

BYLAWS

Babymanager complaints procedure

(part of Kraamzorg 1op1)



Valid until 1 January 2023.

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FOREWORD

In the context of its quality policy, Babymanager is open to complaints and Babymanager handles any complaints with the utmost care. Complaints constitute a valuable contribution to improving quality.

Babymanager will therefore inform employees of complaints, discuss them with the aim of learning from them. We have an internal complaint reception and handling procedure that complies with the applicable legislation, such as the General Data Protection Regulation (GDPR). We aim to deal with a complaint immediately where possible at the place where it arose, with the parties involved seeking a solution in dialogue.

When submitting and handling complaints, the complainants and the alleged perpetrators can count on a careful complaints handling procedure, taking into account their privacy, a respectful approach; where necessary support can be provided by the complaints officer, Ms J. de Vos.

The data resulting from the complaints handling will be used in anonymised form for quality purposes and improvement processes in the interest of Babymanager's (future) clients and employees.

PART I. DEFINITIONS AND OBJECTIVE

Article 1. Definitions (in alphabetical order)

For the purposes of this complaints procedure, the following definitions are understood to mean:

Alleged Perpetrator:

the person to whom the complaint relates. This is the person - the provider himself or a person working for this person - who was directly involved with or responsible for what the complainant raises in their complaint.

Complaint:

an expression of dissatisfaction submitted regarding an act or omission vis-à-vis a client/employee in the context of the service provision. A complaint may contain various subjects that are broken down into sub-complaints.

Formal complaint:

a complaint submitted in writing to Babymanager.

Complaints handling:

the handling of formal complaints by the complaints officer resulting in a decision on whether or not a complaint is well-founded.

Complaints mediation:

activities aimed at resolving a conflict or existing dissatisfaction of the complainant in a neutral and impartial manner. These activities may include:

- removing misunderstandings;
- investigating (or instructing others to investigate) and explaining the course of events in a not overly formal way;
- offering support in finding the solution/the compromise by the parties themselves.

Well-founded and unfounded:

the substantiated opinion formulated by the complaints officer per complaint, on the basis of hearing both sides of the argument. A part of the complaint is unfounded if the complainant is unsuccessful in their complaint. A part of the complaint is well-founded if the complainant is successful. In addition, a complaint can be declared partly well-founded.

Dispute:

a complaint that, after being dealt with in accordance with this procedure, has not been resolved satisfactorily in the complainant's opinion without the complainant having acquiesced in this.

Hearing both sides of the argument

the principle whereby each party involved in a complaint (the complainant and the alleged perpetrator) is given the opportunity to express their position, can respond to the other party's position and may also have access to the information or documents on which any opinion is based.

Complaints officer:

the person charged, in accordance with the job description, within the organisation, with the impartial reception, mediation and handling of complaints, and supporting and advising clients in this regard. Babymanager's complaints officer is Ms J. de Vos.

Complaint reception:

activities in response to a complaint and in contact with the complainant, aimed at restoring the relationship and trust and, if possible, resolving dissatisfaction. These activities may include:

- providing information and advice in response to questions and complaints;
- providing support for any further handling of the complaint.

Complainant:

- the client, their representative or surviving relative who has submitted a complaint
- employee employed by Babymanager/Kraamzorg 1op1
- chain partner, service provider with whom we work together.

Supervisor:

person with a guiding and supervising role with regard to the service provider or employee.

Client:

a natural person who wishes to use, uses or has used the provider's services and/or subscriptions.

Management Board (MB):

the body charged with the day-to-day management pursuant to the articles of association of the provider.

Period:

The statutory period of six weeks, to be extended once by a period of four weeks within which the provider must give an opinion on a formal complaint. This period may be deviated from in consultation with the complainant.

Decision/opinion

a written description of the formal complaint submitted, the procedure followed, the views and facts collected, the substantiated opinion, and any recommendations to the Management Board by the complaints officer.

