

Introduction

This document serves as a non-binding guideline on how to execute the Social Safety Policy that is added to the Standing Regulations (SR) by the Board of '21/'22. All the information in this document are guidelines that are not added to the SR to give every board the opportunity to execute the policy with some freedom.

Every case that threatens someone's social safety is completely different and should be treated as such, thus, this document only serves as a guideline and cannot capture all possible scenarios. We are hoping that, with the help of this document, making decisions based on the SR becomes easier and clearer.

The document should be updated every year and passed onto future years.

Complaints procedure

It is important to make this procedure clear to not only the victim but also to all members of the VSPA at the beginning of the academic year.

Who to contact

In case someone experiences a form of unacceptable behaviour, they can contact any one of the board members. Initial contact should be made to the Chair of the association, however if the victim feels uncomfortable contacting the Chair, order of succession follows.

If the victim is uncomfortable explaining their situation in person then they can do so via email. Otherwise, they can ask to set up a meeting with the board member. Individual email addresses are found below, however a mail can also be sent to safe@vspa.nl.

katie@vspa.nl, tylerreed@vspa.nl, bruna@vspa.nl, joella@vspa.nl, camila@vsap.nl

External trust person

If the victim feels uncomfortable contacting the board members because they are closely associated with the VSPA or for any other reason, then they can contact the external trust person.

This is someone who isn't part of the VSPA and could therefore provide an outsider's perspective to the situation if needed. This person will be someone from the board of one of the other study associations within the Faculty of Social and Behavioural Sciences. It is advised to find this person at the start of the year and have a meeting with them straight away to go over the policy and this extensive document.

The external trust person can similarly be contacted via email. Once the external trust person receives a complaint, they will anonymize the complaint (the victim and the offender's name and any other pertinent personal details) and send it to the board so that the privacy of the victim is respected and the decision process regarding the sanction is unbiased.

The external trust person will share the name of the offender with the board in order to execute the sanction once the board decides the sanction in the board meeting.

The external contact person for the year 2022/2023 is the psychology ombud student, and their email is psyombudsstudent-fmg@uva.nl.

How to deal with bystander complaints

The bystanders can contact the board members just like the victims as explained above. However, dealing with a bystander complaint is difficult as it is not coming from a first-hand source. In this case there is not much the VSPA can do as we cannot take action against the offender without jeopardizing the victims anonymity.

As we are not receiving the complaint from the victim themselves, and cannot ask their preference on how they would like the issue to be dealt with (see *Referral procedure; second step*), we will not take any internal action. We will refer the bystander to the confidential advisers (see *Referral procedure; Step Three*) for any emotional damage they might suffer from, because of what they have witnessed.

Any other action (like contacting the victim or the offender) would be too much responsibility on the board which we are trying to avoid.

Referral procedure

According to the SR, we will refer every victim to confidential advisers. The first step is to listen to their story and record (not a voice recording but just writing down all the information) the facts. With this step it is important to record the facts somewhere where it's not easily reachable by others (For example: a locked file on teams or a USB stick that you can store in the safe. Do NOT store the information in Google Drive, as it is not a secure storage space). After your talk with the victim, make sure to anonymize all names. Respecting the privacy of the situation is important.

The second step is to explain them VSPA's procedure of dealing with complaints. Even though we sympathize for their situation, we are not taking on the full responsibility of this situation. This means that we are not able to help the victim with the possible emotional distress that they may suffer from. However, we will take internal action against the offender to make sure that this type of behavior does not take place in a VSPA environment again. We will decide on a sanction appropriate for the offender in a Board Meeting. Here it is important to

ask for permission to share their story with the Board with all the names anonymized.

1) If they do not want the story to be shared: we'll let them know that we cannot do anything else for them but to refer them to the confidential advisers (see: *Step Three*).

2) If they allow us to share their story: we'll tell them that we will get back to them with the sanction we have decided on during the Board Meeting.

Here it is also important to let the victim know that if the offender disagrees with the situation they hold the right to appeal in a GMA. If that is the case, we will have to discuss this issue in a GMA but we'll keep the victim's name anonymous if they prefer that. Keeping the offender's name anonymous is not possible if the offender decides to appeal. In the case the victim is not comfortable with their story being shared at a GMA (anonymized), we will tell them that taking internal action is not possible and we'll refer them to the confidential advisers.

