



**DESIRED BEHAVIOR.
JUST DO IT.**

Code of Conduct, Reporting Procedure for Abuses,
Confidential Counsellor and Complaints Procedure

2025

DESIRED BEHAVIOR. JUST DO IT.

As an employer, we have a policy on psychosocial workload (also known as PSA). The term PSA includes discrimination, bullying, aggression and violence, (sexual) intimidation and work pressure. In addition, we strive to prevent abuses and to achieve an ethical organization. We can only achieve a safe workplace together. That is why we ask all employees to take note of this regulation and to act accordingly.

We want to have satisfied employees and customers within our organization. In addition, we find it very important that our employees have a safe workplace and enjoy their work. This regulation is an important tool to achieve this together and thus to prevent undesirable behaviour and abuses. It is a guideline, not only for employees but also for our management and everyone involved in our organization. It is important to understand these prevailing standards and use the policies when shaping decisions and actions.

This regulation also applies to the situation in which an employee performs work for one of our customers and/or comes into contact with customers of our organization in any way. Even then, the rules of this regulation must be strictly followed. In the unlikely event that an employee is confronted with undesirable behaviour and/or a suspicion of wrongdoing, we offer every employee the opportunity to discuss this and to call in help via various counters. We also set that out in this regulation.

Where in these regulations terms are used that relate to persons who are written in the masculine form, they also apply to women or non-binary persons and the corresponding forms of address must be read into these terms.

CODE OF CONDUCT: OUR PATH TO POSITIVE BEHAVIOUR

Definitions

In this Code of Conduct, by organisation and/or employer, we mean Employment Agency Pro.Kon/AK BV

By employees, we mean individuals who have an employment contract (including a temporary employment contract or payroll agreement) with our organization and interns, volunteers, and hired staff. Although the latter three people are not employed by our organisation under an employment contract, they must also be able to work in a safe working environment.

Objective of this Code of Conduct

The goal of this Code of Conduct is to foster an inclusive, respectful, and collaborative work environment where everyone feels valued, heard, and supported. Ultimately, we want everyone to have a good feeling about working with and with our organization. Protecting our employees and combating and preventing bullying, aggression/violence, discrimination, harassment/stalking, (sexual) intimidation and abuses is the starting point. Our efforts are also aimed at preventing excessive work pressure.

With this code of conduct, all agreements and expectations regarding the interaction with each other within our organization are laid down in writing. In this way, discussions about what is and is not 'acceptable' are clarified, so that this also benefits the working atmosphere within our organization.

Scope

This Code of Conduct is intended for all employees. The Code of Conduct is included in the Employee Handbook so that it is easy for everyone to find and can be consulted at any time when needed. A copy is also available from the human resources department. Interns, volunteers and hired staff will also receive a copy of this code of conduct.

Status

This code of conduct has been elaborated on the basis of a number of legal provisions arising from, among others, the Working Conditions Act and regulations, the Whistleblower Protection Act and the Dutch Civil Code.

Procedure

We ask our employees to work in a demand-oriented and experience-oriented way. This method is regularly discussed during team meetings, training sessions and we also pay attention to this method through various news items. During evaluation and performance interviews, it is examined whether this method is being implemented properly and whether improvements are needed. Even then, we offer room for an open conversation with our employees in which they can proactively think about a solution.

Demand-oriented working is typical of our organization. A lot is possible, also in the way in which people interact with each other. However, every freedom has its limits. What is acceptable to one person may not be acceptable to another. Where one person's freedom begins, the other's freedom ends.

To show that our organization attaches great importance to creating a safe workplace, below is a description of the undesirable and desired behaviour within our organization. This results in guidelines for the boundaries within which (certain) behaviour is permissible.

The applicable Code of Conduct

Responsibility

All employees carry out their work in a professional manner and use the resources of our organisation (funds, services, knowledge, goods) responsibly, as well as those of customers and colleagues. Every employee bears responsibility for his own actions and must justify the choices he makes.

Sensitive information

All employees handle sensitive information with care, including personal data and data relating to our organisation, customers and/or colleagues. The privacy of customers, our organization and our employees is respected both inside and outside of work. Care and respect for each other is of great importance. The 'leak' of information (including personal data) of our organisation, employees and/or customers is expressly prohibited.

Our organisation ensures that documents in the broadest sense of the word (both online and offline) are safely stored. Nevertheless, we ask every employee to be alert and to exercise due care. For example, every employee must:

- properly shut down the computer, laptop and other devices;
- not to leave the workplace and items made available during the performance of the work unattended and to handle them with care;
- handle passwords and codes with care, changing passwords on a frequent basis;
- do all that can reasonably be required to ensure the safety and privacy of yourself, other employees and our customers.

Harassment

Our organization attaches great importance to respect for others. That's why we encourage a positive and supportive environment. Behaviors that affect employees, customers, and others

Hurting, humiliating, insulting, socially isolating, damaging the reputation of others, or damaging property is not in line with our corporate culture.

