

## COMPLAINT REGULATIONS STICHTING VLUCHTELINGKANSEN

The Stichting VluchtelingKansen is a social non-profit organisation.

### *Introduction*

The Stichting VluchtelingKansen is active in the Utrechtse Heuvelrug region and is committed to achieving a refugee policy that is as humane as possible. The organisation does this by providing young asylum seekers and approved refugees in particular with guidance in (vocational) training and gaining work experience. The organisation also provides financial assistance for family reunification and offers financial, legal and moral support to asylum seekers who have exhausted all legal remedies through the LVV (National Provision for Aliens) scheme. This LVV scheme is funded by the municipality of Utrecht. Expenses for other activities are financed from the proceeds of the Eurowinkel run by the organisation, which sells second-hand books and clothing. The shop is also a work-experience location.

Assistance and guidance to refugees is provided by the Werkgroep Vluchtelingzaken. This is a group of volunteers, some of whom receive an expense allowance. The coordination of the Eurowinkel is in the hands of a part-time self-employed person supported by volunteers, in addition to partially remunerated staff. Board members also have contact with refugees on occasion.

The staff, volunteers and board members naturally conduct their duties to the best of their ability and with due care. Nevertheless, situations may arise in which a refugee or a volunteer is not satisfied with the way things were handled or communicated. The Stichting VluchtelingKansen has therefore adopted these complaint regulations. These regulations are a component of the organisation's integrity policy and volunteer policy.

In the provisions below, the situation involves an individual seeking to lodge a complaint and have that complaint addressed. It may also be the case that an individual feels unsafe or treated unfairly but that filing a complaint feels too drastic. For those situations, the organisation offers the Confidential Advisor as a resource. The Confidential Advisor explores the situation with the person who feels unsafe or treated unfairly and discusses how the situation can be remedied. For a more detailed description and how to contact the Confidential Advisor, please refer to the integrity policy.

### *Article 1 Definitions*

The following definitions apply within these regulations:

- The complaint: A substantiated expression of dissatisfaction about concrete conduct of (an employee or volunteer of) the Eurowinkel or the Werkgroep Vluchtelingzaken, or of board members;
- Conduct: the act or negligence of a staff member or volunteer of the Eurowinkel or the Werkgroep Vluchtelingzaken, including board members;
- Staff member: a person who, whether paid or unpaid, performs coordinating activities within the Eurowinkel or the Werkgroep Vluchtelingzaken;
- Volunteer: a person who performs unpaid operational activities within the Eurowinkel or the Werkgroep Vluchtelingzaken;

- The Board: the board of the Stichting VluchtelingKansen;
- The complainant: a person who feels aggrieved by conduct of the organisation and the Eurowinkel and Werkgroep Vluchtelingzaken operating under it, its employees and its volunteers, and wishes to lodge a complaint about this conduct.
- The complaint mediator: for the Eurowinkel, this is the manager and for the Werkgroep Vluchtelingzaken this is the chairperson of the working group;
- The complaint handling officer: the person appointed by the board to handle complaints within Stichting VluchtelingKansen. Should the complaint be against the complaint handling officer personally, the board will appoint a substitute complaint handling officer;
- The respondent: the person against whom the complaint is directed, which may be Stichting VluchtelingKansen and/or the persons working for it or on its behalf.
- A notice of complaint: a description of the respondent's conduct and other facts leading to the complaint, and also what the complainant seeks to achieve by filing the complaint.

### *Article 2 Limitation period and admissibility*

Limitation period:

The complainant may only file a complaint about an event that took place not more than one (1) year before filing the complaint.

The complainant shall not be admissible if a complaint has the same scope as a previously settled complaint and if the complaint is time-barred.

### *Article 3 Structure of the complaint regulations*

The organisation strives, to the greatest extent possible, to restore disrupted relations.

Broadly speaking, the steps to be taken are:

1. Consultation between the complainant and the staff member/volunteer concerned;
  2. Consultation (through a mediation interview) with the complainant and the volunteer or staff member concerned conducted by the complaints mediator;
  3. Complaint procedure conducted by the board.
1. Within the divisions of the organisation, the aim is to create an environment in which a participant, volunteer or staff member who is dissatisfied with an act or neglect will discuss this in the first instance with the volunteer or staff member concerned.
  2. If a discussion about the complaint does not take place, or if the complainant and respondent do not come to an agreement together, one or both of them will approach the complaints mediator. The latter will organise a discussion about the complaint within two weeks of being informed of the complaint. In this conversation, the complaint mediator will attempt to find a solution to the conflict and record the agreements made in the conversation in writing and send the complaint and the agreement letter to the board within 10 days of the complaint conversation.

3. If that conversation does not take place, or if that conversation does not or not sufficiently resolve the dissatisfaction, the option of submitting the complaint to the board is available. The complaints mediator explains the procedure to the complainant and, if required, helps to put the complaint on paper.

At all three of these stages, both complainant and defendant may be assisted by someone they trust.

If a complainant turns directly to the board without having gone through the previous steps, the complaints handler will still first explore the possibility of a (mediation) interview by the complaints mediator. If this is not desired, the board will take up the complaint. In the event of an unsuccessful mediation attempt, the complaints mediator will notify the board as soon as possible after the interview, after which the complaint will be processed.

