

D A Design Academy
E Eindhoven

Design Academy Eindhoven

Code of Conduct

31 August 2021

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Introduction

Everyone in our organization has the right to a safe, ethical workplace and that is why we will make every effort to prevent undesirable behaviour and unethical behaviour.

Working and studying safely at DAE is about desired manners and acting with integrity. It means dealing with each other with respect, care, responsibility and credibility and respecting the norms and values, rules and agreements within and for the organization. The strength of our organization is determined by the people who work and study there. That is why we believe the manners, integrity, communication and management methods are essential for the realization of a safe and honest work and study climate.

We will not only draw up policy, we also believe in the importance of paying attention to the implementation of this policy as it is an inseparable part of our professional conduct. The policy also provides line managers with insight into the framework and the options for effectively fulfilling their tasks and responsibilities in this area.

Accountability is key. By publishing this Code of Conduct we allow students, tutors and staff to familiarize themselves with its contents and report any inappropriate behaviour

The route in reporting inappropriate behaviour will be accessible, transparent and above all safe.

This Code of Conduct is the point of departure for the revision of other DAE regulations and provisions. Compliance with the rules is mandatory. If one fails to comply to these rules (or other regulations to which these rules refer), they will be held accountable for their behaviour and actions, at first by their respective manager.

Depending on the nature of the violation, suitable disciplinary actions or imposition of sanction are taken as set out in the Collective Agreement for Universities of Applied Sciences, chapters P and Q. For students the possible sanctions are: warning, reprimand, denying the access to buildings and areas, denying the use of a provision or denying access to certain classes for the duration of at the most one year. For tutors (including coordinators, studio leaders, heads and professors) and staff the sanctions are: reprimand, suspension and dismissal. The Executive Board has the power to execute all sanctions.

The Policy Safe working and studying at Design Academy Eindhoven has been adopted by the Executive Board of DAE, after consultation of the Institutional Participation Council (IPC) on 31 August 2021.

The policy applies to all students and employees of DAE. (See internal complaints procedure Article 1sub 4).

Former employees and former students can make use of this scheme up to one year after leaving employment or deregistration.

The policy also applies to our customers and suppliers

Definitions

| | |
|--------------------------------|---|
| <i>DAE Community</i> | <i>Students, tutors, coordinators, heads, studio leaders, readers, and staff</i> |
| <i>Executive Board</i> | <i>the University's competent authority overseeing the DAE complaint system.</i> |
| <i>Tutors</i> | <i>All those involved in teaching activities, independent of type of contract (freelance or employment) or part of the curriculum (department, studio, elective, basic). Including coordinators heads, studio leaders and professors.</i> |
| <i>Staff</i> | <i>All those who support DAE education activities, independent of type of contract (freelance or employment) such as workshop instructors, librarian, administration etc.</i> |
| <i>Manager</i> | <i>The person one directly reports to according to the organizational chart.</i> |
| <i>Student counsellor</i> | <i>Independent officer who advises students and guides them in case of personal problems of material and immaterial nature and who mediates when necessary, as referred to in article 7.34 WHW.</i> |
| <i>Mentor</i> | <i>Helps students with personal study problems. The mentor looks together with student to see how the students can tackle these challenges and supports the student in this process. The mentor can also refer a student to the student counsellor.</i> |
| <i>Study coach</i> | <i>Supports students in their study process, career development and professional development and in developing new structures.</i> |
| <i>Confidential counsellor</i> | <i>available for all DAE students, tutors and staff to discuss issues and complaints of all kinds of undesirable behaviour and to discuss possible next steps. The confidential counsellor works completely independent and in strict confidence.</i> |
| <i>Complaints committee</i> | <i>The committee that is formed based on the type of complaint</i> |

ROADMAP

Design Academy Eindhoven wants to offer an environment in which every member of the community feels safe. We expect students, tutors and staff to act responsible in the context of a safe DAE learning and working environment. We expect every member of our community to refrain themselves from unacceptable behavior at all times. We do not tolerate any form of discrimination, harassment, bullying or fraud.

If a situation occurs in which you feel the integrity is violated we want to lay out for you which steps there are to take. We strive towards a culture in which everyone feels safe and secure to address each other personally to resolve an issue or conflict.

