

The Rutgers logo is presented in a white speech bubble shape with a black outline, set against a teal background. The word "Rutgers" is written in a bold, black, sans-serif font.

Rutgers

For sexual and
reproductive health
and rights

A photograph of two Black women embracing against a teal background. The woman on the left is wearing a yellow mesh top and blue pants, leaning her head on the other woman's shoulder. The woman on the right is wearing a yellow top, a pink hat, and a colorful scarf, looking down. A white text box is overlaid on the bottom right of the image.

Reporting regulations and procedure

How to report a code of conduct
violation

July 2023

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1 Introduction

Rutgers' Code of Conduct is intended to prevent unwanted behaviour and applies to everyone who works for or with Rutgers. If you experience or see unwanted behaviour, Rutgers wants you to be able to report this safely.

These reporting regulations explain where and how you can report (possible) violations of the Code of Conduct and what steps we, as an organisation, take if we receive a report.

All reports that Rutgers receives are handled carefully, according to the procedure for reporting and following up on reports, which is also a part of these regulations.

Rutgers encourages reporting and aims to learn from mistakes to improve its work.

Safe reporting of unwanted behaviour.

Making reports with the aim to learn from mistakes and to improve our work.

2 Reporting regulations

Who can make a report?

Every **individual or organisation** can make a report of (possible) wrongdoings and infringements.

What can be reported under the reporting regulations?

A report can be made about one of the following areas:

(suspicions of) Violations of integrity based on reasonable grounds – all breaches of the Rutgers' Code of Conduct:

- **Interpersonal violations** such as discrimination, intimidation, sexual violence, abuse of power, sexual intimidation, bullying, sexual harassment, and other unwanted behaviour.
- **Financial violations**, such as fraud, theft, abuse, and deliberate squandering.
- **Abuse of power**, such as corruption, conflict of interest, sharing of confidential information, and culpable negligence.

(suspicions of) Breaches in which the public interest is at stake, such as a breach of the law or when people are in danger, based on reasonable grounds.

(suspicions of) Errors in the execution of the work of Rutgers, structures, working processes, or procedures with significant consequences, based on reasonable grounds.

How can you make a report?

Channels for reporting

There are different ways to make reports of wrongdoings and infringements. We encourage people to discuss and try to resolve issues with the internal reporting points first, if possible.

Reporting can be done in the following ways:

Internal reporting points

- **Your manager**, member of the MT, the director, or the HR manager. They then inform the Integrity Officer.
- **The Integrity Officer**: can send your report directly to the Integrity Officer via integrity@rutgers.nl. If you explicitly indicate in your report that you wish to remain anonymous, your identity will only remain known to the Integrity Officer and their replacement.
- Online via WhistleB: Go to <https://report.whistleb.com/en/rutgers> to make an (anonymous) report. Your identity remains unknown, also to the integrity officer.

External reporting points

- Partos, Rutgers also subscribes to Partos' [Code of Conduct](#). Complaints about Rutgers in relation to Partos' Code of Conduct are dealt with by an external complaints committee: klachtencommissie@partos.nl
- **Het Huis voor Klokkenuiders (Dutch Whistleblowers Authority)**, if there are reasonable suspicions of wrongdoing that are not appropriately responded to or handled internally, you can contact the external whistleblower service via **+31 (0)88 1331 030**, advies@huisvoorklokkenuiders.nl, or directly [online](#) (Dutch).

External confidential counsellor

Do you need help, or are you unsure whether you should report something? For support and advice, you can consult Rutgers' external confidential counsellor: **Paola Crone** via p.crone@gimd.nl or **+316 3935 3501**. For more information about the confidential counsellor, visit our website about integrity:

<https://rutgers.international/about-rutgers/integrity-at-rutgers/>

When to report externally?

The basic principle of these reporting regulations is that possible wrongdoings and/or irregularities are reported internally within Rutgers first for Rutgers to investigate them. There are, however, situations in which you can report a suspicion of wrongdoing and infringements externally. Namely:

- When you cannot reasonably be expected to report internally. For example, our organisation's highest leadership is involved in the wrongdoing.
- When the report is not adequately followed up on or handled internally. For this, the report has to be handled first via Rutgers' reporting procedure, or it could reasonably be expected to have been handled already.

