

# **ETHICS, COMPLAINTS, INVESTIGATION & WHISTLEBLOWER POLICY**



## **HEALTHNET TPO**

Approved by the Board on 13<sup>th</sup> June 2023



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## 1. Purpose

Achieving HealthNet TPO's mission of building trust through health initiatives that lead to social inclusion and improved health and wellbeing requires all of us to perform with the highest personal and professional ethical conduct. The culture we strive to create at HealthNet TPO requires caring deeply and recognising that every voice matters. This policy serves to guide team members who have specific concerns that our common commitments to ethical conduct may be at risk. It addresses how team members can report the specific concerns, the protections against retaliation for reporting, and how HealthNet TPO will address reports. This policy also aims to provide guidance to managers in the field and at the head office on how to receive and respond to complaints (internal and external), how to triage allegations of Code of Conduct (CoC) violations and how to conduct fact-finding investigations, if that is the appropriate resolution mechanism.

## 2. Scope of Policy

This policy applies to: HealthNet TPO in general including its country offices, their subsidiaries and affiliate organisations (collectively "HealthNet TPO"); Board members of HealthNet TPO; Directors, officers, management, Team Members, seconded employees, interns, and volunteers (collectively "Team Members"); and Sub-recipients, partner organisations, contractors, outside experts (including attorneys), consultants, agents, representatives, and any other organisation or individual that acts on HealthNet TPO's behalf or at HealthNet TPO direction (collectively "Partners").

This policy aims:

- To ensure that HealthNet TPO is following a transparent procedure in dealing with complaints.
- To ensure that employees act according to pre-determined, unambiguous guidelines.
- To provide a platform from which the organisation can improve work processes.
- To provide insight into the total number, type and severity of complaints and areas of potential risks.
- To provide data in order to be accountable to the public in annual reporting.

## 3. Policy Statements

HealthNet TPO expects all Team Members and Partners to adhere to the highest standards of accountability, which requires honest and ethical conduct. HealthNet TPO expects management to maintain a culture that supports and strengthens commitment to these high standards.

It is the responsibility of all Team Members to comply with HealthNet TPO's ethical principles as contained in the Code of Conduct, Anti-Corruption, Anti-Bribery, Child



## HEALTHNET TPO

Safeguarding, and Anti-Trafficking Policies (“Code of Conduct Policies”) and to report immediately Violations or suspected Violations in accordance with this policy.

This policy is intended to encourage and enable Team Members and Partners to raise allegations of violations of HealthNet TPO’s Code of Conduct Policies, waste and/or mismanagement of funds, abuse of authority, substantial and specific danger to public health and safety caused by HealthNet TPO or its Partners, or violations of any law, rule, or regulation related to donor requirements, or other illegal conduct (collectively referred to herein as “Violations”) in good faith, without the fear of retaliation, internally so that HealthNet TPO can address and correct inappropriate conduct and actions. It is the responsibility of all Team Members and expectation of all Partners to protect HealthNet TPO, its mission and its beneficiaries and donors from Violations and to ensure that Violations are reported and addressed.

No Team Member or Partner who reports a Violation will suffer harassment, retaliation, or adverse employment consequence, such as being terminated, demoted, or otherwise discriminated against as a reprisal for reporting a Violation. This whistleblower protection cannot be waived by any agreement, policy, form or condition of employment.

HealthNet TPO will not tolerate retaliation and a Team Member who is determined to have retaliated against someone for reporting a Violation may be subject to discipline up to and including termination of employment.

Reports of retaliation should be made to the HealthNet TPO Confidential Contact Person or a member of management. Reports of retaliation will be investigated promptly in a manner intended to protect confidentiality as much as practicable, consistent with a full and fair investigation.

This policy and HealthNet TPO’s Confidential Contact Person are not intended to address general complaints about the workplace, interpersonal issues, or other issues not related to Violations as described above. General complaints should be raised with supervisors or other responsible functions within HealthNet TPO.

Knowingly making a false allegation or making false or misleading statements in an allegation or to HealthNet TPO investigators, external law enforcement, or donor investigators may also lead to disciplinary action up to and including termination of employment.

HealthNet TPO will not require its Team Members or Partners to sign or comply with internal confidentiality agreements or statements that prohibit or otherwise restrict Team Members or Partners from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a department or agency authorised to receive such information.



