



Open Letter: Response Report Social Safety

Dear reader, dear Fred,

The FSR FGw received the Social Safety report written by the External Committee requested by the CvB to investigate *“the system of reports and complaints (and its functioning) regarding Social Safety (or lack thereof) at the University of Amsterdam to make recommendations on how to improve the current system”* on the 2nd of november.¹ The long-awaited report is of great importance to the FSR FGw and all the parties involved in the case, as it pertains to the safety of all students at FGw and UvA, and more so of C&R. For this reason, the FSR FGw feels it is its duty to examine this report and evaluate its judgement on the case and the authorities responsible for it. It is of vital importance that the steps suggested to be taken are proper, in order to make our faculty safe for students and staff alike. That being said, the FSR FGw thanks the External Committee for a thorough investigation and for their fitting recommendations and we hope that our review of the report complements it.

Let us start with the evaluation in the report of the authorities responsible for the case, namely the faculty dean and the CvB. On page 21 the external committee lays out its assessment of the system of complaints as well as how the case was handled by the authorities involved. Furthermore, they say they notice *“two worlds with different subjective experiences:”* *“the world of the students who felt subjected on a daily basis to a lecturer teaching a programme with very few students on whom they felt very dependent and whose behaviour was experienced as unsafe”*, and *“the world of role and responsibilities, formal structures with rules and protocols, and a legal assessment (under employment law) of the body of facts”*.² The committee notices that these two worlds should have been bridged in the FH case. The FSR-FGw is of the opinion that, by the definition of the role of supervisors given in this report,³ the FH Dean should have been this bridge. His ‘overriding authority’ could have bypassed the complaint system if it was lacking. At that point, there

¹ ‘Social safety requires reinforcement’, External Committee on Social Safety, p. 4.

² Ibid, p. 22.

³ See definition of the role of supervisors on page 9 of ‘Social safety requires reinforcement’.

were sufficient signs that the claim made by the Complainants was not being properly dealt with. Considering this, the FSR would like to state that:

1. The FH dean did not react with sufficient alertness⁴ and care. In the report they state: *“He has considered that the complaints set out in the 2019-Letter were serious enough to respond upon receipt thereof on 1 April 2019. Almost immediately, he invited the Complainants for a meeting.”*⁵ The FSR FGw considers that the dean’s fast initial response is not enough to conclude he was indeed alert. Although he took action, he did not seem sufficiently prepared nor attentive for the following reasons:
 - a) The dean did not suspend the teacher after receiving the 2019-Letter⁶ (28 March, 2019). The FSR FGw is of the opinion that when you receive complaints of this degree you should always suspend someone until an external investigation has been performed. The FSR FGw agrees with the committee that states that: *“It would have been obvious to discharge the Lecturer completely from his teaching duties pending the investigation”*.⁷
 - b) The dean should not have given the teacher the benefit of the doubt in terms of changing his behaviour when there were complaints from years already. If he was not to suspend him, at least the *2019-Letter* should have been enough reason to carry out an external investigation. Furthermore, we can observe that the teacher in question had an extensive track record of inappropriate behaviour before the intervention of the dean in 2019. This is confirmed by both the 2014 Letter and the 2018 Letter. The conversation initiated by the dean with Complainants should therefore not be construed as the first step into the process, but as the culmination of years of inadequate responses, which lead to the persistence of an unsafe environment at C&R. Therefore, giving the teacher the opportunity to change is untenable as an argument and the FSR FGw agrees with the committee that states that: *“(…) the FH dean has insufficiently demonstrated that he was concerned about the social safety of the B&P students”*.⁸

⁴ “The Committee understands the term ‘alert’ in the sense of being vigilant, attentive and prepared to take action. It understands the term ‘careful’ in the sense of being accurate and precise” ‘Social safety requires reinforcement’, External Committee on Social Safety, p. 22.

⁵ ‘Social safety requires reinforcement’, External Committee on Social Safety, p. 22.

⁶ The 2019 Letter contained the complaints about the unprofessional and unacceptable behavior of the Lecturer, as they saw it, substantiated by nineteen detailed examples. They pointed out that the Lecturer had been able to behave this way for years, because the direct circle around the Lecturer had never taken action, despite earlier complaints, and because previous classes had not dared express themselves (in full), fearing repercussions.

⁷ ‘Social safety requires reinforcement’, External Committee on Social Safety, p. 23

⁸ Ibid, p. 22.

