



# NL Agency complaints procedure

## Article 1

**In these Regulations, the terms are defined as follows:**

- a) management team: the directors of the five divisions and the operational director under the chairmanship of the general director
- b) general director: the general director of NL Agency
- c) director: the general director or the director of one of NL Agency's five divisions or the operational director;
- d) manager: manager of NL Agency
- e) complainant: the person submitting a complaint;
- f) complaint: a notice of complaint as defined in Art. 9:4 of the General Administrative Law Act.

## Article 2

- 1) Under Chapter 9 (Handling complaints) of the General Administrative Law Act, everyone has the right to submit a complaint to NL Agency about the way NL Agency has behaved toward him or toward another.
- 2) If another official procedure at NL Agency has been opened to handle a dispute, then that procedure is the one to be followed, not the complaints procedure.
- 3) These regulations serve as addition to the provisions in Chapter 9 of the General Administrative Law Act.

## Article 3

NL Agency's Legal Affairs department handles complaints regarding NL Agency, unless the general director has decided that a designated staff member shall be assigned to handle a specific complaint.

This always occurs when the complaint concerns the Legal Affairs department.

However, this department remains responsible for administrative support.

## Article 4

The director in charge shall decide about the complaint unless the procedure is stopped because, at some moment during the complaint's processing, the complainant became satisfied that the complaint was resolved or because the complainant has withdrawn the complaint.

## Article 5

- 1) When a complaint arrives, NL Agency sends it immediately to the Legal Affairs department.
- 2) The Legal Affairs department records the complaint in the complaints register that this department maintains. This register contains and, where needed, archives the documents relating to the complaint.
- 3) The Legal Affairs department will immediately notify the manager under whose responsibility the actions took place.
- 4) The Legal Affairs department is responsible for assessing whether the complaint meets the legal requirements and for the prompt confirmation of receipt of the complaint to the person who sent it. An information folder entitled "Processing Complaints" containing these regulations is included with the notice of receipt.

## Article 6

- 1) When there is a complaint, the manager directly responsible for the cause of the complaint will contact the complainant by phone immediately and certainly within five workdays of the complaint's arrival at NL Agency.
- 2) After a telephone call, the manager will draft a brief report on whether the complainant formally persists with the complaint. The manager then will then send the report to the Legal Affairs department.

## Article 7

If the telephone conversation leads to a solution satisfactory to both parties, then the following articles shall not apply.

## Article 8

If the telephone contact does not lead to a solution satisfactory to both parties, the manager shall notify the complainant that NL Agency has an extensive complaints procedure and that this will now go into action.

## Article 9

- 1) The complainant and the person whose action gave rise to the complaint will be given an opportunity to be heard, each in the other's presence where beneficial.



- 2) It will not be necessary to question the complainant if the complaint is clearly unfounded or when the complainant has waived the right to be heard.
- 3) A report of the hearings will be drafted.
- 4) If necessary, the Legal Affairs department will seek further information from third parties.

#### Article 10

- 1) The complaint will be handled by one or more persons who have not been involved in the action that gave rise to the complaint.
  - 2) The first clause does not apply when the complaint concerns the general director's behaviour.
- In that case, the general director may participate in the handling.

#### Article 11

- 1) The information received is used to draft a report containing the complaint, the findings, the conclusions and, when appropriate, a recommendation.
- 2) The report is sent to the director in charge, or, if the complaint concerns a member of the management team, to the general director.

#### Article 12

The director in charge will notify the complainant in writing of the findings of the investigation into the complaint and of any conclusions linked to them.