HealthNet TPO and its donors greatly appreciate Violations first being reported internally as described in this Policy. Internal reporting ensures HealthNet TPO can fully follow-up, including proper reporting to the donor as and when the donor requires. The whistleblower protections in this policy apply to Team Members and Partners who report Violations, whether reports are made internally to HealthNet TPO or directly to authorities or institutional donors.

## 4. Processes required to ensure compliance with this Policy

This policy, part of the mandatory Code of Conduct, will be disseminated to all Team Members.

All HealthNet TPO agreements with Partners will include a clause that requires the Partner to adhere to the substance of this policy and to communicate this policy to their staff.

## 5. Definition of a complaint

A complaint is information indicating that something – as perceived by the complainant – has gone wrong, is incorrect, has caused grief, dissatisfaction or other discontent with regard to HealthNet TPO’s communications and/or activities and needs to be corrected. The complaint can be filed by individual person and/or organisations/institutions (they will be called hereafter “Complainant”).

A complaint always contains the following information:

- The complainant will provide its name and the nature of the relationship with HealthNet TPO.
- The complainant can communicate in writing or verbally in the language of his/her choice.
- The complainant describes the complaint in details , when possible, and in what way it did have an effect to him/her, its organisation.
- The complainant will provide contact details on how he/she can be contacted.

## 6. Factors to consider

**The Complainant wishes:** ask the Complainant’s consent before taking the next step. A Complainant may decide to withdraw their complaint, agree to start a mediation process or not want to proceed with fact-finding. This decision must be respected.

**The Subject’s response:** s/he may be acknowledging the behaviour and expressing remorse. This might allow Complainant and Subject to have a conversation and overcome the difficulties. It may allow the line manager to have a discussion with the Subject to set goals for better behaviour.

If, however, the Subject denies all, determine whether an investigation may be the best way to manage the case.



**Prior case management:** has the allegation been addressed before? It is important not to address the same allegation twice.

**People informed of the complaint:** establish who is aware of the allegations already.

**Risks associated with the complaint / investigation:**

Consider risks for the well-being of the Complainant and the Subject, but also to others possibly affected by the behaviour.

Consider risks for the functioning of the team and the operations, security, community perception, legal risks.

Pay particular attention to factors that increase the vulnerability of affected Persons (for example patients, minors, migrants, refugees, disability, gender).

Consider possibilities to mitigate these risks and discuss these with the Complainant.

**Do no harm** - Consider whether the damage that the investigation might do is so serious that you need to find alternative ways of addressing the allegations.

## SECTION 1. Internal Reporting Procedure

HealthNet TPO suggests that Team Members share their questions, concerns, suggestions or complaints with their supervisor or their senior leadership. If Team Members concerned about a potential Violation of HealthNet TPO's Code of Conduct Policies are not comfortable speaking with supervisors or senior leadership, are concerned there may be a conflict of interest, or are not satisfied with their supervisor's or senior leadership's response, they are encouraged to speak with the Confidential Contact Person. Team Members can also choose directly to contact the Head Office in Amsterdam confidentially via [responsiblebehaviour@hntpo.org](mailto:responsiblebehaviour@hntpo.org). Written reports may be made in any language.

Any complaint – whether verbal or in writing – has to be recorded and will be saved by the Managing Director in the “directors office” folder.

Heads of Mission (HoM), Supervisors, Managers as well as the Confidential Contact Person are required to immediately report all complaints about violations of HealthNet TPO's Code of Conduct Policies, preferably in writing, to the Managing Director.

The Managing Director will review and decide on the investigation of the complaint. In the event that a complaint involves the Managing Director, the Ethics Committee will decide on matters related to the investigation.

## 7. Responding to the complaint

The Managing Director is responsible for ensuring that all complaints are quickly assessed for credibility and determining whether the complaint merits further investigation. The Managing Director will follow up on complaints promptly. Notice will be



sent to the person who submitted the complaint to acknowledge receipt of the reported Violation or suspected Violation within 5 working days.

When receiving a report/complaint of misconduct, remember the following principles before responding in writing:

- Impartiality
- Support to the complainant
- Confidentiality

### **Impartiality**

- Show empathy and kindness (listen actively)
- Stay neutral
- Do not make statements that risk pre-judging the case

### **Support “Complainant”**

- Involve interpreter, if necessary
- Assess and mitigate risk to well-being
- Explain options and process
- Explore wish to lodge a formal complaint
- Reassure of confidentiality
- Inform of prohibition against retaliation, should the Complainant wish to pursue a complaint.