- c) The conversations between the dean and the Complainants, and the dean's conversation with the teacher should have been attempted to be logged. At the very least, he could have asked the students affected whether this was admissible for them or not. The dean should have responded to the FSR's advice on *vertrouwenspersonen*. On the 5th of February of 2020, the FSR FGw 2019-2020 sent an unsolicited advice about *vertrouwenspersonen* (20fgw002). In this letter they advised the dean on how to make *vertrouwenspersonen* more accessible to increase social safety. However, The FSR only received a response (fgw20u0174) four months later, after it had sent another unsolicited advice demanding a reaction on the matter.
2. On the matter of care, even though "*there is no assessment framework of adopted procedures for handling complaints by supervisors*"⁹ the report could have taken a different basis for the assessment about whether the dean has responded with a sufficient degree of care. In other words, the dean could have responded with a lot more care to the experiences and requests of the Complainants, to the NRC article, and during the meeting the FSR FGw 2019-2020 had with him about the NRC article¹⁰. His initial response to all of these things showed a lack of care for the students and a surplus of attention for formal rules and the teacher involved. The points above on page's 2-3 illustrate that the dean was not 'alert' enough throughout the handling of the case, and on the topic of social safety in general. It also reflects on how the dean has not taken the student council and the Complainants in general seriously whenever they have addressed these issues.

Nevertheless, it is important to note that the report has criticized the dean on page 23, and the FSR FGw agrees with the following:

1. "*Based on the mere contents of the 2019 Letter and the initial exploration of the complaints with the Complainants and the Lecturer, the FH dean should have ordered an independent investigation, out of care for the wellbeing of all those involved*".¹¹
2. "*The FH dean referred the Complainants several times to the Complaints Committee assuming that the Complaints Committee – by hearing both sides of the case – could investigate the substance of the complaints and that he could take further measures only on the basis of the final decision. Apart from the fact that the Complainants did not want to file a complaint for the reasons specified by them, the assumptions of the FH dean are incorrect. The Complaints Committee can only investigate matters to some extent.*"

⁹ Ibid, p. 22

¹⁰ The FSR FGw dedicated their last Overleg Vergadering (18th of June 2020) of the year to Social Safety.

¹¹ 'Social safety requires reinforcement', External Committee on Social Safety, p. 22.

The FSR FGw notes that the points *a* and *b* on page 22 that answer the committees' question in the report about the dean's alertness and care downplay the critiques that follow them.

As mentioned in the report, the CvB's reaction was also assessed. The FSR FGw is of the opinion that the CvB should have been criticized more on the basis that it is also a body of authority who could have changed the outcome of the case earlier. Moreover, in October 2019, *"the chair of the Complaints Committee notified the Board that the Complainants had written that they had asked the Board for an external investigation and that they were not prepared to cooperate in an investigation carried out by the Complaints Committee."* Thus, they *"advised the Board to ask the FH dean to have a third party investigate the Lecturer and the safe social environment within the relevant division"*.¹² However, the Board decided to forward this suggestion to the Ombudsman who in turn advised against having an external investigation on the lecturer. All of this happened without notifying the Complainants. The FSR FGw considers this was fundamentally a wrong course of action, and that transparency in the handling of the case at this point could have changed the outcome of the following events. Furthermore, most of the actions taken by the CvB to ensure the student's feeling of safety, and to improve the complaint system were taken after the NRC article was released. As such, the report overstates the period wherein the board has taken measures. The first action was taken in September 2019, according to the report. Needless to say, that is not a two-year period that the report talks about. However, the FSR FGw wants to stress that they are happy that these measures have been implemented, and is hopeful that the promised further actions the CvB will take will improve the complaints structure.

In chapter 3 the External Committee elaborates recommendations for tackling the *bottlenecks* found in the current complaint procedure. The FSR FGw wants to stress its support for all the recommendations made. They address many, if not all of the systematic shortcomings surfaced by the C&R case. The FSR FGw hopes to see that the CvB implements all these recommendations. In addition to the measures mentioned by the committee, the FSR FGw has heard from Philosophy students that some of their courses opened with a statement about social safety and its importance. The FSR FGw thinks that this is a very important measure that should be implemented faculty wide and year after year.

We want to thank the External Committee on Social Safety for their extensive report. As mentioned above we agree with all the recommendations they formulated, but we wanted to point out what was insufficiently critical in the report from our perspective as a student body. We strongly recommend that the dean asks for an external investigation to find out

¹² Ibid, p. 20

what exactly happened in the FH case to learn from this.¹³ Furthermore, we want to stress our support to all the (former) C&R students that have had to experience an extremely unsafe environment that has impacted their lives. We hope this report will help create awareness to the fact that social safety simply is not a given at the University of Amsterdam.

Yours sincerely,
on behalf of the FSR FGw,



Zazie van Dorp
Voorzitter

¹³ As mentioned on p.4 of the report: "The Committee has not investigated what happened in the FH case, but has analysed how the FH case was handled".