

dance



life



COMPLAINT PROCEDURE

Owner: Integrity Officer
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3.1 DUTCH LAW

Employers subject to Dutch Law (the Working Conditions Act – *Arbowet*) are obliged to implement a policy aimed at preventing workplace harassment and bullying. As Dance4Life is subjected to this law, this procedure is put in place. An important part of such a procedure is prevention, which may in part be achieved by providing information through courses or through documents issued by Dance4Life.

3.2 APPLICABILITY AND SCOPE:

This procedure applies to:

- / Board members (Supervisory Board);
- / All staff, including managers and coordinators; full-time, part-time, temporary or permanent, in Amsterdam (HQ) or partners', job applicants; interns; student workers and volunteers and all parties that enter in to a legal agreement with Dance4Life in which Dance4Life's Code of Conduct and Integrity Framework form an integral part of the agreement..
- / This procedure applies to all complaints, including all complaints regarding i) abuse of power (corruption, nepotism) ii) financial abuse (theft, fraud and tax evasion) and iii) interpersonal violations (sexual harassment, discrimination, bullying).

3.3 DEFINITIONS:

Employer	Dance4Life Foundation (Dance4Life)
Employee	The person who has entered into an employment agreement (including subcontractors) with Dance4Life.
Aggression and violence	Instances where an employee is experiencing physical or mental aggression or threats or attacks under circumstances that are directly related to the employment situation.
Bullying	All forms of intimidating behaviour of a structural nature perpetrated by one or more employees (colleagues or superiors) aimed at an employee or group of employees that are not in a position to defend themselves against such actions.
Sexual intimidation	Any form of verbal, non-verbal or physical behaviour with a sexual connotation that has as its purpose or consequence that a person's dignity is eroded, in particular when a threatening, hostile, insulting, or humiliating situation is created.
Discrimination	Any behaviour where an employee is treated differently from another person that is in a comparable situation, on the basis of their religion, convictions, political outlook, race, gender, nationality, sexual orientation, marital status, age, disability or chronic illness, or where a seemingly neutral condition, measure, or act unequally affects persons with a given religion, convictions, political outlook, race, gender, nationality, sexual orientation, marital status, age or with a disability or chronic illness.
Complainant	A person who makes a complaint against a person or persons to the confidential advisor or the complaint body.
Confidential advisor (confidant)	A person who can be trusted and addressed on private, sensitive or secret matters relating to perceived acts of aggression, discrimination, bullying or sexual intimidation.
Complaint body	An official appointed person who has been tasked with evaluating and ruling on a complaint relating to the above conduct.

3.4 RIGHT OF COMPLAINT

Every person who is confronted or could be confronted with inappropriate conduct within a work situation or as a result thereof can, whether or not through a confidential advisor, submit a complaint to one of the 3 following complaint bodies:

- Dance4Life's Executive Director
- Dance4Life's Integrity Officer
- Dance4Life's external whistleblower
SeeHearSpeakUp
www.seehearspeakup.co.uk/en/file-a-concern

A complainant may not be prejudiced in his/her work or position within the company on the grounds of submitting a complaint of discrimination or other inappropriate conduct. Witnesses must also be protected and may not be prejudiced by virtue of giving testimony.

3.5 OBLIGATION OF CONFIDENTIALITY

Any person that is acting within the context of the complaints procedure or in their capacity as a confidential advisor is obliged to maintain confidentiality in regard of that knowledge and the confidential information that he/she has received in that respect.

3.6 CONFIDENTIAL ADVISOR

Within Dance4Life there is an external confidential advisor, fulfilled by our HR partner ArboButler. The confidential advisor is appointed by the Executive Director of Dance4Life and has adequate knowledge and expertise in terms of preventing and combating inappropriate conduct and transgressive behavior. The confidential advisor must be trusted by the staff and be easily approachable. The supervisory board will be informed about the appointment of the confidential advisor.

3.7 DUTIES OF THE CONFIDENTIAL ADVISOR:

The confidential advisor has the following duties, among others:

- / He/she is a contact point for people that are confronted with inappropriate conduct in the workplace: sexual intimidation, discrimination, bullying, aggression, and violence;
- / He/she assists people with complaints dealing with sexual intimidation discrimination, bullying, aggression and violence and, where necessary, refers them on (to the authorities or another service);

- / He/she shall take action in terms of finding a solution to the situation when a complaint is received. Action is only taken at the request of the complainant or with his/her consent;
- / He/she provides the complainant with advice, both solicited and unsolicited, on what steps to take next;
- / At the complainant's request, he/she assists that person to submit a complaint and supports them when it is brought before the appropriate complaint body;
- / He/she ensures that the complainant is not prejudiced as a result of making the complaint and that the complaint is properly dealt with;
- / He/she provides the complaint body and the employer with information and advises them in respect of preventing and combating inappropriate conduct: sexual intimidation, discrimination, bullying, aggression and violence;
- / The confidential advisor releases an annual anonymized report on the nature and scope of the complaints about inappropriate conduct: sexual intimidation, discrimination, bullying, aggression and violence;
- / In extreme cases where the confidential advisor establishes that serious violence and/or sexual abuse is being committed, he/she is not bound by the obligation of confidentiality.

