

- the interested party has acquired by means of their work activities at a different company or organisation, and
- b. social interest is at stake during
 - a (potential) criminal offence;
 - a (potential) gross violation of regulations or policies;
 - a danger to public health, safety or the environment;
 - a (threat of) deliberate misinformation of public bodies; or
 - a (threat of) deliberate withholding, destruction, or manipulation of information about these facts;
 - a (threat of) misuse of government funds.
2. A suspicion of wrongdoing is not understood to be a suspicion of an academic integrity violation. In that instance, the complaint procedure for academic integrity applies.
 3. This regulation is not intended for:
 - a. reporting personal, interested party complaints regarding their personal issues relating to their work or studies;
 - b. reporting conscientious objections relating to performing normal business activities and/or participation in education on the basis of the interested party's registration;
 - c. expressing criticism of policy choices made by or on behalf of the employer/the institutional board.

Article 3 Reporting procedure

1. a. Unless there is evidence of a situation as specified in Article 5 paragraph 1, the interested party reports a suspicion of wrongdoing to their manager or, if they do not consider that to be desirable, to the confidential counsellor. Reporting to the confidential counsellor can also be done in addition to reporting to their manager.
b. The interested party can request that the manager or confidential counsellor not reveal their identity to the Executive Board.
2. The manager or confidential counsellor specified in the first paragraph shall personally see to it that the president of the Executive Board is immediately informed of the reported suspicion of wrongdoing by means of a written statement as well as of the date on which the report was received.
3. The president of the Executive Board shall send the interested party who has reported their suspicion of wrongdoing a confirmation of receipt in which the reported suspicion of wrongdoing and the date of receipt is included. If the Executive Board is of the opinion that the report does not fall under the regulations or if the Executive Board decides not to handle the report for a different reason, it shall notify the interested party of this as well as of its motivations for it in writing.
4. The Executive Board shall notify the Supervisory Board of the report made.
5. As a result of the report of a suspicion of wrongdoing which is pending process, the Executive Board shall immediately launch an investigation.
6. Prior to and during the report, the interested party can consult an advisor, confidential counsellor, or advisory department of *Het Huis voor Klokkenluiders* confidentially.
7. A report does not affect the statutory obligation for filing a report for a criminal offence.
8. If the suspicion of wrongdoing concerns a member of the Executive Board, the report shall be made to the president of the Supervisory Board, who shall follow the procedure as described in these regulations.

Article 4 Executive Board's Position

1. Within eight weeks of the time that the internal report was made, the interested party shall be informed by or on behalf of the president of the Executive Board in writing of its position regarding the reported suspicion of wrongdoing, wherein the steps to which the report has led to shall also be

listed. In the case of a rightful report, the costs incurred for legal assistance by the interested party shall be reimbursed within reason.

2. If the position of the Executive Board cannot be provided within eight weeks, the interested party shall be notified of this by or on behalf of the president of the Executive Board and informed of the period within which they can expect to learn of this position.

Article 5 Reporting to an external party (e.g. *Het Huis voor Klokkenluiders*)

1. The interested party can report a suspicion of wrongdoing to an external third party only if or as soon as there is evidence of a situation in which:
 - they have not learned of any position within the required period, as specified in Article 4;
 - the period, specified in the second paragraph of Article 4, is unreasonably long in light of the circumstances and the interested party has lodged a complaint about it;
 - they do not agree with the position as specified in Article 4;
 - they have reasonable cause to fear backlash as a consequence of the internal report;
 - there is threat of imminent danger, wherein serious and urgent social interest immediately requires external reporting;
 - a legal requirement to or authorisation for direct external reporting exists;
 - a clear threat of fraud or destruction of documents of proof exists.
2. Before the interested party requests an investigation from a third party, they shall report their intention in writing to the president of the Supervisory Board. The president of the Supervisory Board can act on its own authority as a result of this communication. Three work days after the written communication, the interested party can request an investigation from an external third party. If the nature of the situation prevents the president of the Supervisory Board from being informed in advance, the interested party shall report to them as soon as possible after they have contacted a third party.

Article 6 Investigation by the third party

1. The external third party shall confirm receipt of a report of suspicion of wrongdoing to the interested party who has reported this suspicion and to the Executive Board.
2. If the external third party initiates an investigation, they are authorised to acquire all necessary information from any employees, students, or organisational bodies at Wageningen UR for this purpose as well as from third parties if desired. They can also request all documents and correspondence containing information deemed of interest for assessing the report.
3. If the content of certain information provided by or on behalf of the Executive Board must be viewed exclusively by the external third party due to its confidential nature, the external third party shall be notified of this. The external third party must protect information of a confidential nature from being accessed by unauthorised parties.

