

What to do in case of suspected wrongdoing?

Situations of wrongdoing may occur in any organisation. It is important that we handle situations of wrongdoing carefully, in order to learn from them and improve. In the 'TNO Regulation on suspicion of wrongdoing' you can read what to do in case of (suspected) wrongdoing. This infographic summarises the regulations.

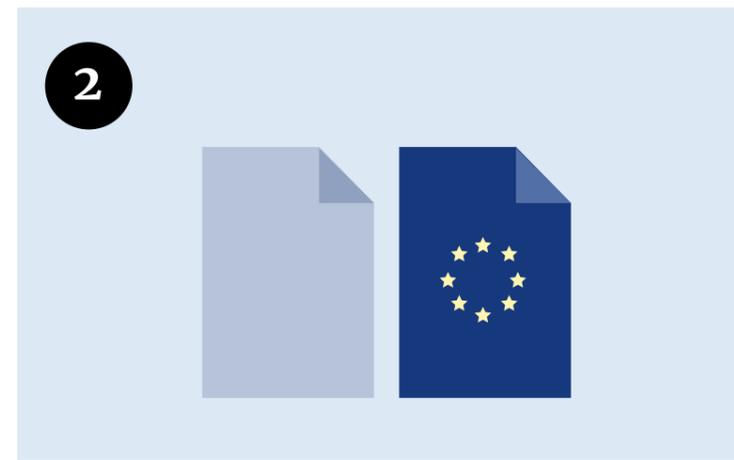


1 Is this a situation of wrongdoing?

The regulations are intended for situations of wrongdoing possibly with social consequences. For instance:

- A violation of legislation or regulations
- A possible danger to public health, the safety of individuals or the environment
- A violation of the TNO code
- A violation of scientific standards of integrity

Are you in doubt as to whether this is a situation of wrongdoing? Discuss this (possibly first with a confidential advisor) with the Integrity Contact Point.



2 Does it concern European rules?

If it concerns a violation of Dutch legislation, only the 'TNO Regulation on suspicion of wrongdoing' applies. If European legislation and regulations are involved, the Addendum to the regulation applies as well. That addendum arranges for a number of issues, including additional protective measures.

Together with you, the Integrity Contact Point will determine whether European legislation and regulations may be at issue.

 Please click [here](#) to see which European legislation and regulations may be at issue.

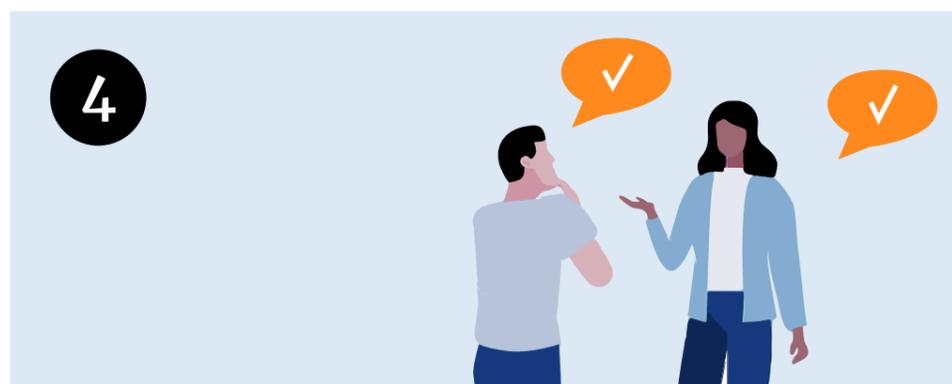


3 We protect your position

You are protected from prejudice and disadvantage

- We will do our utmost to avoid any disadvantaging. Therefore, you will not be dismissed because of any report you make.
- You may always turn to a confidential advisor. Refer to the Integrity Platform on intranet for an overview of the confidential advisers.

 **Is it a violation of European rules? In that case, people close to you will also be protected from prejudice. You may also remain anonymous when you make a report**



4 Discuss the situation

There are some things you can do yourself:

- Discuss the situation with the person concerned, if appropriate. This may be done with the help of your supervisor.
- Discuss the situation with your supervisor.
- Contact a confidential advisor.

If a discussion does not lead to a proper solution, or if you do not trust that the proposed solution will work, you can always make an internal report.

5 Internal report

You may make an internal report

This is done in writing to your supervisor or to the Integrity Contact Point. If your report concerns the Executive Board, you may also turn to the Supervisory Board. A confidential advisor can help you with the report, anonymously if you wish. You will receive confirmation of receipt within 3 working days and a (preliminary) opinion from the Executive Board of TNO within 5 working days.