Representative:

the person or persons who(m), pursuant to any statutory provision, the provider must engage instead of or in addition to the client in the fulfilment of any obligations vis-à-vis the client;

Act:

GDPR (Implementation) Act - General Data Protection Regulation (Implementation) Act

Provider:

Baby Manager, having its registered office in Schoonhoven, the Netherlands.
Babymanager is a product of Kraamzorg 1op1.

Employee:

A natural person who provides a professional service.

Services:

Good service provision is understood to mean service of good quality and of a good level, which is at least safe, effective, efficient and client-oriented, provided in good time, is tailored to the client's real needs and whereby the client is treated respectfully.

PART II OBJECTIVE AND SCOPE**Article 2. Objective**

The purpose of the complaints procedure is to enable clients, employees and chain partners to bring questions and/or complaints to the attention of the provider in a low-threshold manner that is understandable and effective to them and thus:

- a. to accommodate the complainant in the best possible way and, if possible, remove their dissatisfaction, thereby doing justice to the complainant and the alleged perpetrator;
- b. restoring the relationship as far as possible and the trust between the complainant and the alleged perpetrator;
- c. finding a satisfactory solution to the dissatisfaction they have identified;
- d. to contribute to the improvement of the quality of the service

Article 3. Scope

3.1. These regulations provide for a uniform complaints procedure for all clients, employees and chain partners in relation to all employees of the provider.

3.2. All employees associated with the provider who are approached by the complaints officer will be deemed to cooperate fully, if necessary on the authority of the Management Board.

PART III. DEALING WITH COMPLAINTS BY THE SERVICE PROVIDER**Article 4. Basic principles**

4.1. The provider promotes an open climate in which complaints and advice from clients, employees and chain partners are positively received and used. It gives them ample opportunity to discuss any complaints and advice by offering a low-threshold complaint reception and mediation procedure.

4.2. The provider encourages that complaints be dealt with, preferably, and where possible, at the place where they arose. The complainants and the alleged perpetrators should preferably call each other directly to account, and, in dialogue, to do justice to the mutual perception in dialogue, looking for opportunities for restoring trust.

4.3. If a complainant cannot or does not want to have direct contact with the alleged perpetrator, or would appreciate support or mediation, the complaints officer can help them with the latter.

4.4. Within the possibilities offered by the provider as set out in Article 6, the complainant themselves may choose where they make their complaint known and want to have their complaint settled.

4.5. The provider will initially encourage the complainant to discuss their complaint with the alleged perpetrator and/or their supervisor. In addition, the provider will provide the complainant with the following option:

- accessible complaint reception and mediation by the complaints officer;

4.6. The principle of hearing both sides of the argument applies to the complainant and the alleged perpetrator.

4.7. The complaints officer and other parties involved in the procedure have an obligation of confidentiality with regard to what has become known to them by virtue of their position or their involvement.

4.8. The complainant's and the alleged perpetrator's data will be treated and registered with due care and in a confidential manner in accordance with the provisions of Article 23.

4.9 The provider will not charge the complainant or the alleged perpetrator any costs for the implementation and compliance with the complaints procedure.

Article 5. Reporting a calamity, possible sexual abuse or crime

5.1. The complaints officer must report a complaint that involves or may involve a calamity, sexual abuse or a crime directly to the Management Board.

Employees of the provider must immediately report a complaint in which a calamity, sexual abuse or a crime may be or may have been involved, in accordance with the Procedure for reporting an incident safely.

5.2. Submitters of a report as referred to in Article 5.1 must inform the complainant and, if possible, the alleged perpetrator of the report.

Article 6. Submitting a complaint/expression of dissatisfaction

6.1 A complaint/expression of dissatisfaction should preferably be submitted in writing or digitally.

6.2 Where appropriate, the complaint/expression of dissatisfaction the complaint can also be submitted verbally or by telephone via 0182 32 55 76 (during working days), and will then be registered by the complaints officer.