Article 7 Recommendation of the external third party

1. The external third party shall indicate the period in which their recommendation can be expected.
2. The external third party shall produce a recommendation for the Executive Board containing its findings regarding the report of a suspicion of wrongdoing and shall send a copy of this recommendation to the party involved, acting in accordance with the potential confidential nature of the information provided to the committee.
3. The recommendation shall be created in an anonymous format and in accordance with the potential confidential nature of the information provided to the external third party and the legal provisions that apply to the matter shall be made public in a way that the external third party considers fitting, unless serious interests dictate otherwise.

Article 8 (Modified) position of the Executive Board

1. Within two weeks of receiving the findings from the investigative committee dispatched by the external third party, the Executive Board shall inform the interested party and the aforementioned investigative committee of its (modified) standpoint. In doing so, it shall indicate which steps and/or measures the findings of the investigative committee has led to and a decision shall be made regarding the reimbursement of costs incurred. In the case of a rightful report, the costs incurred for legal assistance by the interested party shall be reimbursed within reason.
2. A interested party who has requested that the external third party not reveal their identity shall be notified of the modified standpoint via the aforementioned third party and/or, if applicable, the confidential counsellor or authorised party who acts on behalf of the interested party.
3. A (modified) standpoint that deviates from the findings shall be provided with motivations.

Article 9 Confidentiality

1. The interested party and the person for whom a suspicion of irregularity was suspected shall treat the report as confidential.
2. Unless these regulations state otherwise, no information may be provided to third parties within or outside WUR without consent from the president of the Executive Board or the Supervisory Board. When providing information, the name of the interested party shall not be mentioned in so far as that is reasonably possible and any information shall be provided in such a way that the anonymity of the interested party is preserved as much as possible.
3. The confidentiality clause in accordance with the collective labour agreement does not apply to the interested party who makes an internal report to their manager, confidential counsellor, counsellor, the Supervisory Board, or an external third party, thereby meeting the applicable conditions set in these regulations.

Article 10 Legal protection

1. A interested party who reports a suspicion of wrongdoing in accordance with the provisions in these regulations shall in no way suffer negative countermeasures as a consequence of making the report.
2. The confidential counsellor, manager, or any advisor in the service of the employer and the employee or student who is heard via documents or other communications provided to the investigation shall in no way suffer negative countermeasures as a consequence of acting in accordance with these regulations.
3. In all cases, negative countermeasures are understood to mean measures such as:
 - a. dismissal other than upon their own request;
 - b. the interim termination of or refusal to renew a temporary employment contract;
 - c. not converting a temporary employment contract into a permanent employment contract;
 - d. taking a disciplinary measure;
 - e. forced placement into another position;
 - f. withholding a salary increase, performance-based bonuses, or reimbursement;
 - g. withholding the opportunity to be promoted;
 - h. rejecting a leave request;
 - i. cancelling or rejecting student registration/rejection from a degree programme or educational unit;
 - j. suspension or other disciplinary measures taken which result in the interested party being limited or unable to participate in education or take exams.
4. If the Executive Board takes a negative countermeasure after a report has been made or a management council or manager does so on its behalf, it must provide its motivation for why it considers this measure necessary and this measure must not be connected with the appropriate report of a suspicion of wrongdoing made in good faith.

5. The Executive Board shall address other persons who are guilty of taking a negative countermeasure against the interested party who made a report and can issue them a warning or take a disciplinary measure; a management council or manager can do this on its behalf.

Article 11 Counteracting negative treatment of the interested party

1. The confidential counsellor shall inform the interested party of the risks of negative treatment that exist or which may occur. The confidential counsellor and the interested party shall discuss which measures can be taken to prevent negative treatment or counteract it. The confidential counsellor shall make a report of this discussion and send it to the Executive Board upon approval from the interested party.
2. The Executive Board shall ensure that the necessary measures are taken.

Article 12 Internal and external investigation into negative treatment of the interested party

1. A interested party who feels that there is evidence of negative treatment in connection with making a report of a suspicion of wrongdoing can request that the Executive Board perform an investigation into the way in which they are being treated within the organisation.
2. The persons specified in Article 8 paragraph 2 can also request that the Executive Board investigate the way in which the interested party is being treated within the organisation.
3. The interested party can also request that an external third party, as specified in Article 5, conduct an investigation into the way in which the Executive Board, management council, or manager have behaved towards them in connection with making a report of a suspicion of wrongdoing.

Article 13 Short title and effective date

These regulations, enacted by decree of the Executive Board on the date of 17 August 2017, shall be quoted as "*Klokkenluidersregeling WUR, regeling melding vermoeden misstand*" (WUR Whistle-blower's regulations, regulations for reporting suspicion of wrongdoing) and goes into effect as of 1 August 2017 as a replacement for the "*Klokkenluidersregeling Wageningen UR*" (Wageningen UR Whistle-blower's regulations) dated 22 June 2015*.