

1. Introduction

The Prince Claus Fund (PCF) is committed to upholding the highest standards of transparency, accountability, and good governance. This policy, known as Speak Up, serves as our Whistleblower Policy and Complaint Procedure. It reinforces this commitment by encouraging individuals to report any suspected wrongdoing or misconduct.

This document outlines the procedures for reporting, investigation and applicable sanctions. It also provides additional information on related policies and procedures.

All associated parties are obligated to uphold the principles and values in the Code of Conduct in their daily PCF-related activities. If pressured to violate the code, individuals are encouraged to Speak Up, even in situations of doubt. Speaking Up allows for addressing problems and protecting both the individuals involved and PCF.

PCF guarantees the safety of those who speak up through a strict non-retaliation policy.

This policy is leading, but local laws or regulations that are stricter prevail. This policy should be read in conjunction with other relevant misconduct-related policies (see list at the end).

2. Scope and Definitions

2.1 Who can speak up?

This policy applies to all persons working for PCF or on behalf of the organisation in any capacity, including employees at all levels (whether permanent, fixed term or temporary), directors, interns, trainees, volunteers, supervisory board members, whether located in the Netherlands or abroad ('PCF employees') and any person or entity performing services on behalf of PCF, acting on behalf of PCF or representing the interests of PCF, including contractors, external consultants and partners, ('associated persons').

In this policy, third-party representative means any individual or organisation who PCF employees or associated persons come into contact with during the course of their work for PCF, and includes actual and potential beneficiaries, donors, partners, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

I. What should you Speak Up about? (this is a non-exclusive list of examples)

PCF encourages you to speak up about any potential or actual misconduct that has occurred or is likely to occur, or attempts to conceal it, and which, for the purpose of this Speak Up Policy, means a violation of:

- The Anti-fraud, Corruption and Bribery Policy
- The Anti Sexual Exploitation, Abuse and Harassment (SEAH) Policy

- The Code of Conduct

Examples of applicable types of laws and regulations include:

- Fraud and fraudulent (financial) reporting (e.g. questionable accounting controls and auditing matters)
- Inadequate financial and non-financial recordkeeping
- Money laundering
- Terrorism-financing violations
- Gifts and Entertainment rules violations
- Bribery or corruption
- Criminal offences
- Privacy violations
- Sanctions control law violations
- Conflicts of interest
- Disclosure of confidential information
- Sexual Exploitation, Abuse and Harassment
- Harassment of any other form
- Discrimination
- Aggressions (verbal and non-verbal)
- Threats by colleagues or superiors
- Environmental, health and safety issues
- Human rights violations
- Improper use of company resources
- Retaliation against anyone for speaking up in good faith

II. What is excluded from this policy?

- Immediate threats to life or property: for that contact local authorities or emergency phone number.
- Allegations with malicious intent: making false accusations may lead to disciplinary action.
- Practical complaints: general complaints such as payment failure, technical problems.
- Concerns or grievances in relation to HR matters. This could include your terms of Employment or performance-related issues. For HR-related matters, contact your line manager or the Operations Manager.
- Interpersonal non-work-related grievances or personal (legal) disputes.
- Allegations with the intent to obtain answers to questions or to provide comments on PCF's policies or procedures.

2.2 Definitions

- **Misconduct:** Any behavior or action that violates PCF's Code of Conduct and policies or applicable laws and regulations.
- **Complaint:** An expression of dissatisfaction or concern about misconduct or wrongdoing within PCF.
- **Integrity Officers:** Operations Manager and Director, responsible for overseeing the implementation and enforcement of the Speak-Up Policy, ensuring confidentiality, anonymity, and non-retaliation.
- **Case Team:** Individuals responsible for conducting investigations, including the Integrity Officers.
- **Whistleblower or Complainant:** An individual who reports misconduct or wrongdoing within the organization, often at great personal risk.

3. Non-retaliation and Safeguarding

PCF safeguards the integrity of any member who speaks up by guaranteeing confidentiality, anonymity, and a strict non-retaliation policy.