Complaint mediator and board are bound to confidentiality and information and communication sent digitally is secured in accordance with current privacy legislation.

#### *Article 4 Method of submitting the complaint to the board*

- 1 A complainant or his authorised representative may submit a complaint in writing or digitally to the board of Stichting VluchtelingKansen addressed to the complaint handler at: Stichting VluchtelingKansen, De Delerij, Oranjelaan 73 3971HE Driebergen, or to [info@vluchtelingkansen.nl](mailto:info@vluchtelingkansen.nl).
- 2 A notice of complaint contains at least the following information:
  - a. the name and address of the complainant;
  - b. the date of submission;
  - c. a description of the conduct objected to and the moment at which the event occurred;
  - d. The grounds on which the complainant is lodging the objection.
- 3 If the complaint does not meet the requirements specified in the second paragraph of this article, the complaints handler will notify the complainant and invite the complainant to rectify the complaint submission within two weeks.
- 4 If the complainant does not rectify the complaint submission (within the specified period) to satisfy the conditions referred to in the third paragraph of this article, the board may decide to dismiss the complaint.
- 5 If desired, the complainant may be assisted by a confidential advisor.

#### *Article 5 Acknowledgement of receipt and expenses*

1. The complaints handler or his/her substitute will send an acknowledgement of receipt within five business days of receiving the complaint.
2. The complaints handler also sends a copy of the documents to the respondent within five days of receipt and gives the respondent the opportunity to respond in writing (by post or digitally) within two weeks.
3. There are no costs involved in the submission and processing of a complaint.

#### *Article 6 Decision on admissibility and oral hearing procedure*

The complaints handler will first decide on admissibility. In the event of inadmissibility, the complainant will receive a substantiated notice within 14 days. Within 14 days, the complainant can submit a written complaint, with reasons, to the board, which will decide on the matter in the next board meeting.

If the complaint is admissible, the complaints handler invites the complainant and defendant for a personal consultation within six weeks of receiving the complaint. The deadline is extended by the time involved in any complaint about inadmissibility. In urgent cases, the complaint handler may shorten the six-week period.

By default, this is a joint oral complaint hearing; only in very exceptional cases, the complainant and defendant are heard separately.

In the event of the omission referred to in Article 4(3), the complaints handler investigates the reasons for the omission and gives the complainant the opportunity to rectify the omission on the spot.

The guiding principle is hearing from both sides.

#### *Article 7 Written handling procedure*

If the complainant does not wish to be heard, only a written handling of the complaint will follow. The complaints handler then submits the complaint and accompanying documents and any response to the complaint to the board within a week after the complainant has indicated that he does not wish to be heard. After this, further action is taken as described in Article 8, paragraphs 2 and 3.

#### *Article 8 Reporting and decision*

1. The complaints handler will submit a report to the board within one week after the complaint has been handled.
2. After receiving the complaint and the report, the board will take a decision on the complaint in the next board meeting.
3. The board's decision on a complaint may be: a). The complaint is wholly or partly founded; or b) The complaint is unfounded. In the event of an omission that has not been rectified, including on the occasion of the oral hearing, the board may decide to dismiss the complaint.
4. In the event of a founded complaint, the board may decide on measures to be taken. In the event of a serious offence, this may include termination of the working relationship. If criminal offences come to light, they will be reported to the authorities if necessary.
5. The board aims to communicate the decision on the complaint to the complainant by email or in writing within 4 weeks after the decision has been reached and will include the findings with regard to the complaint and a reasoned opinion on whether or not it is justified (in whole or in part).
6. No appeal is possible against the board's decision.
7. No damages may be awarded.

#### *Article 9 Registration and retention period*

The (digital) complaint file will be registered and archived. The board of Stichting VluchtelingKansen will retain the (digital) complaint file for 2 years, from the time when the handling of the complaint has been completed. After this period, the files are destroyed.

Complaints may be processed anonymously in the annual report each year, if the board sees reason to do so.

#### *Article 10 Final provisions*

1. These complaint regulations shall be adopted and amended by the board.
2. These complaint regulations shall enter into force on 1 September 2023.
3. These complaint regulations are a component of the organisation's integrity and volunteer policy.
4. The board will ensure publication of these complaint regulations by publishing them on the website in Dutch and English. The Werkgroep Vluchtelingzaken and the management team of the Eurowinkel will ensure publication among their own volunteers and employees.

The provisions in these complaint regulations do not prejudice the option of turning to other appropriate persons or bodies, such as the confidential advisor and/or the civil or criminal courts.

The confidential advisors of the Stichting VluchtelingKansen are:

- Mr Laurens Touwen (vertrouwenspersonen@vluchtelingkansen.nl)
- Ms Dineke Oldenhof (vertrouwenspersonen@vluchtelingkansen.nl)

To consult the Confidential Advisor protocol, please refer to the Integrity Policy of Stichting VluchtelingKansen.

These regulations may be cited as "Complaint regulations Stichting VluchtelingKansen".

Adopted in the board meeting of 24 May 2023.