



NWO Complaints Procedure 2025

Date of effect: 1 February 2025
Dutch Research Council (NWO)



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The Executive Board of the Dutch Research Council,

having heard the Central Works Council of the Dutch Research Council,

Having regard to section 9 of the General Administrative Law Act (AWB),

Has decided the following:

1 General provisions

Article 1. Definitions

In these regulations, the following words have the following meanings:

- a. *AWB*: General Administrative Law Act;
- b. *complaint*: any expression of dissatisfaction about a behaviour, act of commission or omission committed by a person whose work falls under the responsibility of the Dutch Research Council as defined at Article 1(e);
- c. *Complaints Desk*: the central office for reporting complaints and the staff who work there for the administration, forwarding and registration of complaints as referred to at (b);
- d. *National Ombudsman*: the National Ombudsman as referred to in Section 9:17 of the AWB who is tasked with processing and evaluating complaints about the conduct or behaviour of executive bodies at the second instance.
- e. *NWO*: the domains and supervisory bodies, as well as the commercial operations units and the office of the Executive Board of the Dutch Research Council, the NWO-I Foundation and its research institutes.
- f. *Executive Board*: the executive board of NWO, as referred to in Section 6 of the Dutch Research Council Act.

Article 2. Right to lodge a complaint

1. Every natural person who is not an employee of NWO has the right to lodge a complaint with NWO about the way that NWO has conducted itself in a certain specific matter vis-à-vis another. The complainant is free to seek the assistance of a third party.
2. The behaviour or conduct of a person whose work falls under the responsibility of NWO will be considered the same as the behaviour or conduct of NWO.
3. These regulations do not apply if other specific regulations govern the procedure for handling the complaints in question.

2 Complaints procedure

Article 3. Fair treatment

NWO has a duty of care to handle oral and written complaints lodged about its behaviour or conduct in a fair manner.

Article 4. Submitting a written complaint

1. A written complaint should be addressed to NWO, for the attention of the Complaints Desk. Submissions may be sent by post (PO Box 93138, 2509 AC The Hague), or by email via klachten@nwo.nl.
2. The written complaint must be signed and, at a minimum, include:
 - a. the name and address of the complainant;
 - b. the date;
 - c. a description of the conduct or behaviour about which the complaint is being lodged.
3. If the complaint is drawn up in a foreign language and a translation is necessary for its adequate handling, the complainant shall bear the translation costs.
4. NWO can decide not to consider a written complaint that does not satisfy the provisions of the second or third paragraphs, provided that the complainant has had an opportunity to revise the written complaint within a reasonable period of time.
5. These regulations only apply to the handling of written complaints that pertain to conduct or behaviour vis-à-vis the complainant and satisfy the requirements laid down in this article.
6. Notwithstanding the provisions of this article, a complaint may also be submitted orally. These regulations do not apply to the handling of oral complaints. NWO has a duty of care to handle oral complaints.

Article 5. Confirmation of receipt

The Complaints Desk shall confirm receipt of the complaint in writing on behalf of NWO.

Article 6. Unbiased complaints adjudicator

1. Consideration of the complaint shall be handled by a staff member who was not involved in the conduct or behaviour to which the complaint pertains.
2. Complaints that pertain to one or more specific persons shall be handled by:
 - the head or director, if the complaint concerns persons whose work falls under the head or director in question;
 - the chair or vice chair of the Executive Board, if the complaint concerns a director (of an institute), a member of one of the domain executives, or a board member of an executive body;
 - the chair of the Executive Board, if the complaint concerns members of the Executive Board;
 - the vice chair of the Executive Board, if the complaint concerns the chair of the Executive Board.
3. Complaints that are not directed at a specific person will be handled by the head or director under whose responsibility the conduct or behaviour vis-à-vis the complainant falls.
4. In handling the complaint, the complaints adjudicator may seek the assistance of one or more staff members of NWO who were not and are not involved in the conduct or behaviour that is the subject of the complaint.

Article 7. No obligation to handle complaint

1. NWO is not obliged to handle the complaint if it pertains to conduct or behaviour:
 - a. about which a complaint had previously been submitted, which had been handled with due observance of these regulations;
 - b. that took place more than a year before submission of the complaint;
 - c. against which the complainant could have brought an objection;
 - d. against which the complainant could or can appeal, unless the behaviour consists of not taking a decision in a timely manner;
 - e. which has or had been submitted to a different judicial body or administrative court for a ruling by instituting proceedings; or
 - f. for the duration of a police investigation at the behest of the public prosecutor into the matter or for which a prosecution is ongoing, or if the conduct or behaviour is part of a police investigation or prosecution of a criminal offence and in that matter a police investigation at the behest of the public prosecutor or a prosecution is ongoing.
2. NWO is not obliged to handle a complaint if the complainant's interest or the severity of the conduct or behaviour is manifestly insufficient.
3. The complainant will be informed in writing as soon as possible but no later than four weeks after receipt of the complaint if the complaint will not be given consideration. This letter will notify the complainant whether there is a possibility of submitting a petition to the National Ombudsman on the grounds of Section 9:17 of the AWB.

Article 8. Obligation to inform the person accused

A copy of the complaint as well as any accompanying documents submitted thereto will be sent to the person whose behaviour is the subject of the complaint.

Article 9. Right to be heard

1. NWO shall provide the complainant and the person whose conduct is the subject of the complaint with an opportunity to attend a hearing. The complainant and/or person(s) accused may alternatively, should they so desire, also further explain their standpoint in a written memorandum.
2. The complainant's hearing may be waived if the complaint is manifestly unfounded or if the complainant has declared they do not wish to exercise their right to a hearing.
3. A short report shall be made of the hearing.

Article 10. Term of the procedure

1. NWO shall handle the complaint within six weeks of its receipt.
2. NWO may postpone handling the complaint for a maximum of four weeks. The complainant and the person whose conduct is the subject of the complaint shall be informed of the postponement in writing.

Article 11. Finalisation

1. NWO shall inform the complainant and person(s) accused in writing (which also includes by email) and backed up with reasons of the findings of the investigation into the complaint along with its assessment, as well as any conclusions that NWO draws from said investigation. This letter will contain a copy of the short report of the hearing as referred to in Article 9(3).
2. It is not possible to lodge an objection or appeal against the letter as referred to in the first paragraph.
3. This letter will notify the complainant whether there is a possibility of submitting a petition to the National Ombudsman on the grounds of Section 9:17 of the AWB.

3 Other provisions

Article 13. Registration and publication

The Complaints Desk has a duty to register all complaints submitted to NWO. All registered written complaints will be published annually.

Article 14. Repeal

The current Complaints Procedure 2013 is hereby repealed.

Article 15. Entry into force

These regulations were adopted by the Executive Board and enter into effect on 1 February 2025.

Article 16. Short title

These regulations should be cited as: NWO Complaints Procedure 2025.

Dutch Research Council (NWO)

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