

Complaints Procedure for Inappropriate Conduct

The Complaints Procedure for Inappropriate Conduct aims to ensure a safe study and working environment within VU Amsterdam. The basis for the procedure is found in Article 1.12 of the Collective Labour Agreement, Article 3 of the Working Conditions Act, Article 2 of the VU Amsterdam Management Regulations and the general standards of integrity applicable within VU Amsterdam. This procedure applies to all staff and students of VU Amsterdam and other persons referred to in Chapter 1 of the procedure who are present on the VU Amsterdam campus.

This procedure is adopted by the Executive Board on 16 June 2026 following approval by the University Student Council (6 February 2025) and the Works Council (8 May 2026).

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Chapter 1 Definitions

University:	Vrije Universiteit Amsterdam;
Executive Board:	The Executive Board of the university;
CLA:	The Collective Labour Agreement for Dutch Universities;
Inappropriate behaviour:	Behaviour whereby the personal integrity of another person is compromised, whether verbally, non-verbally, physically, digitally or in any other way, including bullying, sexual harassment, discrimination, aggression and violence. This may include the following: 1. Bullying Bullying is repeated inappropriate conduct against which a person cannot defend themselves and takes many forms. From belittling remarks to open criticism and intimidation, from crude jokes to physical violence, and from gossip to isolation and cyberbullying. Often, the bully's aim is to deliberately hurt and humiliate the other person; 2. Sexual harassment Sexual harassment is defined as any form of verbal, non-verbal or physical behaviour with a sexual connotation, the purpose or effect of which is to undermine a person's dignity, particularly when a threatening, hostile, offensive, humiliating or hurtful situation is created. (Non-)verbal harassment may, for example, consist of sexually suggestive comments, messages, images or gestures, but also of staring or suggesting intimate behaviour. Physical harassment may, for example, consist of grabbing someone or blocking their path, making ambiguous comments, unnecessary touching, peeping, displaying pornographic images, but also includes sexual assault and rape. Sexual harassment also occurs in cases of sexual blackmail, where the prospect of a promotion, a (favourable) appraisal or a decision regarding work or study depends on sexual favours being performed; 3. Discrimination Discrimination occurs when some staff members or students are treated differently from others on the grounds of their origin, gender, sexual orientation, age, disability or chronic condition, political affiliation, employment status, employment contract, marital status, nationality, religion or philosophy of life; 4. Aggression and violence There are various forms of aggression and violence. These include, for example, verbal aggression (swearing, shouting or engaging in heated arguments), physical aggression (kicking, pushing, hitting, spitting, biting, vandalism) and psychological aggression (verbal or written threats, intimidation, blackmail or humiliation, cyberbullying);
Complaint:	A written complaint regarding alleged inappropriate conduct submitted by a complainant to the Executive Board.
Report:	The verbal or written reporting of alleged inappropriate conduct to a confidential advisor.
Complainant:	The person 1. against whom alleged inappropriate conduct has taken place on university premises or grounds, in the university's digital work or study environment, or in the course of their work or teaching duties. 2. who lodges a complaint about this with the Executive Board and 3. who, at the time of the alleged inappropriate conduct, • had an employment contract with the university or was otherwise carrying out work at the university, or

- was enrolled or registered at the university as a student or external student, or
- was a guest, or
- was enrolled in a programme or course provided under the supervision of the university.

Defendant: The person

1. who is accused of alleged inappropriate conduct and
2. who, at the time of the alleged inappropriate conduct,
 - had an employment contract with the university or was otherwise carrying out work at the university, or
 - was enrolled or registered at the university as a student or external student, or
 - was a guest, or
 - was attending a programme or course supervised by the university.

Confidential advisor: The person named in the regulations on confidential advisers for inappropriate conduct.

Complaints Committee: The committee appointed by the Executive Board to investigate and issue recommendations regarding complaints about inappropriate behaviour submitted to the Executive Board or the University Supervisory Board.

Chapter 2 General

Article 1 Prohibition

All persons referred to as ‘the defendant’ in Chapter 1 are prohibited from engaging in inappropriate conduct in the University’s buildings or on its premises, in the University’s digital work or study environment, or during work or study-related activities.

