

KNSV Integrity Policy to Prevent Sexual Harassment and Cross-border Behaviour by ‘Sexual Intimidation and other Forms of Inappropriate Behaviour’

Scope

This code of practice applies to all persons who are formally representing the Koninklijke Nederlandse Specerijen Vereniging (KNSV) ⁽¹⁾ and/or are participating in initiatives and projects led by the KNSV.

Definition

Sexual harassment is unwanted conduct of a sexual nature (or other conduct based on sex affecting the dignity of men and women) in working situations when individuals are formally representing KNSV and/or in situations when individuals are involved in initiatives and projects led by KNSV. It covers a range of behaviour which is unwelcome, unsolicited, unreciprocated, or professionally inappropriate. It includes offensive physical contact or language; and unwelcome sexual advances or requests for sexual favours. Serious forms of sexual harassment may involve explicit demands for sexual activity and actual physical violence..

At any case, forms of sexual harassment concern punishable and prohibited behaviour according to the standards of Dutch legislation. In addition, serious misconducts can occur which are strictly speaking not punishable or illegal, but which are within the context of this code of practice. Harassment may be deliberate and conscious but also unintentional.

Complaint procedure

Victims of forms of sexual harassment can report a complaint to Harassment Advisers Ms. Marianne van Keep (mvankeep@verstegen.nl) or Marjon Otten (m.otten@polak.nl), both Board member of KNSV. Enquiries about harassment will be responded to promptly. Harassment Advisers will discuss the range of options available to enquirers and whenever possible assist them in resolving the problem informally in the first instance. The role of advisers is advisory and not disciplinary.

All those involved in a complaints procedure (including complainants) observe the strictest confidentiality consistent with operating that procedure; an accusation of harassment is potentially defamatory. KNSV shall take steps to ensure that neither the complainant nor the respondent is subject to reprisals or discrimination of any kind by any person by reason of the making of the complaint.

If a complaint is not resolved on an informal basis it may be referred to the KNSV Board who will determine whether there is a case for further action. If so, the Board will appoint a Committee to investigate the complaint. This Committee will include at least one member of each sex. The respondent and the complainant will be informed of their right to make written and oral representations to the Committee. and to select a friend, adviser or official, to represent them and assist them if they so wish. In serious cases legal representation will be permitted insofar as this is necessary to meet the requirements of the rules of natural justice.

¹ Royal Dutch Spices Association

Disciplinary action

The Committee shall report its findings as soon as practicable to the KNSV Board, provided that the Committee shall have the power to refrain from making any report if the matter has been otherwise resolved to the satisfaction of the complainant and the respondent.

The KNSV Board, having considered the report and recommendations of the Committee, shall take appropriate action.

If the Committee finds the complaint to be well-grounded on the balance of the evidence, it shall make recommendations as to the appropriate disciplinary or remedial action to be taken. This could involve dismissal of being a formal KNSV representative and/or dismissal from participation in initiatives and projects led by KNSV. In the most serious cases the Board may decide to report the case to the company or organisation the offender works for, the authorities and/or, in case of execution of an initiative or project funded by an external party, to this donor.

If the KNSV Board, acting on the advice of the Committee, finds that the complaint was made maliciously or with the intention of abusing the procedures laid down in this Code, the complainant may be reprimanded or disciplined.