We realize that there may be different opinions within our organization and that's okay. If an employee has a disagreement or reacts dismissively to someone else, this does not mean that there is bullying. Bullying refers to all forms of intimidating behaviour of a structural nature, by one or more employees and/or managers directed against an employee or a group of employees who are unable or unable to defend themselves against this behaviour. This may include (but is not limited to):

- Making nasty comments
- Insulting/name-calling
- Addressing or reprimanding openly
- Ignore or exclude
- Slander
- Withholding information

Bullying can happen offline or online, through various digital platforms and devices, and can be obvious (overt) or hidden. Bullying is repeated over time or can be repeated (e.g., through the sharing of digital documents). Participating in bullying by participating in it as a person (so-called 'followers') is just as harmful and harmful as initiating bullying and therefore also falls under the heading of 'bullying'.

Bullying, in any form or for any reason, can have immediate, medium and long-term consequences for those involved, including bystanders and our organization.

Discrimination

We welcome diversity and inclusivity in our organization. Every employee is allowed to be themselves and have their own opinion. That makes our organization a diverse company. However, every employee must take each other into account. What is acceptable to one person may not be acceptable to another. Treating someone differently, discriminating against or excluding them on the basis of (personal) characteristics, such as gender, working hours, employment contract, nationality, skin colour, age, race, religion, political preference, sexual orientation and/or marital status is unacceptable. Therefore, discrimination on the basis of the aforementioned grounds and/or any other ground is not permitted.

(Sexual) Intimidation

We strive for a respectful and professional relationship with each other. We encourage giving each other a compliment. At the same time, it is important that every employee is well aware of the possible impact of certain statements on a recipient. Comments such as "What sexy shoes are you wearing" or "There you have those long ones again" may be meant as a joke or compliment in the opinion of one employee, but at the same time the recipient may experience this as intimidating behavior. It is therefore not about the intention behind the comment, but primarily about the feeling that the recipient (intended or unintended) gets from the comments.

Behaviour such as name-calling, physical intimidation, high voices, threats, annoying following and harassing others is unacceptable. This also applies to unwanted contact via all kinds of means of communication such as telephone calls, text messages, Whatsapp, e-mails, and social media etc. So pay close attention

to what you say and do and especially how this can come across to someone else.

Our organization disapproves of any verbal, non-verbal, or physical behaviour with a sexual connotation. Especially if this behaviour has the purpose or effect of violating the dignity of a person. This is especially true when a threatening, hostile, abusive, humiliating, or hurtful environment is created. This concerns the following (non-exhaustive) list of behaviours:

- Verbal: Sexual comments, requests, ambiguous jokes, intimate questions or comments.
- Non-verbal: unwanted and suggestive looks, winks, stares.
- Physical: kissing, petting, pinching, assaulting, grabbing, raping.
- Online: sexual messages, videos, images.
- Harassment: Intentional repeated pursuit and/or harassment.

We strive for everyone to feel comfortable and respected in the workplace. Any form of unwanted sexual attention, whether verbal, physical or non-verbal, is prohibited and will not be tolerated.

Conflict of interest

We expect all employees to act with integrity and professionalism and to separate personal interests from business interests. This means that all actions take place in the interest of the organization without any form of personal favouritism.

Private use

Employees should limit their private use of our e-mail system, (mobile) telephone, photocopier, internet and the like as much as possible. Also, make sure that this does not interfere with daily operations.

Property

Property belonging to our organisation, employees and/or customers may not be taken or made available to third parties without our permission or that of colleagues and/or customers if it concerns their property. This also applies to properties that are classified as garbage.

In the event that an employee commits theft or misappropriation of property belonging to our organization, employees or customers, a report must be made to the immediate supervisor. Our organization may decide to conduct research. During the investigation, our organization may decide to suspend/exempt the employee from performing work. The employee is obliged to comply with this and the employee is not allowed to make contact with colleagues and/or customers during the exemption/suspension. Depending on the outcome of the investigation, it will be

determined which measures will be taken.

Our organisation may, among other things, decide to impose disciplinary measures, decide to report to the police and/or report to other external parties.

Clothing

Every employee is the calling card of our organization. We think it is important that everyone can be themselves as much as possible. Also when it comes to the clothing that the employee wears at work. At the same time, there are also rules regarding clothing within our organization or when an employee works for a customer. It is not allowed to wear offensive clothing during working hours. Offensive piercings and tattoos must be covered under clothing. If (personal) protective equipment has to be worn when performing work, or if work clothing is required, every employee is obliged to comply with this.

Employees are expected to dress appropriately and presentably for the position. This means, among other things, that you wear clean and not worn clothing and footwear. This is also in the interest of safety in the workplace.

Other rules of conduct

In addition, the following rules of conduct apply to employees:

- It is forbidden to smoke or consume alcoholic beverages in the workplace;
- It is forbidden to bring or use drugs or to appear at work under the influence of alcohol and drugs;
- The location of the workplace may not be entered with a blow, stab, or firearm or anything that can serve as such.

Workload

Excessive workload can have unpleasant consequences for the well-being of employees and also for our organization. That is why, as an organization, we think it is important that our employees get their rest on time, enjoy breaks and take enough vacation.

