

The School for Dutch

Complaints Regulations

CHAPTER 1: DEFINITIONS

1. In this regulation to be understood as;
 - a. School: School for Dutch, located in Amsterdam and registered at the Kamer van Koophandel under registration number 34315509;
 - b. Commission: the commission as meant in article 4;
 - c. Complainant: an (ex-) student, a parent/guardian/provider of an underaged student, (a member of) the staff, (a member of) the board, (a member of) the authority or a volunteer who works for the school, as well as a person otherwise connected to the school, who has filed a complaint;
 - d. Complaint: complaints about decisions and actions or omissions of conduct and failure to take decisions on the accused;
 - e. Contact person: person as understood in article 2;
 - f. Confidential counsellor: person as understood in article 3;
 - g. Defendant: an (ex-) student, a parent/guardian/provider of an underaged student, (a member of) the staff, (a member of) the board, (a member of) the authority or a volunteer who works for the school, as well as a person otherwise connected to the school, against whom a complaint has been filed.

CHAPTER 2: TREATMENT OF THE COMPLAINT

Paragraph 1: The contact person

Article 2: appointment and task contact person

1. The first contactperson at the school is Mr. W.G. van der Heijden and his deputy in case of his absence. In case of a serious complaint, the complainant will be send on to the confidential counsellor.

Paragraph 2: The confidential counsellor

Article 3: appointment and tasks confidential counsellor

1. The function of confidential counsellor is held by Mr. W. de Jong and he will act at contact point for all complaints.
2. The confidential counsellor will explore the possibilities of finding a solution through negotiation. The confidential counsellor will see whether or not there is reason to file a complaint. He supports the complainant if wanted with further actions and assists if necessary to file a report with the police or judiciary.
3. The counsellor refers the complainant if and when necessary or desirable to other agencies specializing in care and aftercare.
4. The counsellor gives asked and unasked advice on the decision taken by the school.
5. The counsellor takes in his work the greatest possible care. The counsellor is required to keep all he hears in secrecy. This duty does not expire until person is a fiduciary duty has ended.
6. The counsellor annually reports his findings in a written document to the school. If there have been no complaints throughout the year, no report will be filed.

Paragraph 3: Complaints Committee

Article 4: appointment and tasks complaints committee

1. the complaints committee consists of the following persons: Mr. C. de Gooijer (Chairman), Mr. N. Meerum Terwogt and Mw. H. van der Pas (Deputy Chairman).
2. The complaints committee gives asked and unasked advice to the school about
 - a. The (un-) foundedness of a complaint
 - b. Taking measures

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- c. Other decisions to be taken by the school.
3. The complaints committee will protect the interests of all stakeholders, and takes the greatest possible care in handling a complaint. The members of the complaints committee are required to secrecy at any issues they handle in that capacity. This duty does not expire until their duties as concerned members of the complaints committee has ended.
4. The committee annually reports the findings in a written document to the school. If there have been no complaints throughout the year, no report will be filed.

Article 5: composition complaints committee

1. The complaints committee consists out of one chairman and a minimum of two members, all of whom are appointed, suspended and fired by the school.
2. The school appoints the chairman and the deputy chairmen.
3. The complaints committee is composed in such a way that she has to be accounted sufficiently competent to handle the complaints.
4. Members of the staff, as well as parents/guardians/providers and students/participants of the school, the confidential counsellor and the contact person are not allowed positions in the complaints committee.
5. The complaints committee appoints a (deputy) chairman.

Article 8: legislative period

1. The (deputy) members of the complaints committee are appointed for a period of four years and forthwith re-appointable.
2. The chairman and members can resign at any time.

