

Introduction

- What is this document and whom does it concern?

In this document a set of principles and starting points is described that can function as a basic framework of behaviour for everyone that is affiliated with De Ateliers. It is also intended to help define and recognize inappropriate behaviour and to indicate what a person can do in case of experiencing this.

It has to be noted that this is not an isolated set of rules. In addition to general Dutch law, which should be respected at all times, it ties in with the content of other procedures, such as the House Rules, and the agreement between the institution and its participants, tutors and others that are professionally involved. This code of conduct therefore applies to those directly involved with De Ateliers:

- Participants, tutors, and staff of De Ateliers;
- Other persons working under the responsibility of De Ateliers as a freelancer, interim employee, trainee, intern or volunteer.

- Nature of the institution

An international post-academic program such as De Ateliers is an institution where people from different backgrounds meet and share views, learn from each other, and work together. This diversity in perspectives and visions is one of the founding principles of De Ateliers.

All those who are affiliated with De Ateliers must ensure that they treat each other with mutual respect, irrespective of their cultural and social background, religious beliefs, gender (identity), ethnicity, nationality, age, sexual orientation, marital status (dis)ability, chronic illness, political preferences, personal values and norms, role or position. De Ateliers aims to create and maintain a secure, positive and productive environment in which everyone is able to develop their talents.

Principles

De Ateliers aims to provide a secure environment for all, in and around our building, as well as in any accommodation provided through De Ateliers.

Any form of inappropriate behaviour is therefore unacceptable. This behaviour includes, but is not limited to the following examples:

- *Aggression and violence*: psychologically, physically or verbally harassing, threatening or attacking another person;
- *Bullying*: intimidating behaviour of a structural nature against any person;
- *Discrimination*: making a distinction in favour of or against, a person or thing based on the group, class, or category to which that person belongs rather than on individual merit. This can occur on the basis of their cultural and social background, religious beliefs, gender (identity), ethnicity, nationality, age, sexual orientation, marital status (dis)ability, chronic illness, political preferences, personal values and norms, role or position, et al.;
- *Intimidation*: any form of verbal, non-verbal or physical behaviour with the purpose or effect of compromising the dignity of a person;
- *Sexual harassment*: any form of verbal, non-verbal, or physical behaviour with a sexual connotation, with the purpose or effect of compromising the dignity of a person.

Procedures

All persons who are directly involved within De Ateliers are asked to show in their attitude and actions that inappropriate behaviour will not be tolerated. If the issue cannot be solved between parties, the following options exist, in random order:

1. Address the issue with the director of the institution
2. Reach out to the confidential counsellor
3. File a formal complaint

1) Address the issue with the director of the institution

When a conflict or case of inappropriate behaviour is reported in the context of the programme, the following steps can be taken by the director:

- They will listen to all involved parties;
- They will seek to mediate and resolve conflicts;
- They will seek professional and relevant expertise where and when necessary;
- If necessary, cases can be discussed at supervisory board level;
- If necessary, appropriate further steps will be taken.

Confidentiality and privacy are of great importance when speaking out. Everyone is obliged to respect the wish of the person asking for confidentiality, except in the case of a life-threatening situation or illegal conduct. This works both ways: the person speaking out is also asked to take the confidentiality into account. One should refrain from sharing information in ways that threaten the privacy of all those involved, for instance on social media.

2) Reach out to the confidential counsellors

De Ateliers has confidential counsellors who can be contacted in relation to cases of inappropriate behaviour, for questions and/or informal conversations about (suspected) misconduct within the De Ateliers. Our confidential counsellors are Tamara de Reu and Dani Duzant from the organization *De Vertrouwenspersoon*. They can be reached via e-mail (dereu@devertrouwenspersoon.nl) / duzant@devertrouwenspersoon.nl) or by phone (088 - 111 99 00).

The confidential counsellors are confidential, independent and impartial first points of contact who offer a listening ear, discuss possible solutions, and can guide or advise. They have the following tasks:

- Acting as a point of contact for all those who are faced with inappropriate behaviour;
- Providing (after)care and support and, if necessary, referral to experts;
- Informing about the complaints procedure and the resulting consequences, before any steps are taken;
- At the request of the person who has contacted the confidential counsellor, trying to resolve the situation through mediation;
- Assisting the reporting person at their request in submitting a complaint or assisting the person to whom the complaint is related in preparing a response to the complaint.

The role of the confidential counsellor is to support the reporting person. The counsellor will never act or communicate towards others without the consent of the reporting person. They do have the duty to register and archive reports, and send an anonymized, annual overview of the number and nature of the reports to the director of De Ateliers. If a report received by the confidential counsellor concerns a life-threatening situation or illegal conduct, the counsellor is responsible for signalling this anonymously to the director and taking action. Lastly, they can give the director and other relevant sections of the organisation solicited and unsolicited advice in the field of prevention and combating inappropriate behaviour.

3) File a formal complaint

You can file a formal complaint, if:

- there is a reasonable suspicion of serious misconduct;
- it relates to (a person associated with) De Ateliers;
- it took place in the context of De Ateliers; and
- it was experienced directly.

Artistic expressions, even if they may be perceived as offensive, are excluded from the formal complaint option. The formal complaint must be submitted within two years after the misconduct has occurred, cannot be processed anonymously and has to be submitted in writing. This complaint will be then handled by the external Complaints Committee. The current composition of the external Complaints Committee can be found in the document 'Complaints Committee Protocol'.

Consult confidential counsellor

Before submitting a formal complaint, the complainant can choose to first consult a confidential counsellor to obtain information, advice and/or guidance with regard to the complaints procedure.

The formal complaint contains at least the following elements:

1. the name and address of the complainant;
2. the name and position of the defendant;
3. the date of submission of the formal complaint;
4. a factual description of the behaviour that took place, including a statement of;
 - A. date;
 - B. time of day;
 - C. place;
 - D. circumstances; and;
 - E. any witness(es);
5. a description of the steps already taken by the complainant;
6. (if available) relevant documents, provided with an inventory list, stating why each item is important in the handling of the formal complaint; and
7. a signature.

The complaints procedure summarized

During a complaints procedure, the principles of hearing and rebuttal are leading. The complainant gets the opportunity to explain their complaint, the defendant gets the opportunity to respond to what the complainant said. Besides these two explanations, witnesses/informants can be asked by the committee to share their experiences. Based on this, a report will be made by the committee, on which the complainant has to agree. In the final part of the investigation, the complainant as well as the defendant will get the opportunity to take note of all the other statements and give a final reaction. The procedure ends with an advice of the complaints committee to the Supervisory Board about the validity of the complaint, including an advice with regard to the context and follow up. A more in-depth description of this procedure can be found in the document 'Complaints Committee Protocol'.

Please note:

This code of conduct does not necessarily refer to criminal offenses; actions punishable under Dutch law, such as sexual assault, destruction or wrongdoing. Anyone who is aware of a criminal offense taking place, is requested to report this to the police. You can do so by telephone, at the police station, via the police website, or via a so-called '3D-loket'. This and more information can be found in English on www.politie.nl/en.