- **Confidentiality:** Protection of information shared by individuals who Speak Up, ensuring it remains private and undisclosed to unauthorized parties. This information will only be disclosed to others with your explicit consent or if PCF is obliged to disclose it in line with applicable laws and regulations. Any such disclosure will be done in compliance with the applicable local laws and regulations.
- **Anonymity:** The option for individuals to report misconduct without revealing their identity, protecting them from potential repercussions. The safeguards also apply if you have reported anonymously but your identity becomes known and you suffer retaliation as a result of your report.
- **Non-retaliation:** Assurance that individuals who Speak Up in good faith will not face retaliation or adverse consequences as a result of their actions. Also protected against retaliation are people who assist these individuals in the reporting process in a work-related context and whose assistance should be confidential. If you experience or observe any retaliation against you or against anyone else for reporting misconduct in good faith, please report this via the procedure set out in this policy. A report on retaliation is treated like any other report of misconduct and the same procedure is followed.

4. Speaking Up

4.1 When do you speak up?

Individuals are encouraged to Speak Up as soon as possible to prevent potential violations or escalation of existing ones. Guided by principles of confidentiality, anonymity, and non-retaliation, PCF ensures that reporting and investigation processes are conducted with agility, fairness, and according to established procedures.

4.2 Intake/Reporting:

Anyone raising a concern is encouraged to first report it via the Speak Up channels available within

PCF as explained in this policy. The Complaint Form (Annex I) should be filled in by the Complainant, Line Manager or Integrity Officers, depending on the chosen reporting channel.

I. PCF Employees and Associated Persons

1. Self-help resolution: If comfortable, individuals can attempt to resolve the matter directly with the person involved. Alternatively, Integrity Officers can facilitate mediation between parties. Even when self-help resolution is the preferred option, the complainant can still decide on formally reporting the misconduct.
2. Reporting Channels
 - a. External Confidential Advisor – The External Confidential Advisor (see related protocol) can listen to the complainant and instruct the complainant on the next viable steps, including not taking any action. If needed, they can also accompany the complainant to meetings. Anonymity and confidentiality are preserved.
 - b. Line Manager – If the complainant decides to share their concerns with the line manager, they will draft the complaint report for the Integrity Officers. While anonymity cannot be guaranteed, the line manager is responsible for handling the information with discretion and promptly informing the Integrity Officers.
 - c. Integrity Officers – Complainants can also decide to report directly to the Integrity Officers, in this case they can ask to remain anonymous. The complainant should fill in the preliminary report.
 - d. Chair of the Supervisory Board: if the complaint relates to the Director or the complainant does not have faith in the Integrity Officers, they may contact and share the Complaint Report with the Chair of the Supervisory Board.
 - e. External Authorities/Whistleblower: if the complainant does not trust any of the previous channels, they can reach out directly to external competent authorities (e.g. Police), who will then conduct investigations according to their terms.

II. Third-party representative

1. If feeling comfortable, the complainant should discuss the matter directly with the person involved. Even when self-help resolution is the preferred option, the complainant can still decide on formally reporting the misconduct.
2. If not, the available reporting channels are:
 - a. Integrity Officers: Complainants can also decide to report directly to the Integrity Officers, in case they can ask to remain anonymous. The complainant should fill in the complaint report.
 - b. Chair of the Supervisory Board: if the complaint relates to the Director or the complainant does not have faith in the Integrity Officers, it may contact and share the Complaint Report with the Chair of the Supervisory Board.
 - c. External Authorities/Whistleblower: If the complainant does not have confidence in the previous channels, they can reach out directly to external competent authorities (e.g. Police) who will then conduct investigations according to their terms.

A reported concern qualifies as a misconduct complaint if it meets one of the following conditions:

suspicion of a violation of PCF's Code of Conduct or policies where the complainant is not reasonably comfortable or able to resolve it with the individuals involved or their own manager, or if the concern poses a direct threat to PCF's integrity and reputation.