There are situations however, in which you might not feel comfortable or safe in addressing the person involved directly. In those instances you can contact the confidential counsellor to explain the situation.

| | What | Step 1 | Step 2 | Step 3 | Step 4 |
|---------------------|--|--|---|--|--------------------------------|
| Tutor Staff | Conflict of interest You feel like you have a conflict of interest. Think about (financial) collaborations, ancillary activities etc. You proactively start the conversation | Manager | | | |
| Tutor Staff | Suspected wrongdoing You want to report activity that is harmful for the Academy. Think of: <ul style="list-style-type: none"> • criminal offences; • Deception of an accountant • Hazard to health, safety and/or environment. • A risk that the academy is grossly disadvantaged due to handling or withholding of information | Manager | Contact person Whistle blowers | External committee Whistle Blowers | |
| Student Tutor Staff | Misconduct You experience (sexual) intimidation, discrimination, racist behavior, aggression, violence, threat, bullying or gossip by a staff member or student of Design Academy Eindhoven | Person involved (if possible; if not go to step 2) | Students: Student counsellor or Mentor Tutors/staff: Manager | Confidential counsellor misconduct | Complaint committee misconduct |
| Tutor Staff | Dereliction of duty You suspect gross dereliction of duty of a tutor/ staff member of DAE. Think of <ul style="list-style-type: none"> • Violation of regulations • Act or omit what should not be done or omitted Examples are theft, billing fraud and stalking | Person involved | Manager | Human Resources Manager/Complaint Committee/External committee Whistle Blowers ¹ | |

| | | | | | |
|------------------------------------|--|-----------------|------------------------|--|---|
| Student Tutor Staff | Scientific integrity You suspect violation of scientific integrity. Think of: <ul style="list-style-type: none"> • Influence or misinterpreting research results • Feigning data • Bias or dependency • Plagiarism or violation of copyright Other scientific misconduct of colleagues | Person involved | Manager or Coordinator | Confidential counsellor scientific integrity/ Ethical advisory committee ? | Complaints committee scientific integrity |
|------------------------------------|--|-----------------|------------------------|--|---|

¹ Depending on the type of violation.

1. Misconduct

Introduction

Our policy on how to deal with suspected misconduct is meant for the DAE community as a whole: students, tutors and staff.

This section aims to guide you if you experience (sexual) intimidation, discrimination, racist behavior, aggression, violence, threat, bullying or gossip by a staff member or student of Design Academy Eindhoven.

In the concluding paragraph of this section we set out the action you can take when you experience misconduct.

We do not accept discrimination

Our greatest responsibility towards the community is to ensure a safe environment in which the wellbeing of everyone, both students and tutors and staff, is guaranteed. It is only in an environment of harmony and reciprocal respect that we will be able to achieve these goals as an institution.

An environment in which inclusion, diversity and tolerance are natural. Everyone should feel welcome and safe on the physically and digitally premises of DAE.

We therefore do not accept discrimination in any form based on religion, beliefs, political opinion, racial background, gender, sexual orientation, civil status, disability or chronic illness, age, contract (freelance or employment contract).

We provide emotional safety

Everyone has the right to a safe work and learning environment. Both physically and emotionally. We do not allow any form of harassment, bullying, discrimination, gossip, coercion or threats of any kind.

We expect our tutors and staff to safeguard the emotional and physical safety of all colleagues and students.

DAE should be a safe environment for all its students, tutors and staff. Those who do not respect or who violate this safe environment do not belong to our community. Possible sanctions for students are: warning, reprimand, denying access to building(s) and area(s), denying the use of a provision or denying access to certain classes for the maximum duration of one year. For tutors (including coordinators, studio leaders heads, professors) and staff the sanctions are: reprimand, suspension and dismissal. The EB has the power to execute all sanctions.

All students, tutors and staff – the EB included – must at all times be aware of the responsibility they carry and act accordingly. Ensuring DAE is a safe space for all, and not just for some, is the responsibility of the Executive Board.

We expect professional behaviour and accountability

We expect our community to treat each other professionally and respectfully. We as an academy will take our responsibility. Inappropriate behaviour should not only be reported by the community (which is a passive way from an institutional stand point), we will actively adapt our structures to promote a safe and ethical environment. <Line managers, coordinators?> will be trained to recognize unacceptable behaviour and conduct more effectively so they can act appropriately without delay.

We expect Integrity

We expect our tutors and staff to be honest and sincere, be not open to corruption and to perform their duties competently and with care.

They take into account the responsibilities associated with their role, as well as the applicable standards and values within DAE.

Integrity goes beyond how we treat each other. Unethical and unacceptable behaviour includes:

- abuse of powers, prior knowledge or personal information;
- allowing yourself to be influenced when taking stand or given opinion (e.g. by a personal relationship, social status or a hierarchical relationship).
- Allowing yourself to be bribed to turn a blind eye
- Giving preferential treatment to family members or friends

We expect our community to act ethical, transparent, open, honest and trustworthy.