Reporting anonymously

Reporting anonymously is possible, both via the Integrity Officer and the online reporting form on the website of Rutgers.

Rutgers refrains from any action to discover the identity of the person making the report. Deliberate efforts to find the identity of the person making the report violate our Code of Conduct.

Handling an anonymous report

In principle, Rutgers handles anonymous reports the same way as any other report, as long as there is enough information to handle them. Reporting anonymously has the disadvantage that it will be harder for Rutgers to offer specific protection and support to the person making the report and for Rutgers to hear both sides of the argument.

Safeguarding confidentiality

When handling a report, all people involved need to guarantee the highest level of confidentiality. Rutgers does so by:

- Handling all reports confidentially (or even anonymously).
- Involving no more people than strictly necessary when settling a report.
- Only providing the Integrity Officer and their designated replacement with access to the mailbox integrity@rutgers.nl.
- Defining confidentiality with all people involved in such a way that the required information is

available to authorised people on a strict "need-to-know" basis.

- Making explicit that a violation of confidentiality, on purpose or through gross negligence, constitutes a violation of our Code of Conduct and will therefore result in sanctions.
- Protecting the personal data of people making the report according to the GDPR (see reporting procedure).

Internal or external preliminary investigation and further investigation

Conducting a preliminary investigation and further investigation is part of following up on a report. The follow-up starts with an internal preliminary investigation. Depending on the situation, the decision can be made at any moment to bring in an external research organisation to conduct the preliminary investigation or further investigation. An external research organisation acts autonomously and will consider internal regulations.

Protection of persons making the report

It is brave to make a report as it could have (negative) consequences for the person making the report. Rutgers protects people who make a report against unfair treatment.

Rutgers:

- **Encourages everyone** to express concerns and report unwanted behaviour and possible breaches of the law or our policies. Therefore, reporting in and of itself cannot have negative consequences for the person making the report.
- **Protects the people who make a report according to the reporting procedure.** In any case, negative consequences means:
 1. dismissal or suspension, a fine referred to in Article 650 of Book 7 of the Civil Code, demotion, withholding of promotion, an adverse evaluation, a written reprimand, transfer to another establishment, discrimination, intimidation, harassment or exclusion, defamation or slander, premature termination of a contract for the provision of goods or services, and revocation of a license.
 2. Detriment also includes the threat and attempt to cause detriment.

- **Offers support to reporters according to the reporting procedure** in the form of access to care, advice, and support by the confidential counsellor and protective measures that can be decided on for each case, such as legal, medical, or psychological support. Rutgers protects reporters from procedures concerning illegally obtaining information, libel, violating copyright, or protecting personal data.
- **Considers improper and malicious use of the reporting procedure, as well as harming the organisation and/or other people involved** in the report as separate violations of the Code of Conduct.

Feedback on the contents of Rutgers' programmes

Feedback on the content of Rutgers' programmes is referred to and directly dealt with by the programme managers of the team involved. Reports about possible violations of our Code of Conduct during the implementation of the programmes are handled according to the procedure described in these reporting regulations.

Everyone can make a report, both by name and anonymously.

Reporting in itself cannot have negative consequences for the person making the report.

3 Procedure for reporting and following up a report

It is important to report correctly and carefully. Rutgers prefers to have the opportunity to respond to (suspicions of) wrongdoings and violations of integrity and to decide on further actions itself. Therefore, make the report internally if possible. For reporting and following up on reports, we follow the procedure below.

Reporting a (possible) wrongdoing and infringement or violation of integrity

Any person can make a report in writing or orally via telephone or other voice systems. The report is received at integrity@rutgers.nl or via one of the mentioned channels.

Contents of report

The report contain the following information:

- Name of the person making the report (unless you are reporting anonymously).
- Date on which the report is made.
- A description of the (possible) wrongdoing or violation of integrity.
- Reasons why the person making the report thinks that there is a violation or something inappropriate is happening.
- Arguments for the report based on what you have seen or read.
- If possible, mention possible care you need and fear of potential forms of unfair treatment as a result of the report. For each case, appropriate measures will be sought.

