

*Integrity Reporting Scheme
Flexfamily*

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1. Introduction

The 'Whistleblower Protection Act' came into force on 18 February 2023, replacing the Whistleblowers Authority Act. Every employer employing a least 50 people is required to have an internal reporting scheme for abuse. Such reporting schemes or whistleblowers' schemes are subject to certain statutory requirements. This document gives substance to the reporting scheme for the employees of Flexfamily. Flexfamily is understood to include: Seesing Flex, Vast., Fides, Flexfactory, Aelbers, Marquette, 2Work, Maqqie, Vitaal!, Evolon, Koers Oost and any other affiliated companies.

Abuse is a threat to the integrity and reputation of Flexfamily and its employees. Flexfamily sets great store by a suspicion of an abuse being reported. That is the only way abuse can be investigated and resolved. It also enables the prevention of any possible future abuse. Flexfamily believes it is important that both employees and those who are not employed are not afraid to report a suspicion of an abuse in a safe manner and without fearing for their jobs.

This reporting scheme contains the following:

- What is an abuse;
- Who can report, and how;
- What does Flexfamily do with a report;
- What are the reporting person's rights.

2. What is an abuse?

Incidents occur in every organisation. If such an incident has a **large impact** or **social implications**, it is called an abuse. It is called a suspicion of an abuse if you notice serious problems or irregularities in your work for Flexfamily. These are abuses that, in your view, should be disclosed and acted upon. The reporting scheme is, therefore, not intended for individual issues such as a conflict between an employee and their immediate manager

Examples of abuses are:

- Violation of statutory or internal regulations;
- Fraud;
- Danger to Flexfamily's proper operation as a result of improper acts or omissions;
- Danger to the safety of employees or other individuals;
- Violation of European Union law.

2.1 Breach of Union law.

Breach of Union law means an act or omission that (a) is unlawful and relates to Union acts and policies falling within the material scope referred to in Article 2 of the Directive, or (b) defeats the object or purpose of the rules in the Union acts and areas falling within Article 2 of the material scope referred to in the Directive. Directive means Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.

2.2 Suspected abuse

An imminent abuse can also be reported. However, you must be able to substantiate a suspicion of an (imminent) abuse. You cannot report on the basis of rumours or hearsay. The suspected abuse must be based on reasonable grounds arising from knowledge you have gained yourself or from knowledge you have gained as an employee through your work. The suspected abuse must be so private or confidential to you that it cannot be discussed in any other way within Flexfamily.

Other ways to report are reporting an incident or discussing the matter with a colleague or a manager. If you are in doubt whether it is an abuse or not, or you are not sure what to do, you can ask the [confidential adviser](#) for information, advice and support.

You can read more about reporting an abuse in [Chapter 3](#).

3. Who can report, and how?

3.1 Who can report?

Anyone who encounters an abuse in our organisation through work has the possibility to report this through the reporting scheme. This also includes the following individuals:

- those who are working or used to work at Flexfamily. This includes present and former employees, as well as self-employed workers, shareholders, directors, volunteers, job applicants, flex workers and interns;
- employees from other organisations who work for Flexfamily, for example, as contractors, subcontractors, cooperation partners or flex workers, or individuals who are otherwise involved with the organisation.

3.2 How to make an internal report

Do you feel something is wrong at work? Raise the issue internally. It can be reported to one of Flexfamily's confidential advisers.

Our confidential advisers are:

- Annemieke Kirch
Annemieke@vertrouweninbedrijf.nl
+31 (0) 6 54766729
www.vertrouweninbedrijf.nl
- Gerard Dijkstra
info@konfidi.nl
+31 (0) 6 55183368
www.konfidi.nl

Naturally, the abuse can also be reported to an immediate manager or a manager superior to your own manager. To ensure confidentiality and to lower the threshold to report, Flexfamily encourages reporting to the confidential adviser. There is no prescribed form to reporting; it can be done orally or in writing. However, it is important that you state that it concerns a suspected abuse.