4.3 Disciplinary Investigation

The investigation process commences following the intake/report. The Integrity Officers are responsible for overseeing and executing the process or delegating tasks as necessary.

I. Admissibility:

Upon receipt of the Complaint Form, the Integrity Officers conducts a preliminary investigation to evaluate the complaint's admissibility, deciding if there should be further and formal investigation. based on several factors: the possibility of a violation, strength of evidence, severity of the offense, and whether disciplinary action justifies a full investigation considering associated risks. This decision is made within 10 days of receiving the complaint and communicated to the complainant along with the investigation plan (Annex 2 – Investigation Plan).

If the Integrity Officers decide for no admissibility, a written conclusion and reply must be given to the complainant, stating the preliminary investigation process, reasons for not investigating and further information on dealing with the concern.

If the complainant does not agree with the outcome, they have the possibility to question or look for other authorities, if deemed necessary, or the Chair of the Supervisory Board.

Not opening an investigation does not imply that measures will not be taken, such as the Integrity Officers talking to the person, or other restorative justice, such as formal apologies, return of funds, or others.

II. Investigation Protocol:

If there is a need for a formal investigation, the Integrity Officers will develop an Investigation Plan (Annex II).

This proposal should encompass the findings of the preliminary investigation, nominate individuals (internal or external) to conduct the investigation, and, if necessary, outline the required budget. It will also define the terms of reference and the questions to be addressed by the investigation and witnesses to be heard.

The investigation will proceed according to the established plan, with the duration varying depending on the circumstances.

The Integrity Officers may decide on including other employees to form the Case Team, ensuring adherence to guiding investigative principles (impartiality, fairness, and agility). In this case, the complainant must agree to the employees' participation in the Case Team, or the complainants' anonymity should be guaranteed.

The Integrity Officers will be responsible for assigning responsibilities and tasks within the Case Team.

The necessity of informing or involving an external party regarding suspicions of misconduct, including individuals, the Police, or other authorities, should also be evaluated. This decision must be deliberated upon and approved by the Chair of the Supervisory Board.

III. Formal Investigation

Investigation plan outlined, the Case Team will gather facts regarding the complaint. Both parties

(complainant and alleged perpetrator) should be listened to through interviews, where both are offered the opportunity to present their cases and put forward their views. In case the complainant and/or the person complained about decline their right to be heard, no such hearing will take place. A report of the hearing will be drawn up and signed off by the persons heard.

The Case Team can suggest if both parties should be listened together or separate, to which the parties have the right to agree or disagree.

The person raising the concern may be accompanied at any fact-finding meeting(s) by a fellow employee. The fellow employee attending any such meetings will be bound by confidentiality and may confer with the complainant but may not answer questions on their behalf.

As mandated and instructed by the Integrity Officers, the investigation may access, examine, retain and/or copy all company assets and information they deem necessary in the context of the investigation. These assets could include the following:

- IT systems
- Records
- Premises
- Company property such as a laptop or tablet

Throughout the investigation, the Integrity Officers remain the central point of contact for all involved parties, including other directly involved people, regarding any questions or issues relating to the investigation.

PCF will keep the complainant informed of progress and the outcome of the investigation where appropriate. However, sometimes the need for confidentiality may prevent specific details being given. Any information given to the complainant should be treated as confidential. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

5. Disciplinary Action/Punishment:

5.1 Investigation Outcomes

Upon completion of the investigation, the Integrity Officers will compile a written report detailing the findings and any judgments made (Annex III – Investigation Report). This report will be submitted to the Director (or the Chair of the Supervisory Board, in case the perpetrator is the Director), who will determine appropriate action. The report should comprise:

- A description of the complaint
- A summary of the evidence, hearing results, and other investigation outcomes
- Conclusions and recommendations, including measures to protect victims, restore justice, and prevent recurrence.

The investigation report will assess the validity of the misconduct complaint and offer guidance on management-level actions or other interventions, such as program enhancements or training.

