



Ethical Code Confidential Adviser Utrechtse Historische Studentenkring

This Ethical code is a guideline for the work of the confidential advisers appointed within the Utrechtse Historische Studentenkring (referred to as UHSK or ‘the association’). The Ethical Code serves as both information provision for the members that turn to the confidential adviser and as guidelines for the work of the confidential advisers and as a yardstick for the Board and the General Assembly upon testing the manner in which the confidential adviser performs their task.

The ‘member’ referred to in the Ethical Code means the person that turns to the confidential adviser relating to unwelcome conduct or suspicions of wrongdoings in the association.

Amendments of Ethical Code Confidential Adviser

The board holds the right to alter the Ethical Code at any time if there is reason to. Confidential advisers will be notified in writing in case of amendments to the Ethical Code. It is the duty of the board to convey these changes in a timely manner. It is the duty of the confidential advisers to be informed about the contents of the code of conduct at all times.

Professional ethics and integrity

The confidential adviser behaves as can be expected from a decent confidential adviser, that is observing and upholding the ethical and general social and ethical norms and values, also in case of external pressures to deviate from these. They act at the least like a capable and reasonably functioning confidential adviser, observing the greatest possible attentiveness.

The confidential adviser is aware that complying with social and ethical norms involves not taking donations or gifts and not referring to cases in which the confidential adviser is in any way involved.

Transparency

The confidential adviser provides the members and the association clarity about their role, tasks and position as confidential adviser and what those involved can expect of them. The confidential adviser will above all clarify how far their confidentiality reaches and when they are no longer able to help with a problem. It is the duty of the

confidential adviser to refer a member to professional help in case the confidential adviser is not educated to treat the issue.

Independence

The confidential adviser acts independently. The confidential adviser must only be led by the interests of the member and never by personal interest or possible interests of the association.

The confidential adviser stands next to the member, guides and supports the member. Actions may never be taken against the wishes of the member unless legal provisions differ or in case of conflicting duties leading to moral dilemmas.

The confidential adviser does not act as a mediator. The confidential adviser is not an investigator and does not quest for the truth.

Confidentiality

The confidential adviser has a pledge of secrecy, which continues after ending counselling the member, concerning what they learn as confidential adviser unless legal provisions determine differently or in case of conflicting duties leading to moral dilemmas.

Particularly in light of confidential adviser integrity, if the member reports a confidential statement to them concerning suspicion of wrongdoing or irregularity (the reporter wishes to remain anonymous), the confidential adviser is required to report this statement on behalf of the member to the board as an intermediary.

The confidential adviser has no legal right to refuse to testify. The confidential adviser's pledge of secrecy also falls off as far as the confidential adviser needs to defend themselves in (pre)legal proceedings or a formal complaint's procedure.

The confidential adviser informs the member of the nature and extent of their pledge of secrecy at the start of the first conversation. Furthermore, the confidential adviser is required to report immediately to the member in a situation when the confidential adviser had to break their pledge of secrecy on grounds of moral dilemmas, legal provisions or otherwise. The confidential adviser notifies the board of this breach.

Core values and competencies

The crux is that the confidential adviser is integer and trustworthy, and fulfils their role to the best of their abilities.

Personal qualities are essential to this; it is to be expected from the confidential adviser that they are level-headed, flexible, thorough and empathetic. Moreover, they ought to be a subject-matter expert, skilled in conversation, and have knowledge of the 'sociale kaart' and aid agencies. The confidential adviser actively contributes to the expansion of the available knowledge.

The confidential adviser exclusively acts when they are capable of doing so. In case of lacking skill, they will always refer to professional assistance. The confidential adviser is willing to continuously retrain and to develop further as confidential adviser.

(Premature) termination of work for the member

The confidential adviser can end their care and guidance of a member (prematurely) based on own responsibility and according to reasonableness. If the confidential adviser considers ending prematurely, they are required to discuss this matter with the member except when this cannot reasonably be asked of the confidential adviser. Furthermore, the confidential adviser must see to referral to other confidential advisers and/or aid workers.

Handling of complaints

The confidential adviser is subject to the Ethical Code Confidential Advisers. The board is obligated to test the work of the confidential advisers if a complaint is filed about that by a member.

The confidential adviser against whom a complaint is made, must follow up on a call by the board and immediately provide the information requested by the board concerning the handling of the complaint.

The confidential adviser is required to primarily make an effort to handle the complaint with the member themselves. The confidential adviser always informs the member about the possibility to file a complaint with the board.

The board is required to mainly make an effort to handle the complaint and to take a mediating role between the confidential adviser and the member. If a gross violation of the Ethical Code Confidential Advisers is detected, the board retains the right to terminate the appointment of the confidential adviser.

The member is required to write to the board in order to start a formal complaint's procedure. This member should at least provide the following information via email:

- Their name.
- The name of the confidential adviser in question.
- Nature of the complaint.
- Statement of consent to view the file.
- If the statement mentioned above cannot be viewed by one or more board members due to compelling reasons, a restriction may be imposed on which board members may view the file.

The board has the duty to speak to the member and the confidential adviser individually as long and as often as the situation reasonably demands. At any time

after hearing from both parties, the board reserves the right to suspend the confidential adviser until further notice.

The complaint's procedure is completed within a reasonable period of time, after which the board can take the aforementioned measures if a serious violation is found.

File creation

The confidential adviser must keep the files they create of the member who turns to them in such a way that they are not accessible to third parties.

The file that the confidential adviser builds up remains confidential, unless disclosure is necessary on the basis of statutory regulations and/or in the context of a formal complaint's procedure for the board.

An ongoing file can only be transferred to a newly appointed confidential adviser with the consent of the member.

The retention period for files for which the issue has been completed is one (1) year, after which the data will be removed from the confidential adviser's archive and destroyed.

The member can in all reasonableness request the retained data about his contact and order its destruction.