Excessive workload occurs when the balance between the workload and an employee's capacity is disrupted. Sometimes work is a direct cause of excessive work pressure. However, work is not always the direct cause of work pressure. An employee's personal and/or private situation can also cause increased workload. Consider, for example, the following situations:

- employees who find it difficult to say no;
- employees who are very perfectionistic; or
- problems at the employees' homes or otherwise in the private sphere that require

a lot of attention from employees.

Van een te hoge werkdruk is sprake wanneer de balans tussen de werkbelasting en de belastbaarheid van een werknemer verstoord raakt. Soms is werk een directe oorzaak van te hoge werkdruk. Werk is echter niet altijd de directe oorzaak van werkdruk. Ook de persoonlijke situatie en/of de privé situatie van een werknemer kunnen zorgen voor verhoogde werkdruk. Denk bijvoorbeeld aan de volgende situaties:

- werknemers die moeilijk nee kunnen zeggen;
- werknemers die erg perfectionistisch zijn;
- of problemen bij de werknemers thuis of anderszins in de privésfeer die veel aandacht van werknemers eisen.

If the workload is too high, it is important that employees make this known. After all, it is not always possible to observe whether an employee has too high a workload. An employee who experiences too much work pressure can discuss this with his supervisor or with the company doctor.

A suspicion of wrongdoing

In this code of conduct, our organisation explains when there is (a suspicion) of wrongdoing and later in this regulation it is explained what employees can do in the event of (suspected) wrongdoing. Below is an explanation of when there is (a suspicion of) wrongdoing.

There is an abuse in the following cases:

- A.** a breach or a risk of breach of Union law, including (but not limited to):
- Public health
 - Consumer protection
 - Data protection
 - Public procurement
 - Financial services
 - Money laundering
 - Product and transport safety
 - Nuclear safety
- B.** an act or omission in which the public interest is at stake in:
- a breach or a risk of breach of a statutory provision or of internal rules which constitute a specific obligation and which have been adopted by an employer on the basis of a statutory provision, or
 - a danger to public health, to the safety of persons, to the deterioration of the environment or to the proper functioning of the public service or an undertaking as a result of improper

acts or omissions. In any case, the public interest is at stake if the act or omission does not only affect personal interests and there is either a pattern or structural character or the act or omission is serious or extensive.

A suspicion of wrongdoing must be based on reasonable grounds.

Making it negotiable

We discuss doubts and questions about behaviour with each other and encourage each other to do the same. If you notice certain undesirable behaviour or if you have doubts about it, discuss this with the person as much as possible. If this is not possible or if it does not lead to the desired result, you can contact your manager or the confidential advisor.

Disciplinary action in case of violation of the Code of Conduct

Our organization trusts that all employees adhere to this Code of Conduct. Should an employee fail to comply with this Code of Conduct, our organization will take disciplinary action depending on the seriousness of the employee's conduct or omission. This may include, but is not limited to, suspension or non-activation with or without continued payment of wages, a written and/or verbal warning, termination of the employment contract including summary dismissal.

REPORTING PROCEDURE IN THE EVENT OF MALPRACTICE

Based on the Whistleblower Protection Act, our organisation has established the following reporting procedure. This reporting procedure enables employees to report suspected wrongdoing at an early stage and contributes to our organisation's adequate response to this. In this context, our organisation strives for an open culture, in which integrity and holding each other accountable for behaviour are stimulated and appreciated.

General

This reporting procedure is intended for reporting the suspicion of wrongdoing, where the suspicion is based on reasonable grounds and the public interest is at stake. The Code of Conduct already sets out when there is a suspicion of wrongdoing. This reporting procedure is not intended for (individual) labour disputes, the reporting of personal complaints about matters related to the work and/or remuneration performed, the expression of criticism of the (policy) choices made by our organisation and/or for the achievement of personal gain. The procedure also does not apply in the event of undesirable behaviour in the form of bullying, work pressure, discrimination, aggression and violence, (sexual) intimidation or other forms of undesirable behaviour. In the event of bullying, discrimination, aggression and violence and (sexual) intimidation, the employee can turn to the confidential advisor.

Definitions

For the purposes of this reporting procedure, the following definitions apply:

- consultant: a person who, by virtue of his or her position, has a duty of confidentiality and who is consulted in confidence by an employee about a suspicion of wrongdoing. This includes at least the confidential adviser, an adviser from the advice department of the House for Whistleblowers, a lawyer, a lawyer from a trade union, a lawyer from a legal expenses insurer and a company doctor;
- employee: the person who performs work under civil law pursuant to an employment contract, temporary employment contract or payroll agreement (for the employer) or the person who otherwise performs work in a subordination relationship for remuneration (for the employer);
- employer: our organisation that has or has had work performed pursuant to an employment contract or the person who has or has had work performed other than in the context of employment;