The rules of conduct provide guidance when making decisions where there is an element of discretion: your actions can be assessed in advance against the rules, and other people's action can be assessed in retrospect.

We promote a culture of feedback and accountability.

We expect our tutors and staff to take responsibility for their own actions and behaviour and to work together in a professional manner.

We promote a culture of feedback in an accurate, respectful but direct way, without engaging into gossip.

Line-managers will encourage this culture.

We see ourselves as a learning organisation in which tutors and staff report their own mistakes, oversights, misunderstanding and incidents to their line manager. If the line manager cannot be consulted, the tutor/ staff member is to contact a confidential counsellor.

Our Language Policy will aid inclusiveness

To provide an inclusive environment, all communication within the learning environment (both physically and digitally) is in English. Exceptions form those instances in which both teacher and student (group) are comfortable with and in another shared language than English (like Dutch). This will be on the request of the student.

English remains the default language of instruction and international students may never be excluded from any form of education or communication, due to the use of the Dutch language.

An above average command of the English language, both written and orally, is therefore a prerequisite of teaching and studying at and working for Design Academy Eindhoven.

We acknowledge the important role language plays in addressing all gender identities.

We are a learning community with as a common goal that all students, tutors and staff are addressed by their preferred pronouns.

See for further details DAE's Language Policy in appendix I.

Our standpoint towards consensual intimate relationships

Intimate relationships between students and tutors/ staff

Intimate relationships, even if they are consensual, between students and tutors/staff are inadmissible for Design Academy Eindhoven.

The impact it has on areas as authority, judgement, sense of security, mutual understanding and our integrity cannot be underestimated.

Intimate relationships between tutors/staff and students fall therefore under unacceptable behavior.

Tutors/ staff must not invite students to their home or visit students in their homes. If a meeting cannot take place in DAE's building, it must take place on neutral ground, in a public space.

Intimate relationship between tutors and/ or members of staff

Intimate relationships between tutors and/or members of staff are a private matter.

The relationship must never impact the work or learning situation of the member(s) of staff and/or colleagues in any way.

Tutors/members of staff are aware that an intimate relationship, even if it is consensual, can become problematic at any time if it involves a dependency or hierarchical (power-based) relationship.

Therefore, partners of DAE employees are excluded from DAE vacancies and application procedures.

Tutors/staff must always inform their line manager of a consensual intimate relationship. Any information that they provide will be treated as strictly confidential.

The line manager and the individual(s) concerned will discuss the potential consequences for the work or learning situation.

If possible, further agreements will be made, where appropriate in conjunction with HR. Sometimes a different workplace can be found or a timetable can be adapted, but this is not a right. Potential solutions to the problem will always be explored if, in the line manager's opinion:

- there is (or has been) a hierarchical (power-based) relationship between the tutors/ members of staff concerned;
- the tutors/ members of staff concerned collaborate or have collaborated directly and/or at structural level;

Action in the event of unacceptable behaviour

| Step 1 | Step 2 | Step 3 | Step 4 |
|-----------------|---------|------------------------------------|--------------------------------|
| Person involved | Manager | Confidential counsellor misconduct | Complaint committee misconduct |

Design Academy Eindhoven's Executive Board will not tolerate misconduct. On the one hand, it feels responsible to protect the worker or student against improper complaints made against them and possibly imposing sanctions too quickly, and, on the other hand, it would like to offer anyone involved in the University's activities adequate opportunities for making legitimate complaints known. The Board's intentions are set out in these Misconduct Complaints Procedure (appendix II) Specifically, two measures have been instituted in the regulations:

- a. the appointment of confidential counsellors;
- b. the establishment of a misconduct complaints committee.

Route in the event of unacceptable behaviour

Concerns in this respect are –when possible- first to be discussed with the person(s) concerned and if necessary subsequently with the line manager (see appendix for the Organizational chart).

If the situation however does not allow for an (emotional) safe situation in which such a conversation could take place, one can directly turn to the confidential counsellor to seek advice.

Students can express their concerns in a similar way; –when possible- with the person concerned, if necessary with the student counselor/ mentor.

If the situation does not allow for an (emotional) safe situation in which such a conversation could take place, one can directly turn to the confidential counsellor to seek advice.

One can then turn to the Complaint Committee Misconduct if the situation did not get resolved with the above-mentioned steps. The confidential counsellor will guide you in this process.