The third step is to refer them to a confidential adviser. Most students don't know what/who confidential advisers are so it would be a good idea to show them the UvA website. There is a section on the website explaining the purpose of confidential advisers:

"Confidential advisers can offer support if you are experiencing inappropriate behaviour by lecturers, students or any other person you interact with as part of your studies at the UvA. The behaviour does not necessarily need to have occurred at a UvA location."

This is the link to get in touch with confidential advisers and this is the link to their website for general information.

<https://student.uva.nl/en/topics/confidential-advisers-if-you-encounter-undesirable-behaviour>

The fourth step is to contact the offender and give them the opportunity to tell their side of the story. This way, the board can make a well informed decision.

This is the template of the email:

[English]

"Name,

We regret to inform you that we have received a complaint about you. We will make this complaint part of our agenda in our next board meeting. To decide on the fitting sanction(s), we need to be able to make a well informed decision. Therefore, it is important that we have all the facts of the event. In the attached file you will find the event in the facts that we

have received. We would like to ask you to write your side of the story and email it back to us.

We understand that this can be an unexpected message and that this message can influence your mental health. Therefore, we advise you to contact the confidential advisors, to talk about this [link].”

[Nederlands]

“Naam,

Het spijt ons mede te delen dat we een klacht hebben ontvangen over jou. De klacht zal onderdeel zijn van onze agenda in onze volgende bestuursvergadering. Om over een passende sanctie te beslissen, is het belangrijk dat we een goed geïnformeerde beslissing kunnen maken. Hiervoor is het belangrijk dat we alle feiten over het voorval hebben. In het bijgevoegde document vind je het voorval in de feiten die wij hebben ontvangen. We willen je vragen om jouw kant van het verhaal op te schrijven en naar ons terug te mailen.

We begrijpen dat dit bericht onverwacht kan komen en dat het veel invloed kan hebben op je mentale gezondheid. Daarom raden wij je aan om contact op te nemen met de vertrouwenspersonen, om erover te praten [link].”

Extensive examples of all categories of unacceptable behaviour

Here we will list some examples of unacceptable behavior. It is important to underline that all unacceptable behavior is not limited to the ones listed below.

- Physical and verbal aggression:
 - Hitting
 - Kicking
 - Scratching
 - Pushing
 - Biting
 - Punching
 - Aggressively grabbing
 - Throwing objects
 - Cutting
 - Stabbing
 - Insulting
 - Use of obscene/ profane language
 - Threats (of physical harm)
 - Verbal attacks on someone’s appearance/ character
 - Spreading malicious rumours or gossip, or insulting someone
 - Offensive comments/jokes

- Harassment or sexual harassment
 - Leering
 - Making offensive comments about someone's sexual orientation/gender identity
 - Kissing someone without consent
 - Making sexual comments about someone without consent
 - Following them around or paying excessive attention/stalking
 - Unwanted physical contact
 - Making pornographic, sexually suggestive or otherwise offensive material or pictures without consent.
 - Publishing, circulating or displaying pornographic, sexually suggestive or otherwise offensive material or pictures.
 - Telling lewd jokes or sharing stories about sexual experiences – even if this is not directed at someone but done in their presence to cause them discomfort

- Discrimination and exclusionary behaviour
 - Excluding someone because of their race / gender / ethnicity / religion / disability / age / sexual orientation
 - Discriminating against someone because of their race / gender / ethnicity / religion / disability / age / sexual orientation
 - Making fun of someone because of their race / gender / ethnicity / religion / disability / age / sexual orientation
 - Threatening someone because of their race / gender / ethnicity / religion / disability / age / sexual orientation
 - Cultural appropriation
 - Publishing, circulating or displaying racist or otherwise offensive material or pictures.
 - Coercion, such as pressure to subscribe to a particular political or religious belief.
 - Using and spreading offensive stereotypes.

- Bullying
 - Calling names
 - Regularly inappropriately teasing or making someone the brunt of pranks or practical jokes
 - Circulating inappropriate or embarrassing photos or videos via email or social media
 - Inappropriately interfering with a person's personal property or work equipment

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 - Repeatedly discounting a person's statements in group meetings
 - Unfavourably comparing one person to others
 - Blaming a person for problems they did not cause
 - Taking credit for another's contributions

- Purposefully inappropriately excluding, isolating, or marginalising a person from activities
 - All the examples written under 'Bullying' are valid when they are done online. This would be 'cyberbullying'.