- suspicion of wrongdoing: the employee's suspicion that there is wrongdoing within the employer's organisation in which he works or has worked, insofar as the suspicion is based on reasonable grounds arising from the knowledge that the employee has acquired from his employer or arising from the knowledge he has acquired through his work at another company or organisation;
- confidential adviser: the person who has been appointed to act as such for the employer's company and who can be consulted in confidence by an employee about a suspicion of wrongdoing;
- senior manager: the body or person who is responsible for the day-to-day management of the employer's business;
- internal supervisory body: the body that supervises the senior management within the employer's undertaking;
- External body: the body that, in the reasonable opinion of the reporting person, is most suitable to accompany the external report of wrongdoing. External bodies include:
 - the Netherlands Authority for Consumers and Markets;
 - the Netherlands Authority for the Financial Markets;
 - the Dutch Data Protection Authority;
 - De Nederlandsche Bank N.V.;
 - the House for Whistleblowers;
 - the Health and Youth Care Inspectorate;
 - the Dutch Healthcare Authority;
 - the Nuclear Safety and Radiation Protection Authority, and
 - Organisations and administrative bodies designated by general administrative order or ministerial regulation, or parts thereof, which have tasks or powers in one of the areas.

Information, advice, support and reporting of suspected wrongdoing

- An employee can consult an external confidential adviser in confidence about a suspicion of wrongdoing. The employee can ask the confidential adviser for information, advice and support regarding the suspicion of wrongdoing.
- In accordance with paragraph 1, the employee may also request the advice department of the House for Whistleblowers for information, advice and support regarding the suspicion of wrongdoing.

- An employee with a suspicion of wrongdoing within the employer's organisation can also report this to any manager who occupies a hierarchically higher position within the organisation than he does. If the employee has a reasonable suspicion that the highest management is involved in the suspected wrongdoing or irregularity, he can also report the incident to the internal supervisory body. In that case, the term 'senior management' should be read as 'internal supervisory body'.
- The employee can also report the suspicion of wrongdoing within the employer's organisation via the external confidential adviser. The confidential adviser, in consultation with the employee, forwards the report to the highest management as referred to in paragraph 3 or the internal supervisory body.
- An employee can make a report in at least the following way:
 - Written;
 - orally by telephone or other voice messaging systems, or
 - at his request within a reasonable period of time by means of an interview at a location.

The employer registers a report upon receipt in a register set up for this purpose.

- An employee with a suspicion of wrongdoing at a company other than the employer can report this to the other company in question. The immediate or highest supervisor will be informed that a report has been made to the other company in question if the employee has come into contact with the suspicion of wrongdoing as a result of his work for the employer.

Procedure

- If the employee reports a suspicion of wrongdoing verbally to the external confidential adviser or a supervisor or a written report provides an oral explanation, the external confidential adviser or manager, in consultation with the employee, shall ensure that this is stated in writing and submits this record to the employee for approval and signature. The employee will receive a copy of this.
- The external confidential adviser or the supervisor to whom the report was made will immediately forward the report to the highest manager within the employer's organisation.
- If the employee or supervisor to whom the report has been made have a reasonable suspicion that the highest manager is involved in the suspected wrongdoing, the supervisor will immediately forward the report to the

person with the highest responsibility within the employer's organization. In that case, in these regulations, "the senior manager" should be read as "the Managing Director".

- The senior management shall immediately send the reporting person a confirmation that the report has been received, and in any event within seven days of receipt of the report. In any case, the acknowledgement of receipt must contain a factual description of the report, the date it was received and a copy of the report.
- Upon receipt of the report, the highest manager, in consultation with the employee, immediately appoints a contact person with a view to preventing the reporter from being disadvantaged.
- The senior management initiates an investigation into the reported suspicion of wrongdoing, unless:
 - the presumption is not based on reasonable grounds, or
 - It is clear from the outset that the report does not relate to a suspicion of wrongdoing.
- If the top management decides not to initiate an investigation, he or she must inform the employee in writing within two weeks of the internal report. It is also indicated on the basis of which the senior management is of the opinion that the suspicion is not based on reasonable grounds, or that it is clear in advance that the report does not relate to a suspicion of wrongdoing.
- The senior management assesses whether an external body should be informed of the internal report of suspected wrongdoing. If the employer informs an external authority, the highest management will send the employee a copy of this, unless there are serious objections to this.
- The senior management assigns the investigation to investigators who are independent and impartial and in any case does not have the investigation carried out by persons who may be or have been involved in the suspected wrongdoing.
- Senior management shall immediately inform the reporting person in writing that an investigation has been initiated and by whom the investigation is being conducted. The most senior manager will send the employee a copy of the investigation assignment, unless there are serious objections to this.
- The senior management informs the persons to whom a report relates about the report

and about informing an external authority, unless the interest in investigation or enforcement may be harmed as a result.