The confidential counsellor will:

- act as a contact person for the complainant or the accused party (listening, providing advice);
- take action at the complainant's request, for example, performing mediation or initiating a complaints procedure for additional, independent investigation to possibly have appropriate measures taken against the accused party based on the conclusions arising from the investigation, as well as, if necessary, providing support in this respect;
- represent the accused party in the mediation process or complaints procedure;

- refer the complainant or accused party on, if appropriate, to support agencies;
- provide information about misconduct;
- furnish follow-up care to the complainant or accused party if desired;
- advise the Executive Board on policy measures to combat misconduct.

2. Conflict of interest

Introduction

Our policy on how to deal with conflict of interest is meant for tutors and staff. This section aims to guide you if you feel like you (are about to) find yourself in a conflict of interest. In the concluding paragraph of this section we set out the action you can take.

Our Policy on how we work with third parties

Gifts and hospitality

We expect tutors/staff to be cautious when accepting gifts and hospitality from third parties. We want to avoid (giving the impression of) dependency and personal financial and that a gift could (have) influence(d) the services and integrity of Design Academy Eindhoven.

The responsibility for a correct assessment, lays with the tutor/staff member themselves. When in doubt, they should consult their line manager.

We take the following principles into account:

- We do not accept gifts during the course of our work have an estimated value of more than €25;
- We do not accept gifts or invitations for which the giver (could presumed to) expect a return or favour in the (near or far) future;
- We do not accept benefits from companies or organisations with whom we have a professional relationship. This also applies to (potential) suppliers of the academy and in the context of a tender, for example.

External events and activities

External events – including trips, conferences, study visits and activities such as lunches, dinners and receptions at external invitation – must be functional and always in DAE's interests.

To avoid the impression of conflict of interest:

- Tutors/staff must only accept the invitation with the prior consent of the director or their line manager. The line manager will decide whether the invitation is reasonable and functional.
- Any costs of participation will be paid for by Design Academy Eindhoven, in accordance with the applicable rules.
- Tutors/staff must not participate in external events or activities of (candidate) suppliers if it is known that discussions or negotiations are ongoing between DAE and the supplier, in the context of a tender, for example. This does not apply if participation is in DAE's interests. The condition is that such participation does not affect the independent position of the tutor/member of staff concerned. It is up to the director of the line manager to determine whether that is the case.

- If an employee receives an allowance or a gift for participating in excursions, work visits, study trips, conferences or events, then - depending on the concrete circumstances of the case, the principles as mentioned under 'Gifts and Hospitality' apply.

Procurement

In various parts of Design Academy, members of staff are required to enter into financial obligations. It is particularly important that they are fully aware of the rules of conduct and comply with them to the letter. When it comes to integrity, a procurement process is highly sensitive. Since Design Academy is spending public money, the process must be meticulous, efficient, lawful, transparent and independent and there must be fair competition. For more information on this, see our General Terms and conditions of purchase and supply.

Staff must not make purchases for private use through Design Academy.

All written and verbal agreements entered into directly or indirectly on behalf of Design Academy Eindhoven must be documented in such a way that they can be audited by auditors or otherwise.

Suppliers

Members of staff who purchase goods and services must provide all suppliers with correct and accurate information. They must not request quotations with the sole purpose of establishing a budget or comparing suppliers. They must only request quotations from suppliers that have a chance of winning the contract. Staff must not put suppliers under pressure to supply information on the competition.

They must treat all price, product and process-related information that they obtain from suppliers during quotation processes as confidential. Suppliers must be selected on the basis of objective criteria, not on the basis of personal preferences. During the selection process, all potential suppliers must receive the same information. Staff must never ask for services in return, nor suggest they will offer services in return. In the event of doubt, they must contact the Procurement Centre.

Our Policy on avoiding conflict of interest

Interests and conflicts of interest

Tutors/staff must avoid giving rise to a conflict of interest between their private and business dealings. They must always put DAE's interests first.

Tutors/staff must avoid (giving the impression of) material and immaterial conflicts of interest. Material conflicts of interest involve property or money; immaterial conflicts of interest involve personal or business relationships. If, notwithstanding, there is or appears to be a conflict of interest, the tutor/staff member must notify their manager immediately.

Business or financial interests in other organisations

Tutors/members of staff must keep a written account of their business or financial interests in organisations with which DAE maintains business contacts, in so far as they are (or should be) aware of such contacts. If these business or financial interests arise or change while the employee is working for DAE, the employee must notify their manager immediately in writing. Tutors/staff must not participate through their private business in (grant) processes and/or projects of DAE, unless their line manager consents to it (see also the section on work for third parties).