6.3 For formal complaints, written submission is compulsory, see the address in the annex.

6.4 Complaints containing a request for compensation must be submitted in writing to the Management Board.

6.5 A complaint may only be submitted by:

- a. a client or on behalf of the client with the client's consent;
- b. the representative of the client;
- c. the client's surviving dependants
- d. an employee employed by Babymanager/Kraamzorg 1op1
- e. a chain partner with whom Babymanager/Kraamzorg 1op1 works together directly.

6.6. When submitting (and in the course of the further handling of) the complaint, the complainant may

have themselves represented by a person designated or authorised by them.

6.7 A person who believes that they are wrongly not considered a representative of a client, may lodge a complaint about this.

6.8 In the event that a complaint can no longer be assessed as a result of the passage of time, the complaints officer will inform the complainant about this, stating the reasons.

PART V. COMPLAINT RECEPTION AND MEDIATION

Article 7. Performance of duties and framework of complaints officer

7.1. The complaints officer performs his duties independently and impartially, in accordance with the General Data Protection Regulation (Implementation) Act and the professional standards and job description applicable to him. The provider will refrain from interference with the manner in which the complaints officer performs his work in a specific case.

7.2. The duties and powers of the complaints officer include:

- Providing a low-threshold complaint reception procedure for complaints/expressions of dissatisfaction.
- Providing information on internal and external complaints procedures.
- Supporting the complainant in determining (the specifics of) the complaint/expression of dissatisfaction and in determining their purpose.
- Mediating verbally and in writing with regard to the complaint/expression of dissatisfaction.
- Coordinating an investigation, including obtaining additional relevant information and requesting documents from the complainant and the alleged perpetrator.
- Creating, maintaining and managing a complaints file in a confidential manner.
- Recording the complaints/expressions of dissatisfaction reported to him, the work performed in response to complaints/expressions of dissatisfaction and the results thereof;
- On the basis of this registration, reporting periodically on his activities and findings to the responsible management and the Management Board;
- Identifying structural shortcomings in the service provision and possibly attaching recommendations to his findings;
- Bearing responsibility for keeping a file of the complaints handling, with the retention and registration being carried out in such a way that the privacy of the complainant, the alleged perpetrator and any other parties involved is safeguarded in accordance with the applicable legislation and unauthorised persons cannot obtain access.

7.3 In performing his work, the complaints officer focuses on achieving a lasting solution to the complaint/expression of dissatisfaction and at restoring the relationship between the person seeking his assistance and the party to whom the complaint/expression of dissatisfaction relates.

7.4 The Management Board is responsible for a job description for the complaints officer.

7.5 The complaints officer is not authorised to handle complaints if the complainant requests an opinion on a legally enforceable decision. In that case, the complaints officer will refer the complainant to external bodies.

7.6 The complaints officer is not authorised to assist in writing claims/notices of liability, or complaints to the Healthcare Inspectorate, the civil court and/or other external bodies. In such cases, the complainant is referred to external bodies.

7.7 Claims for damages are immediately forwarded by the complaints officer to the Management Board, after which they will be handled by the Finance department. In the event of questions about (submitted) claims for damages, the complainant is referred to the Management Board/Financial Administration department.

7.8 The complaints officer may contact the Management Board directly

if he is of the opinion that he is hindered in the performance of his work in accordance with this Article or if he is disadvantaged in the performance of this work. The Management Board will conduct an investigation into this and, if necessary, will take appropriate measures to ensure that the complaints officer can perform his duties in accordance with this Article and will not be affected adversely due to the performance of these duties.

7.9 If the action of the Management Board as described in paragraph 8 does not result in the removal of the impediment referred to therein and/or the complaints officer, in view of the circumstances, cannot be expected to refer to the Management Board, the complaints officer may refer to the provider's Supervisory Board.

Article 8. Receipt of complaints

8.1. The complaints officer receives the complaint/expression of dissatisfaction, regardless of the manner in which it is submitted (in writing, by telephone or verbally).

8.2. The complaints officer informs the complainant about the further procedure within 1 week of receipt of the complaint/expression of dissatisfaction.