Recording the report

It is possible to meet with the Integrity Officer in person within a reasonable time to make or explain a report. If the report is made orally, the Integrity Officer records the report in writing. The person reporting is allowed to inspect the written record and will get the opportunity to check and correct it.

Following up and handling a report

The Integrity Officer is in charge of following up on the report. Depending on the nature and contents of the report, the Integrity Officer can follow up on it

themselves, or they can delegate the follow-up to an investigative committee.

Who handles the report and is informed

- The Integrity Officer informs the director about the report, unless the report is about the Executive Director. In that case, the Chair of the Supervisory Board will handle the report.
- If the report is about a member of the Supervisory Board, the Chair of the Supervisory Board will handle the report.
- If the report is about the Chair of the Supervisory Board, the Executive Director will handle the report.
- If the report involves the director and the chairman of the Supervisory Board, the integrity committee will come with a solution.
- If the report is about the Integrity Officer, the report can be made via the manager, an MT member, the director, or the HR manager. They will then inform the Executive Director, who will handle the report. The Integrity Officer will not be in charge.

Informing the donor and accountant

Depending on the agreements made with the donor, Rutgers will mention the report to the donor financing the programme/project the report concerns and to its supervisory authority. In addition, we always inform our accountant. The report our accountant receives will be anonymised; no names, birth dates, locations, or other (personal) data which could be traced back to a person will be included. This report will contain the further steps we will take as an organisation.

Confirmation of receipt and registration

The Integrity Officer registers the report in the register of reports and sends a confirmation of receipt to the person who made the report within seven (7) calendar days. This confirmation also contains information about the procedure, who will handle the report, and how long this will take.

Term for handling a report

Both speed and care are required when following up on a report and conducting the preliminary and further investigations. While following up on a report, Rutgers will make every effort to act rapidly but will not make rash decisions.

Response dealing with the contents of the report

The Integrity Officer, or the investigative committee delegated by them, sends a response on the report's contents to the person who made the report within three (3) months of receipt.

Postponement of the process for settling report

The Integrity Officer or the investigative committee delegated by them can extend the process for handling the report twice (2x), each time by six (6) weeks. The reason for the extension will be explained in writing to both the person who made the report and the accused.

Support for person making the report and any other persons involved

Immediately after receipt of the report, the Integrity Officer will decide whether support is required for the person making the report or for other people. This can be, for example, psychological support, legal support, or protection against possible unfair treatment in response to involvement in the report. This support for the person making the report and possible other people involved can be paid for by Rutgers.

Experiencing or seeing an event can have far-reaching consequences. For (emotional) support, see also [Slachtofferhulp Nederland \(Victim Support Netherlands\)](#).

Investigation

Preliminary investigation

The Integrity Officer conducts a preliminary investigation. The purpose of this preliminary investigation is to determine the approach to the follow-up of the report. In the preliminary investigation, the following questions are considered:

- Does the report relate to the contents of a Rutgers programme? If so, it will be forwarded to the relevant Programme Manager. The Programme Manager will handle the report and communicate with the person who made the report.
- Does the report concern a (suspicion of) an (impending) wrongdoing, violation of integrity or irregularity? If not, an investigation is unnecessary. However, a clear explanation is sent to the person who made the report. If it does, the Integrity Officer formulates an advice for the director about the setup of the further investigation.
- Does the report concern a violation for which Rutgers is not responsible or which does not fall within its sphere of influence? Then Rutgers does not deal with the report any further, and the person who made the report is informed about this.
- What risks do the people involved run, and what support and protective measures need to be taken concerning confidentiality and protection against unfair treatment or revenge?

The Integrity Officer can use the Integrity Committee as a sounding board to formulate answers to these questions.

Further investigation

If the aforementioned considerations indicate a need for further investigation, the following questions, among others, are answered to arrive at an assignment for this further investigation:

- Does it concern an incident, or does it concern structural wrongdoing?
- Does it concern more people, or could it in future?
- Has a third party been harmed?
- Does it concern a possible criminal offence?
- Does it (potentially) harm the image of Rutgers and the people involved? If so, how big are the risk and the potential harm?