- The investigators shall give the employee the opportunity to be heard. The researchers will ensure that this is recorded in writing and will submit it to the employee for approval and signature. The employee will receive a copy of this.
- The researchers can also hear others. The investigators shall ensure that this is recorded in writing and shall submit this record to the person who has been heard for approval and signature. The person who has been heard will receive a copy of this.
- The investigators can inspect and request all documents within the employer's organization that they reasonably deem necessary for conducting the investigation.
- Employees may provide the investigators with any documents they reasonably deem necessary for the investigators to take cognizance of as part of the investigation.
- The investigators draw up a draft investigation report and give the employee the opportunity to comment on it, unless there are serious objections to this.
- The investigators then adopt the investigation report. They will send the employee a copy of this, unless there are serious objections to this.
- Within eight weeks of the report, the highest supervisor will inform the employee in writing of the substantive position with regard to the reported suspicion of wrongdoing. It also indicates the steps to which the report has led or will lead.
- If it becomes clear that the position cannot be given within the prescribed period, the highest management will inform the employee in writing. This includes an indication of the period within which the employee can expect to receive the position. If, as a result, the total period is more than twelve weeks, the reasons why a longer period is necessary shall also be indicated.
- After completion of the investigation, the senior management assesses whether an external body should be informed of the internal report of suspected wrongdoing and of the investigation report and the employer's position. If the employer informs an external body, he will send the employee a copy of this, unless there are serious objections to this.

- The persons to whom the report relates shall be informed in the same way as the employee pursuant to paragraphs 18 to 20, unless the interest in investigation or enforcement may be harmed as a result.
- The employer gives the employee the opportunity to respond to the investigation report and the employer's point of view.
- If, in response to the investigation report or the employer's position, the employee substantiates that the suspicion of wrongdoing has not been actually or properly investigated or that the investigation report or the employer's position contains substantial inaccuracies, the employer will respond substantively and, if necessary, initiate a new or additional investigation. The research rules as set out above will again apply mutatis mutandis to this new or additional investigation. If the employer informs or has informed an external body, it will also send the employee's response to the investigation report and the employer's position referred to above to that external body. The employee will receive a copy of this.

External reporting

- The employee is not obliged to first make an internal report before making an external report. The employee is free to make an external report immediately. The employee can also make an external report after making an internal report of suspected wrongdoing.
- The employee must make the external report to the House for Whistleblowers or to a competent authority designated by law. For more information, see: External reporting channels | What has changed? | Whistleblower Protection Act
- Internal and external investigation into detriment to the employee
- If the employee believes that he has been disadvantaged in connection with reporting a suspicion of wrongdoing, the employee may:
 - Requesting the highest management to investigate the way in which he is treated within the organization. Article 3.4 shall then apply mutatis mutandis; and/or
 - request the investigation department of the House for Whistleblowers to conduct an investigation into the way in which the employer has behaved towards him in response to the report of suspected wrongdoing.

Worker protection

- If the employee, in good faith and with due observance of the provisions of this reporting procedure, reports a suspicion of wrongdoing, the employer will not disadvantage the employee in any way.
- The employer shall ensure that colleagues of the employee refrain from any form of disadvantage, in connection with the good faith and proper reporting of a suspicion of wrongdoing, which hinders the professional or personal functioning of the employee. In any case, this includes:
 - Ignoring the employee;
 - making unfounded or disproportionate accusations with regard to the employee's performance;
 - the actual imposition of an investigation, speaking, workplace and/or contact ban on the employee or colleagues, formulated in any way whatsoever.
- The employer addresses colleagues who are guilty of harming the employee and can impose a disciplinary measure on them.
- If the employee is of the opinion that there has been a disadvantage, he can immediately discuss this with the confidential advisor.
- The highest management ensures that measures are taken to prevent disadvantage.
- Disadvantage as referred to in this article also includes the taking of a disadvantageous measure, such as:
 - Premature termination or non-renewal of a temporary employment contract;
 - failure to convert temporary employment into permanent employment;
 - taking disciplinary action;
 - imposing an investigation, speaking, workplace and/or contact ban on the reporter or colleagues of the reporter,
 - the imposed appointment to another position;
 - extending or limiting the employee's duties, other than at his or her own request;
 - relocating or relocating the employee, other than at his or her own request;
 - refusing a request to relocate or transfer the employee;
 - changing the workplace or refusing a request to do so;
 - withholding salary increases, incidental compensation, bonuses, or awards of allowances;
 - withholding promotion opportunities;
 - not accepting a sick report, or having the employee registered as sick;

- rejecting a request for leave;
- granting leave, other than at one's own request.

- Disadvantage also exists if there is a reasonable ground to hold the employee accountable for his performance or to take a disadvantageous measure against him, but the measure taken by the employer is not in reasonable proportion to that ground.
- If, within the foreseeable future of making a report, the employer proceeds to take a prejudicial measure against the employee, he shall justify why he considers this measure necessary and that this measure is not related to the good faith and proper reporting of a suspicion of wrongdoing.

Confidentiality and final provisions

- The employer shall ensure that the information about the report is stored in such a way that it is physically and digitally accessible only to those involved in the handling of this report. The employer shall treat the information that comes to its knowledge as confidential and, to the extent permitted, shall process it in agreement with the provisions from the General Data Protection Regulation and other relevant legislation.
- The employer shall ensure that those involved in the handling of a report do not disclose the identity of the employee without the explicit written consent of the employee and shall treat the information about the report confidentially.
- If the suspicion of wrongdoing has been reported via the internal and/or external confidential adviser and the employee has not given permission to reveal his identity, all correspondence about the report will be sent to the confidential adviser and the confidential adviser will forward it to the employee without delay.
- All those involved in the handling of a report shall not disclose the identity of the consultant without the express written consent of the employee and the consultant.
- This reporting procedure is included in the Employee Handbook. The employee can also view a copy of the reporting procedure at the employer's office at any time.
- The senior management draws up an annual report on the policy regarding dealing with the reporting of suspected wrongdoing and the implementation of this reporting procedure. This report shall include at least:
 - information about the policy pursued in the past year regarding the reporting of

suspected wrongdoing and the policy to be pursued in this area in the coming year;

- information on the number of reports and an indication of the nature of the reports, the results of the investigations and the views of the employer;
- general information about the experiences with countering disadvantage to the employee;
- information on the number of requests for investigations into disadvantage in connection with reporting suspected wrongdoing and an indication of the results of the investigations and the views of the employer.