Article 2 Confidentiality of complaint handling

1. Every complaint shall be treated confidentially. This means that all those directly or indirectly involved in the complaints procedure must maintain confidentiality regarding everything they learn about the report or complaint.
2. The complainant, the defendant, the managers and the witnesses must, during the preliminary phase, throughout the complaints procedure and following a decision by the Executive Board, make every effort to prevent (further) harm to persons or interests, or to limit such harm as much as possible.
3. An exception to the preceding paragraph applies to the confidential adviser and the legal adviser in their relationship with their client. An exception also applies to a complainant or defendant who wishes to inform their immediate manager about the complaint. In this situation, an exception applies insofar as it concerns the complainant or the defendant informing their line manager that a complaint has been lodged, what its nature is and who the parties directly involved are. The line manager or, where applicable, the senior manager is bound by confidentiality.
4. Confidentiality applies to the preliminary phase, during the complaints procedure and also after a decision has been taken by the Executive Board. If, in the opinion of the person responsible for social safety within the faculty or department, it is necessary and proportionate, the management of the decentralised unit is permitted, following the decision by the Executive Board, to inform the relevant staff members within the organisational unit whether the complaint has been declared well-founded or unfounded by the Executive Board, how the complaints procedure was conducted, and what the practical consequences of this are.

Article 3 Assistance from a confidential adviser

Both the complainant and the defendant may request assistance from a confidential adviser. The duties of the confidential adviser are set out in Article 4 of the Regulations on Confidential Advisers for Inappropriate Conduct.

Chapter 3 Complaints Committee

Article 4 Appointment of the Complaints Committee

1. The Executive Board appoints the members of the Complaints Committee, including the chair and a maximum of two vice-chairs. The chair of the Complaints Committee is a legal professional.
2. The Complaints Committee shall consist of at least six and no more than nine members and shall be composed in such a way as to ensure sufficient social diversity, legal expertise and behavioural expertise.
3. The members of the Complaints Committee do not perform any other duties for the university.
4. The members of the Complaints Committee are appointed for a period of four years and are immediately eligible for reappointment for a second term of four years or less.
5. For each complaint, the chair of the complaints committee appoints three members of the committee to handle the complaint on behalf of the committee. In doing so, the chair ensures sufficient diversity and expertise so that together they meet the expertise requirements set out in paragraph 2. One of these three members is the chair or a vice-chair. With regard to the handling of the complaint, this person has the duties and powers assigned to the chair of the committee by the Complaints Procedure on Inappropriate Conduct. If the chair is unavailable, a vice-chair shall appoint the members who will handle the complaint.
6. The Complaints Committee is assisted by an administrative secretary appointed by the Executive Board. The administrative secretary is not a member of the Complaints Committee and has no voting rights.

Article 5 Duties and powers of the complaints committee

1. The chair of the complaints committee assesses whether a complaint submitted is admissible. If the chair considers a complaint to be inadmissible, the administrative secretary will notify the complainant and the Executive Board accordingly.
2. If a complaint is admissible, the Complaints Committee shall, following an investigation and, where appropriate, after hearing the parties, assess whether it is well-founded or unfounded. The Complaints Committee may issue a written recommendation to the Executive Board regarding measures to be taken in response to the well-foundedness of a complaint.
3. The Complaints Committee may seek further information in connection with and in preparation for the hearing.
4. The Complaints Committee keeps a record of the nature and scope of the complaints it handles, which are included in anonymised form in VU University Amsterdam's annual social report.
5. The Complaints Committee may advise the Executive Board on policy for the prevention and combating of inappropriate conduct.
6. The administrative secretary of the Complaints Committee keeps a record of the complaints submitted to the Committee and their handling for the purposes of the Committee's (closed) archive.

Chapter 4 Complaints Procedure

Article 6 Submission of a complaint

1. A complaint must first be reported to the confidential adviser designated under these regulations. A complaint may only be lodged after the complainant, assisted by a confidential adviser, has attempted to resolve the complaint, whether or not with the help of mediation or assistance from a third party.

2. A complaint must be submitted in writing to the Executive Board, addressed to the Executive Board Secretariat.
3. A complaint must contain
 - the name of the complainant;
 - the name of the defendant;
 - a description of the alleged inappropriate conduct;
 - where possible, the location(s) and the circumstances in which the alleged inappropriate conduct took place;
 - the names of any witnesses;
 - where applicable, the period during which the alleged inappropriate conduct took place;
 - the steps already taken to put an end to the alleged inappropriate conduct and an explanation of why mediation or other steps taken have not led to a resolution;
 - the appendices relied upon by the complainant in support of the complaint.
4. The Executive Board shall immediately forward the complaint to the (official secretary of the) complaints committee for consideration and shall confidentially inform the person responsible for social safety within the relevant faculty or department of the complaint that has been lodged
5. As soon as possible, but no later than ten working days after receipt of the complaint, the official secretary of the complaints committee shall send the complainant an acknowledgement of receipt as well as a copy of the Complaints Procedure for Inappropriate Conduct. If any documents are missing, the complainant shall be given a deadline to submit them.
6. The complainant is entitled to withdraw the complaint at any time. If the complainant informs the official secretary that they wish to withdraw the complaint, the official secretary shall confirm this in writing to the complainant, the defendant, the Executive Board and the person responsible for social safety within the relevant faculty or department.