A confidential adviser may also counsel and support the person the report pertains to (the 'person concerned'). The same applies to any witnesses and colleagues. For them, the report can be stressful as well. In the event the confidential adviser supports the reporting person, we will refer the person concerned to a colleague, of course.

3.3 Can an external report also be reported directly?

Of course, the situation can occur where you cannot possibly make an internal report nor engage the confidential adviser. In that case you can make a direct external report.

3.4 In what other cases would you make an external report?

The reporting person may opt for making an external report, if:

- a) they disagree with the employer's position or are of the opinion that the report was wrongfully disregarded or insufficiently investigated; or
- b) they have not received a position on their internal report within three months of acknowledgement of receipt of their report.

3.5 How is the external report made?

Abuses can be reported externally, without the knowledge of the manager or the confidential adviser, to 'Partners in Integrity'. They can help you and give you confidential advice on how to go about it. 'Partners in Integrity' will not disclose your identity to Flexfamily. They will only do so, if you agree.

- Partners in Integrity at Deventer
info@partnersinintegriteit.nl
085 - 0640398
Home | Partners in Integriteit

If you would like to learn more about the conditions for reporting to 'Partners in Integrity' and how your report will be dealt with, please visit

<https://partnersinintegriteit.nl/integriteitsonderzoek>.

3.6 Can I withdraw my report?

If you want, you can withdraw your report. If you feel you are under pressure to withdraw your report, you should report it. Do this in the same way as you report a suspicion of abuse.

In some cases it is impossible to protect identity or it is legally required to breach confidentiality. For example when there is an obligation to forward or report crimes (for example in case of rape or murder) or when there is a major organisational or social interest. A confidential adviser has no right to refuse to give evidence. However, an internal exemption agreement can be made containing what should and what should not be reported.

4. What is the procedure following a report?

4.1 What can you expect when you report?

- If you make a report, you will be given the feedback that Flexfamily has received the report within seven days. Then, within three months of acknowledgement of receipt of the report, you will receive at least: an A4-sized explanation of the reporting scheme and your protection;
- the way the report will be handled;
- an explanation of the procedure for handling the report.

4.2 Who is responsible for handling the report?

The person responsible for handling the report is the confidential adviser at Flexfamily. Flexfamily will handle a report as follows:

- The report must be registered in writing; When a report is made orally, the person who receives the report will put it in writing;
- You will receive a copy of the written report and may supplement or adjust if needed. If you agree with the content, you can sign the report;
- The report is dated (which is also important to prove any detriment afterwards).

If applicable, the report will be transferred to the person who assesses it as soon as possible. This will be communicated to you.

4.3 How does the procedure continue?

The next steps and the corresponding deadlines of feedback to you as the reporting person will depend on the report. It is Flexfamily's express desire to make the process progress as quickly as possible, in the interest of all parties involved. You will be involved in the further process as follows:

- **The decision on the report:** you will be informed whether the report qualifies for investigation. If it is not, you will also be informed.
- **The next steps if an investigation takes place:** if the report is going to be investigated, we will share the next steps with you. While the investigation is in progress, we will stay in touch as well;
- **The conclusion of the investigation:** you will be informed when the investigation is completed. The main conclusions will be shared with you.

Following the report of a suspicion of abuse, the Flexfamily management will have an investigation carried out, unless:

- it is clear in advance that the reported incident does not pertain to a suspicion of abuse, or;
- , in the opinion of the management, the suspicion is not based on reasonable grounds.

If management resolves not to start an investigation, you as the reporting person will be informed in writing, stating the reason or reasons, within two weeks of the internal report.

If the above deadline cannot reasonably be met, you will be notified and given a new deadline for being informed.

4.4 Conducting the internal investigation

If management resolves to conduct an investigation, this will be entrusted to one or more persons capable of assessing suspected abuses and of making proposals to remedy them.

