

Reporting Code Domestic Abuse and Child Abuse HZ

The Executive Board of the Stichting HZ University of Applied Sciences;

Taking into consideration the Decree on requirement reporting code domestic abuse and child abuse;

Taking into consideration the provisions in art. 1.21 of the Wet op het hoger onderwijs en wetenschappelijk onderzoek (WHW, Dutch Higher Education and Scientific Research Act);

Enacts the Reporting Code Domestic Abuse and Child Abuse HZ.

Reporting Code Domestic Abuse and Child Abuse HZ

Article 1. Definitions

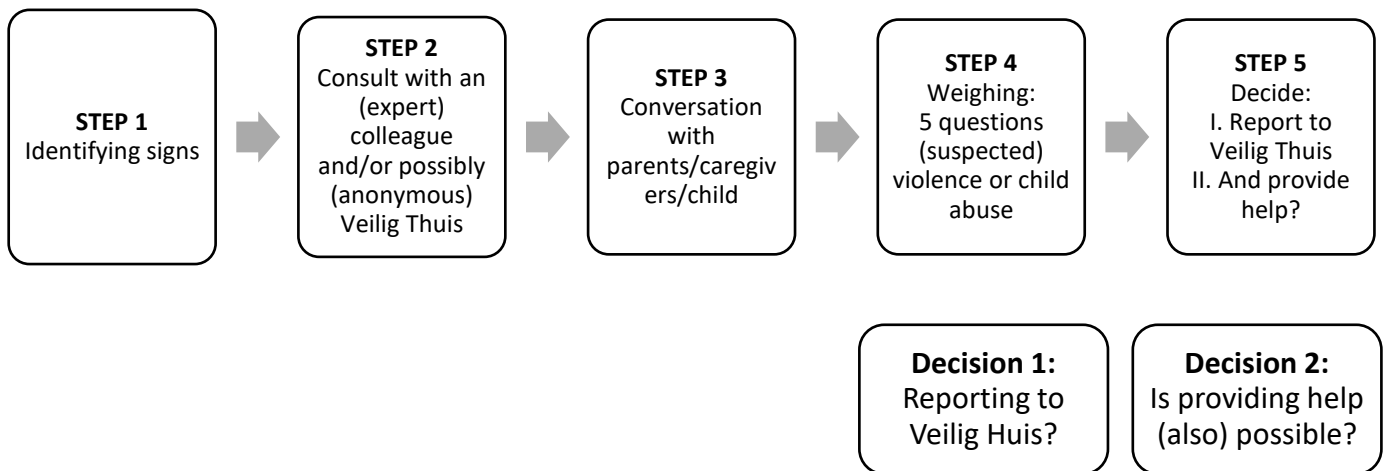
The following definitions are used in this regulation:

- 1.1 **HZ:** Stichting HZ University of Applied Sciences;
- 1.2 **Executive Board:** the Executive Board of the HZ;
- 1.3 **Student:** the person who is registered as a student or external at the HZ, within the meaning of title 3 of chapter 7 WHW;
- 1.4 **WHW:** Wet op het hoger onderwijs en wetenschappelijk onderzoek (Dutch Higher Education and Scientific Research Act);
- 1.5 **Domestic abuse:** domestic abuse as defined in art. 1, first section sub k of the Wet maatschappelijke ondersteuning (Social Support Act) (*physical, mental, or sexual violence or threats thereof by someone within the domestic circle*);
- 1.6 **Child abuse:** child abuse as defined in art. 1 of the Wet op de jeugdzorg (Youth Care Act) (*actively or passively imposing any form of threat of, or actual violent interaction of a physical, psychological, or sexual nature by the parents or other persons towards whom the minor has a relationship of dependency or of unfreedom, which causes serious damage or risks or threatens to cause such damage to the minor in the form of physical or psychological injury*);
- 1.7 **Reporting code:** Reporting Code Domestic Abuse and Child Abuse HZ;
- 1.8 **Child check:** standardised check of a student who is responsible for the care and upbringing of one or more minors, with a view to their safety;
- 1.9 **Lecturer:** the person who is employed as a lecturer by the HZ, the person who performs work in the capacity of lecturer for the HZ, and the person who in any other way is involved in the educating of students.