Article 7 Police

Where there is reasonable suspicion of criminal offences, the Executive Board may decide to report the matter to the police, without prejudice to the complainant's right to report the matter independently.

Article 8 Admissibility

1. A complaint is inadmissible if:
 - a. it has already been dealt with by the Complaints Committee, unless there are new facts and/or circumstances.
 - b. it has previously been withdrawn and there are no facts or circumstances that justify the complaint being lodged after all.
 - c. in the opinion of the Committee, given the complainant's interests or the seriousness of the conduct, the complaint is manifestly of insufficient weight.
 - d. the complainant has initiated or is initiating an internal appeals procedure within the university regarding the conduct.
 - e. it concerns a complaint about a labour dispute or legal status.
 - f. the conditions set out in Article 6(1) to (3) have not been met.
 - g. the defendant is a visitor.
 - h. it does not relate to conduct within university buildings or on university premises, or within the university's digital work or study environment, or to other work- or study-related activities.
 - i. it is submitted more than two years after the alleged inappropriate conduct took place or continued. However, if the alleged inappropriate behaviour concerns sexual assault or rape, the complaint is only inadmissible if the relevant limitation period under the Criminal Code has expired.
 - j. the defendant, at the time the complaint was lodged, did not
 - have an employment contract with the university or was otherwise carrying out work at the university, or

- was enrolled or registered at the university as a student or external student, or
 - was a guest, or
 - was following a programme or course provided under the supervision of the university.
2. No later than fifteen working days after receipt of a complaint, the chair of the complaints committee shall issue a ruling on the admissibility of the complaint. This time limit may be exceeded in the event of exceptional circumstances.
 3. If the complaint is deemed inadmissible, the chair shall inform the complainant and the Executive Board of this in writing, stating the reasons. The Executive Board will inform the complainant that the handling of the complaint is thereby concluded or that further action will be taken regarding the inadmissible complaint. Furthermore, the person responsible for social safety within the faculty or relevant department will also be informed by the Executive Board of the complaint's inadmissibility.
 4. If the complaint is admissible, the administrative secretary shall inform the defendant as soon as possible that a complaints procedure has been initiated against them. The secretary shall provide the defendant with a copy of the complaint, the appendices, and a copy of the Complaints Procedure for Inappropriate Conduct. The defendant shall be given the opportunity to respond to the complaint and its appendices within the time limit set by the administrative secretary on behalf of the chair of the complaints committee.

Article 9 Complaints Handling

1. Following the written exchange in which the complainant has submitted a complaint in writing and the respondent has responded in writing, the complaints committee shall, if appropriate, hold one or more hearings. The complaints committee shall hear the complainant and the respondent jointly or separately.
2. The Complaints Committee may adjourn the hearing of the complaint and instruct the complainant and the defendant to reach a settlement between themselves, if the statement of claim and defence show no or insufficient effort to reach a mutual solution, whilst it appears plausible that a solution is still within reach. The Complaints Committee may in this regard propose a mediator to be appointed. If a settlement has not been reached within a period determined by the Complaints Committee, the Committee shall continue the proceedings.
3. If, during the handling of the complaint, a suspicion arises that the complaint relates to a criminal offence, the Complaints Committee shall immediately inform the Executive Board thereof.
4. If the defendant is assisted by a legal adviser, the Executive Board may, in exceptional cases, decide to provide (a contribution towards the costs of) legal assistance for the complainant.
5. If the complaint is declared unfounded, the Executive Board may, in exceptional cases, decide to reimburse all or part of the defendant's legal costs.