ENGAGING THE CONFIDENTIAL COUNSELLOR

Confidential counsellor and reports

- The employee can consult the confidential adviser in confidence about a suspicion of wrongdoing, discrimination, bullying, aggression and violence and/or (sexual) intimidation.
- The confidential adviser is independent.
- The confidential adviser determines the working method and the structure of the communication. The confidential adviser has the right to express his or her duties and functions on his or her own initiative or request, for reasons of his own.
- The external confidential adviser is Tanja Groenewegen (company: Winkel voor Geluk) and can be reached via 06-58961920
- Reports can be submitted in writing, by telephone or by e-mail (tanja@winkelvoorgeluk.nl) to the confidential advisor.
- The confidential adviser acknowledges receipt of a written report or a report by e-mail to the reporter within seven days of receipt of the report.
- Before the confidential adviser will process the report, the confidential adviser will check whether it fits within his duties and position. The confidential adviser can always decide not to process the report and will inform the employee of this with reasons.
- In principle, the confidential adviser does not deal with questions and reports that are made anonymously.
- In the event that the confidential adviser does not process a report, the confidential adviser will point out to the employee (if present) the competent authority or procedure.

Confidentiality

- The confidential adviser is obliged to maintain

confidentiality with regard to reports and all the remainder which has become known to him in the performance of his duties.

- The confidentiality extends to all persons working for the confidential adviser.
- The confidential counsellor's working method is characterised by confidentiality and may consist of advice, guidance and/or mediation. Where possible, the confidential adviser encourages the employee to find a solution himself.
- Guidance from the confidential counsellor
- The confidential counsellor provides adequate shelter, advice and guidance to the employee. Any follow-up steps will be taken after consultation with and with the consent of the employee.
- The confidential adviser is authorised to obtain information from third parties at his own discretion that is necessary to arrive at a good understanding of the behaviour and that contributes to a possible solution.
- The confidential counsellor can come up with various solutions to resolve the report. The steps to be taken take place after the consent of the employee and insofar as they are in line with the possibilities. If third parties are involved, this will be done with the employee's consent.
- Further tasks of the confidential counsellor
- If the confidential adviser identifies bottlenecks on the basis of generally occurring reports, the confidential adviser will make this known to the employer's management, whereby secrecy and confidentiality of all reports will be observed.
- The confidential counsellor will keep track of and register the number of reports. The confidential adviser draws up an annual report and provides it to the senior management (as referred to in Article 3.2). This report shall include at least:

information about the employer's policy on dealing with reports in the past year and the policy to be pursued in this area in the coming year; information about the number of reports and an indication of the nature of the reports.
- If the employee has a complaint about the confidential adviser, the complaint must first be submitted in writing to the confidential adviser himself. If a discussion of the complaint between the confidential adviser and the employee does not have the desired result, the employee can submit his complaint to the employer's complaints

handler, i.e. Iwona Conteh - 0702166477.

COMPLAINTS PROCEDURE

Introduction

A complaints procedure applies to the monitoring of a socially safe working environment in the field of undesirable behaviour, namely discrimination, aggression and violence, bullying and (sexual) intimidation, and a complaints committee has been set up. Correct remuneration of the employee is also important. That is why a complaint can also be about an employee's remuneration. Any complainant, i.e. the employee who falls within the scope of the definition of employee in Article 2.1 of the Code of Conduct, can submit a complaint to the Complaints Committee. The accused is the person against whom the complaint is directed.

Because it is preferable that problems and complaints are discussed and resolved as quickly as possible, the starting point is that, before a complaint is submitted to the complaints committee, the employee first takes one or more of the steps below, if desired with the support of the confidential advisors.

- The employee discusses the problem with the person who, in the eyes of the employee, is the cause of, or responsible for, the problem that has arisen problem, with the aim of solving the problem together. If a direct conversation with the perpetrator does not work or is not desirable, the employee will talk to his manager/supervisor.
- The employee discusses the problem with his manager/supervisor, possibly in the presence of the HR(M) advisor and/or a confidential advisor, in order to find a solution together with the manager. If the manager/supervisor sees reason to do so, he can propose mediation. The manager draws the employee's attention to the Complaints Procedure and the Code of Conduct regarding undesirable behaviour. After the interview, the manager/supervisor takes appropriate action with the aim of removing the employee's dissatisfaction and/or preventing dissatisfaction from arising again. The manager/supervisor informs the employee about the actions taken. The manager/supervisor discusses the complaint with the next senior supervisor. If the manager/supervisor is the culprit, the employee discusses the problem with the relevant next senior manager.
- If, in the opinion of the employee, the manager does not take measures to remove the dissatisfaction or the measures have not led to a desired effect, the employee can turn to

the management if desired. The employee can also turn to the complaints committee.

