019.
- In the autumn of 2021, a poster and social media campaign on social safety was initiated. This campaign addressed everyone in the organisation and focused on raising awareness of inappropriate conduct as well as identifying and pointing out such conduct. Via this campaign, UvA students and staff members want to boost awareness of appropriate and inappropriate conduct, the effect of certain behaviours, and opportunities to take action. For example, assistance in boosting dialogue about difficult topics has been provided via tips, training courses, meetings, presentations, the Code of Conduct and the social safety support guides.
- A variety of performances on the theatre and discussion programme entitled 'The Learning Curve' (academia's #metoo) were also conducted by the various faculties.

5. Recommendations for strengthening the UvA's policy on social safety

Based on the content of the reports submitted to the confidential adviser for inappropriate conduct, the confidential advisers have issued the following recommendations in relation to social safety:

- The UvA is an international university and is home to students and staff from a wide variety of cultural and social backgrounds. This can result in misunderstandings and maybe even escalate into a socially unsafe scenario. It is therefore vital to give students and staff members the opportunity to develop intercultural skills. This is particularly the case for staff members who deal directly with diverse groups of students.
- Achieving a diverse group of confidential advisers is a vital aspect in order to enable optimally easy access to the confidential advisers for all students and employees. We currently have an insufficient number of confidential advisers with a non-native Dutch and/or migration background. This factor must be taken into account when recruiting and selecting new confidential advisers.
- Managers are partly responsible for creating a safe, pleasant and healthy study and work environment. It is therefore important that managers are well equipped and facilitated to perform this role effectively, e.g. by offering training courses and support.
- There is still a great deal of confusion over the role and duties of the confidential advisers. Consequently, it is important to continually make it clear to students and staff what they can and cannot expect when consulting a confidential adviser. This should receive greater focus at the start of a study programme or upon recruitment of employees.
- Every year, confidential advisers are consulted by students who want to tip the organisation off about inappropriate behaviour. Often they don't want to go as far as submitting a complaint, and they don't want the support of a confidential adviser. The confidential advisers document these reports, although this task really belongs to the range of duties assigned to the ombudsperson. It is advisable to raise awareness of this option or to establish a separate facility.
- It is not always clear to students who they can contact within their department if they experience inappropriate behaviour from a fellow student. It is therefore vital that clear communication is conducted within each faculty/department regarding where and to whom students can turn within the UvA.
- The confidential advisers need an administrative and record-keeping system to support their activities. Naturally, this system must comply with all the security requirements in terms of the safeguarding of privacy.
- In principle, during confidential discussions, confidential advisers must be allowed to talk about everything behind closed doors and with no restrictions. It is recommended that every faculty/unit makes agreements to this end with the confidential advisers within their own unit.
- The confidential advisers are very happy that a reimbursement for confidential advisers has been agreed in the new regulations and hope that this will be arranged as soon as possible.

Appendix 1 Definitions relating to inappropriate behaviour

This annual report uses the definitions as recorded in the ‘UvA Regulations on Confidential Advisers’ (2012). The new regulations came into force in September 2021 and the amended definitions will be applied in the following annual report.

Inappropriate behaviour

- *Sexual harassment*
Unwanted sexual advances, requests for sexual favours or other verbal, non-verbal or physical behaviour where one of the following always applies:
 - submission to such behaviour is explicitly or implicitly used as a condition of a person’s employment;
 - a person’s submission to or rejection of such behaviour is used as a basis for decisions which affect that person’s studies or work; such behaviour aims to adversely affect a person’s academic or professional performance and/or to create an intimidating, hostile or unpleasant study or work environment, or results in a person’s academic or professional performance being adversely affected or in the creation of an intimidating, hostile or unpleasant study or work environment.
- *Discrimination*
Making a distinction between individuals on the basis of religion, beliefs, political opinions, race, gender, nationality, sexual orientation, civil status, pregnancy or other characteristics where there is no justifiable reason for doing so.
- *Aggression and violence*
Any incident in which a person is harassed, threatened or attacked either mentally or physically in circumstances which relate directly to the performance of work. Harassment is a form of implicit aggression which involves psychological pressure, sometimes in combination with the abuse of a formal or informal position.
- *Bullying*
The systematic exercising of unwanted emotional or physical abuse, by one person or a group of people, generally on one other person who cannot (or is no longer able to) defend themselves (e.g. making jokes at someone’s expense, excluding or insulting someone or damaging their property).
- *Stalking*
The systematic, deliberate violation of a person’s privacy, with a view to forcing that person to do/not to do or to tolerate something or to instil fear into them.

From: UvA Regulations on Confidential Advisers 2012

Appendix 2 Employee Monitors 2017/2021 and student social safety survey 2021

Employee Monitor

The two-yearly Employee Monitor was sent out to UvA employees in May 2021. The table below is based on the 2017, 2019 and 2021 employee monitors and provides an overview of the percentage of employees who say that they have experienced various types of inappropriate behaviour. It is important to note here that people don't generally seek help from a confidential adviser for behaviour such as gossiping, theft and vandalism.

Table 5: Social Safety Employee Monitor 2017/2021

	2017 (N = 2,673)	2019 (N = 3,001)	2021 (N = 2360)
	%	%	%
Gossiping	17	16	10
Bullying	7	7	6
Aggression (verbal)	9	10	9
Physical violence	0	0.3	0.2
Sexual harassment	0.9	1.4	0.9
Discrimination	5	5	5
Theft/vandalism	2	2	0.5
Stalking	0.5	0.5	0.6
Other	4	4	5

In the 2021 employee monitor, 83% of respondents said that they had not experienced inappropriate behaviour. In 2019, this percentage was 78%.

