

# Complaint Procedure

Asian Borrel Club

## **1. Receiving the complaint**

1.1 Any (non) member who has a complaint about another (non) member violating the AsianBorrelClub HR rules, agreements, or guidelines can submit their complaint in writing to the Supervisory Board.

1.2 The appeal must conclude a description of the incident including the time period, the involved parties, and the location of the incident. Additionally, the involved parties must be clearly mentioned, including possible witness(es).

1.3 Submission of the appeal must be made to the Supervisory Board within 14 calendar days of the incident.

1.4 The appeal must be submitted in PDF format per email to [supervisoryboard@asianborrelclub.nl](mailto:supervisoryboard@asianborrelclub.nl).

## **2. Initial Assessment**

2.1 The Supervisory Board will review the written complaint to determine its validity and seriousness.

2.2 When the complaint is considered valid, the Supervisory Board will assemble an independent investigation team to investigate the incident.

2.3 The investigation team consists of at least three trustees and should not include supervisory board members.

2.4 An investigation team will ensure that the complaint includes specific details of the incident, evidence (if any) of the incident, and the complainant's contact information. Ideally, it should also include contact information of possible witnesses.

## **3. Confidentiality**

3.1 Confidentiality will be maintained throughout the investigation process to protect the privacy of both the complainant(s) and the accused.

## **4. Investigation**

4.1 The designated investigation team will conduct a thorough and impartial investigation into the allegations.

4.2 The investigation may involve interviewing witnesses, gathering evidence, and reviewing any relevant documentation. The Investigation Team aims to determine the validity of the violation claim, by comparing the statements of accuser, accused and possible witnesses and gather any proof that can be obtained relating to the incident.

- 1.1.1 An investigation member is unbiased and is able to carry out the investigation without any prejudice. IT respects the privacy of all parties involved and expects external parties to reciprocate.
- 1.1.2 IT strives for utmost confidentiality. Statements of the accuser, accused and witnesses will be protected by IT. IT members will withhold any details regarding the investigation or the involved persons, and will not share any details with the persons involved, unless necessary for the investigation. Similarly, IT asks involved parties to not share any details with external parties, to avoid marring the investigation. Any information deemed sharing will be included in the report at the end of the investigation.
- 1.1.3 IT gathers information regarding the investigation in a folder that is not accessible by any external parties

4.3 Regular updates will be provided by the investigation team to all parties involved in the incident to maintain transparency and ensure clear communication throughout the process.

4.4 The investigation should take no longer than 2 months from beginning to end.

## **5. Decision making**

5.1 Based on the findings of the investigation, the Supervisory Board will determine whether the allegations are substantiated.

5.2 If the allegation is found to be false, the organisation will take appropriate steps to protect the accused member's reputation. This may include providing a formal statement acknowledging the false accusation, offering support to the accused member, and implementing measures to prevent any potential harm or repercussions resulting from the false allegation.

5.3 If the allegation is found to be true, the supervisory board will take appropriate disciplinary action.

## **6. Disciplinary action**

6.1 Depending on the severity of the violation and any previous offences, disciplinary actions may include warnings, probation, suspension, or expulsion from the AsianBorrelClub.

6.2 For incidents such as sexual assault, harassment, abuse, and/or violence, the organization will also provide support and resources to the victim, and may involve reporting the incident to relevant authorities as required by law.

6.3 The decision regarding disciplinary action will be communicated to both the complainant and the accused in writing.

## **7. Appeal process**

7.1 Both the complainant and the accused will have the right to appeal the decision within 7 days after point **6.3** is sent out. This needs to be sent to [supervisoryboard@asianborrelclub.nl](mailto:supervisoryboard@asianborrelclub.nl)

7.2 This appeal will be sorted out at the GMA where both parties have the chance to state their point.

7.3 Communication to all parties involved in the incident will be updated throughout the appeal process.

## **8. Resolution and Follow-up**

8.1 Once the investigation and any appeals process are concluded, the supervisory board will communicate the final decision to all relevant parties.

8.2 If necessary, the executive board will implement measures, such as additional training or policy revisions, to prevent similar incidents from occurring in the future.

8.3 Communication to all parties involved in the incident will be updated to provide information on any follow-up actions or resolutions.

## **9. Record keeping**

9.1 The organisation will keep detailed records of the complaint, investigation, and resolution confidentially for reference and accountability purposes.

## **10. Continuous improvement**

10.1 The organisation will periodically review its complaint procedures to identify any areas for improvement and ensure that they remain effective and fair for all members.

When acting

1. Immediate Response: The IT should promptly investigate the allegations to gather facts and assess the situation accurately. It's crucial to act swiftly to prevent the situation from escalating and to demonstrate a commitment to addressing the issue seriously.

2. Transparency: Communicate openly and transparently with members about the situation, while respecting the privacy of individuals involved. Provide updates as appropriate to keep those involved informed of any developments or actions taken by the IT.

4. Support for Affected Parties: Offer support and resources to any members who may have been affected by the scandal, such as regular talks, outside support towards members. It's essential to prioritise the well-being of all individuals involved.

5. **Accountability:** Hold accountable any members found responsible for misconduct or wrongdoing, in accordance with the organisation's policies and procedures. This may involve disciplinary actions, such as warnings, suspension, or removal from positions of leadership or membership.

6. **Rebuilding Trust:** Take proactive steps to rebuild trust and restore the reputation of the organisation. This may include implementing measures to prevent similar incidents in the future, fostering a culture of accountability and transparency, and engaging with members to address concerns and rebuild community trust.

When disagreement with the decision

1. **Appeal Committee:** Establish an appeal committee who is not involved in the initial disciplinary decision to review the case impartially.
2. Clearly outline the grounds on which an appeal can be made, such as procedural errors, new evidence, or disproportionate punishment, to ensure that appeals are based on valid reasons.
3. Request the appellant to submit any relevant documentation or evidence to support their appeal, such as witness statements, records of communication, or additional information that may affect the outcome.
4. Conduct an appeal hearing where the individual can present their case and provide explanations or rebuttals to the disciplinary decision. Ensure that both parties have an opportunity to present their perspectives and respond to any questions or concerns raised. The committee
5. After hearing both arguments the committee should ask if the SB would like to adjust the decision based on the new arguments given by the appellant.
6. If not, the committee will decide if the decision stands or will be adjusted
7. This decision is final.