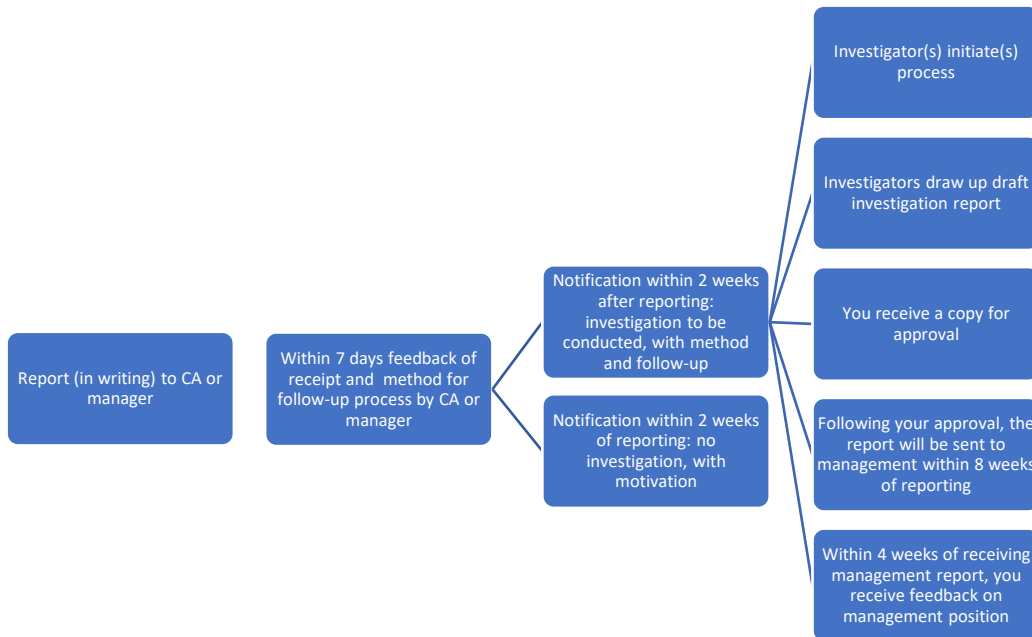
- The investigators will give you as the reporting person, as well as the person(s) the report pertains to, the opportunity to be heard;
- The investigators may also hear other parties. Employees who are invited are expected to comply and will be enabled to do so;
- The investigators will provide a written account of the interviews and will submit it to the interviewee for approval and signature. The interviewee will be given a reasonable deadline for their response. The interviewee will be presented with a copy. In their investigation report, the investigators will mention the comments made in the account. If the interviewee refuses to sign the account, it will be laid down in the account, possibly giving reasons;
- During the interview, you and the person to whom the report pertains, can be assisted by counsel. This possibility will be pointed out to you by the investigators.

The investigators may inspect and request all documents at Flexfamily's which they reasonably deem necessary for conducting their investigation. You and other employees may, of your own initiative, provide the investigators with any documents you or they reasonably deem necessary for the investigators to take cognizance of in the context of the investigation. The investigators will draw up a draft investigation report and will give you, as the reporting person, and the person the report pertains to the opportunity to make comments. The investigators then adopt the investigation report. They will send a copy to you as the reporting person and to the person the report pertains to. No later than eight weeks after management received the report, the investigators will send their investigation report to the management.

4.5 Management's position

Within four weeks of management's receipt of the investigation report, management will inform you, as the reporting person, in writing of its specific position on the reported suspicion of abuse. It will be indicated whether, and if so, which steps are or will be taken as a result of the report. If the position cannot be given within four weeks, you will be informed and told when you will receive a position.

4.6 Flow chart internal report



4.7 How long is a report retained?

If a report is dealt with internally, or if it is withdrawn, the details of this report will be destroyed immediately, unless the law has instituted another provision in respect of the report, or if the report was filed externally after it was completed internally. In that case, the details will be retained longer.

4.8 Non-disclosure

The reporting person, the confidential adviser, Flexfamily management, the investigators and anyone else involved in the report, will be obliged to maintain confidentiality regarding all they have learned in respect of the report. This also means that no statements are made outside the proceedings.