As in 2019, the 2021 monitor indicates that 64% of employees believe that inappropriate behaviour can be discussed openly, while 10% (2019: 11%) said that they did not believe this to be the case. 26% of respondents (2019: 25%) said they didn't know whether inappropriate behaviour could be discussed openly.

Of the employees who said in the 2021 monitor that they had experienced one or more types of inappropriate behaviour, 33% (2019: 38%) reported it to their manager, to a confidential adviser or to the ombudsman. Of these employees, 33% (2019: 28%) said that sometimes they did and sometimes they didn't report incidences of inappropriate behaviour and, as in 2019, 34% said they did not report incidences of inappropriate behaviour. The main reason for not reporting an incident is a lack of confidence in follow-up (49%). 41% of respondents said that the incident was not sufficiently serious to report and 36% were afraid of repercussions.

Student social safety survey

From 27 May until 20 June 2021, the third edition of the annual social safety monitor was conducted among a group of 8,000 UvA students. The monitor documented which types of inappropriate behaviour students had experienced at the UvA over the past academic year. The response rate was 10.5% (842 students). One important difference from the last survey was that this year, students studied online for practically the entire year. During the last survey, students had only studied online for part of the year. For this reason, the invitation for the survey explicitly stated that the survey also related to inappropriate online conduct.

In order to obtain a clear picture of the UvA as a whole, the results for over- or under-represented characteristics were weighted to the total student population. For the characteristics of faculty, gender and origin, a weighting factor was determined on the basis of the deviation of the response from the population. Consequently, the answers of some respondents are weighted more or less heavily for the statistics that relate to the UvA as a whole. However, the response bias of groups that receive a relatively higher amount of inappropriate conduct (female students and international students) cannot be entirely corrected via weighting.

Types and frequency of inappropriate conduct

Table 6 provides an overview of the percentage of students who say that they have experienced various types of inappropriate behaviour. Here too it is important to note that people generally don't seek help from a confidential adviser for behaviour such as gossiping, theft and vandalism.

A total of 23% of respondents said that they had experienced one or more types of inappropriate behaviour. This is 6 percentage points lower than the previous survey. Gossiping has declined significantly (from 19% to 14.5%), while bullying/exclusion (from 8% to 5%), discrimination (from 7.5% to 6.5%) and verbal aggression (from 6% to 4%) are also less prevalent. However, cases of stalking have increased from 0.7% to 1.4% while the percentage of students who have experienced sexual harassment has remained practically the same at 4%. Although the survey focused on inappropriate conduct in the past year, 16.8% of respondents indicated that the behaviour took place more than a year ago.

Table 6 *Studenten enquête sociale veiligheid 2019-2020*

	2019 (N = 634) %	2020 (N = 1055) %	2021 (N = 842) %
Bullying	5.4	8.0	5.1
Aggression (verbal)	4.0	5.7	4.2
Physical violence	1.3	0.5	0.4
Sexual harassment	3.7	3.9	3.7
Discrimination	6.5	7.5	6.6
Stalking	0.9	0.7	1.4
Gossiping	16.1	18.7	14.5
Theft/vandalism	3.8	2.2	2.0
Other	1.7	2.0	2.5
Not experienced any inappropriate behaviour	73.7	71.5	76.8

Alleged perpetrators of inappropriate behaviour

Inappropriate conduct usually takes place between students. Logically, in the case of theft, the perpetrator is often unknown. For discrimination and verbal aggression, a lecturer is named as the perpetrator in just under a quarter of cases. A noticeable change compared to the previous year is that in 2020, a lecturer was named as the perpetrator in a quarter of the cases of sexual harassment, while this year, this figure is 10%.

Table 7: *Perpetrators of inappropriate conduct in the student social safety survey*

	Student	Lecturer	Support and management staff	Outside the UvA	Don't know	Number
Bullying	68%	18%	3%	13%	0%	40
Aggression/intimidation (verbal)	39%	27%	9%	24%	0%	33
Physical violence	50%	0%	0%	50%	0%	4
Sexual harassment	45%	10%	7%	39%	0%	31
Discrimination	46%	23%	17%	10%	4%	52
Stalking	42%	8%	0%	33%	17%	12
Gossiping	73%	8%	3%	8%	7%	123
Theft/vandalism	21%	0%	0%	36%	43%	14

Inappropriate conduct experienced by different groups

There was a decline in the percentage of students who experienced inappropriate conduct in comparison to the previous year. This decline was relatively evenly distributed across the different groups, although international students still experience more inappropriate behaviour than Dutch students. Students from outside the EEA experience noticeably more discrimination. Within the group of non-EEA students, there are differences according to region, with students from Asia in particular experiencing relatively more discrimination. Women experience more sexual harassment and violence: 6% of women indicate having experienced this compared to 0.6% of men.

Action taken against inappropriate behaviour

Only a few of the students who experience inappropriate conduct actually report it. In total 81% of students who reported having experienced inappropriate conduct did not submit a report. The numbers from this survey relate both to official complaints and to reports made to study advisers and confidential advisers, for example. The most frequent reason for not submitting a report is that they don't consider the behaviour to be serious enough. Many students also think there is no point reporting it. Not knowing to whom the report should be submitted and fear of the consequences of submitting a report are less frequently given as reasons. Based on the open answers provided for not reporting behaviour, students often believe the university is not the right place to submit a report, for example, if the incident took place in a student house or in the street.