Article 10 Hearing

1. Upon receipt of the complaint and the defendant's written response, the chair of the Complaints Committee shall determine the date and venue of the hearing.
2. The official secretary shall summon the complainant, the defendant, witnesses and/or other persons.
3. The complainant, the defendant and any witnesses summoned by the committee are obliged to attend, unless the chairperson – following a request to that effect – determines that this cannot reasonably be expected of the person concerned. If persons do not appear at the hearing, the committee shall determine which facts and circumstances have been established or have been made plausible. If the chairperson has determined that there is a reasonable ground for non-attendance, the opportunity shall be given to respond in writing.
4. Both the complainant and the defendant may be assisted by a person of their own choosing. The parties may be heard separately, either ex officio or upon request. The hearing is in camera.
5. A written report is drawn up of each hearing. The reports are sent to the complainant and to the defendant. The content of the reports is finalised upon dispatch. An audio recording of the hearing is

made for the purposes of the written report. Once the reports have been finalised, the recordings are destroyed.

6. Persons other than the complainant and the defendant who have been heard shall receive a report of their own hearing.
7. Anyone who has been heard or who has instead been given the opportunity to submit written documents may add a response to their own report within the time limit set by the chair.
8. The complaints committee may hear witnesses and other persons who can provide information regarding the alleged misconduct and the circumstances in which it took place.
9. The Complaints Committee may consult experts. This may be done orally, but may also be done in writing, whereby questions formulated by the Complaints Committee are sent to the expert for a response.
10. If a complaint is lodged by a student of the university, a person employed by the university with expertise in student affairs may be consulted by the committee as an expert. This person must not be employed in the faculty, department or institute where the complainant or the respondent is studying.
11. If a complaint is lodged by a member of staff at the university, the committee may consult a person employed by the university with HRM expertise as an expert. This person must not be employed in the faculty, department or institute where the complainant or the respondent works.
12. The Complaints Committee may advise the Executive Board in the interim to take a temporary measure.
13. All documents collected during the investigation are confidential.

Article 11 Anonymous witness

1. A witness who wishes to remain anonymous may submit a written request to the committee for protection of their identity.
2. When an anonymous witness is heard, only the members of the complaints committee, the official secretary and, at the witness's request, a confidential advisor are present.
3. In exceptional cases, the anonymous testimony may be given in writing. In such cases, the committee has the option of asking questions in writing.
4. The report of the hearing is anonymised.

Article 12 (Un)founded declaration and advice of the complaints committee

1. Upon completion of the investigation, the committee shall send a written report and a recommendation to the Executive Board.
2. The report contains the committee's findings, its conclusions and its recommendation. The committee's report also includes the complaint file as an appendix.
3. The recommendation includes the committee's assessment of whether the complaint is inadmissible, well-founded, unfounded or partially well-founded. If the complaint is found to be well-founded, the Complaints Committee may advise the Executive Board to take certain measures or impose sanctions.
4. The Complaints Committee declares the complaint to be well-founded or unfounded by a majority vote.

Article 13 Decision of the Executive Board

1. The Executive Board shall take a decision within three weeks of receiving the finding that the complaint is (un)substantiated and any advice based thereon, subject to the provisions of paragraph 3. This time limit may be exceeded in exceptional circumstances.
2. The decision of the Executive Board concerns the validity or invalidity of the complaint and may include measures or sanctions against the respondent and/or other measures based on the finding that the complaint is valid or invalid and the nature of the culpable conduct.

3. Before taking a decision, the Executive Board may instruct the committee to provide additional information. The Board shall inform the complainant and the defendant of this in writing.
4. If the Executive Board does not adopt the committee's advice, it must state its reasons for doing so.
5. The Executive Board shall communicate its decision on the measures in writing, stating the reasons, to the complainant, the defendant, the complaints committee and the person responsible for social safety within the faculty or relevant department.

Article 14 Registration of complaints

1. Only the official secretary has access to the Complaints Committee's archives.
2. Files relating to the complaints procedure shall be retained in the (closed) archive of the Complaints Committee's secretariat for a period of ten years following the conclusion of the case. Thereafter, the file shall be destroyed by the official secretary of the Complaints Committee.
3. The file relating to a withdrawn complaint as referred to in Article 6(6) of these regulations shall be retained for a period of two years.

Chapter 5 Final Provision

Article 15 Final Provision

1. If a complaint is directed against a member of the Executive Board, the term 'Executive Board' in these regulations shall be replaced by 'Supervisory Board'.
2. These regulations have been adopted following approval by the Works Council and the University Students' Council.
3. These regulations may be cited as the 'Complaints procedure for Inappropriate Conduct'.
4. These regulations come into force on 1 December 2007 and were last amended on 16 June 2026. For complaints submitted before 16 June 2026, the regulations in force prior to that date shall apply.