Complaint processing

Structure of the board meeting

The board meeting should follow the normal Content, Opinions, Decision (COD) format to keep it as structured as possible.

If it went through one board member, we make it an agenda item, with everything anonymized.

If the complaint goes through the external trust person, then they should be allowed to join the board meeting until and including the Opinions round. It is valuable to have the input of the person who recorded all the details of the incident. However, since they are not a part of the VSPA, they are not in the position to make decisions on matters regarding the association.

The external trust person should be informed about the process of writing an agenda item beforehand so that they can anonymize the information and add it to the agenda of the board meeting when necessary.

It is nice to put a trigger warning at the beginning of the agenda item to make sure that no one feels emotionally distressed. When there's a social safety agenda item, it is also a good idea to send a message to the Board+SB+CAC chat beforehand.

How to structure the agenda item

While structuring an agenda item it is important to make sure you capture all the facts necessary. Some important points to mention are the following:

- Date/When
- Place
- Exact course of the offence

Additionally, it is important to strive to keep the agenda point strictly factual and to avoid mentioning too many opinions. This way you can give your board members a chance to form their own opinions.

The goal of this agenda item should be to decide on a sanction as the board will inform the offender of the sanction and will present the sanction in a GMA if necessary. The agenda item should also include the social safety policy and this extensive document in the folder for all the board members to make an educated decision.

The advised time for this agenda point is maximum of 30 minutes. It is longer than a usual agenda point but this is an important topic that needs elaborate discussions. That being said, the discussion should not exceed 30 minutes because it might lose its objectivity at that point.

A. Social Safety Sanction Decision xx:xx

[Name] writes: x

Goal: Decide on a sanction

Duration: 30 min

Preparation: Read the policy and extensive doc

When board member(s) is involved

The decision process and the structure of the board meeting will follow differently in the case that a board member is involved in a breach of social safety.

We have outlined three different scenarios:

1. A board member is the offender:

When the board member is the offender we believe that the board is not qualified to decide on the sanction. We would be too biased by the story we hear from our board member and the sanction we decide on would affect us too much since dismissal of a board member affects how the board functions. Thus, it is advised to let the GMA decide on the sanction.

- The board member who received the complaint from the victim will follow the steps in the referral process.
- The matter won't be discussed in a board meeting, however, it is advised that the remaining board members (besides the offender) talk to each other in an informal meeting and express how they feel about the situation.
- The board member who received the complaint will present the complaint at the GMA (if the victim agrees) like with every other complaint. However, they won't present a sanction. Deciding on the sanction is the job of the GMA.
- According to the Charter a board member, differently from a regular member, can only receive two sanctions: suspension for 3 months or dismissal.

Suspension for longer than 3 months is not an option.

- The suspension or the dismissal of board members have to go through the GMA even if the board member does not decide to appeal.

2. A board member is the victim:

When the board member is the victim we still don't think the board is qualified to make a decision. They might be too biased by the fact that the victim is close to them and decide on a more severe sanction than necessary.

Additionally, if they do not choose to give a major sanction, the board member who is the victim can get offended. However, we do not think that in this situation the GMA should make the entire decision because unlike the former point, the sanction is still given to a regular member. Thus, we believe this decision can be made by the Supervisory Board. These are the advised steps to follow:

- The board member who is the victim either contacts the external trust person or one of their board members with the complaint. He/she also goes through the referral procedure.
- Next step is to discuss the matter in a board meeting. However, the board member who is the victim, does not attend this board meeting (or the agenda item) so that everyone can make a less biased decision.
- Normal BM's are attended by one SB member, however, this time, all the SB members should be present for the agenda item.
- The discussions will still follow in the COD format. However, in the decision round, the SB members will vote and the board members won't have a vote. This is the reversed version of a regular decision round.
- CAC can decide to join the discussions but they will not get a voting right at the decision round.
- The SB members can still be biased because the board usually forms close connections with their advisory organs but they will still be less biased than the board itself. However, if the SB of the year does not feel qualified to make this decision, the GMA committee can be contacted to join the board meeting.