8.3. The complaints officer investigates what the complainant intends with the complaint/expression of dissatisfaction and discusses with the complainant the possibilities of dealing with the complaint/expression of dissatisfaction.

The options available to the provider include:

a. registration: the complaint/expression of dissatisfaction is reported and registered without the complainant requiring any further involvement;

b. mediation: the complaint/expression of dissatisfaction will be discussed with the alleged perpetrator with the aim of resolving the dissatisfaction;

c. handling: the complaint will be investigated by the complaints officer in order to make a decision on its merits.

d. Claim for damages: the complaint is handled by the claims handler appointed by the Management Board to assess the claims for damages.

8.4. Where appropriate for the complaint/expression of dissatisfaction, a combination of routes a through d is possible. All this will be done in close consultation with the complainant and the employees involved.

If these possibilities are insufficient to resolve the complainant's dissatisfaction, the complaints officer will provide brief information about and refer to external possibilities such as disciplinary law, criminal law and submitting a notice of liability

8.5. If desired, the complaints officer will provide the complainant with support in formulating the complaint within the possibilities offered by the provider for complaints handling.

The complaints officer does not offer any support for the handling of complaints by external organisations.

Article 9. Complaints mediation

9.1. In the event of complaints/expressions of dissatisfaction concerning an employee, the complaints officer will first give the alleged perpetrator(s) the opportunity to respond to the complaint/expression of dissatisfaction.

9.2 The complaints officer will inform the supervisor/director responsible in this respect about the complaint/expression of dissatisfaction or the aspect of the complaint that concerns the supervisor/director, and discuss with him/her the desired (re)action.

9.3 Any follow-up steps will be determined in consultation with the responsible supervisor/director of the organisation.

9.4 If desired, the complaints officer can have a mediating/supporting role in the further handling of the complaint/expression of dissatisfaction.

9.5. If desired, the complaints officer will inform the complainant of the reaction(s) of the alleged perpetrator and, if necessary, explain them.

9.6. The complaints officer strives to handle the complaint/expression of dissatisfaction within 2 working days of receipt and to settle it within 4 weeks. If the settlement takes longer than 4 weeks, the complaints officer will inform the complainant about this.

9.7 If the complainant is of the opinion that the complaint/expression of dissatisfaction has been satisfactorily resolved, the complaints officer will conclude the complaint/expression of dissatisfaction and record it in accordance with Article 8, paragraph 3, sub a.

PART VI. COMPLAINTS PROCEDURE

Article 10. Duties and powers of the complaints officer

10.1. The complaints officer will investigate a complaint and issue written advice on its merits, accompanied by recommendations if possible.

10.2 For the performance of his tasks, the complaints officer is authorised to:

a. Conduct an independent investigation, including obtaining additional relevant information and requesting documents from the complainant and the alleged perpetrator; hearing both sides of the argument;

b. Inspect the complainant's client file, in so far as necessary for the assessment of the formal complaint.

c. Consult internal or external experts if the complaints officer is of the opinion that he has insufficient expertise to give a sound opinion on the formal complaint. Both the complainant and the alleged perpetrator may request the advice of an (external) expert. The necessary documents will only be provided to the expert with the prior written consent of the complainant.

d. Provide solicited and unsolicited advice to the Management Board.

10.3. The complaints officer is not authorised to give an opinion on any culpability or liability. In case of claims for damages, the complainant is referred to the Management Board. This does not affect the fact that, upon request, the complaints officer will give an opinion on whether or not a complaint is well-founded.

10.4. The complaints officer will ensure that the complaints submitted and settled are registered.

10.5. In situations not provided for in these regulations, the complaints officer will submit the matter to the Management Board.

Article 11. Procedure for complaints handling of formal (or written) complaint

11.1. The complaints officer will inform the complainant of the receipt of the formal complaint within one week of submission of the formal complaint.

11.2. If, in the opinion of the complaints officer, a formal complaint submitted is inadmissible, the complainant will be informed of this as soon as possible, stating the reason.