5. What are the rights of the reporting person?

5.1 Confidentiality

Flexfamily guarantees the confidentiality of the report and your identity as the reporting person, if you so request. The identity of the subject of the report will also only be shared with the officers who need this information to carefully conduct the investigation.

If your identity is only known to the confidential adviser, all correspondence will be sent to you as the reporting person through the confidential adviser, based on this scheme. The same applies to questions asked within the context of the investigation. The confidential adviser will forward the questions for you to answer in writing and anonymously.

The confidential adviser will then return the answers to the questions anonymously. You are not the only person deserving protection; any witnesses and other people involved in the abuse also qualify for protection. This includes the parties involved in the abuse or in the suspicion thereof, for they are innocent until proven guilty.

This rule continues to apply even when the investigation is completed. Only officers who take the next steps (disciplinary or corrective measures) will receive the confidential information they need for the purpose.

5.2 No detriment

Neither the persons reporting nor the witnesses will suffer any detriment from Flexfamily. Detriment is when an employer treats the reporting person worse because of the report than if they had not made a report. Therefore, the employer needs to be able to prove by proper documentation that the employee has not suffered any detriment (see also 5.2.3).

5.2.1 Protection against detriment

The reporting person may not suffer a detriment during and after the handling of a report of a suspected abuse, on the condition that at the time the report was made properly and the reporting person had reasonable grounds to believe that the information provided about the suspected abuse was correct at the time of reporting.

The reporting person may not, during or after the public disclosure of a suspected abuse, suffer a detriment if:

- a) the reporting person had reasonable grounds to believe that the information reported about the suspected abuse was correct at the time of disclosure; and
- b) prior to disclosure, they filed an internal and external report, or directly filed an external report as referred to in this scheme and based on the information they received on the assessment and/or follow-up of the report, they have reasonable grounds to assume that the investigation is not progressing sufficiently; or
- c) they have reasonable grounds to assume that:
 - i. the abuse may pose an imminent or real danger to the public interest; or
 - ii. there is a risk of detriment when reporting to a competent authority or another competent body; or

- iii. the abuse is unlikely to be remedied effectively.

5.2.2 What is meant by detriment?

Detriment is in any event understood as:

1. taking a measure detrimental to the reporting person, such as: dismissal or suspension; a fine as referred to in Book 7 Section 650 of the Dutch Civil Code; demotion; withholding of promotion; a negative assessment; a written reprimand; transfer to another location; discrimination; intimidation, bullying or exclusion; defamation; early termination of a contract for the provision of goods or services and/or revocation of a permit.
2. Detriment also includes a threat of or attempt to cause detriment.

If, after a report was made, the employer takes a measure detrimental to the employee, the employer will substantiate why it considers this measure necessary. It will also explain why this measure is unrelated to the report. This allows an employer to prove that there is no detriment.

The employer will call any individuals to account who are guilty of making the reporting person suffer a detriment and may impose a warning, disciplinary measure or sanction on them. This stipulation equally applies to facilitators - persons confidentially advising the reporting person - , third parties involved and officers.

5.2.3 Countering detriment and investigation into detriment

1. The officer to whom the reporting person has made their report will discuss with the reporting person what risks of detriment there are. This officer will also discuss how to reduce these risks and what the reporting person can do if they believe they have suffered a detriment.
2. If the reporting person feels that they are indeed suffering a detriment, they can:
 - a. discuss it with the officer to whom they made their report. The officer and the reporting person discuss what measures can be taken to counter the detriment. The officer makes an account of this discussion and, after approval from the reporting person, sends it to the employer; and/or
 - b. request the employer to investigate how they are being treated; and/or
 - c. seek advice from the Advisory Department of the Whistleblowers Authority; and/or
 - d. request a treatment investigation from the Investigation Department of the Whistleblower Authority.
3. The reporting person, the facilitator or a third party involved are entitled to legal assistance when they suffer a detriment as a result of the report and meet the relevant conditions. This applies both during and after the handling of the report by the employer or the competent authority. The fees for legal assistance are borne by the litigant.
4. This stipulation equally applies to the facilitator and third parties involved.