3. Both the victim and the offender are board members:

In the case where both the victim and the offender are board members we highly advise against the board making any decisions. The board is too involved with the whole situation and this would highly affect the board dynamic as well. Thus, the decision should be left entirely to the GMA. Here are the advised steps to follow:

- The victim board member contacts the external trust person and not the contact person from the board because they would be too emotionally involved to keep the facts objective. It is up to the victim to decide if they want to share it with the rest of their board.

- The external trust person walks the victim through the referral procedure. - The matter is not discussed in a board meeting. It is up to the board or the chair of the board to find a way to deal with this issue and create a safe environment with both parties (either all together or separately) to discuss the issue.
- The external trust person presents the case in the GMA instead of the board. The GMA decides on the sanction for the offender. The sanctions are explained above under 'board member is the offender'.

How to announce the sanction to the offender

This is a template email that you can send to the offender while announcing the sanction. It is advised to only mention the victims name if they agree to their name being shared.

[Nederlands]

"Naam,

Zoals we je al eerder hebben medegedeeld, is er een klacht binnengekomen over jou. In het bijgevoegde document kun je de aanklacht en de sanctie die wij hebben bepaald teruglezen.

Als je het niet eens bent met de opgelegde sanctie, heb je het recht binnen een maand na het ontvangen van dit bericht in hoger beroep gaan . Als je dit doet, wordt deze sanctie heroverwogen tijdens een algemene leden vergadering.

Als je nog vragen hebt, horen we dat graag."

[English]

"Name,

As we informed you about before, we have received a complaint about you. In the attached file you can read the complaint and the sanction we decided on.

If you don't agree with the imposed sanction, you hold the right to appeal within one month after receiving this message. If you do so, the sanction will be reconsidered during the general members assembly.

Please, let us know if you have any questions."

Template for the attached file:

[Nederlands]

“Op [dag, dd/mm/jj] rond [tijd] heb je grensoverschrijdend gedrag vertoond.

Het volgende is gebeurd:

Feiten over het voorval:

Gebaseerd op het besluit van het bestuur en ons sociale veiligheid beleid [link] hebben wij deze sanctie toegewezen aan jou.”

[English]

“On [day, dd/mm/yy] you have shown unacceptable behaviour.

This is what happened:

Facts about the incident:

Based on the decision of the board and the social safety policy [link] we have given you this sanction..”

Deciding on the sanctions

We decided to scale the sanctions in order to make it easier for the board to decide on the most appropriate one. It is important to stress here that each case is different, and should be treated as such.

When making this document, we intended to make a more concrete scale with every example leading to a different sanction. However, we realised that situations are very context dependent and obviously need subjective judgement which makes it difficult to write them down in an objective way. This is why we decided to make general guidelines for what sanction has to be chosen. The severity of the offence is up to the discretion of the board and all other people involved in the decision making process.

They are as follows:

- *Minor offence: 1 to 3 months of suspension*
- *Intermediate offence: 3 to 6 months of suspension*
- *Major offence: Disqualification from membership*

As mentioned in the policy, if the person being suspended/disqualified holds a position of responsibility within the VSPA (doesn't apply to board members), then they will not be allowed to do so for the period of suspension/after disqualification. If the person is a board member, then they can be suspended for

a maximum of 3 months after which they may be dismissed from their position. Refer to the charter for exact details. Another note is that these sanctions are in line with the charter, which means that a person cannot be given more than 6 months of suspension, for example.

How to deal with appeals against sanctions

If the offender decides to appeal, this is an example of an email that you can send them.

[English]

"Name,

Because you disagree with the decisions we've made, you're appealing. You very much have the right to do so and we believe it is important that your freedom to appeal is not being violated. However, we would like to inform you about the consequences that may follow from this appeal. This is purely informative and only meant to give you an idea of what it means for you to continue your appeal.

The situation will be passed on to the General Member Assembly (GMA) committee. After this, the situation is discussed in detail during the GMA and the members are allowed to ask questions. This means that your identity can no longer remain anonymous and that not only those present at the GMA but all members of the VSPA are familiar with the situation and therefore, your name. It is important that you understand the impact this may have on your future. Again, we don't want to stop you from appealing but we would like to make it clear that it should be a well informed choice.

Please, let us know if you have any questions."