Article 2. General

- 2.1 Every lecturer watches out for signs of domestic abuse or child abuse, where students are (suspected to be) involved as victim, witness, or perpetrator.
- 2.2 Every lecturer responds adequately to signs of domestic abuse or child abuse.
- 2.3 This reporting code is not applicable:
 - to violence committed by a lecturer against a student¹;
 - to possible violence committed between students, unless those students are affective partners¹.
- 2.4 If signs of domestic abuse or child abuse are identified, the roadmap as set out in the Reporting Code Domestic Abuse and Child Abuse is followed. To support the decisions in step 4 and 5, the Assessment Framework Reporting Code Education is followed (**annex 1**).

¹ If this is the case, it should be reported to the Institutional Board (art. 1.20 WHW).



Article 3. Step 1: Identifying Signs

- 3.1 The lecturer records in writing any suspicion of domestic abuse or child abuse and the observed signs for situations where a student is involved as victim, witness, or perpetrator, the lecturer also records any contact about these signs and any steps and measures taken, as well as possible signs that refute suspicions of domestic abuse or child abuse.
- 3.2 For recording the signs, the 'Internal Report Form' is used, attached as **annex 2** with this reporting code.
- 3.3 The lecturer performs a child check if there are minors who are the student's dependents. They inventory whether underage children are in the care of the student and whether there are circumstances (including the student's medical condition) that form a risk of adversely affecting the development and safety of these children. If there are children who are the student's dependents, the lecturer records in writing:
 - the number and ages of the children;
 - whether the student shares the duty of care for the children with a (former) partner or with another adult.
- 3.4 In the event the lecturer has no contact with the children of the student concerned, the lecturer records any (parent) signs, such as physical condition or mental state, or other circumstances that could constitute a threat to the safety or development of the children who depend on the student.

Article 4. Step 2: Collegial Consultation/Expert

- 4.1 The lecturer informs the programme coordinator of any signs that point to domestic abuse or child abuse. In consultation between the lecturer, the programme coordinator, the domain director, and the dean, acting in the capacity of safety officer, advice can be obtained from Veilig Thuis¹.

¹ <https://veiligthuis.nl/>

- 4.2 In case of specific forms of violence, such as honour related violence, forced marriage, sexual abuse, and female genital mutilation, the lecturer, in consultation with the programme coordinator, the domain director, and the safety officer domestic abuse, obtains advice from Veilig Thuis.
- 4.3 The outcome of collegial consultation and/or advice is recorded in the form attached to these regulations as annex 2.

Article 5. **Step 3:** Conversation with Student

- 5.1 The lecturer discusses signs that point to domestic abuse or child abuse with the student. Within that framework, in consultation with the programme coordinator, the domain director, and the safety officer domestic abuse, they can obtain further advice from Veilig Thuis.
- 5.2 In consultation with the lecturer, the programme coordinator, and the safety officer domestic abuse, the domain director determines which parties will participate in this conversation on behalf of the HZ.
- 5.3 During the conversation, the purpose of it is explained and a description is given of the recorded facts and observations. The student is invited to respond to these.
- 5.4 After the response from the student, the interpretation of the seen, heard, or observed matters is evaluated. In the event of female genital mutilation, the declaration against female circumcision may be applied¹. The possibility of sharing these sign(s) with Veilig Thuis is discussed (after completing the assessment framework). The student is informed that a dossier is being compiled in compliance with the (privacy) directives of HZ.
- 5.5 No conversation is had with the student (and a report is filed immediately) if:
- there are concrete indications that the safety of the student, the relevant lecturer, or others are or could be at risk;
 - there is reason to assume that the student, as a consequence of the meeting referred to in this article, may break off all contact with the lecturer and the student therefore can no longer be adequately protected from possible violence.

Article 6. **Step 4:** Considering the Nature and Seriousness of Domestic Abuse or Child Abuse / Recommendation

- 6.1 The lecturer considers, in consultation with the programme coordinator, the domain director, and the safety officer domestic abuse, the risk, the nature, and the seriousness of domestic abuse and child abuse based on signs as referred to in art. 3, any external advice as referred to in art. 4, and the conversation with the student referred to in art. 5. The following considerations are taken into account:

¹ Declaration against female circumcision: <http://www.pharos.nl/nl/kenniscentrum/meisjesbesnijdenis/protocollen-enmaterialen/preventiematerialen/verklaring-meisjesbesnijdenis>

Consideration 1: Based on steps 1 through 4 (art. 3 through 6), do I suspect (a threat of) domestic abuse or child abuse?

- No: record and close dossier.
- Yes: continue to consideration 2.

Consideration 2: Based on steps 1 through 4 (art. 3 through 6), do I suspect that the situation constitutes an imminent and acute safety issue and/or structural safety issue?