If and insofar as the employee is of the opinion that, due to the nature of the complaint and/or the circumstances, it is not possible for him to go through one of these steps, he can turn directly to the complaints committee. The Complaints Committee will discuss with the complainant whether and if so, which of the previous steps have been followed and what the outcome was.

Inadmissibility

- A complainant is inadmissible if:
 - the person who complains is not entitled to complain, i.e. does not fall within the scope of the definition of employee in Article 2.1 of the Code of Conduct;
 - the same complaint has been dealt with before and no new facts have arisen;
 - anonymous complaints;
 - the situation was so long ago that it is no longer possible to investigate the circumstances of the complaint and to rule on its merits. This is at the discretion of the chairman of the complaints committee;
 - the complaint relates to an accident at work and/or an occupational disease;
 - the complaint concerns matters that are already being dealt with or have been dealt with through a judicial or other internal or external (appeal) procedure;
 - the complaint concerns the amount of any claim for damages.
- If the Complaints Committee is of the opinion that the complainant is inadmissible, the Complaints Committee will inform the complainant of this in writing and within two weeks of receipt of the complaint, stating the reasons for the complaint.
- In the event of inadmissibility, the Complaints Committee may refer a complainant to another body which it deems to be able to provide a more appropriate complaint handling or legal process.

Tasks of the Complaints Committee Receiving complaints.

- Assessing admissibility.
- Investigating complaints (gathering facts and relevant documents, hearing relevant persons, checking the information received).
- Assessing complaints by making a decision that consists of an opinion on the merits of the complaint.
- Any general findings and recommendations will be presented separately to the competent authority of the organisation.
- Registering and archiving complaints and preparing an annual report.

Powers of the Complaints Committee

- In the context of handling complaints or for meetings of the complaints committee, the complaints committee has free access to the locations of the organisation, with due regard for the protection of the privacy of employees.
- The Complaints Committee may request information for the purpose of handling the complaint.
- The Complaints Committee has the power to summon parties for an adversarial hearing.
- The Complaints Committee may request anyone who is employed by the organisation to provide information regarding the complaint, subject to the aforementioned confidentiality.

Composition of the Complaints Committee

- The complaints committee consists of permanent members, including a secretary, a chairman and another member, at least one of whom is a lawyer.
- The complaints committee is impartial, independent and competent.
- When the complaints committee is called in, someone from the employer's organisation can sit on the committee.

Procedure

- An employee who has a complaint about undesirable behaviour can submit a complaint to the complaints committee. The complainant can contact the secretary of the complaints committee directly or through a confidential adviser with a written complaint. A complainant acting in good faith should not be dismissed or otherwise disadvantaged in his or her work because of lodging a complaint.

- It is preferable that the complainant reports to the confidential adviser of the organisation before turning to the complaints committee.
- A complaint must be submitted to the secretary of the complaints committee. The complaint can be registered online via: iwona@prokonak.nl

The complainant will then receive instructions on the next steps. A complaint contains:

- The place and time at which the undesirable behaviour(s) took place;
 - the complainant's name, position and department and the complainant's home address and contact details;
 - concrete facts: what form of undesirable behaviour it concerns and a description of the conduct. Substantiate this as much as possible with e-mails, call reports, images, text messages, apps, et cetera;
 - the impact that the undesirable behaviour has on work, private life and health;
 - what steps have been taken so far;
 - the name, position, and department of the defendant;
 - date and signature of the complainant.
- The secretary of the complaints committee will immediately send an acknowledgement of receipt to the private address of the complainant, including a copy of this complaints procedure.
 - If it turns out that the complainant has not sought contact or has not had the opportunity to turn to a confidential adviser before submitting an official complaint, the secretary will appoint an independent confidential adviser to investigate whether the informal route can still be followed and who can guide the complainant in doing so.
 - The Complaints Committee will decide by majority vote within two weeks after a complaint has been submitted whether the complainant is admissible. The decision shall be communicated to the complainant and the accused person in writing, stating the reasons for the decision.
 - If the complaint is admissible and is being processed, the complaints committee will send a copy of the complaint – as well as the written documents submitted to it – to the accused. At the request of the complainant, the data relating to the complainant's private address and contact details will be deleted from it.
 - The defendant will be given the opportunity to submit a written response to the Complaints

Committee within two weeks. A copy of his or her response will be sent to the complainant on receipt by the secretariat.

- If the complaint is dealt with and after receipt of the accused's response, if any, the complainant and the accused person will be heard by the complaints committee in each other's presence, unless one of the parties explicitly requests to be heard separately. In that case, the complaints committee will send the absent party a copy of the report of the hearing approved by the party present.
- The complainant and the accused may be assisted by a (self-chosen) third party throughout the proceedings, including during the hearing.
- The Complaints Committee is authorised to hear witnesses and to consult experts, whether or not at the request of the complainant and the accused.

