SOCIAL SAFETY CODE

for *Art* Education

What do we mean by *Social Safety* ?

Social Safety Code for Dutch higher art education

'Fear is the enemy of art', according to a statement co-signed by 445 young theatre makers.[1] Though their open letter was specifically addressed to the theatre sector, their words are relevant to the cultural sector as a whole. The incidents that led to the publication of this open letter have also exposed a structural vulnerability.

Inappropriate behaviour has been a pressing social issue for a number of years already. Movements such as Black Lives Matter and #MeToo have opened our eyes to forms of discrimination and sexual harassment which may have previously escaped our attention, but which must be vigorously confronted, and better still, prevented whenever possible.

This places new demands on organisations within all sectors – and art education is no exception. Unsafe environments pose a clear threat to creative freedom, and thus to the very essence of art. Safe learning and working environments constitute a basic necessity for all forms of education. In the case of professional art education, the often close relationship between students and teaching staff makes this sector particularly vulnerable

Art education is keenly aware of its own special position, of its unique strength and significance, but also of its inherent vulnerability. We are thus collectively committed to addressing and opposing all forms of inappropriate behaviour, and to ensuring safe learning environments that will empower our students to become resilient professionals, now and in the future.

Art education addresses not only the student's professional development, but also their personal development. Art education, more than other fields of vocational education, relies heavily on individual educational formats, physical proximity, and intensive cooperation – among students as well as between students and teaching staff.

The need to collectively develop relevant policy and measures is exemplified by the 2021-2025 sector agenda for Art and Design Education, which explicitly addresses the theme of social safety.

Educational institutions are responsible for providing safe, healthy and pleasant working and studying environments for their students and staff members. An educational institution can be considered safe when the social, psychological and physical safety of its students and staff members is not negatively impacted by the actions of others. Bullying, discrimination, (sexual) harassment, aggression, violence and all other forms of inappropriate behaviour are thus completely unacceptable – which in turn means that the institution is responsible not only for taking action against any such behaviour, but also for implementing measures to prevent it wherever possible.

Definitions of key concepts and terms relevant to the theme of social safety can be found in Appendix 1.

The urgent need for a clear policy was emphasised in the Statement [2] published in May 2021, together with an outline for a Social Safety Code for Art and Design Education [3]. The following Code was formulated based upon this outline.

1 Open letter by 445 theatre makers: 'We will not be intimidated by the culture of fear' – Theaterkrant
2 Statement_Sociale_veiligheid_in_het_kunstonderwijs_EN.pdf (vereniginghogescholen.nl)
3 Contouren_Code_Sociale_Veiligheid_en_plan_van_aanpak_Kunstvak_Onderwijs_EN.pdf (vereniginghogescholen.nl)

This Code describes the (minimum level of) measures which each institution must implement, as well as the (quality) requirements for compliance with these measures. The measures described in this Code address the (structural) institutional and policy safeguards implemented by each institution. The Code was designed as much as possible in accordance with existing sectoral and professional standards, including those described in the sector code for good governance formulated by the Association of Universities of Applied Sciences (Branchecode Goed Bestuur Hogescholen) and the collective labour agreement for higher professional education (CAO Hoger Beroepsonderwijs). As a sector, we are collectively responsible for monitoring, mutual accountability, and compliance with the Social Safety Code.

The Code describes the minimum requirements: the basic principles with which all institutions must comply. Ongoing (social) developments will in all likelihood require a continuous refinement and expansion of definitions and requirements, and thus of the Code itself. In other words, the Code is a living document.

In addition to the requirements for each institution, further collective policies and measures will be developed to ensure safe and professional learning and working environments for art education, in accordance with the 2021-2025 sector agenda for Art and Design Education[4]. Policies and measures will be periodically evaluated and adjusted within the framework of the sector agenda.

THE
Code

1. Code of conduct

Each institution formulates its own internal code of conduct or regulation defining the boundaries of acceptable conduct within the institution. This code or regulation applies to all students and staff members, and is published on the institution's publicly accessible website.

2. Confidential advisors

Within each institution, one or more independent confidential advisors are available to all students and staff members. The role of the confidential advisor is defined in a way that is suitable to the characteristics of each organisation. In all cases, the confidential advisor's role and position must be defined as being independent and comprehensive, thus guaranteeing that this role can be exercised autonomously. In cases where the nature or size of the organisation makes it impractical to appoint an independent confidential advisor, the institution will appoint an external confidential advisor. The confidential advisor must be affiliated with the Dutch national association of confidential advisors (*Landelijke Vereniging voor Vertrouwenspersonen, LVV*) and is bound by this association's code of conduct.

The confidential advisor's contact information is published on the institution's publicly accessible website.

In addition to the confidential advisor appointed by each institution, students, alumni and (former) staff members of art education programmes can also contact the Mores.online foundation. Mores.online does not directly process reports, but provides assistance to individuals wishing to report an incident. For example those who, for whatever reason, feel that they cannot report the incident directly to the institution, or that they have not been heard sufficiently after doing so.

Mores.online listens to all those who feel they have something important to say. The foundation can also assist individuals in negotiating an informal settlement, in filing a formal complaint (with the institution concerned), or in reporting the incident to the police.

3. Procedure for reports and complaints of inappropriate behaviour

Students and staff members should always be able to report inappropriate behaviour without fear of negatively impacting their academic career or legal position.

Each institution has regulations in place that describe how students and staff members should report any form of inappropriate behaviour – for example, by filing a formal complaint.[5]

Information about this procedure must be readily accessible: published on the institution's publicly accessible website, and easy to find.