External investigator(s)

In a complex situation, (a) specialised external investigator(s) can be enlisted. The selection of (a) particular external investigator(s) depends on the nature and context of the report.

Advice preliminary investigation

Based on the preliminary investigation, the Integrity Officer will advise the Executive Director or the Chair of the Supervisory Board. This advice will always include the following:

- Conclusions of the preliminary investigation.
- Decision on whether to conduct a further investigation.
- If a further investigation is proposed:
 - Nomination of the (internal or external) investigator(s).
 - Formulation of investigation assignment and questions.
 - Budget required.
- If no further investigation is advised:
 - Reason not to conduct (or commission) a further investigation.

Decision after the preliminary investigation

Based on the advice, the Director or the Chair of the Supervisory Board will decide on the further follow-up to the report. If they choose not to follow the advice of the Integrity Officer, they must give reasons for this decision. These reasons will also be shared with the person who made the report.

Measures after the preliminary investigation

If the preliminary investigation points towards actual or alleged wrongdoings and/or violations of integrity, specific measures will be taken to limit further harm as much as possible. These measures have to be proportional and temporary.

Measures can include:

- denying access to office, systems and/or documents.
- suspension of an employee.
- freezing payments to a partner.
- suspension of a partner.

The person or party on whom a measure is imposed will be informed. The measure will be temporary until the investigation is completed, when final actions will be taken.

Further investigation

If the Integrity Officer does not conduct the further investigation themselves but has (an)other internal or external investigator(s) conduct the investigation, the Integrity Officer supervises the investigation. The Integrity Officer monitors the process, the budget, judges the quality of the work delivered, critically questions the investigators about methods and conclusions and communicates about the investigation with the person making the report and other persons involved.

The Integrity Officer can use the Integrity Committee as a sounding board while the further investigation is conducted. In that case, the discussion is anonymised. During the discussion, no names, dates of birth, locations, or other (personal) data will be shared which could be traced back to a person.

Process of the investigation

Listening to both sides

In their investigation, the Integrity Officer or the investigative committee use the principle of listening to both sides. The investigative committee will meet separately with all parties involved (the person making the report, the person whose conduct the report concerns, and possible other people involved) in order to give them the chance to tell their side of the story.

Report of conversations

The conversations are recorded in a report. The parties involved are given the opportunity to read the report of the conversation. In doing so, the person concerned can have a comment added to the report if, in their judgement, the conversation has not been represented in a factually correct manner. These comments can be incorporated into the report by the investigative committee, but the investigative committee is not obliged to do so.

The investigative committee translates the investigation results into findings, conclusions and recommendations.

Report

Draft report

Based on the report, the conversations held, and the investigation of files, the investigative committee records their findings in a draft report containing the findings; the conclusion of whether there is likely a (n impending) wrongdoing, irregularity, or violation of integrity; and recommendations for further actions.

This draft report is submitted to the Executive Director or the Chair of the Supervisory Board. They are then given the opportunity to respond to the report.

If the report concerns the Executive Director, the Chair of the Supervisory Board replaces the role of the director.

Final report

The investigative committee then draws up a final report, which may include the response of the person making the report, and submits the report to the Integrity Officer and the Executive Director.

Decision after further investigation

Recommendations

In response to the report, the Integrity Officer can make recommendations to the Executive Director or the Chair of the Supervisory Board about the decision to be made and the measures to be taken. The Executive Director decides based on the investigative committee's report and the Integrity Officer's additional recommendations.

Decision

Depending on the nature and complexity of the report and the investigation results, the Executive Director can ask the Supervisory Board for advice when making a decision.

The decision may include the following:

- A (disciplinary) measure against the person(s) accused, ranging from an oral or written warning to dismissal (possibly summary dismissal).
- Organising a training session to increase awareness and prevent wrongdoings and violations of integrity.
- Communicating the importance of reporting (possible) wrongdoings and violations of integrity.

- Mediation.
- If an external party is involved, the relationship with this external party can be ended or possibly be continued if the external party has taken appropriate measures.