### **Confidentiality**

- Check whether the Complainant agrees to the information being shared with either the HoM, the Ethics Committee and/or the Board if needed
- Remember to share information about the complaint/report only on a need-to-know basis
- Remind all those involved to respect this principle
- Prepare a communication line, if necessary.

The timing of when the Subject of the allegations will be informed (by either the Managing Director or the HoM) depends on several factors:

- Agreement of the Complainant
- Risks to the Complainant, Subject, others
- Risks for the integrity of the case management process
- Number of people already aware of the Complaint.

The Subject has to be informed of the allegations at the latest at the start of an investigation.

## **8. Triageing the complaint**

The Managing Director will review and decide on the triage of a complaint in order to:



- Understand what framework applies to the Complaint (please refer to the HealthNet TPO Code of Conduct and other internal policies)
- Advise the Complainant on possible next steps
- When the complainant has agreed to share the complaint with the HoM, advise the HoM on case management options .

The triage phase comes after providing a good first response (within 5 working days): it determines whether, if proven, the allegation would constitute a violation of the HealthNet TPO Code of Conduct and Integrity Policies.

The Managing Director is responsible for ensuring that all complaints are quickly assessed for credibility and determining whether the complaint merits further investigation.

## 9. Investigation process

An investigation is the collection of information to determine whether there is sufficient evidence to prove the facts alleged in the complaint. It ends with a report that makes findings on the allegations and recommends further action.

The role of an investigator is to collect evidence, both in favour and against the Subject, and assess whether it proves the facts alleged in the complaint. The investigators should write a report with their findings (do they find the allegations proven, yes or no?) and recommendation for sanction (if the allegations were proven). The investigators should date and sign the report when final.

### **Impartiality and absence of a conflict of interest**

When assigning someone as an investigator consider whether this person can remain impartial throughout a fact-finding or whether there is a real or perceived conflict of Interest (CoI).

**A CoI is a situation, in which a person cannot provide fair and impartial advice because they have a personal or professional interest in the complaint.** Examples are if they have strong ties to the Complainant or Subject of the complaint, an interest in the outcome of the case, an ongoing conflict with one of the parties to the case, or if they could be a key witness during the investigation.

### **Objectivity**

Remember that investigators should never pre-judge the outcome of a case. If you feel you are making assumptions about the facts before commencing the fact-finding, assess to what extent you are able to distance yourself from your assumptions. Objectivity also means gathering and considering evidence that speaks in favour and against the allegations.

### **Fairness and presumption of innocence**

Respect the rights of those involved.





### **Maintain confidentiality**

In the investigation phase, it means only sharing information to the extent that it is necessary to conduct the investigation. Example, sharing information with witnesses. You do not need to give them the full scope of the investigation. You share only what they need to know in order to be able to answer your questions.

### **Do no harm**

This principle reflects the need to assess the risks linked to the investigation, whether and how to mitigate them. Check if it is safe to do an investigation and what mitigating measures to take. Please keep risks and risk mitigation in mind throughout the investigation because circumstances may change.

## **10. Assign investigators**

HealthNet TPO's Managing Director assigns an Investigation Committee who should:

- **Demonstrate highest personal integrity**

- **Have demonstrated skills for investigation management and interviewing:**

They should have read and understood these case management principles, and followed relevant training if possible.

Consider also the seriousness of the allegation and whether it is a potential crime or a highly sensitive issue that requires special expertise to manage. Consider whether the coordination has the level of expertise required.

- **Be available to conduct the investigation in a timely manner:** Consider who is available during the period of the fact-finding, the individual workload and how the workload can be redistributed. Investigators have to be available to conduct the investigation and take measures to ensure that other duties are sufficiently covered during the duration of the investigation.

- **Represent different perspectives:** The choice of investigators should ensure that they are able to build a relationship of trust with the Parties and Witnesses to the case and will therefore consider diversity criteria, e.g., gender balance, different ethnic backgrounds, different professional backgrounds (HR and Ops).

The Managing Director may rely on other HealthNet TPO members to participate in or conduct the investigation, may conduct the investigation themselves, may hire external, specially trained investigators to participate in or conduct the investigation, or may rely on external law enforcement to conduct the investigation.

The Investigation Committee has 20 working days to conduct an investigation and write a report on its findings.

### **10.1. Initial steps**

#### **Check the national labour law**

The employer may have to follow certain procedural steps. Remember that the outcome of the investigation may be a sanction for the employee.



