



Regulations Concerning Confidential Intermediaries

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Definitions

Saxion: Saxion University of Applied Sciences Foundation

Supervisory Board:
Executive Board: The Saxion Supervisory Board (RVT) is responsible for supervising the as defined by law;

Executive Board: the Executive Board of Saxion is the institutional board as referred to in law;

Director /
Head of School: any person leading an academy or service;

Inappropriate behaviour: discrimination, (sexual) harassment bullying, aggression, violence;

Discrimination: unequal treatment of persons on the grounds of religion, belief, political affiliation, race, gender (sexual characteristics, gender identity, gender expression), nationality, sexual or relational orientation, marital status, age, disability or chronic illness;

Intimidation: behaviour with the aim or consequence of harming a person's dignity and creating a threatening, hostile, insulting, humiliating or hurtful situation.

Sexual intimidation: any form of verbal, non-verbal or physical behaviour with a sexual connotation with the aim or consequence of harming a person's dignity, especially when the consequence is creating a threatening, hostile, insulting, humiliating or hurtful situation.

Bullying: all forms of deliberately initiated intimidating behaviour of a structural nature, by one or more persons directed against one person or group of persons who cannot defend themselves against this behaviour. An important element regarding bullying is the repetition of the behaviour over time;

Aggression and violence: when an employee or student is verbally or physically harassed, threatened or attacked under conditions that directly relate to performing work or studying;

Committee

inappropriate behaviour: a committee, as defined in Article 1 of the complaints procedure inappropriate behaviour;

Report: a report of inappropriate behaviour submitted to the confidential intermediary about the behaviour of a (fellow) student, Saxion employee, external party associated with Saxion;

Reporter: the person who has submitted a report to the confidential intermediary, or has filed a complaint with the Inappropriate Behaviour Committee. The reporter is either a (former) employee or a (former) student. Reporter also means complainant;

Complaint: a complaint about inappropriate behaviour of a (fellow) student, Saxion employee, external party associated with Saxion, that has been submitted to the Inappropriate Behaviour Committee;

Responder: the person about whose behaviour a report or complaint has been submitted to a confidential intermediary or to the Inappropriate Behaviour Committee;

Other person involved (third party): a person who has (relevant) information regarding the complaint;

Staff member (also employee): a person under any title who works, or performs work for Saxion;

Student a person registered with Saxion as a student and as such makes use of Saxion's facilities, this includes external exam-candidates and course participants;

Confidential intermediary: the independent officer appointed by the Executive Board as defined in these regulations;

Ombudsperson: the independent and impartial officer appointed by the Executive Board as defined in the Regulations for the Ombudsperson;

VOG: Certificate of Conduct;

LVV: National Association of Confidential Intermediaries.

1. Introduction

These regulations concern confidential intermediaries. Students and employees at Saxion may experience inappropriate behaviour. Behaviour that is perceived as unpleasant, bothersome, threatening or unsafe. This may include (sexual) harassment, bullying, physical or verbal aggression, violence or discrimination by a student or an employee. If possible, the person who experienced the behaviour as inappropriate should discuss this with the person concerned. Sometimes someone can't or does not want to do this, in this case the study coach (for students) or the supervisor/manager (for employees) may also be a point of contact. In addition, confidential intermediaries are available at Saxion; they can support a student or employee with a report or filing a complaint. A student or employee always has the right, even without the intervention of a study coach or supervisor/manager, to seek help from a confidential intermediary.

2. Appointment

Saxion has at least two internal confidential advisors and one external confidential intermediary, the composition of this team is diverse. They are available to (former) students and (former) employees, as long as the matter reported relates to their study or work period at Saxion. When a confidential intermediary position becomes vacant, this will be made known by means of a job vacancy. The confidential intermediaries are appointed by the Executive Board for a period of three years, with reappointment being possible. The appointment shall be agreed in writing. Twice a year, the Director of HRM and the confidential intermediaries will reflect on the interpretation of the role.

The following requirements apply for appointment as a confidential intermediary:

- is approachable and easy to talk to;
- is able to handle information confidentially;
- has knowledge and experience in the field of individual assistance;
- is a good listener;
- is able to provide a Certificate of Conduct
- trained in accordance with the requirements of the LVV (national association of confidential intermediaries) or being willing to do so.

The Executive Board may terminate the appointment prematurely:

- at the confidential intermediary's own request;
- for no longer meeting the requirements for appointment;
- due to dysfunctioning as a confidential intermediary;
- for acts or omissions which seriously prejudice the trust to be placed in them;
- due to termination of employment (of internal confidential intermediaries).