The Director (or the Chair of the Supervisory Board, in case the perpetrator is the Director) should promptly acknowledge receipt of the report and provide a written update on the investigation outcome and proposed action.

5.2 Sanctions

If the complaint is substantiated, disciplinary proceedings may be initiated, maintaining confidentiality boundaries. Full disclosure of actions taken against the subject should be evaluated if appropriate by the Integrity Officers, and in certain cases (see related policies) only with written authorization by the complainant.

If necessary or required, the desired disciplinary action will be validated by an external or internal legal specialist to ensure proportionality and consistency.

Disciplinary actions can range from a verbal reprimand to dismissal, according to the gravity. Specific measures to be applied in each case of misconduct can be found in the related policies.

In case of criminal activity evidence, the Director (or the Chair of the Supervisory Board in case the perpetrator is the Director) may involve the police, ensuring no interference with formal investigations. Such a decision should be made in accordance with the Chair of the Supervisory Board (or by the Chair if the perpetrator is the Director).

If allegations are unsubstantiated and internal procedures exhausted, dissatisfied complainants have the right to disclose to Chair of the Supervisory Board, designated authorities or elsewhere.

Where applicable per Dutch Ministry of Foreign Affairs regulations, PCF shares complaints and investigation reports.

6. Communication, Implementation

This policy and the adequate procedures are to be informed through all available internal and external channels, such as in the onboarding training for new PCF employees, and widely available on PCF's website and Sharepoint. This and other relevant policies should also be communicated to all associated persons and third-party representatives upon agreement of collaboration, verbally and via contracts.

Furthermore, the Operations Manager and Director are responsible for taking the lead in implementing, monitoring, and reporting on the obligations outlined in this policy. It should also update operational guidelines in consultation with relevant colleagues to ensure the swift communication of this policy.

The Operations Manager will collaborate to recommend improvements and maintain a transparent case registry, within established confidentiality standards, to track reports related to any type of misconduct. Additionally, periodic reviews by the Supervisory Board will ensure ongoing evaluation and alignment with emerging best practices in prevention and response, contributing to a robust and adaptive policy framework. Cases such as Fraud, Bribery and SEAH are reported in the PCF's annual report, in accordance with the related policies, and if applicable in accordance with the confidentiality requirements.

7. Review and Monitoring

This policy will undergo annual regular review to ensure effectiveness, relevance, and compliance with legal and ethical standards. The Office Manager and Director are responsible for annually reviewing this policy and for implementing mechanisms to identify areas for improvement.

Document Control

Document name	Speak Up Policy
Approved by	Director (Marcus Desando)
Responsible Owner	Operations Manager (Kitty Schoenmaker)
Date approved	01 May 2024
Next review	May 2025
Version number	1.0

Please note that this policy has a complementary character: any applicable local laws or regulations remain valid. This policy may not conflict with any local laws or regulations and if such would be the case the law or regulation would prevail. Where the terms of this policy are stricter than the applicable legislation or provide additional safeguards, rights or remedies, the terms of this policy will prevail.

Related policies and procedures

Administrative Organisation (AO)

Anti-fraud, Corruption and Bribery Policy

Anti Sexual Exploitation, Abuse and Harassment (SEAH)

Code of Conduct

Confidential Advisor Protocol

Annex I – Complaint Form

1. Do you wish to identify yourself?

Yes No – If yes, please provide your contact details

Anonymous notifications: You are able to make this notification anonymously by sending a printed copy of this completed form, addressed to the Director, to the Prince Claus Fund office mail. If the complainant is about the Director, please address it to the Chair of the Supervisory Board.

Please note that if you do make the notification anonymously, we may be unable to fully investigate the circumstances you have reported or confirm key details if you have not provided sufficient information.

