

Whistleblower Regulations 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 (suspicion of) malpractice. The procedure for reporting (suspected) malpractice is set out in the Whistleblower Regulations. These regulations set out the procedure individuals should follow to file a report when they have established a (suspicion of) malpractice within the HZ.

Whistleblower Regulations Stichting HZ

Article

1. Definitions

The following definitions are used in this regulation:

1. **HZ:** the 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. **Report:** any report by a Party Concerned within the framework of the Whistleblower Regulations concerning a (suspicion of) malpractice;
4. **(a suspicion of) malpractice:** a suspicion with a reasonable basis concerning the HZ that poses a risk to a social interest, in connection with:
 - a. a(n imminent) criminal act;
 - b. a(n imminent) gross violation of regulations or policy;
 - c. impeding a judicial investigation;
 - d. a(n imminent) risk to the general health, safety, or the environment;
 - e. a (threat of) deliberate dissemination of incorrect information to public bodies; and/or
 - f. a (threat of) the deliberate withholding, destruction, or manipulating of information about these facts;
5. **Confidante:** Confidante Whistleblowers HZ;
6. **Investigation Committee:** Investigation Committee Whistleblowers HZ.

Article 2. Scope

- 2.1 The scope of this regulation is limited to the Party Concerned who obtains (or has obtained) knowledge of a (suspicion of) malpractice at the HZ and is aimed at preventing or putting an end to such malpractice at the HZ, with consideration for the threat they pose to social interests.
- 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 (a suspicion of) malpractice;
 - b. file reports of undesirable behaviour;
 - c. file conscientious objections in connection with the performance of normal operational activities other than in the event of (a suspicion of) malpractice;
 - d. express criticism about policy decisions made by the HZ, other than in the event of (a suspicion of) malpractice.

Article 3. Reporting Options

- 3.1 An employee of the HZ reports (a suspicion of) malpractice 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. The student reports (a suspicion of) malpractice to the most immediate Party Concerned within the university environment.

- A Party Concerned, who is not an employee or student, reports (a suspicion of) malpractice 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.
 - 3.3 In the case of immediate urgency, the Party Concerned may file their report directly with the Investigation Committee.
 - 3.4 Anonymous reports will not be processed.

Article 4. Reports Filed with Confidante or Investigation Committee

- 4.1 A Party Concerned who, in their respective work or study activities or environment is confronted with or obtains knowledge of (a suspicion of) malpractice, is entitled to, as soon as possible though by the latest within one year after deregistration as a student, termination of the employee's employment or termination of the work activities, file a report with the Confidante or the Investigation Committee.
- 4.2 Reports filed after expiry of the timeframe stated in the first section will not be processed.

Article 5. Processing the Report

- 5.1 The Confidante receives a report.
- 5.2 The Confidante informs the Executive Board about the report.
- 5.3 Unless the report is withdrawn within a period of six weeks, or a specific solution is realised, the Executive Board transfers the processing of the report to the Investigation Committee.
- 5.4 In the event the report is filed with the Investigation Committee directly, the Investigation Committee informs the Executive Board about the report and proceeds to process it.
- 5.5 After the Investigation Committee has issued advice, the Executive Board takes a decision concerning the report.
- 5.6 The processing of the report is subject to the regulations Confidante and Investigation Committee Whistleblowers HZ. These regulations are published on the website of the HZ.

Article 6. Legal Protection

- 6.1 The Party Concerned who has, in compliance with the provisions of this regulation, reported a (suspicion of) malpractice, 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 and Investigation Committee Whistleblowers HZ, the personal data of Party Concerned must be anonymised.

Article 8. Final Provisions

- 8.1 These regulations enter into force on 22 September 2011. As of aforementioned date, the Whistleblowers 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 “klokkenluidereglement HZ” (“Whistleblowers Regulations HZ”).

Vlissingen, 20 September 2011

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