Deciding on measures

When deciding on (disciplinary) measures, the Executive Director or the Chair of the Supervisory Board considers all circumstances, including the mutual relationship between the victim(s) and the person(s) accused. If there is a power balance in which the accused is in a position of power in relation to the victim, this is an aggravating circumstance.

If the wrongdoing is not proved or innocence is proved in the further investigation, then Rutgers takes appropriate measures to exonerate the accused from blame. These measures are recorded in writing. If necessary, Rutgers organises appropriate internal and/or external communications.

Depending on the seriousness of the case, Rutgers may take the case to court or the police. The state of the rule of law in the country concerned is also considered in this decision. If the court or the police deal with the case, Rutgers takes the development of their handling of the case into account when deciding on measures. Depending on the situation, internal and/or external communications take place.

Final steps

Conclusion

The Integrity Officer explains the conclusion to the person who made the report in writing. The accused also receives the conclusion in writing. If needed, an additional oral explanation can be given.

Informing donor(s)

Depending on the agreements with donors, donors will also be informed about the report's conclusions. This report is anonymised. In the report, no names, dates of birth, locations, or other (personal) data will be included which could be traced back to a person. The report will include further steps we will take as an organisation.

If the person who made the report is not satisfied with the process or decision

If the person who made the report is not satisfied with the process and/or decision that has been made, they can give notice of appeal to the Executive Director or the (Chair of the) Supervisory Board, who checks whether the reporting and follow-up procedures have been followed correctly. They will also take measures if needed. If the person who made the report is not satisfied with the decision of the Executive Director or the (Chair of the) Supervisory Board, the person who made the report can file a complaint with the sector organisation [Partos](#) or report the issue to the [Dutch Whistleblowers Authority](#).

Registration, reporting, and retention period

Register of reports

All decisions concerning reports are stored anonymously in the register of reports. The Integrity Officer manages this register in a secure environment.

Reporting

Once every year, the management team (MT) discusses all submitted reports (after anonymisation), the reason for them, and the lessons learned. The MT then decides on actions to improve or create a safe environment. A summary of this will be included in the annual report.

Retention period

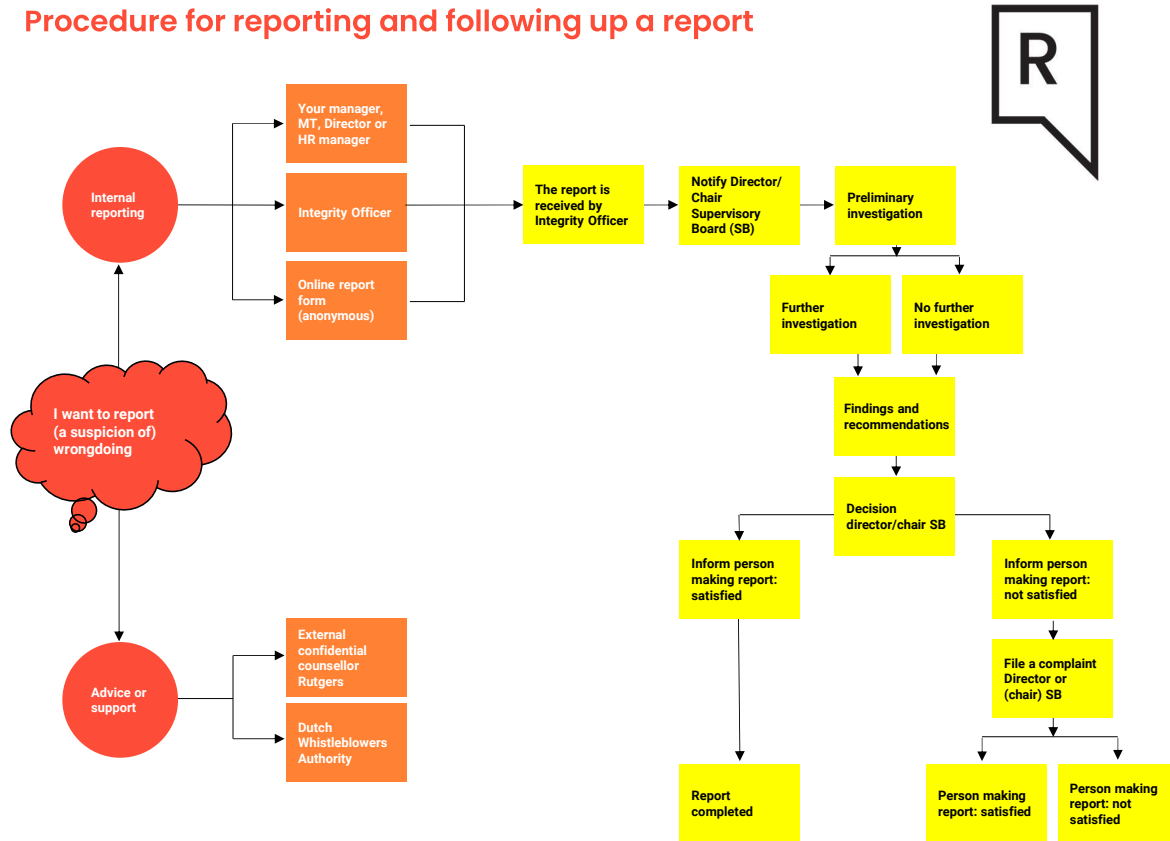
All reports and accompanying documentation, such as written declarations and the results of any investigations, are stored according to the relevant laws and regulations (for example, of the tax authorities) or the donor's conditions. Reports and accompanying documentation are stored no longer than necessary but at least for a period of two years.