Name

Address

Phone number

E-mail address

2. Please provide a brief overview of the allegation(s). A couple of sentences that briefly describe the allegation(s). Who were the perpetrators, what was the fraudulent actions taken, and what does it relate to? (e.g., “Programme coordinator offered to select a grantee in exchange for a part of the grant”; “Awardee tried to forcedly kiss an employee)

Brief description

Date/Range

Date which you became aware of the fact

Person(s) alleged to have breached the Code and Policies

Position of suspected offender

Are there any witnesses?
If yes, please provide the
details (name, position
and title) of any witnesses
involved.

What information may
the above witness
be able to provide/
substantiate?

What is the financial
amount involved? (if
applicable)

3. Please provide a chronological account of the facts of the allegation(s). Use the following prompts to capture all the relevant information.

-
- Who is involved?
 - What did they do?
 - Where was it done?
 - When was it done? Is it ongoing?
 - Why was it done?
 - How was it done?
 - Who else knows about it?
 - Actions taken to date.
-

4. NOTIFICATION HISTORY

Are you aware of whether this allegation of misconduct has been notified previously?

Yes No

If yes, please advise if anyone has received this notification or has been advised of this matter:

Contact details

5. RESPONSE

Upon receipt of this notification, further information will be gathered and assessed to determine

whether there are sufficient grounds to warrant a full investigation. This will be undertaken in accordance with the Fraud and Corruption Policy and related procedures. This initial fact-gathering exercise will be confidential to the investigation team.

6. PROTECTIONS FOR REPORTING PERSONS

The Prince Claus Fund prohibits any form of retaliation against anyone participating in good faith complaints, reports, or inquiries under this policy, extending protection even if allegations are mistaken. The Fund is dedicated to supporting reporting individuals by acknowledging and addressing the risks they may face, assuring them that concerns are taken seriously, explaining that identities will be protected to the extent possible, answering questions, and providing emotional support.

The organization commits to informing individuals of investigation decisions, outcomes, and appropriate actions, while also taking necessary steps to ensure the safety of any reporting person, even in cases involving potential cost implications.

SUBMITTING THIS FORM

In submitting this form, you declare that the information you have provided is accurate and true to the best of your knowledge.

Misuse of this form to raise meritless or unwarranted claims against another employee will not be tolerated.

Annex II – Investigation Plan Template

1. Investigation details

- Background/ Terms of reference: Briefly summarize the issues raised and relevant details of the allegations.
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- Allegations (List the initial allegations raised at the outset of the investigation)
 - o Allegation 1: (Describe the allegation)
 - o Allegation 2: (Describe the allegation)
 - o Allegation 3: (Describe the allegation)
- Date the allegations were received from the complainant.
- Provisional Investigation timeframe: Estimate the duration of the investigation.

2. Key Persons

Role	Name
Person of Interest (POI) / Respondent	
Informant / Complaint	
Witness(es)	
Line Manager / MOR	
Other (please specify)	

3. Scope of investigation

- Issues that need to be explored/clarified (Outline the specific areas of investigation):

- Policies and procedures to review (List the relevant policies and procedures that will be followed)

- Possible Contraventions (Identify the potential policy/rule breaches being investigated).

4. Objectives of Investigation

(List the specific questions or issues that need to be examined or answered)

5. Possible Sources of Evidence

- Identify relevant evidence/documentation to be collected from various sources.
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-

- Date by which evidence collection should be completed:

6. Persons to be interviewed (including planned order of interviews)

Name

Position

Email

Phone

Relation to PCF

7. Detail the steps for the investigation (Use the Investigation Methodology outlined in Appendix I as reference)

- Phase 1: Information Gathering
- Phase 2: Inquiries
- Phase 3: Contradictory Evidence (if applicable)
- Phase 4: Reporting

8. Risks to investigation

Nature of Risk (Describe potential risks, e.g., informant confidentiality, conflicts of interest, financial/reputational risks)

Proposal for Management (Outline proposed actions to mitigate each risk)

9. Reporting and Communication Plan:

- Who needs to receive the investigation report?
- Who needs to receive progress updates, and how often?

Please Note: This remains a template, requiring specific details to be filled in for each investigation.