**Update both the Complainant and Subject separately on developments in their case in writing** (i.e., that fact-finding is launched); to ensure that they are aware who will conduct the fact-finding and who will take the decision in their case; and to ensure that they understand the process and timeline.

**Conduct a risk assessment** prior to commencing an investigation.

Consider the potential risks to all parties involved (including HealthNet TPO) and to take mitigation measures. List the potential risks to all those affected by the case. Factors to consider include, but are not limited to, the well-being of the Complainant and the Subject, the functioning of the team and the operations, security, community perception, reputational and legal risks.

Once the initial steps are done, **draft an Investigation Work Plan:**

- Scope of the investigation: know what facts are in dispute and need to be established. Determine which facts are relevant to establish whether there was misconduct.
- Collect relevant and necessary evidence (both incriminating and exonerating evidence): Evidence is anything that can support the existence of a fact. It includes documents, images, electronic correspondence (emails, WhatsApp), records (including previous evaluations), verbal statements, tangible items/objects or the physical condition of those items.
- Choose relevant and necessary witnesses: Complainant and Subject; Direct witnesses of the alleged facts; Others, example line manager.
- Anticipating obstacles: Is an interpreter required? Are there security risks to you interviewing certain persons? Are witnesses available and willing to cooperate?
- Preparing for logistics: You need a confidential workspace, somewhere where you can conduct interviews confidentially.

## 10.2. PEACE Model

The PEACE Model is a conversational, non-confrontational approach to getting information from an interviewee:

### ***P = Planning and preparation***

Consider:

- **Purpose:** Why this interview? For each interview, whether Complainant/ Subject/Witness, clarify in advance the purpose and objectives of the interview.
- **Objectives:** What do we hope to understand?
- **Facts established:** What do we already know? Be clear about the facts already preliminarily established.
- **Points to prove:** What is the scope of the investigation? Which facts have to be proven in order to prove the allegations?
- **Flexibility:** Remain open to learn.



- **Logistics:** Plan for a confidential location, allow for enough time, consider who may be required at the interview (possibly a translator), check your equipment. Be aware of local law and HealthNet TPO policies regarding procedural requirements.

### ***E = Engage and Explain***

The first step to encouraging conversation is to engage the interviewee.

- **Build rapport** with the interviewee before the interview starts. Learn as much as you can about the interviewee prior to the interview regarding their characteristics and circumstances and their relationship to the events/people involved. Inform them that they can take a break.
- **Introduce parties/roles:** Take time to be clear and transparent about who you are and your role. This is especially important if you are also part of the team or line management. Clarify that you are not present as a supervisor, but as a fact-finder.
- **Explain purpose of interview:** Take time to explain the purpose of the interview.
- **Explain procedures** and the process of fact-finding.
- **Fulfil legal requirements:** Ensure you meet all legal requirements of the contracting section or under national labour law.
- **Address any questions:** Ensure the interviewee is able to ask questions. Encourage the interviewee to voice anything relevant to the investigation, and that they should provide as much detail as possible.
- **Stress importance of honesty and confidentiality.**
- **Advise that you will be taking notes** of the interviewee and that they will have time to review the notes later. If the local law requires you to record the interview, clarify this with the interviewee. Announce the date and time if being recorded.

### ***A = Account***

Getting the account is the heart of the interview. During the main body of the interview:

- Achieve the purpose of interview.
- Obtain all available information/evidence.
- Check and clarify inconsistencies.

Put the interviewee on the right track by telling them what events you are looking at. Use open questions to let them give you the information as they recall it. Start broadly and become more specific later: give the witness a chance to tell you what they remember.

Interrupt as little as possible. Take notes to remember later where you want to dig deeper/ask for clarification.

Throughout the interview, remember to support an account with active listening:

- Non-verbal behaviour such as adopting an appropriate posture
- Allow the interviewee to pause without interrupting
- Encourage the interviewee to continue reporting their account until it is complete
- Reflect back what the witness has said, as appropriate
- Do not make assumptions and interpret what they are saying during the interview.



**C = Closure**

- Summarise main points with participant: It is important to bring the interview to a clear close, ensuring all questions are addressed and all legal requirements have been met.
- Address any questions.
- Complete all legal requirements.
- Inform interviewee of next steps: when they will hear from you again, when they will receive the draft account of their interview for their review and what will be done with their account once approved.
- Make sure the interviewee has signed and dated any statements or notes. Amendments must be countersigned.
- Reiterate the need for confidentiality.