 **Is it a violation of European rules? In that case, you may also report it verbally.**

Investigation

If necessary, we will carry out an investigation. We will complete this investigation within 8 to 12 weeks, unless the case is very complex. After completion, you will receive a decision within 10 working days.

Appeal

If you disagree with the opinion or the results of the investigation, you may appeal to the Executive Board. After that, you may appeal to the Supervisory Board.

6 External report

You may make an external report

If you do not agree with the position of the Executive Board or if it takes too long, you may submit the report to an external body, such as the Dutch Whistleblowers Authority (Huis voor Klokkeluiders).

 **Is it a violation of European rules? In that case, you may make an external report immediately. However, it is appreciated if you make an internal report first.**

Disclosure

If it is a violation of European rules, you may make the situation of wrongdoing public. But only if you have made a report and no effective action has been taken. Or if you have reasonable cause to assume that:

- the violation may endanger the public interest; or
- there is a risk of prejudice in reporting to an external body; or
- if the external body is unlikely to be able to remedy the violation effectively due to special circumstances, for instance, (a demonstrable threat of) misappropriation or destruction of evidence.

When are European rules at issue?

If European legislation and regulations are at issue, the Addendum will apply in addition to the TNO Regulation. It contains the provisions that apply in this case in addition to the Regulation. Below is an overview of topics that are regulated at a European level. If the wrongdoing (or suspicion thereof) concerns one of these topics, please also consult the Addendum.

Traffic and transport safety

There are several European rules on:

- The safety of rail and air traffic.
- Road safety, for instance safety requirements for infrastructure such as tunnels and bridges.
- Maritime safety, for instance on investigations into accidents at sea and the inspection of ships.
- Transporting dangerous goods by road, such as chemicals or explosives.

(Renewable) energy

There are, among other things, European rules on:

- Financial support for the use of renewable energy.
- Sustainability and greenhouse gas emission reduction criteria for biofuels.
- Efficient use of renewable energy.
- The methods used to measure and report emissions.

Animal welfare

There are, among other things, European rules on:

- Animal testing and monitoring compliance with these rules.
- The protection of rare birds.
- Diseases communicable to animals.

Chemistry & nuclear energy

There are, among other things, European rules on:

- The registration, evaluation, authorisation and restriction of chemical substances (REACH).
- Safety regulations for working with radioactive material and for nuclear power generation.

Environment

There are, among other things, European rules on:

- Monitoring and reporting of air, water and noise pollution.
- Assessing and managing flood risks.
- Setting emission standards for vehicles.
- Assessing the impact of construction projects on the environment.
- Developing and using substances that deplete the ozone layer.
- Developing infrastructure for alternative fuels, such as electricity (charging stations), natural gas and hydrogen.
- Emission caps for certain air pollutants.
- Limiting the adverse effects of fishing.
- Preventing the spread of invasive flora.
- Waste management, such as import and export of chemicals, prevention of waste and monitoring compliance with waste management regulations.

Health

There are several European rules on:

- Drug testing.
- Safety regulations for the manufacture and use of medical products.
- Organ donation.
- Manufacture of tobacco products.

Privacy

There are, among other things, European rules on:

- Compliance with the GDPR/AVG.

Financial, Tenders & Competition

There are, among others, European rules on:

- Ensuring free market forces.
- Tender procedures.
- State aid.



Good to know

As you can see, many different subjects are regulated by European laws. If your situation of (suspected) wrongdoing concerns legislation or regulations that have been violated, there is a good chance that European rules are also at issue. In that case, the addendum applies.

However, this will not be the case for every situation of wrongdoing. There may also be a case of wrongdoing without any violation of legal rules, but which may have social consequences. For instance, if there is a danger to:

- Public health
- The safety of individuals
- Environmental degradation
- The proper functioning of TNO.

In that case, only Dutch legislation and the TNO regulations apply. This also applies to reports on (i) inadequate follow-up to complaints about unsafe culture/situations of transgressive behaviour in the workplace, (ii) violations of social legislation, or (iii) forms of misuse of non-European subsidy funds. This type of report does not fall within the scope of the Union acts listed in the Directive, but could well qualify as a situation of wrongdoing for which the person reporting would enjoy protection under national law.



Are you in doubt about a possible violation of European rules? In that case, you may consult the TNO Contact Point. If you want to stay anonymous, you can contact a confidential advisor.