- No: continue with consideration 3 (art. 7)
- Yes or uncertain: Report directly to Veilig Thuis.

6.2 In case of uncertainty or doubt, Veilig Thuis is consulted for advice.

Article 7. Step 5: Decision Taking: Organising Help or Reporting

7.1. The lecturer, the programme coordinator, the domain director, and the safety officer domestic abuse decide whether a report to Veilig Thuis is required and whether offering or organising help from within HZ is (also) an option.

7.2. Filing a report of possible domestic abuse or child abuse with Veilig Thuis is deemed to be a professional standard by HZ and as such a requirement:

Report standard A	In ALL cases of acute unsafety and/or structural unsafety
Report standard B	In all OTHER cases in which the attention officer/compulsory education officer believes that, in view of his/her competences, responsibilities and professional boundaries, he/she cannot offer or organise effective help in the case of (risks of) domestic violence and/or child abuse.
Report standard C	if an attention officer/educational officer who offers or organises help to protect those involved from the risk of domestic violence and/or child abuse observes that the insecurity does not stop or is repeated

7.3. In support of the decision-taking process as set out in art. 7.1, the questions formulated in the Assessment Framework Reporting Code Education (annex 1) are used.

Consideration 3: Is HZ able to offer or organise effective help to avert the threat of (future) domestic abuse and/or child abuse?

- No: report directly to Veilig Thuis.
- Yes: continue to consideration 4.

HZ deems there is no possibility for offering or organising effective help to avert the threat of (future) domestic abuse and/or child abuse if the lecturer:

- Has insufficient opportunity to form an accurate picture of the safety situation and/or;
- Cannot gain adequate insight into unsafe events in the prior history and/or the facts at the basis of the possibly identified safety issue; and/or
- Has insufficient opportunity to offer or organise suitable and cohesive help that will result in a safe situation.

If the response to consideration 3 was 'Yes', the HZ lecturer makes agreements with Party Concerned about chain partners (including at least Get Home Safe) involved in collaborations, objectives, results, monitoring of results, and timeframe for evaluating results.

Consideration 4: Do(es) the Party (or Parties) Concerned accept help to avoid the risk of (future) domestic violence and/or child abuse and are they prepared to make reasonable efforts in this regard?

- No: report directly to Veilig Thuis.
- Yes: Offer or organise help, proceed with consideration 5.

Consideration 5: Does the help lead to the necessary results with regard to the (returned) safety and/or wellbeing of all Concerned Parties within the desired timeframe?

- No: report directly to Veilig Thuis (again).
- Yes: Conclude help with agreements about following the monitoring of future (lack of) safety with Parties Concerned and collaboration partners.

- 7.4. The domain director has final responsibility for the decision to file or not file a report.
- 7.5 The report is filed with Veilig Thuis. In that report, as much alignment as possible is sought with the facts and events and it is indicated separately what information that is being reported was obtained from third parties.
- 7.6 Within the framework of the report, Veilig Thuis is consulted on the subject of what the HZ can, within reason, be expected to do or put in place for the purpose of protecting the student and their family members against the risk of domestic abuse of assault.
- 7.7 The report is always discussed in advance with the student or their parent (if the student is younger than 16 years of age). In that conversation, the following elements are addressed:
 - the reason for the intention to file a report and the purpose of the report; - a request for the student to respond;
 - in the event of objections by the student, consult whether and how these objections can be responded to;
 - if no acceptable response is possible, weigh the objections against the necessity to protect the student and their family from violence or child abuse. As part of that consideration, the

nature and seriousness of the violence and the necessity to protect the student and their family against that violence by way of filing the report are taken into account;

7.8 The conversation referred to in the preceding section does not take place if:

- there are concrete indications that the safety of the student, the relevant lecturer, or others are or could be at risk;
- there are reasons to suspect that the student would break off all contact with the lecturer.

other provisions

Article 8. Evaluation and After Care

Within one month after filing a report or deciding not to file a report, the domain director contacts the relevant lecturer who registered signs of domestic abuse or child abuse. As part of that contact, they evaluate the report, the observed signs, and how these have been addressed.

Article 9. Final Provisions

9.1 This reporting code enters into force on 1 September 2014 and has been amended as of 1 January 2019.

9.2 This reporting code will be published on the website of the HZ.

9.3 This reporting code should be referenced as "Meldcode huiselijk geweld en kindermishandeling HZ" ("Reporting Code Domestic Violence and Child Abuse HZ").