**E = Evaluation**

- Review information received: reflect on the interview afterwards together with your co-Panelist- what key information did you receive, do you find it credible/reliable, what is still missing?
- Review the credibility and reliability of the information.
- What information is still required?
- Revisit your objectives – were they met?
- Did the interview achieve its purpose?
- Reflect on your performance as interviewer – what did you do well, what could you have done better?
- How could you have improved the outcome?

10.3. Assessing evidence

Look at all pieces of evidence as a whole and determine whether the evidence meets the standard of proof to make a finding on the allegations.

**Relevance of the evidence**

- Make sure to remind yourself of the allegations and to stay within the scope of the investigation (as decided during the triage phase). This includes the alleged facts and the qualification as a possible CoC violation. What facts are you tasked to investigate and what possible CoC violation is the focus of your investigation?

- During the preparation of the Investigation Work Plan, you identified relevant evidence. You may find during the investigation that evidence that you thought was relevant, is in fact not relevant to the case. If it does not help you to determine whether the alleged facts occurred, you do not need to consider it further.

**Reliability / credibility**

What criteria do you look at to determine whether a piece of evidence is reliable or a witness is credible?

For **records** (documents, emails, notes):



- Origin of the document/record – When determining whether it is an authentic document (or whether it was possibly forged) ask yourself how you got the document. What was the source of the document? Do you think the source is reliable and why? Who provided the document to you and how did they get it? Did you receive it directly from the author/recipient or has it been forwarded repeatedly?
- Identifying information – Does the document show identifying information (name of the author, date of creation, place of creation, official documents might also have a stamp)?
- Anything suspicious about the appearance of the document? – Does the document look as if it was changed?

### For **witness statements**:

- Consistency of the statement - Look at whether the witness contradicts him/herself. If there are internal inconsistencies, you need to ask yourself why that may be. It does not necessarily mean that the witness is lying. The witness may be traumatised by the incident and therefore not remember all the details or start remembering details only after you have prompted them. Inconsistencies about small, unimportant matters do not necessarily discredit the witness.
- Ability of the witness to speak to the facts – You chose your witnesses because you thought they had information that is relevant to the allegations. However, after their testimony, you need to assess whether they were in fact able to see and hear what they say they saw and heard. The question is whether the witness was able to know about the facts they testified about.

Example: Was the witness in a location that allowed them to see what they say they saw? Were they able to understand the language that was spoken? Did they have sufficient knowledge about the topic to be able to understand the meaning of the conversation?

- Relationship of the witness to the parties in the case – Assess whether the relationship between the witness and the parties in the case may affect the witness' credibility. Is the relationship such that the witness may not have told you the (whole) truth?

### 10.4. Weighing evidence

After assessing the reliability/credibility of the evidence, the Investigation Committee assesses whether and to what extent it proves the facts.

- What **threshold** does the evidence need to meet so that you can find that the alleged facts are proven?
- When **weighing the evidence**, look at the evidence as a whole. Look at the evidence that speaks against the Subject, but also at the evidence that speaks for the Subject.
- **Look at each piece of evidence** and statement and determine whether it is consistent with other statements you have heard or whether it is confirmed by other pieces of evidence.



- If you have **two inconsistent witness statements**, decide who is more credible, more likely to know, for example because they were closer to the facts. Was the witness an eyewitness of the alleged incident? Was s/he someone who the incident was reported to soon after it occurred or was s/he someone who heard about the incident second or even third hand?

The transcripts should be shared with the witness afterwards for review and signing. If a witness changes their account after the interview and decides to change something in the interview record, check with your co-investigator if they heard the same as you did.

Having a transcript of the interview will help you weigh the answers of the witness. Ask open questions that encourage witnesses to give you their account of what happened. Generally, stay away from leading questions, in other words, questions that can be answered only with a “yes” or “no”.

### 10.5. Investigation report

In the report, the Investigation Committee tells the decision-maker whether there is sufficient evidence to prove the allegations. The report reflects the investigation. It recalls what you were tasked to investigate, how you did it, what you found and what follow-up you recommend.