Investigation at the hearing

- A written record shall be drawn up of each hearing. The parties involved (complainant, accused person and possibly others who have been heard) are presented with the report of their hearing for signature for approval. If desired, those involved can make corrections in the event of factual inaccuracies. If a person refuses to sign, the reason for this shall be stated in the report.
- Persons, other than the complainant and the accused person, who have been heard shall receive a report of their own hearing.
- Anyone who has been heard can add attachments to their own report up to ten days after the report has been sent. If the Secretary has not received the annexes within ten days, the contents of the reports shall be established.
- The Complaints Committee may hear witnesses as well as other persons who can provide information about the undesirable behaviour alleged by the complainant and the circumstances under which this undesirable behaviour took place. Witnesses who have been summoned for questioning are obliged to comply. If the Committee decides not to hear certain witnesses and third parties, it will inform the complainant and the accused of this, stating the reasons for doing so.
- In some cases, a witness may – whether or not at the request of the Committee – give a written statement. Unless otherwise agreed, this statement shall not be made anonymously and shall be sent to the complainant and the accused.

- If the seriousness of the complaint gives cause to do so, the Complaints Committee may issue advice to the management in the short term on taking temporary measures and/or taking temporary measures.
- All documents collected during the investigation are of a confidential nature.
- The Complaints Committee may have an investigation carried out by experts. The costs of this will be borne by the organization.
- The deliberations of the Complaints Committee (the 'council chambers') take place without the presence of the parties involved: the complainant, the accused and possibly others who have been heard.
- If the Complaints Committee is of the opinion that sufficient information is available to it, it will come to an opinion on the complaint. The Complaints Committee determines whether the complaint is plausible. In that case, the complaint will be declared (partially) well-founded. The Complaints Committee decides by a majority of votes.

Assessment aspects

The assessment aspects are:

- Nature and seriousness of the undesirable behaviour;
- One-off or structural;
- Difference in hierarchy or (dominant) position;
- Imputability of the accused;
- Organization's Contributory Guilt;
- Track record;
- Is there a policy or a code of conduct;
- How was the decision taken in previous cases?

The opinion of the Complaints Committee

- The Complaints Committee declares the complaint in its judgment: - Well-founded or unfounded (in part or in full).
- The opinion or opinion shall contain the grounds on which it is based. If justified, the committee may also indicate what measures it considers necessary accordingly.
- The Complaints Committee will issue a recommendation within three months of the written confirmation that the complaint will be processed. This period may be extended by a maximum of one month. The Complaints Committee may include in its advice

Recommendations include:

- With regard to a possible solution;
- Measures to be taken;
- Or for the purpose of preventing

similar complaints in the future.

- If, in the context of due care, it is necessary to deviate from this period, the complaints committee may decide to do so. This must be reported in writing to all parties involved.
- A copy of the opinion and the report of the hearing shall be sent to the complainant and to the accused.
- If the Complaints Committee is of the opinion that a criminal offence has been committed, as described in the Criminal Code, it will report this in the investigation report. It is up to the complainant to file a report.

Decisions of the employer's management

- Within four weeks of receiving the advice of the complaints committee, the employer's management will take a decision on the complaint on the basis of this advice.
- This decision shall be communicated directly in writing to the complainant and the accused person.
- A copy of the decision will be sent to the complaints committee. If the management deviates from the weighty advice of the complaints committee, this will be done with a statement of reasons.

Confidentiality

- The members of the complaints committee are obliged to maintain confidentiality with regard to everything they learn when dealing with a complaint.
- Any person involved in the handling of a complaint is obliged to keep secret all that he or she has heard in connection with the complaint.
- If the confidential adviser or one of the members of the complaints committee violates the duty of confidentiality, he or she will be relieved of his duties.
- Former members of the complaints committee retain their duty of confidentiality.
- The Complaints Committee informs persons it involves in the handling of a complaint about the duty of confidentiality.

Aftercare by the complaints committee

In addition to its investigative role, the complaints committee can also play a role in aftercare in the following areas:

Enquiries on advice and recommendations;

- protection of complainant and witnesses;
- further development of policy;
- changing the corporate culture;
- solicited and unsolicited advice to the competent authority of the organisation.

Registration and archiving

- The Complaints Committee registers all complaints submitted to it, broken down by complaints handled, declared inadmissible, referred or withdrawn, stating the results.
- The Complaints Committee has its own archive that is only accessible to the members of the Complaints Committee and for the secretarial support of the Complaints Committee.
- The Complaints Committee prepares a file for each complaint submitted. The data will not be kept longer than necessary to achieve the purposes for which they were collected, but no later than five years after the end of the handling of the complaint, unless the act/conduct constitutes a criminal offence.

Annual report

- Each year, no later than 15 March, the Complaints Committee draws up an anonymised annual report on the basis of the registration, of the number, nature and content of the complaints submitted, the manner in which they are handled, the opinion of the Complaints Committee and the recommendations to the competent authority of the organisation. Identified bottlenecks, possibly accompanied by a recommendation, are also included in this report.