4 Protection of personal data under the reporting regulations

1. While investigating and settling the report, Rutgers observes the greatest possible **confidentiality** concerning the identity of the person making the report, the victim, witnesses, and those who provide information during the investigation. All reports remain confidential.
2. The report is **stored anonymously** in the register of reports in Rutgers' secure environment. The Integrity Officer is the only one who can access the environment which contains the reports. During the investigation and especially in any reports, we do not mention the names of the person who made the report.
3. Any person who, as part of these reporting regulations, gains access, in any way whatsoever, to clearly confidential information **is obliged to keep this information confidential**. An exception is made for information that Rutgers is obliged to share with relevant authorities due to legal requirements.
4. Files made about a report are stored by the Integrity Officer and will be **destroyed after at least two years**. (Files will be kept longer if required by applicable laws and regulations and/or donor requirements) The reports are stored only for as long as necessary.
5. Data about the report are **not included in the personnel file** of an employee (person who made the report or the accused), unless the employee requests their inclusion. However, if a disciplinary measure is imposed on an employee because of a report, that disciplinary measure is stored in the personnel file of the employee concerned.
6. Data are recorded anonymously in the annual report and other reports.

5 Process chart

Procedure for reporting and following up a report



6 Definitions

Accused: the person against whom a report has been filed.

External investigative committee: An external investigative committee consists of members who are not affiliated with Rutgers.

Integrity Committee: Within Rutgers, the Integrity Committee acts as a sounding board for the Integrity Officer when dealing with feedback and reports. The committee analyses risks relating to integrity, prepares the annual analysis and possible revision of policy and practice, initiates moral deliberation and monitors the lessons learned. They can provide advice and answer questions relating to integrity.

Integrity Officer: Rutgers has an Integrity Officer. All reports are received, registered and followed up by the Integrity Officer.

Internal investigative committee: An internal investigative committee carries out an investigation and consists of Rutgers employees who were not involved in the incident and do not have a conflict of interest.

Person making the report: Every natural or legal person that makes an oral or written report.

Report: Every explicit written or oral statement that points out a (suspicion of a) violation of the Code of Conduct, with regard to the level of service, actions or lack of actions by the organisation, its staff, volunteers, or anyone who is directly involved in delivering its work. A report requires a response and is aimed at rectification or change.

Register of reports: In the register of reports, all reports are included for the purpose of the annual report and to determine potential areas of improvement.

Confidentiality: Confidentiality is an ethical principle that limits access to and the spread of information. It is operationalised by determining who has access to what information and under what conditions. During an investigation of a violation of the Code of Conduct, information is only accessible to a limited number of authorised people, with the sole aim of completing the investigation. Confidentiality creates a climate in which witnesses are more willing to tell their version of events and to create confidence in the system and the organisation.

7 Contact

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