#### **First page of the investigation report**

On the first page of the report, make sure to mention:

- Case number
- Name of investigators
- Marking “Strictly confidential” (also in the footer throughout the report)

#### **Executive summary**

- Gives a brief description of the scope, methodology, findings and conclusions
- Not longer than one page

#### **Introduction**

- Date of complaint, names of parties
- Composition of the investigation panel
- Date of launch of the investigation

#### **Allegations and mandate**

Mention here what the Complainant alleges:

- Who (allegedly committed the misconduct)?
- What (misconduct was allegedly committed)?
- When (was the misconduct allegedly committed)?
- Where (mission, country, etc.)?

#### **Background section**

In this part, include background information on the individuals involved:



- Introduction of the main “actors”
- Description of their work/office environment
- Mission/project history and mandate
- Administrative set-up
- Technical details that will enable the reader to understand the case

### **Procedural history**

- Any temporary measures taken in respect of Complainant or Subject
- Psychological or other support offered to the Parties
- Right for the Subject to be heard
- The Subject’s cooperation is voluntary
- Principle of proportionality and confidentiality of the investigation
- Respect reasonable time lines for conclusion

### **Methodology of the investigation**

How was the investigation conducted?

- Interviews of witnesses (in person, by Skype, phone)
- Documents analysed (text/whatsapp messages, attendance records)
- Support of an interpreter

Did you face any obstacles? (did one party miss interview time)

Did you give the Subject the opportunity to be heard?

- Number of times investigators interviewed the Subject
- Subject reviewed and commented on his/her record of interview (Q&A)
- Subject signed the record of interview

### **Definition of misconduct**

If the alleged behaviour took place, what type violation would it be? Check definitions in:

- Code of Conduct
- Any relevant HealthNet TPO internal policies

### **Investigative details**

- Present the evidence logically and clearly
- Address each allegation separately
- Present the evidence, not your interpretation (or opinion) of it
- Describe both evidence that strengthens and that weakens the case for misconduct
- Quote important parts of witness or documentary evidence

### **Findings and conclusions**

This section reflects your analysis of the evidence and whether it proves the allegations:

- Address each allegation
- Discuss reliability and credibility of evidence
- Include the Subject’s defence for the conduct
- Weigh the evidence as a whole and decide whether the allegations are proven
- Write a finding for every allegation



The final investigation report should be submitted to the Ethics Committee within 20 working days. The report will suggest potential sanctions and describe how to close the case.

## 11. Closing an investigation

### 11.1. Sanctions

To protect the Subject's rights, what you need to know before starting the fact-finding investigation:

- The procedural requirements for administrative investigations in the Subject's contracting section country (e.g. can the Subject bring (legal) representation to the interview, do they have a right to know who the witnesses are or see the investigation report, are they entitled to a meeting before you formulate your advice on sanction, deadlines for an investigation to be done);
- The options for sanctions under the Subject's contracting section labour law.

It is **very important to stay within the labour law requirements** because, should the Subject challenge the sanctions in court, the court will overturn your sanction if it did not meet the legal requirements.

First point of reference to advise on a proportional sanction is the findings in the case. Be clear about the outcome of the case. Check which allegations the Investigation Committee found proven.

#### **The sanction has to be proportional to the impact of the offence**

You consider impact on:

- The victim of the behaviour
- The team/other colleagues
- Members of the community
- The project/mission and its operations
- HealthNet TPO's reputation.

#### **The sanction has to be proportional to the state of mind of the Subject**

You consider whether:

- The Subject acted with ill intention/motivation,
- The Subject understands how s/he violated the Code of Conduct and other Policies
- The Subject shows remorse and is willing to learn
- There is a risk of repetition. Important here is the understanding of the Subject. Check the Subject's personnel file to see whether there have been previous incidents of similar behaviour.

### 11.2. Closing the case

#### **Communicating the outcome**





To build trust in the organisation and the management of complaints, please communicate the outcome to:

- The Subject
- The Complainant

The Ethics Committee will review the final investigation report and approves it or not (for more details, please refer to the Complaint Flow Chart).

The Managing Director has to inform the Subject fully of the outcome of the case and the sanctions imposed. This information will include details of the findings for each allegation and details about the sanctions. The applicable labour law may provide further requirements for the content of this communication.

The Managing Director also needs to provide feedback to the Complainant. This feedback will inform whether the allegations were proven and in general terms, how the wrongdoing will be addressed.

Whistle-blowers and witnesses are not informed of the outcome or of the sanctions (if any). You should, however, inform them that the case is closed and thank them for their cooperation.

