

Regulations Reporting Undesirable Behaviour HZ

Stichting HZ

- preamble -

In supplement to the regulations and code of integrity that apply to all parties concerned at HZ (including affiliated institutes), the HZ deems it important that employees, students, and external relations are able to report any undesirable behaviour. The possibility to report undesirable behaviour is set out in the Regulations Reporting Undesirable Behaviour. These regulations set out the procedure individuals should follow to file a report of undesirable behaviour within the HZ.

Regulations Reporting Undesirable Behaviour HZ

Stichting HZ

Article 1. Definitions

The following definitions are used in this regulation:

1. **HZ:** Stichting HZ;
2. **Party Concerned:** person who, on the basis of the HBO-cao, is (or was) employed at the HZ, any other person who is (or was) working for the HZ, and those who are enrolled as a student or an external at the HZ as within the meaning of title three of chapter 7 WHW;
3. **complaint:** complaint as within the meaning of article 5 of these regulations;
4. **Complaints Committee:** Complaints Committee Undesirable Behaviour HZ;
5. **undesirable behaviour:** sexual intimidation, discrimination, aggression, violence, bullying, which occur under circumstances directly connected to the performance of work or receiving education at HZ, as well as consequences thereof;
6. **report:** report within the meaning of articles 3 and 4 of these regulations;
7. **Confidante:** Confidante Undesirable Behaviour HZ.

Article 2. Scope

- 2.1 The scope of this regulation is limited to the Party Concerned who obtains (or has obtained) knowledge of undesirable behaviour and is aimed at preventing or putting an end to such undesirable behaviour.
- 2.2 This regulation is explicitly not intended for persons who intend to:
 - a. file personal complaints concerning events in connection with work and study other than undesirable behaviour;
 - b. report (a suspicion of) malpractice;
 - c. file conscientious objections in connection with the performance of normal operational activities other than in the event of undesirable behaviour;
 - d. express criticism about policy decisions made by the HZ, other than in the event of undesirable behaviour.

Article 3. Reporting Options

- 3.1 An employee of the HZ reports undesirable behaviour firstly to their superior or, if they deem this option undesirable, to the superior of their superior, not being the Executive Board or the Supervisory Board of the HZ. The student reports undesirable behaviour to the most immediate Party Concerned within the university environment. A Party Concerned, who is not an employee or student, reports undesirable behaviour to the Head of P&OO.
- 3.2 If the report to the person referred to in the first section has proven ineffective, or immediately in relevant circumstances, the Party Concerned is at all times entitled to file their report with the Confidante, to file a complaint with the Complaints Committee, or to file a complaint with the Landelijke Klachtencommissie Onderwijs (the National Complaints Committee for Education).

Article 4. Filing a Report with the Confidante

- 4.1 A Party Concerned who, in their respective work or study activities or environment is confronted with undesirable behaviour, can report this to the Confidante.
- 4.2 The Confidante receives the report.
- 4.3 Anonymous reports will not be processed.
- 4.4 The Confidante assists and guides the Party Concerned within the framework of the report, may investigate if desired, and takes inventory of the available options to arrive at a specific solution.
- 4.5 The report is processed in accordance with the provisions in the Regulations Confidante and Complaints Committee Undesirable Behaviour HZ. These regulations are published on the website of the HZ.

Article 5. Filing a Complaint with the Complaints Committee

- 5.1 The Confidante can assist a Party Concerned who has filed a report of undesirable behaviour with filing a complaint with the Complaints Committee.
- 5.2 If so desired, a Party Concerned is entitled to file a complaint of undesirable behaviour directly with the Complaints Committee.
- 5.3 The Complaints Committee informs the Executive Board about the complaint and proceeds to process it.
- 5.4 After the Complaints Committee has issued advice, the Executive Board takes a decision concerning the complaint.
- 5.5 The processing of the complaint is subject to the regulations Confidante and Investigation Committee Whistleblowers HZ.

Article 6. Legal Protection

- 6.1 The Party Concerned who has, in compliance with the provisions of this regulation, reported undesirable behaviour, shall not in any way be adversely affected as a consequence of filing that report. The Party Concerned who believes they are (or have been) adversely affected as a consequence of filing a report, can report this to the Confidante.

Article 7. Anonymising

- 7.1 For reports or reporting other than required for the benefit of the investigation within the meaning of the regulations Confidante Undesirable Behaviour HZ, the personal data of Party Concerned must be anonymised.

Article 8. Final Provisions

- 8.1 These regulations enter into force on 1 January 2012. As of aforementioned date, the Undesirable Behaviour Regulations enacted on 13 October 2010 are revoked.
- 8.2 These regulations will be published on the website of the HZ.
- 8.3 These regulations may be referenced as "reglement melding ongewenst gedrag HZ" ("Regulations Reporting Undesirable Behaviour HZ").

Vlissingen, September 2011

Drs. P.C.A. van Dongen, chairperson of the Executive Board