11.3. If, in the opinion of the complaints officer, a formal complaint contains insufficient information to be dealt with, he will give the complainant the opportunity to provide additional information within two weeks. If the relevant information is not provided in good time, the complainant's complaint may be declared inadmissible. If the complainant rightly invokes

force majeure, the complaints officer may decide to extend the two-week period. The statutory period does not commence until all relevant documents for the handling of the formal complaint have been received in full.

11.4. If the complaints officer is of the opinion that the formal complaint submitted to him is eligible for mediation and no attempt has yet been made to that end at an earlier stage, the complainant will first be offered mediation. The complainant then decides whether the formal complaint will be taken up as a complaint/expression of dissatisfaction for mediation or whether the complaint will be handled as a formal complaint by the complaints officer.

11.5. If the formal complaint is taken up for processing, the complainant/the alleged perpetrator will be notified as soon as possible with information about the further procedure.

11.6. The complaints officer applies the principle of hearing both sides of the argument.

11.7. A file will be kept of the handling of the formal complaint. The complaints officer is responsible for registration, file management and archiving.

Article 12. Advice of the complaints officer and opinion of the Management Board

12.1. After hearing both sides of the argument, the complaints officer will issue advice on the merits of a formal complaint or part of the complaint, accompanied by recommendations to the provider if possible, and will record this in writing.

A formal complaint is well-founded if the complainant is found to be in the right. A formal complaint is unfounded if the complainant is not found to be in the right.

12.2. The complaints officer will send his advice and any recommendations to the complainant, the alleged perpetrator and the Management Board within 6 weeks of receipt of the formal complaint. If, in the opinion of the complaints officer, the handling of the formal complaint cannot be completed within 6 weeks, the complaints officer will notify the complainant thereof in writing or by email, stating the new period. This period may be extended by a maximum of 4 weeks.

12.3. The complainant reserves the right to withdraw their formal complaint in the interim. In that case, the complaints officer will not arrive at an opinion on the merits of the formal complaint. Based on the facts presented, the complaints officer will send a final notification to the complainant and the alleged perpetrator

12.4. In the formation of an opinion, the complaints officer strives for consensus.

12.5. The decision includes at least a substantiated opinion on the merits of the formal complaint or partial complaint, access to the documents on which his opinion is based, information about the manner of handling, any recommendations, a date and signature. The decision must be phrased in such a way that it is clear and verifiable to all parties involved.

12.6. In this context the complaints officer will come up with any recommendations and/or measures to be taken on behalf of the Management Board.

12.7. The complaints officer will ensure that the complaints file is destroyed, two years after the complaints handling has ended.

12.8. No appeal is possible against the complaint officer's advice or the opinion of the Management Board, but the complaints officer/the Management Board may revise the advice/opinion if new facts and circumstances give cause to do so.

12.8 If the complainant is not satisfied with the outcome of the formal complaints procedure, the complainant has the option of submitting the formal complaint to the dispute resolution body for assessment in accordance with Article 17.

Article 13 Deadline for submission of complaint

Babymanager applies a one-year deadline

for submitting a complaint. The organisation has the option of making an exception to this deadline if it 'turns out that the complaint has been submitted by the complainant as soon as possible as the complainant could reasonably be expected to do so'.

The one-year period is not intended to deter people. The chance of a successful complaints settlement decreases when a client waits too long in submitting a complaint. For this reason, the organisation has chosen to apply a period of one year. *(The law has no deadline for submitting a complaint. According to Article 6 of the European Convention on Human Rights (ECHR), everyone has the right to hear their case 'within a reasonable period of time').*

PART VII. OTHER PROVISIONS

Article 14 Non-handling of a complaint; withdrawing and discontinuing the complaint/expression of dissatisfaction

14.1. If a complaint expires due to the expiry of a certain period of time or by other circumstances cannot reasonably be (properly) explored, the complaints officer may decide not to process the complaint. The complainant will be informed of this in writing, stating the reason for not handling the complaint.