Paragraph 4: the procedure with the complaints commission

Article 7: filing a complaint

1. the complainant files a complaint with:
 - a. the contact person at the school; or
 - b. the confidential counsellor
 - c. the complaints commission
2. The complaint needs to be filed within a year after the conduct or decision, unless the complaints commission decides otherwise.
3. If the complained is filed with the school, the school will send the complainant on to the confidential counsellor or complaints committee, unless application is given to the fourth note.
4. The school has the ability to handle a complaint itself if it has the opinion that the complaint can be handled in a straightforward way. The school reports such a settlement if requested by the complainant to the complaints committee.
5. The school can settle a provisional arrangement.
6. In the complaint, the date of receipt will be noted.
7. After receiving the complaint, the complaint committee will notify the school, the complainant and the accused within five working days that it is investigating a complaint.
8. Complainant and accused may be assisted or represented by an agent.

Article 8: Withdrawal of a complaint

If the complainant decides to withdraw the complaint during the proceedings, the complaints committee will notify the accused and the school.

Article 9: Content of the complaint

1. The complaint needs to be submitted in writing and properly signed.

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2. Of an oral complaint that is submitted a written report will be made by the recipient, referred to in Article 7, by the complainant agreement who will receive a signed copy.
3. A complaint contains at least:
 - a. name and address of the complainant
 - b. the date
 - c. a description of the complaint
4. If the requirements in article 3 are not met, the complainant will get the opportunity to restore this within two weeks. If the contents of the third article are still not completed, then the complaint may be declared inadmissible.
5. If the complaint is declared inadmissible, the complainant, school and accused will be notified.

Article 11: Hearing

1. The chairman decides the time and place of the non-public hearing in which the complainant and the accused get the ability to be heard. The hearing will take place within four weeks after receiving the complaint.
2. De complainant and accused will be heard independently unless the complaints committee decides otherwise.
3. The Complaints Committee may determine, either at the request of the complainant or the accused, that the counsellor is present during the hearing.
4. The complainant doesn't have to be heard if the complainant has expressed no wish to exercise the right to be heard.
5. A report will be made of the hearing. The report contains:
 - a. Names and functions of those present
 - b. A pragmatic description of what is said and by whom
6. The report will be signed by the chairman and secretary

Article 12: Binding advice

1. The complaints committee consults the case behind closed doors.
2. The complaints committee reports her findings to the school in a written document, within four weeks after the hearing. This term can be prolonged with another four weeks. The prolonging will be reported and explained to the complainant, accused and the school.
3. The complaints committee gives, in her advice, a motivated verdict on whether or not they find the complaint to be grounded in a written report to the complainant, accused and the school.
4. The complaint commission can, in her advice, give recommendations on the by the school to be taken measures
5. The advice and possible recommendations are binding for the complainant as well as the accused and the school.

Article 13: Quorum

For a hearing to take place it is necessary that at least two members of the complaint commission, including the chairman, are present.

Article 14: Non-participation with the treatment

The chairman and other member of the complaint commission won't take part in the treatment of a complaint, since their impartiality might in that moment be in dispute.

Paragraph 5: decision-making by the school

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1. Within four weeks after receiving the complaints commissions advice, the school notifies the complainant, accused and commission whether he agrees with the justification of the verdict and if he sees reasons for measures and if yes which ones. The Communication is accompanied by the opinion of the complaints and the report of the hearing unless substantial interests dictate otherwise.
2. This term can be prolonged with a maximum of four weeks. The prolonging will be reported and explained to the complainant, accused and the school
3. The decision taken as noted in the first note will not be made before the accused has had the opportunity to defend himself written or orally against the by the school to be taken measures.

CHAPTER 3: FINAL PROVISIONS

Article 16: Publicity

1. The school places these regulation on her website
2. The school notifies all stakeholders with this regulation

Article 17: Evaluation

This regulation will be evaluated four years after the enactment by the school, the contact person, the confidential counsellor and the complaints committee.

Article 18: Modification of the regulation

This regulation might be changed or suspended by the school, after consulting the confidential counsellor and the complaints committee, in compliance with the current provisions.

Article 19: Other provisions

1. In cases in which the regulations don't provide, the school will make the decision.
2. In cases where the complaints commission does not see itself as capable in handling the gravity of the complaint, the complainant will be send on to the legal institutions working under the Dutch law.

This regulation is made official on January 1st 2010.