3.8 COMPETENCES OF THE CONFIDENTIAL ADVISOR:

- / Those facilities required to properly perform his/her tasks are made available to the confidential advisor;
- / The confidential advisor is offered the option to take courses that are necessary for increasing his/her knowledge and expertise in respect of preventing and combating inappropriate conduct: sexual intimidation, discrimination, bullying, aggression and violence;
- / The confidential advisor is authorized to obtain the information required to properly perform his/her tasks;
- / Everybody that falls under the scope of the code of conduct is obliged to speak to the confidential advisor and to provide him/her with information when requested.

3.9 ACCOUNTABILITY AND PROTECTION OF THE CONFIDENTIAL ADVISOR

- / In performing his/her tasks the confidential advisor is solely accountable to the employer;
- / The confidential advisor is in all other respects independent and enjoys protection.

3.10 FILING A COMPLAINT

The organization has 3 points you can file a complaint. Anyone can address a complaint to:

- / The Executive Director of Dance4Life, represented by Executive Director Jael van der Heijden, at Jael@dance4life.com. The Executive Director is not bound by confidentiality and may share your complaint with the Integrity Officer.
- / The Integrity Officer of Dance4Life, fulfilled by Steven Hendriks, at integrity@dance4life.com. The Integrity Officer is bound by confidentiality and does not have the obligation to share your complaint with anyone else in the organisation
- / Our external whistleblower. SeeHearSpeakUp - www.seehearspeakup.co.uk/en/file-a-concern

3.11 GENERAL

- / The Integrity Officer is appointed by the Executive Director;
- / The complaint shall be pre-investigated by an investigation team. The Investigation team can consist of the Integrity Officer (if the complaint was addressed to him) or consist of the Integrity Officer and the Executive Director (if the complaint was addressed to the Executive Director);
- / The Integrity Officer must have legal expertise (an external expert can also be added to the investigation team, or can be engaged on an ad hoc basis);
- / The investigation team must deal with the complaint in an unprejudiced and unbiased manner.

3.12 ASKS OF THE COMPLAINT BODY

- / The complaint body deals with all complaints, including complaints concerning corruption, inappropriate conduct: sexual intimidation, discrimination, bullying, aggression and violence;
- / The complaint body institutes a preliminary investigation into whether the complaint has grounds;

- / The complaint body registers the nature and the extent of the complaints received and annually releases an anonymized report.

