

# Appendix 2 | Whistleblowers' scheme

## Additional definitions for this scheme:

**Suspicion of wrongdoing:** the suspicion of a DOEN employee that wrongdoing (past or future) has occurred at the employer or at another organisation with which he/she has come into contact as a result of his/her work;

1. the suspicion must be based on reasonable grounds arising from the knowledge gained at the employer or from the knowledge gained through his/her work at another company or organisation; and
2. the public interest is at stake because of (the threat of) violation of a statutory regulation (or other regulation), danger to the safety of persons, danger to the proper functioning of the organisation as a result of an improper manner of acting or omission, deliberately misinforming public bodies, a violation of the code of conduct that applies within DOEN and/or deliberately withholding, destroying or manipulating information about the acts mentioned above.

**DOEN employee:** a person who works or has worked for the employer on the basis of an employment contract, contract of assignment or otherwise.

**Advisor:** a person who has a duty of confidentiality because of his/her position and who is consulted by a DOEN employee in confidence about a suspicion of wrongdoing.

**Confidential advisor (external):** Lilian Vermeulen and Anton de Leeuw via the Centre for Confidential Advisors (*Centrum Vertrouwenspersonen Plus* or *CVP+*).

## What procedure is outlined in the whistleblowers' scheme?

### 2.1 Regular reporting

The DOEN employee reports the suspicion of wrongdoing to the Executive Board or the confidential advisor (external). The DOEN employee may also consult the advisory department of the House of Whistleblowers (Huis voor klokkenluiders) and request information, advice and/or support. In a number of cases, a report will need to be submitted to the Supervisory Board of the DOEN Foundation.

#### The Executive Board or confidential advisor records the report

The Executive Board or confidential advisor records the report in writing and states the date of receipt. The DOEN employee signs for approval and receives a copy. In cases involving a confidential advisor, he/she immediately informs the Chairperson of the Executive Board and provides him/her with a copy of the report.

#### The Executive Board confirms receipt to the DOEN employee

The Chairperson of the Executive Board sends confirmation of receipt of the report of the suspicion of wrongdoing to the DOEN employee who submitted the report.

#### Reporting remains confidential

All of the steps taken are recorded in a file. All of the parties involved will treat the report confidentially. They will only provide information to third parties within or outside the organisation with the permission of the Executive Board. This information may not mention the name of the DOEN employee. The information must be drawn up in such a way that the identity of the DOEN employee remains secret without the written permission of the employee concerned. It should also indicate to whom the identity of the DOEN employee may be disclosed.

## **2.2 Investigation by the Executive Board**

Immediately after the report, the Executive Board initiates an investigation.

### The DOEN employee is informed of the position of the Executive Board

Within eight weeks, the DOEN employee will receive a written statement of the Executive Board's position on the reported suspicion of wrongdoing. It will state what steps the Executive Board has taken or intends to take.

### The Executive Board reports any extension of the process

If it is not possible to arrive at a position within eight weeks, the DOEN employee will receive written notification of this from or on behalf of the Executive Board. It will provide a new date on which the position will be received.

## **2.3 Reporting to the Chairperson of the Supervisory Board**

The DOEN employee may report suspected wrongdoing to the Chairperson of the Supervisory Board of the DOEN Foundation (this may also be done by the external confidential advisor). This is possible in the following cases:

- a. The DOEN employee does not agree with the Executive Board's position on his/her report.
- b. The DOEN employee has not received a position within eight weeks and has not been informed of any extension of that period.
- c. The DOEN employee considers the period for the Executive Board to adopt a position to be unreasonably long and, despite objecting, the period has not been shortened.
- d. The suspicion of wrongdoing concerns a member of the Executive Board.
- e. The DOEN employee fears repercussions if he/she reports the suspected wrongdoing to his/her manager, the Executive Board or the confidential advisor.
- f. The DOEN employee has previously reported the same wrongdoing, but this did not resolve the wrongdoing.

### The DOEN employee reports to the Chairperson of the Supervisory Board

The Chairperson of the Supervisory Board records the report in writing and states the date of receipt. The DOEN employee signs for approval and receives a copy.

### The Chairperson of the Supervisory Board confirms receipt to the DOEN employee

The Chairperson of the Supervisory Board sends confirmation of receipt to the DOEN employee. If a report was already submitted previously, reference will also be made to the previous report.

### Reporting remains confidential

All of the steps taken are recorded in a file. All the parties involved will treat the report as confidential. They will only provide information to third parties within or outside the organisation with the permission of the Chairperson of the Supervisory Board. This information may not mention the name of the DOEN employee. The information must be drawn up in such a way that the identity of the DOEN employee remains secret without the written permission of the employee concerned. It should also indicate to whom the identity of the DOEN employee may be disclosed.

## **2.4 Investigation by the Chairperson of the Supervisory Board**

Immediately after the report, the Chairperson of the Supervisory Board initiates an investigation.

### The DOEN employee is informed of the position of the Chairperson of the Supervisory Board

Within eight weeks, the DOEN employee will receive a written statement of the Chairperson of the Supervisory Board's position on the reported suspicion of wrongdoing. This is done by or on behalf of the Chairperson of the Supervisory Board. It will state what steps the Chairperson of the Supervisory Board has taken or intends to take.

The Chairperson of the Supervisory Board reports any extension of the process

If it is not possible to arrive at a position within eight weeks, the DOEN employee will receive written notification of this from or on behalf of the Chairman of the Supervisory Board.

## **2.5 External reporting**

After making an internal report of a suspicion of wrongdoing, the DOEN employee can make an alternative report if the DOEN employee:

- a. does not agree with the position of the employer;
- b. is of the opinion that the report was wrongly set aside;
- c. does not receive a position from the employer within the period specified.

This report may be submitted to an external body that the DOEN employee considers most appropriate (such as the investigation department of the House of Whistleblowers (*Huis voor klokkenluiders*)).

## **2.6 Legal protection**

The DOEN employee reporting a suspicion of wrongdoing in good faith under this scheme will not be prejudiced in any way (by the employer or the managers and colleagues of the DOEN employee) in his/her position as a result of said report. If any DOEN employees should be deemed guilty of prejudicing the DOEN employee, (disciplinary) measures may be imposed.

## **2.7 Intranet and the Internet**

### Intranet

This scheme is included in the Terms & Conditions of Employment Guidelines and can be found on LotteryNet. More information about external confidential advisors can also be found on LotteryNet.

### The Internet

More information about this legislation and the House of Whistleblowers (*Huis voor klokkenluiders*) can be found at [huisvoorklokkenluiders.nl](http://huisvoorklokkenluiders.nl). More information about external confidential advisors and the Centre for Confidential Advisors (*Centrum Vertrouwenspersonen Plus - CVP+*) can be found at [centrumvertrouwenspersonenplus.nl](http://centrumvertrouwenspersonenplus.nl).