

Protocol (Prevention of) Transgressive Behaviour

Statement

We want professionals and patients to feel safe and able to work in a safe environment in the UMCs. We define transgressive behaviour as any form of unwanted verbal, non-verbal or physical behaviour that targets or results in the person's dignity being negatively affected, especially when a threatening, hostile, insulting, degrading, hurtful or insecure situation is created.

Transgressive behaviour (Unwanted behaviour | Dokter Hoe), including intimidation, sexual intimidation, aggression and violence, discrimination or bullying, is unacceptable and will not be tolerated. Our employees behave professionally, respectfully, kindly and politely to each other, our patients and their family members. We expect the same from patients, family members, third parties, colleagues and supervisors towards our employees. If situations involving transgressive behaviour do arise, then the UMCs will handle according to and in the spirit of this protocol, the Dutch legislation and societally acceptable norms and values. Every UMC must have a policy supporting awareness, prevention, recognition of signals and careful responses to incidents.

Organisational policy

To prevent transgressive behaviour, the UMCs implemented an active prevention policy to reduce the occupational risks of transgressive behaviour as identified in the Risk Inventory and Evaluation. This policy is documented in a Protocol to Prevent Transgressive Behaviour. It contains clear agreements on the rights and obligations of employees and on the reporting and handling of notifications of transgressive behaviour. This set of agreements specifies how the organisation will realise the awareness and recognition of transgressive behaviour, how prevention will be implemented, and which agreements apply as soon as an incident occurs. The following are definitely included in this policy:

- A statement from the Board of Directors about transgressive behaviour;
- How attention will be drawn to it periodically in the UMC;
- A reporting procedure;
- A complaints procedure;
- How a safe working environment will be created. Social safety covers a broader spectrum than just transgressive behaviour.
- Agreements about an adequate, low-threshold support structure with guaranteed safeguarding of employees' privacy and guaranteed presence of an independent counsellor and/or ombudsperson.
- The independence of the counsellor or ombudsperson is ensured because they have no other tasks in, for example, human resources or company social work and are autonomously responsible to the Board of Directors.

Transgressive behaviour is one of the most important current occupational risks in the UMCs and forms an obligatory part of the RI&E (Risk Inventory & Evaluation) and the Action Plan derived from it. This RI&E must always be kept up to date, be reliable and representative, and in conformance with the applicable legal obligations.

The sections described in this protocol focus on transgressive behaviour that employees could be confronted with. Every UMC is responsible for producing its own protocol, elaborated in more detail as a continuation of this 'CAO protocol'. It provides links to the local policy and local initiatives/regulations.

Awareness and prevention

Attention drawn to transgressive behaviour periodically

It is important that every employee is familiar with the behavioural code and the

transgressive behaviour policy. The statement from the Board of Directors, the behavioural rules, the policy, the contact details of the counsellor(s)/supervisor(s)/P&O advisors and the complaints procedure regarding transgressive behaviour are therefore part of the onboarding programme for every new employee.

Precisely because it concerns experienced transgressive behaviour, this theme is periodically discussed with the employees so everyone in the UMCs is familiar with the protocol and how it works. For the job groups associated with patient care, the UMCs facilitate a talk about experiences with transgressive behaviour and its impact on employees at least 4 times a year.

If it becomes apparent from the RI&E and/or studies among employees that transgressive behaviour exists, specific action is taken.

Address each other on behaviour

In a sound and stimulating work climate, collegiality, respect and attention for each other are the normal forms of interaction, and there is a vigilant response to transgressive behaviour. That kind of climate demands active participation from everyone: by not only paying attention to your own behaviour, but by being vigilant about the behaviour of others and addressing each other about potentially transgressive behaviour.

Acting in response to incidents

If situations occur in which employees experience transgressive behaviour or notice transgressive behaviour in their surroundings, it must be clear for the employee how and whom to notify about external or internal transgressive behaviour and what can be done with a notification.

This could be, for example, the supervisor or manager, the P&O advisor, the counsellor and/or the ombudsperson. The talks with the counsellor are confidential. The supervisor or manager or P&O advisor can undertake action in response to a notification.

Counsellor

Employees who are experiencing or have experienced transgressive behaviour can talk to the counsellors. They could be general counsellors, but in some UMCs there are also counsellors for a specific target group (AIOS, ANIOS, medical staff and doctoral students). The counsellors can mentor employees and support them when they experience transgressive behaviour. They can explain what the possibilities are for dealing with what the person experienced. These options vary from 'do nothing' to submitting an official notification. So it is possible just to tell your story to the counsellor. The counsellor can make suggestions, but only takes action after discussing this with the person involved and obtaining their consent.

All UMCs strive to have counsellors who reflect the make-up of the employee population.

NB: When an employee shares something with a counsellor, that is not an official notification. When the employee decides to make an official notification or submit a complaint, the counsellor can support him/her in doing so.

Complaints procedure

All employees who experience/have experienced transgressive behaviour and have been unable or unwilling to settle this among themselves can submit an official complaint. All UMCs must have a formal complaints procedure, with the associated complaint scheme and complaint committee. In the complaint scheme, which is prepared (revised or withdrawn) in agreement with article 27 Works' Council Act with the approval of the Works' Council, attention is paid to at least the following points:

- Clear definition of transgressive behaviour;
- Which steps the employee must take to submit an official complaint.

- That it is preferable to meet with the counsellor before submitting a complaint, but it remains possible to submit a complaint directly;
- All information is handled confidentially;
- The composition of the complaints committee;
- The complaint is submitted in writing and with justification;
- The complainant and the defendant may be supported by an advisor. The complainant can ask the counsellor to fulfil this role;
- The complainant and the defendant have the same rights and receive all documents at the same time;
- The process of the complaints procedure with the relevant deadlines;
 - Complaint is received and is being handled;
 - Investigation is started;
 - The deadline by which the complainant and defendant are heard;
 - The deadline by which the complaints committee issues written advice to the Board, complainant and defendant. If this deadline is exceeded, the complainant and the defendant are informed, with an indication of the length of the expected delay.
 - The deadline by which a decision is taken about the measures to be imposed;
 - The deadline by which one of the parties involved can appeal against the decision.
- The complainant and the defendant receive a report about each phase of the procedure.
- That the Board takes suitable measures about a confirmed complaint;
- That the complainant or defendant are free to turn to a competent court regarding the outcome of the complaints procedure.
- That the complaints committee reports periodically to the Board of Directors and the Works' Council.

The employer or the counsellor provides a copy of the valid complaints scheme when the employee requests one.