

‘Klokkenluider’ arrangement, a guarantee of integrity

Introduction

Fraud, harassment, threats, serious violations of rules and regulations, unfortunately sometimes things happen at work that cannot be condoned. ‘Ringing the bell’ (in dutch: Klokkenluider) about such abuses is not easy. It is often a lonely, risky and complicated process. Guidance and/or help for those who want to bring forward their suspicions of wrongdoing is not a luxury. That is why a ‘klokkenluider’ scheme is mandatory in certain industries, including ours, and a national House for ‘Klokkenluiders’ exists.

Let us start by saying that we value the existence of a ‘Klokkenluider’ arrangement. We value openness, decency and integrity (further summarised to integrity). Our customers and employees are entitled to that. We expose wrongdoing and offenders can count on proportionate action. The basic principle is that a ‘Klokkenluider’ regulation helps to combat wrongdoing and guarantees the safety of the ‘Klokkenluider’. These regulations set out how we deal with this at Dailyflex Personeelsdiensten B.V.

Internal and external possibility

A ‘Klokkenluider’ scheme is a kind of code of conduct for employees. It sets out the course of action, due diligence requirements and legal protection for the ‘Klokkenluider’. A ‘Klokkenluider’ scheme is a tool that supports the potential reporter. Whether this really works in practice depends on more factors. In large parts of the public sector, schemes are in place for employees who suspect wrongdoing within their own organisations. Research makes clear that ‘Klokkenluider’ schemes are useful, but certainly not blissful. In the end, what matters most is that there is a culture in which suspicions can be safely reported, without fear of negative consequences. A culture in which we dare to take each other to task, regardless of position or function.

The reality is that ‘Klokkenluiders’ are not always safe. Also, not everyone dares to report such cases as easily. Research has shown that more than 80 per cent of reports are made outside their own organisations. Many hotlines exist in the Netherlands for that purpose.

It is good that there are so many possibilities. If that makes it easier or safer for employees, that’s a great option. That is also the reason why we explicitly include the external reporting option in our regulations. In any case, the House for ‘Klokkenluiders’ offers a lot of useful information for those considering a report.

1. Internal 'klokkenluider' arrangement

Objective 'klokkenluider' arrangement

Dailyflex Personeelsdiensten B.V attaches great importance to integrity. To ensure this, it creates conditions so that employees can report (alleged) wrongdoing without fear of punitive action. Serious misconduct is first and foremost thought of as theft, bribery, fraud or sexual transgression. However, they can also include inadmissible behaviour.

Details of the 'klokkenluider' arrangement

We do not sanction or allow unfair treatment of employees who raise concerns about certain matters in good faith and we will provide protection against this.

Confidentiality

Reports about alleged wrongdoing, integrity violation and/or irregularity are treated confidentially. The employer ensures that the information about the report is kept in such a way that it is only physically and digitally accessible to those involved in dealing with the report. The reporter may be asked to provide evidence or make a statement. If finding out the truth is hampered by (complete) confidentiality, the reporter will be consulted. Anonymous reports are declared inadmissible because they seriously impede or even prevent an investigation into alleged wrongdoing.

False accusations

In principle, we assume that reports of alleged wrongdoing are made in good faith. If the alleged wrongdoing cannot be confirmed after an investigation, no punitive action will be taken against the person who acted in good faith. Because an investigation is costly and time-consuming and may lead to damage to individuals, measures may be taken against whistleblowers who report malicious intentions.

To whom wrongdoing should be reported

If a colleague's misconduct is involved, this will be reported to Dailyflex Personeelsdiensten B.V.. Your regular contact person can work with you to see how and with whom the report can be made to the hirer. However, if an employee of Dailyflex Personeelsdiensten B.V. is himself the subject of the report, the report will be made to the director of Dailyflex Personeelsdiensten B.V.. If the latter is the subject of the report, the report shall be made to the HR Business Manager of Dailyflex Personeelsdiensten B.V.

How to report wrongdoing

Misconduct can be reported either verbally or in writing. The report should include a description of the alleged wrongdoing and who it concerns. The reporter is not expected to prove that the allegation is true, but the reporter must be able to demonstrate that his suspicions are based on reasonable grounds.

What follows a notification

The employee who has reported alleged wrongdoing will be invited by the person to whom he has reported it for an explanation. In this, the reporter is assured that there is no need to fear punitive action. Furthermore, the reporter is asked whether there is a need for confidentiality. If the recipient does not consider this possible, he consults the reporter. Recipient may ask reporter to draw up a written statement of the report or to sign an interview report of the explanation. Recipient discusses with notifier how and in what timeframe the wrongdoing will be substantively investigated.

Research: Hear and hear again

The employee suspected of wrongdoing, in consultation with the hirer, is confronted with this suspicion during a personal interview and asked for a response. Depending on the 'seriousness' of the alleged wrongdoing, this interview will be conducted, either by the employer and/or hirer manager or by the employer and/or the hirer director, unless either of them is itself the subject of the wrongdoing. In that situation, a different composition will be chosen.

The investigation results and any punitive measures are fed back to the reporter. If the outcome is that disciplinary sanctions are taken, this is reported back within the organisation, stating the abuse and the measure(s). The reporter's details remain confidential in this process. Depending on the seriousness of the misconduct, this situation may lead to reporting it to the police or the Ministry of Justice.

2. External 'klokkenluider' arrangement

Advisory point for 'Klokkenluiders'

If employees want to use the opportunity to report alleged wrongdoing to an external party, that is fine. We advise anyone considering a report to first familiarise themselves with the large amount of useful information provided by the House for 'klokkenluiders' on the subject; www.huisvoorklokkenluiders.nl.

As an independent body, they advise people in government and business on the steps they can take. They do this confidentially and free of charge. The House for Whistleblowers can be reached in several ways.

- *Phone number:* 088-1331000
- *Email:* contact@huisvoorklokkenluiders.nl
- *Physical adres:* Muzenstraat 89-91, 2511 WB Den Haag (alleen op afspraak)
- *P.O. Box:* Postbus 85680, 2508 CJ Den Haag

Details

Through the House for 'Klokkenluiders', a variety of information can be obtained about reporting alleged wrongdoing. This information can help in considering whether it is wise to make a report. It is wise to consult this information in advance or to seek advice. This helps in the consideration and gives an impression of the possible follow-up procedure.