In cases where all reports within an institution are processed through a general (complaints) procedure, it must be explicitly stated that this procedure (also) applies to reports of inappropriate behaviour.

4. Professionalisation

Each institution ensures that social safety is a key component of the professionalisation of its staff. Each institution is responsible for defining how this topic will be addressed in training activities. Any relevant supporting knowledge and materials will be collected and made available on a national level.

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5 In accordance with articles II.1.5 and II.1.6 of the sector code for good governance formulated by the Association of Universities of Applied Sciences (Branchecode goed bestuur Vereniging Hogescholen)

5. Embedding within policy

Each institution formulates its own policy on social safety and related topics. This policy is defined in consultation with the relevant representative advisory bodies.

At least the following topics must be addressed within this policy:

- Design and implementation of policies aimed at diversity and inclusion. Each institution must actively and demonstrably foster a diverse and inclusive atmosphere. This means that each institution has formulated a policy on this topic, and/or has appointed one or more individuals officially mandated with addressing this topic.

- Didactics, and safe teaching and assessment formats.

- Sustainable and social-minded staff policy.

6. Monitoring of social safety

Each institution is also responsible for monitoring the experiences of its students and staff members with regard to the topic of social safety. Each institution must define how relevant information is collected and how possible areas of risk are identified: for example through student evaluations, safety monitors, staff satisfaction surveys and risk assessments (*Risico Inventarisatie en Evaluatie, RI&E*).

7. Compliance with this Code

Compliance with this Social Safety Code is monitored by the administrative consultation platform on art education (*bestuurlijk overleg KUO*). The Code, compliance with the Code, and any necessary amendments to the Code will be discussed and evaluated on a yearly basis.

Compliance of institutions with the stipulations of this Code will be assessed prior to these discussions, based upon the information available on the institutions' publicly accessible websites. The analysis is formulated by the sectoral advisory board (*sectoraal adviescollege*).

It should be noted that the institution's formal compliance with the Code is the sole topic of this assessment. The quality of institutional and policy safeguards is itself a topic of discussion within each institution, for example with the relevant representative advisory bodies.

The sector is collectively responsible (through the administrative consultation platform on art education, *bestuurlijk overleg KUO*), for ensuring the compliance of all institutions with the requirements stipulated above. Institutions are required to explain and justify any exceptions to the application of this Code.

Institutions will be notified of any failure to comply. Any such notification must lead to clear and concrete agreements and a timetable for future compliance with the Code.

The report and a (brief) description of compliance with the Code, based on discussions within the administrative consultation platform on art education, will be included as part of the annual progress report to the Ministry of Education, Culture and Science.

The following definitions are based upon those used within the Rotterdam University of Applied Sciences, and more specifically the Willem de Kooning Academy. These definitions are explicitly proposed as a starting point for an ongoing discussion toward collectively formulating definitions applicable within the sector as a whole.

APPENDIX 1: *Definitions*

Inappropriate behaviour

Any statements or actions, in the form of verbal, non-verbal or physical behaviour, expressed either directly or indirectly towards a person, which are experienced by this person as inappropriate and/or undesirable, and which constitute a violation of this person's integrity; including, but not limited to, (sexual) harassment, discrimination, aggression, violence and bullying, under circumstances directly related to the conduct of one's work or study.

Sexual harassment

Any form of verbal, non-verbal or physical behaviour containing a sexual meaning or undertone, which has the purpose or effect of violating the person's dignity; in particular when leading to a threatening, hostile, insulting, humiliating or offensive situation.

Discrimination

Discrimination is the unequal treatment of persons in neutral situations: treating a student or employee in a different way than another person in a similar situation in the past, present or future, on the basis of personal characteristics such as gender, skin colour or religion.

Bullying and harassment

All forms of intimidating behaviour of a structural nature, by one or more staff members or students, directed either against an individual staff member or student, or against a group of staff members or students. This includes any verbal, non-verbal or physical behaviour, or any combination thereof. Verbal behaviour is defined as either spoken (face-to-face, video call, telephone), or written (letter, e-mail, text message or social media).

Aggression and violence

Incidents in which a person is psychologically or physically harassed, threatened or assaulted, under circumstances directly related to the conduct of one's work or study.

Student well-being

Student well-being is defined as a sustained positive psychological state, characterised by resilience, satisfaction with oneself and with one's social relationships and experiences during one's study years, and the ability to cope adequately with stress, setbacks, emotions and frustrations.

Diversity

Diversity can be defined in two different ways within the context of education. On the one hand, human diversity: the challenge of an academic environment that includes individuals from various cultural and socio-economic backgrounds, religions, abilities, genders, skin colours, sexual preferences, ages, and any other characteristics that position them within society.

On the other hand, diversity of knowledge: the challenge of questioning academic traditions and mainstream canons which have traditionally focused exclusively on Europe and the U.S., and broadening these by adopting other academic perspectives and approaches to teaching and learning. In doing so, we envision a university community that is keenly aware of how academic knowledge is influenced by historical conditions, and of the social and environmental impact of these conditions.

This definition is based on the report 'Let's Do Diversity' (Wekker et al, 2016).

Inclusivity

In accordance with the report 'Let's Do Diversity', inclusivity is defined as fostering an inclusive community in which 'everyone gets the opportunity to optimally develop his or her talents, irrespective of gender, ethnicity, age, sexual orientation, ablebodiedness and social, cultural and religious background'.