The Executive Board shall provide the facilities necessary for the proper performance of duties, such as a reasonable scope of tasks and a space that guarantees confidentiality and anonymity. The Executive Board also sets an annual training budget for the confidential intermediaries, so that they can acquire and/or maintain the knowledge and skills necessary for this position in accordance with LVV guidelines.

3. Independence

Confidential intermediaries are independent in the fulfilment of their duties. The Executive Board shall ensure that the confidential intermediary is not disadvantaged by virtue of their position. In any case, appointment as confidential intermediary is incompatible with membership of the Executive Board, the Supervisory Board and the Inappropriate Behaviour Committee. The same applies to an appointment as director, head of school or ombudsperson at Saxion.

4. Duties

The main duties of a confidential intermediary are:

A. Support

If a student or staff member makes a **report**, the confidential intermediary can help the reporter by:

- receiving them;
- assisting them;
- guiding them;
- supporting them;
- advising them;
- informing them of formal and informal solutions;
- referring them to other internal and external helpers/advisers;
- providing them with follow-up care.

If the reporter decides to submit a **complaint** to the Inappropriate Behaviour Committee, the confidential intermediary can:

- support the reporter in this regard;
- consult one or more of the other confidential intermediaries and/or the Inappropriate Behaviour Committee about the best way to handle a report;
- liaising with the reporter to ensure that submitting the complaint does not lead to adverse consequences for the reporter;
- provide a follow-up at the end of the process, to determine whether the reporter still needs help and see whether the situation has actually improved.

B. Information

Confidential intermediaries contribute to raising awareness and giving information about the role and tasks of confidential intermediaries at Saxion.

C. Advice

Confidential intermediaries advise the Executive Board solicited and unsolicited, on trends in reports and on any bottlenecks in tackling inappropriate behaviour.

5. Working Method

- The working method of confidential intermediaries is characterised by confidentiality and a respectful approach to others.
- The confidential intermediary provides support, knows the routes that can be taken and informs the reporter of the advantages and disadvantages of each route. The reporter decides which steps to take and carries these out themselves.
- If more than one confidential intermediary has been approached about the same report or complaint, they will in consultation with the reporter, decide which confidential intermediary should further handle the report or complaint.
- Any steps to be taken by the confidential intermediary will only be taken after consultation with the reporter. When taking steps, the confidential intermediary takes into account the available options and reasonable wishes of the reporter. If third parties are involved, this will be done with the reporter's consent.

6. Admissibility

- The report or question must be submitted orally or in writing, in Dutch or English.
- The report or question must contain a clear description of the behaviour concerned. If the report or question is submitted in writing, it must include the name of the reporter and a date.
- The confidential intermediary does not handle reports or questions that are reported anonymously.
- In the event of a written report or question, the confidential intermediary shall acknowledge receipt.

7. Confidentiality

The confidential intermediary has a duty of confidentiality about everything that has become known to them in that capacity, even after the activities as confidential intermediary for Saxion have been terminated. This may only be deviated from in the following cases:

- with the express consent of the reporter;
- if legal regulations provide otherwise;
- if there is a conflict of duties that puts the confidential intermediary in a moral dilemma;
- if the confidential intermediary needs to do this in order to defend themselves in (pre)legal proceedings.

If a situation arises in which the confidential intermediary, due to legal regulations, moral dilemma or defence in (pre-)legal proceedings, has to breach confidentiality, then the confidential intermediary shall inform the reporter of this immediately. When breaching confidentiality, the confidential intermediary acts in accordance with the 'confidentiality breach protocol' of the LVV.

8. Responsibility

The confidential intermediaries shall keep an anonymous record of the nature and scope of the matters they have handled. The confidential intermediaries report their activities to the Executive Board in an annual anonymised report as part of the Saxion Annual Report. The report shall report in general terms on the cases dealt with and the activities carried out. The reporting must not be traceable to individual persons. A meeting of the Executive Board and confidential intermediaries shall take place at least once a year on the basis of the annual report. The Executive Board takes the initiative in this.

9. Final provisions

These rules can be cited as Saxion Regulations Concerning Confidential Intermediaries 2023

These rules were adopted by the Executive Board on 5 July 2023

These rules come into force on 1 September 2023

These rules will be reviewed by the confidential intermediaries, the Ombudsperson and the HRM and OSS directors two years after coming into force and adjusted as necessary.