[Nederlands]

"Naam,

Omdat je het niet eens bent met de beslissingen die wij hebben gemaakt, ga je in hoger beroep. Hier heb je het al het recht toe en wij vinden het belangrijk dat de vrijheid om in hoger beroep te gaan niet geschonden wordt. Wel willen wij je graag op de hoogte brengen van de consequenties die kunnen volgen uit het hoger beroep. Dit is puur informatief en alleen bedoeld om een idee te geven van wat het voor jou betekent om door te procederen. De situatie wordt doorgegeven aan de Algemene Leden Vergadering (ALV) commissie.

Hierna wordt de situatie uitvoerig besproken tijdens de ALV en mogen de leden vragen stellen. Dit betekent dat jouw identiteit niet meer anoniem

kan blijven en dat niet alleen de aanwezigen bij de ALV maar alle leden van de VSPA bekend zijn met de situatie en met jouw naam. Het is belangrijk dat je begrijpt wat voor invloed dit kan hebben op je toekomst. Nogmaals, we willen je niet tegenhouden om in hoger beroep te gaan maar we willen graag duidelijk maken dat het een weloverwogen keuze moet zijn.

Als je nog vragen hebt horen we dat graag.”

If the offender still would like to appeal at the GMA these are the steps to follow:

- Contact the victim and let them know of the situation. Ask them whether they would like to join the GMA to support their case.
- If the victim agrees to participate in the GMA to tell their own story, inform the GMA Chair beforehand. It is important to make sure that the GMA does not get too emotional for either the offender or the victim. It is a good idea to minimise dialogue between the two parties. Therefore, it is advised to keep the discussion part only 10 minutes long. It is important to give everyone a chance to voice their opinions but it is the responsibility of the GMA Chair (and the Board if necessary) to make sure the discussions are not hurtful to either parties. It is also important for the GMA Chair to make sure there is no back-and-forth dialogue between two members of the GMA.
- If the victim does not wish to attend the GMA, it is the job of the Board, specifically the contact person, to present the case during the GMA. In this case it is very important to avoid giving any names and/or indicate any sides. The Board member presenting the issue should stay as factual as possible. Explain the situation as they heard from the victim, give any important information and refer back to the policy.

Here is an example:

“ X touched Y’s butt during a borrel on 17th of May without their consent. According to the social safety policy and the decision made during the board meeting the appropriate sanction for this act is getting suspended from membership for x months”. By staying factual you protect yourself from getting emotionally involved as these are emotional matters for all.

As mentioned above, it is important to keep the GMA as factual as possible to avoid emotional damage to not only the offender and the victim but also all the members of the GMA. Since the subject at hand is highly emotional and sensitive, it is important to add a trigger warning at the start of the GMA and during the promotion (if known).

Lastly, it is important to note that the GMA votes on the sanction that the board previously decided on. This means that the sanction cannot be changed during the GMA as a result of the discussions, but can only be accepted or

rejected. If the sanction has been rejected, there can be another vote asking 'do you think this person deserves any sanctions?'. If the majority vote is 'yes' the board will have another Board Meeting about the issue and decide on a new sanction. Then, they need to organise a new GMA for this issue and present it to the members again. Waiting for the next GMA could be possible if it is within a month after the original GMA. However, if it is any later than that, it is advised to organise one GMA devoted to this to make sure the issue is resolved fast.

Implementation of policy

This policy is a very important one, as it ensures a safe environment for everyone that's attending VSPA events. It is therefore important that everyone is informed about the existence and the content of this policy and this document. In order to achieve this, the policy should be put in the transmission document that goes from board to board.

It should also be explained during the transmission weekend (from board to board), where there will be enough time to even explain this extensive document.

Furthermore, the policy should be mentioned and explained during the first committee meetings. In this way, all the active members will know about the existence of the policy. At the beginning of the year an instagram post or story can be made by the board, where they explain the policy, the reason for the policy and the importance of the policy. This way, not only the active members, but all the members will be informed. Besides the social media promotion of the policy it is also important to print flyers/posters to hang in the room in order to reach people with limited/no social media. Furthermore, the board can choose to include a section about this in the first newsletter that VSPA publishes in the year and maybe add to the website/app.

Other than that, the power of mouth-to-mouth promotion should not be forgotten. Talk about the policy at events, in the room, during the promotional talks. Make sure all the members of the VSPA feel and are safe.