

Reporting (a Suspicion of) Abuse.  
(Whistleblower Regulations)

**Reporting (a Suspicion of) Abuse Regulations**

**General provisions**

**Definitions**

**Section 1**

In these regulations the following terms have the following meaning:

- a. Person involved: each student and staff member of Saxion University of Applied Sciences who reports (a suspicion of) abuse.
- b. (Suspicion of) abuse:  
A reasonable suspicion with regard to Saxion University of Applied Sciences relating to:
  - an (imminent) criminal offence
  - an (imminent) violation of (policy) rules
  - an (imminent) misleading of judicial authorities
  - an (imminent) danger to public health, safety or the environment or wilfully withholding, destroying or manipulating information on these acts.

**Procedure**

**The report**

**Section 2**

1. The person involved reports (a suspicion of) abuse to the integrity officer.
2. In deviation of paragraph 1, the person involved reports (a suspicion of) abuse to the Chairman of the Board of Directors, if
  - a. the (suspicion of a) criminal offence pertains to the integrity officer, or
  - b. the person involved does not agree with the application of Section 6 by the integrity officer.
3. The Board of Directors treats the report as much as possible in accordance with the provisions in these regulations.

**Report**

**Section 3**

1. The report is to be made in writing and is any rate to contain:
  - a. the name and address of the person involved;
  - b. the date;
  - c. a description of the suspicion of a criminal offence to which the report pertains;
  - d. the person involved's signature.

2. If the report has been drawn up in a foreign language and a translation is required for the proper treatment of the report, the person involved is to take care of a translation.
3. If the report does not meet the conditions as referred to in this Section, the person involved will be given an opportunity to meet his/her obligations as yet.

#### **Section 4**

##### **Confirmation**

1. The integrity officer confirms receipt of the report in writing to the person involved within five days after receipt.
2. If there is cause for this, which is to be decided by the integrity officer, the integrity officer will also inform the Chairman of the Board of Directors on the nature of the report within five days after receipt of the report. In this context the anonymity of the person involved is guaranteed, unless the person involved indicates not to appreciate this by means of a written statement.

#### **Section 5**

##### **Field of activity**

The integrity officer is not obliged to institute or proceed with an investigation as referred to in Section 8 and further if:

- a. The report does not meet the requirements of Section 3 paragraph 1 and 2;
- b. More than one year has lapsed since the facts or circumstances to which the report pertains took place;
- c. The report is manifestly unfounded;
- d. The integrity officer has given a decision on the abuse – referred to in the report – at an earlier stage already.

#### **Section 6**

##### **Notification of no investigation**

If the integrity officer does not institute an investigation, or does not proceed with the investigation, he/she will report this as soon as possible in writing to the person involved, stating the reasons.

#### **Section 7**

##### **Own initiative**

The integrity officer is entitled to investigate a suspicion of abuse at his/her own initiative.

## The investigation

### Section 8

1. The integrity officer gives the institutional body and/or the staff member to who's behaviour the report pertains and the person involved the opportunity to explain their position in writing or orally. The integrity officer decides whether or not they can do so in the presence of each other.
2. The integrity officer can contact the Chairman of the Supervisory Board if the investigation pertains to the Board of Directors.
3. If he/she considers this necessary to assess the report, the integrity officer can also allow others the opportunity to take cognisance of the report and to make a written or oral statement about the report.
4. Institutional bodies and staff members are obliged to comply with the previous paragraph within the period set by the integrity officer.

### Information

### Section 9

1. The integrity officer may make inquiries with institutional bodies and staff members of Saxion, or request and inspect documents which pertain to the matter being investigated.
2. Institutional bodies and staff members are obliged to comply with a request as referred to in the previous paragraph within the period set by the integrity officer.
3. If the person involved gives his/her written permission, the integrity officer is entitled to inspect personal data pertaining to the person involved.

### Experts

### Section 10

1. If he/she considers this necessary for the investigation, the integrity officer is entitled to call in experts.
2. If he/she considers this necessary for the investigation, the integrity officer can, without prior permission, enter all premises where the institutional body whose behaviour is being investigated, carries out its duties.

### Confidentiality third parties

### Section 11

All third parties involved in the investigation have an obligation of confidentiality with regard to what they have become cognisant of on account of their involvement in the investigation.

### Report

### Section 12

1. When an investigation has been closed, the integrity officer prepares a report in which he/she states his/her findings and assessment. The report shall also state whether, and if so, which, recommendations are made.
2. The integrity officer sends the report to the Board of Directors.
3. If the investigation is based on a report as referred to in Section 2, the integrity officer also sends the report to the person involved.
4. Upon request, the integrity officer shall provide a copy or extract of the report. In these cases, the anonymity of the persons mentioned in the report shall be

guaranteed.

**Decision Board of Directors and notification of person involved**

**Section 13**

1. Within one month after receipt of the report referred to in Section 12, the Board of Directors informs the integrity officer of the way in which the recommendation will be acted on.
2. If the Board of Directors for compelling reasons of policy-related nature considers not to act on the recommendation, it will inform the integrity officer of this, stating the reasons.
3. The integrity officer will inform the person involved on the position of the Board of Directors within five days after having received this.

**Confidentiality**

**Section 14**

1. The integrity officer is obliged to observe confidentiality of what he/she has taken cognisance of in the performance of his/her duties, in so far as this follows from the nature of the matter.
2. This confidentiality extends to all persons working for or on behalf of the integrity officer.

**Legal protection**

**Section 15**

The person involved, who with due observance of the provisions laid down in these regulations has reported (a suspicion of) abuse, will in no way be disadvantaged in his/her position in so far as such disadvantaging would be the result of his/her report.

=====