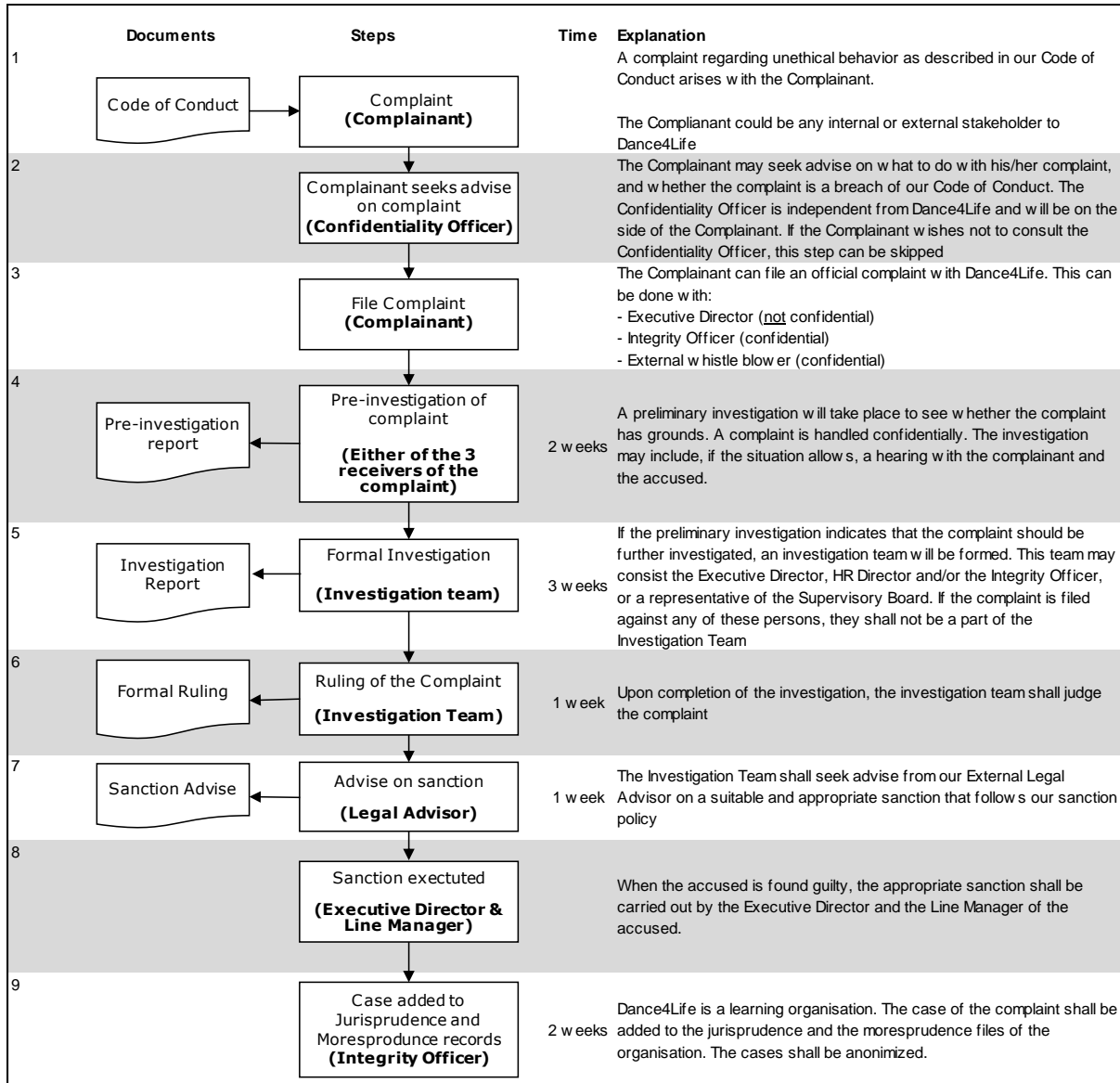
3.13 COMPLAINTS PROCEDURE

- / The complaint is submitted in writing to the complaint body (where necessary, with the assistance of the confidential advisor);
- / The notice of complaint/application contains: the name of the complainant, the name of the accused, a description of the complaint, the measures taken to date by the complainant, and the documents (evidence) related to the complaint;
- / The complainant will receive confirmation that the complaint was received within two weeks;
- / If there is reason to do so, the complaint can be submitted by more than one person, but each complainant must be affected parties in respect of the complaint;
- / The complaint body shall rule on whether the complaint has grounds within four weeks;
- / If it is found that the complaint has grounds, the accused shall receive a copy of the complaint within four weeks;
- / The accused shall have the opportunity to send a written defense to the board within two weeks of receiving the complaint;
- / Both the complainant and the accused are interviewed by the board. The complainant and the accused are interviewed in each other's presence during a hearing, unless the board has well-founded reasons for interviewing them separately;
- / The board is also authorized to interview other parties. Every person that falls under the scope of the code of conduct must respond to the board's request for an interview
- / The board compiles a report of every hearing and sends it to the complainant/accused within two weeks of that session, as well as to other persons that were interviewed; the complainant and the accused have the opportunity to voice their opinion of the report to the board at a session to which the complainant and the accused are invited. These sessions are conducted separately;
- / Once they are approved by the complainant or the accused, the other party is given the opportunity to read the reports. The reports are not handed over to the parties.
- / The board rules, providing reasons, on the grounds of the complaint within two

months of receiving the complaint. The board can extend that period by four weeks, after informing the complainant and the accused of that extension. The board can provide advice and recommendations in its ruling on the measures to be taken;

- / The complaint body presents a report on the hearings, together with its ruling on the legitimacy of the complaint, to the Executive Director of DANCE4LIFE and sends a copy to the complainant and the accused; in cases where the accused is the Director, the report with its ruling will be sent to the Supervisory Council;
- / The board sends a copy of the ruling to the parties concerned;
- / The party ultimately responsible (the employer) reaches a decision on the steps and measures to be taken or the sanctions to be applied within two weeks of the board's ruling.

ANNEX I: OVERVIEW COMPLAINTS PROCEDURE DANCE4LIFE:





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Dance4Life empowers and educates young people.
We provide them with the knowledge, skills and
confidence they need to protect their health and
promote safe sexual choices