14.2 A complaint will not be dealt with further if the complainant withdraws the complaint. The complainant may withdraw the complaint by stating in writing/digitally that he does not want a further handling of the complaint by the provider. The withdrawal will be confirmed to the complainant in writing/digitally.

14.3 If the complaint is withdrawn orally, the withdrawal shall be confirmed in writing to the complainant, stating the date of the telephone call and possibly the reason for withdrawal.

14.4. In case of an urgent reason, the provider can decide to discontinue the handling of the complaint. An urgent reason exists, for example, if the complainant is aggressive towards the complaints officer or other staff members or otherwise misbehaves seriously so that continuation of the handling of the complaint can no longer be reasonably expected of the provider. The complainant will be informed in writing of the discontinuation of the handling of the complaint and the reason for this.

Article 15 Confidentiality

Anyone who is involved in the handling of complaints and, in the process, receives information of whose confidential nature he is aware or should reasonably suspect to be confidential is obliged to keep it confidential, except in so far as a statutory provision requires disclosure or in so far a need to disclose arises from his duty in the implementation of the complaints procedure.

Article 16 Registration and retention period

16.1. Data concerning the complainant, the alleged perpetrator and the complaints procedure are collected and processed in so far as this is necessary for the proper handling of the complaint. The manner in which complaint data are stored in a complaint file complies with the General Data Protection Regulation (GDPR). These data are carefully and confidentially recorded and processed.

16.2. The data resulting from the complaint reception and handling procedure are systematically collected and evaluated and used in anonymised form for policy-making and improvement processes.

16.3. Information about a complaint interview or complaints procedure will not be included in a client file. The complaint file and all complaint documents will at all times remain separate from the client file of the data subject(s).

16.4. The complaint file will be destroyed two years after the end of the complaints procedure to which this file pertains.

Article 17 Other complaints and reporting options

These regulations have no effect on your possibilities to submit complaints or report them to other bodies.

Article 18: Costs

18.1 No costs will be charged to the complainant or the alleged perpetrator for handling complaints based on these regulations.

18.2 The costs of external support or assistance, called in on the initiative of the complainant or alleged perpetrator, and the costs of the representatives, witnesses or experts involved in the handling of the complaint by the complainant or alleged perpetrator will be at the expense of the party or parties concerned.

Article 19 Disclosure of complaints procedure

The Management Board shall ensure that these regulations are adequately brought to the attention of clients and their representatives. The (current) regulations are available via Babymanager's website.

QUALITY AND FINAL PROVISIONS

Article 20 Quality

20.1 The provider wishes to learn from the complaints and thus continuously improve the quality of its range. To this end, both individual complaints and trends are analysed in terms of possibilities for improvement.

20.2. If possible, preventive or corrective improvement measures will be taken in response to a complaint submitted in order to reduce or prevent the risk of recurrence of the complaint.

20.3. Complaints are registered in the registration system. With the aid of this registration system, anonymised management information is generated every six months and per year and made available to the Management Team and Supervisory Board within the organisation. On the basis of this information, trends are analysed.

20.4. The Management Team and Supervisory Board receive semi-annual and annual reports in response to the complaints identified and receive solicited or unsolicited advice on the bottlenecks and improvement processes.

20.5. Periodic meetings are held with the Quality Department and Babymanager's Management Team.

Clause 21 Final provisions

21.1 the Management Board shall adopt or amend the complaints procedure.

21.2 Proposed decisions to amend these regulations shall be submitted by the Management Board

for advice to the Quality Department.

21.3 Proposed decisions to adopt or amend these regulations will be submitted by the Management Board for advice to the Client Council and for approval to the Works Council.

21.4 These complaints regulations will take effect on the day of adoption by the Management Board. This means that earlier versions of complaints regulations are cancelled.

On behalf of Babymanager

Date: 8 March 2022

J.J.A. Dorscheidt,
Director

ANNEX

Addresses

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