10. Details

Complainant Details

Full Name

Position

Email

Phone

Relation to PCF

PCF Responsible Details

Full Name

Position

Email

Phone

Relation to PCF

Appendix I - Investigation Methodology

Phase 1: Information Gathering

- Who do you need to speak to first?
- Are there urgent matters / evidence considerations?
- Are there safety and wellbeing considerations?
- Inform all relevant parties you speak to of the confidential nature of the inquiries.
- Is there any more information required from the complainant/informant before the investigation can commence?
- Prepare the witness list.
- Formulate initial questions to be answered.

Phase 2: Inquiries

- Conduct email and forensic review.
- Gather open-source information (publicly available).
- Perform background checks, if necessary.
- Interview complainants, witnesses, and respondents.

Phase 3: Contradictory Evidence (if applicable)

- Analyze discrepancies and determine if further investigation is required.

Phase 4: Reporting

- Draft initial findings.
- Allow the respondent to respond to the findings.
- Brief decision-makers and stakeholders.
- Issue the final investigation summary report.

Annex III – Investigation Report Template

Investigation Type (e.g., Allegation Management):

Individual being investigated:

Name

Job Title

Relation with the Fund

Responsible for the investigation:

Name

Job Title

Complainant (if applicable):

Name

Job Title

Relation with the Fund

Relevant Dates:

Date of Allegation
(Date Reported)

Date of Report
(Date Completed)

1. Executive Summary

Set out what has been alleged and by whom, what is being investigated, and the outcome.:

- The nature of the allegations.
- The methods used for the investigation.
- Key findings.
- Recommendations.

An allegation of inappropriate conduct has alleged to have taken place on 00/00/20XX by Employee X. Employee X is alleged to have requested a kickback in part of the grant to be received by Seed Awardee Y (if applicable). This was reported by Z to W on 00/00/20XX.

This report covers the investigation into this corruption concern. The investigation was to establish whether the child Y suffered harm and whether staff member X presented and or continues to present a risk to this child and or others. The investigation assessed whether staff member X breached their professional code of conduct, practice and policy (list which ones...)

The outcome of the investigation is...

2. Background

- Briefly describe the relevant background information concerning the employee, the alleged incident, and any prior actions taken.

3. Methodology

Detail the sources of information, methods, procedures, and techniques used to collect and analyze information. Record of undertaken interviews/statements and documents reviewed should be attached to the report (examples below):

Interviews: comprehensive list and records of interviews as Appendix.

NAME	POSITION	DATE OF INTERVIEW	APPENDIX NUMBER
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Documents: [List of Documents] – Include as Appendix and number

DOCUMENT(S)	APPENDIX NUMBER
Detail what the document is and where it is located in the appendices	1

4. Chronology/Timeline:

Outline of events in chronological order, detailing clear and factual events and including information such as names and titles of witnesses interviewed. Focus on relevant events and avoid unnecessary details.

DATE	EVENT
Date	Event details

5. Facts and Findings: Present established facts and findings, supported by evidence collected during the investigation.

- **Facts:** Clearly list the established facts based on the investigation. Facts are pieces of information about circumstances that exist or events that have occurred.
- **Findings:** Analyze the facts and reach conclusions based on the evidence.

6. Conclusions and Recommendations

- **Conclusions:** Provide an overall assessment based on the evidence:
 - Whether the allegations are supported.
 - Strength of the evidence.
 - Clearly identify strengths and weaknesses of the evidence, acknowledging any interpretation discrepancies.
 - Highlight facts demonstrating policy breaches.
 - Explain any mitigating factors and their significance.
 - State your final conclusion based on the review, including expected outcomes.
- **Recommendations:** Based on the findings, propose any necessary actions to be taken by the Fund.

7. Appendices

- Include relevant documents used in the investigation:
 - Witness statements
 - Investigatory interview notes
 - Chronology of events
 - Supporting documentation

Notes:

- This is a template and needs to be customized for each specific investigation.
- Replace bracketed information with relevant details.
- Ensure adherence to confidentiality and data protection guidelines when handling sensitive information.