In the event a report is determined non-credible (or does not allege a Violation of HealthNet TPO's Code of Conduct Policies or other illegal or unethical conduct) and will not be investigated, the Managing Director will ensure that such determination is made in writing with justification for that determination.

The Managing Director will ensure that all investigations are fully documented in a full and final report detailing the investigative means and methodology, evidence, factual conclusions and corrective measures.

## SECTION 2. External Reporting Procedure

### 12. Registration of complaints

Any external complaint – whether verbal or in writing – has to be recorded via a Complaint Registration Form (see Annex 1) with the following information:

- Date the complaint was received
- Complainant's name, address and contact details
- Complainant's relationship with HealthNet TPO
- Nature of the complaint (a brief but complete description)
- Name of the employee(s) involved (if applicable)
- If mentioned by the complainant, a desired outcome



- Description of the action agreed upon with the complainant following the complaint

The complaint will be saved by the Managing Director in the “ directors office” folder.

### 12.1. Processing a complaint

The process enacted in the section “7. Responding to the complaint” and “8. Triaging the complaint” also applies to the external complaint process. The complaint should be acknowledged within 5 working days.

- The Managing Director will review and decide on the investigation of the complaint
  - The investigation can be delegated to the Head of Mission of a field office or a staff member in the head office, depending on the nature of the complaint
  - The investigator reports within 20 working days in writing to the Managing Director
  - The Managing Director evaluates the investigation report and decides on the action to be followed
  - Before informing the complainant about the final outcome, the Managing Director assures him/herself that if there was a solution to be implemented, the solution has been carried out
    - The complainant is informed of the decision in writing and informed about the procedure of an appeal with the board in case the solution was not satisfactory
    - With serious complaints, the Managing Director can decide to involve directly the Ethics Committee and share the documents
    - In all cases, a complaint should be dealt with within 4 weeks after the date it was received
    - All solutions and results will be saved in the “director’s office” folder.

### 12.2. Reporting back to the complainant

Feedback on the complaint should be given to the complainant in writing:

- Inform the complainant about the solution
- Ask the complainant whether the proposed solution has been properly implemented
  - If there was no proper solution in the eyes of the complainant, ask how (in the opinion of the complainant) the complaint should now be handled. Follow up and monitor the process until the complaint has been properly resolved.

### 12.3. Possibilities for appeal

If a complainant is dissatisfied with the outcome of the complaint, s/he may appeal in writing to the board. The appeal will be handled within 6 weeks.



## 13. Oversight

All meeting minutes, emails and steps taken to manage the case should be saved and stored confidentially.

Heads of Mission are ultimately responsible for ensuring that all complaints in their country are properly reported to the Managing Director and that whistle-blowers in their country are not retaliated against.

HealthNet TPO's Board is responsible for overseeing the Ethics Committee and its decisions under this policy.

Complaints are annually compiled and reported per category by the Managing Director to the Board. HealthNet TPO has an obligation under Dutch regulations to report on complaints and integrity issues in their annual report. This reporting will be anonymised and not contain information that can lead to identification of the complainant.

## 14. Policy Administration

Responsibility for ensuring this policy is monitored, enforced, and remains up-to-date and compliant rests with HealthNet TPO's Board.

## 15. Approved Policy

This policy was approved by the HealthNet TPO Board on 13<sup>th</sup> June, 2023. This policy may only be amended or changed with the approval of the Board.



## **Annex 1: Complaint Registration Form**

### **DATE OF RECEIVING COMPLAINT:**

*Date (and time in case of verbal complaint):*

### **CONTACT DETAILS:**

*Name:*

*Address:*

*Telephone:*

*Email address:*

*Other remarks:*

### **RELATIONSHIP TO HEALTHNET TPO:**

*Describe in a clear way the relationship of the plaintiff towards HealthNet TPO. Is it an individual or an organisation?*

### **NATURE OF THE COMPLAINT:**

*Describe in clear and concise words the nature of the complaint. Verify with the plaintiff if the complaint is verbal, if you understood properly by reading the text to him/her.*

### **NAME OF INVOLVED EMPLOYEE(S):**

*List name, position and location of the employee(s) if known.*

### **DESIRED OUTCOME:**

*In case the plaintiff has mentioned a desired outcome or expectation, please mention it here. This is not obligatory but when mentioned important information.*

### **FOLLOW-UP:**

*Mention what has been agreed with the plaintiff on the follow-up. In principle, agree to the periods mentioned in 2.2 of the policy.*