Agreements with individuals/companies outside of the university

Tutors/staff must not enter into agreements on DAE's behalf with individuals and/or companies outside of the university in which they have or obtain (or could have or obtain) a business, financial or personal interest. Nor should they encourage the signing of such agreements. If, however, in exceptional and compelling cases, an agreement of this type appears to be desirable, the tutor/member of staff should inform their line manager accordingly. The line manager will then consider the interests involved and notify the Executive Board.

Participation in interview/tender procedures

Tutors/staff must not participate in interview or tender procedures if an applicant involved in such a process is known to them personally, and must not be involved in the decision-making associated with these procedures. The same applies if the tutor/member of staff has business, financial or personal interests in a relevant company. In such cases the tutor/member of staff must notify their line manager.

To avoid (the appearance of) conflict of interest:

In the event of equal suitability, Design Academy Eindhoven reserves the right, in situations where one of the applicants has personal ties with a tutor/staff member, to give preference to the applicant who has no personal ties with the tutor/staff member.

Assessment and examination

Tutors/staff must not assess or examine students to whom they are related or with whom they are acquainted. Where this is the case, the tutor/member of staff must notify their line manager, who will then take measures to ensure that the student is not given preferential treatment or disadvantaged as a result. Heads, studio leaders, coordinators and tutors will ensure at all times that assessment and examination is done in a way that the student is solely assessed on its work, the process etc.

Action in the event of (suspected) conflict of interest

| Step 1 | Step 2 |
|---------|--------------------------------|
| Manager | Committee conflict of interest |

Committee conflict of Interest

The Committee Conflict of Interest is entitled to rule or decide if conflicts arise with regard to behavior laid down in this Code of Conduct. The committee consists of an independent chair who does not belong to the DAE community, one tutor or member of staff and one student.

3. Suspected Wrongdoing

Introduction

Our policy on how to deal with suspected wrongdoing is meant for tutors and staff. This section aims to guide you if you suspect wrongdoing that is harmful for the organisation. One can think of criminal offences, hazard to health and safety and so on.

In the concluding paragraph of this section we set out the action you can take when suspect wrongdoing.

Whistleblowers' Regulations

DAE wants to continue to function effectively and to constantly improve the quality of the organisation.

In order to achieve an honest, safe and productive work climate, it is essential to pay attention to integrity, an accessible culture of accountability and good leadership. Integrity is an inseparable part of our professional conduct. Everyone's commitment is necessary to prevent unethical actions. Integrity is the responsibility of management, all supervisors and all employees and students.

The internal reporting of suspected misconduct contributes to this.

In such situations, tutors/staff can use the Regulations for reporting suspected misconduct (Whistle blowers' Regulations).

The Whistleblowers House Act, which came into effect on 1 July 2016, obliges us to establish a procedure for dealing with the report of a suspected abuse: the "whistleblower procedure". DAE offers a reporting procedure to safely report misconduct and irregularities and have them investigated. Abuses and irregularities can be reported to the manager, the Secretary of the Executive Board or via the confidential counsellor. In addition, our reporting procedure offers employees the opportunity to discuss integrity issues confidentially with the confidential counsellor.

Managers are aware that reporting an abuse or irregularity can lead to a labor dispute or that a labor dispute can partly consist of an experienced abuse or irregularity. In that sense, both things can be mixed up. If the labor dispute has overlap with integrity, this integrity policy and the role of confidential counsellor apply to the integrity section.

Events that fall under the Whistle Blowers Regulations are all activity that is harmful for the Academy, like criminal offenses, deception, hazard to health or environment and cases that pose risk to the Academy and the Academy is disadvantaged due to handling or withholding information.

Action in the event of (suspected) wrongdoing

| Step 1 | Step 2 | Step 3 |
|---------|----------------------------------|--------------------------------------|
| Manager | Contact person Whistleblowers | External committee WhistleBlowers |

The options, if an employee suspects malpractice or irregularity or identifies unethical actions, are:

- *Speak to a colleague or supervisor who the employee suspects is acting unethically*
The employee suspects malpractice or irregularity and discusses this themselves with the colleague or supervisor who he suspects is acting in an unethical manner. When the suspicion has been sufficiently treated with this, the procedure ends here.
- *Report unethical actions to the manager*
The employee discusses his suspicion of malpractice or irregularity with the manager of the person who he suspects is acting in a non-ethical manner.

Suspected malpractice cannot be discussed confidentially with a manager. The manager cannot promise confidentiality because he has his own responsibility to act in the event of unethical behavior. The supervisor has the duty to forward a reasonable suspicion of an irregularity or wrongdoing to DAE or to have it investigated.

- *Confidentially discuss suspected malpractice or irregularity with the confidential counsellor*

Sometimes an employee is unable or unwilling to report to a manager or has the need for a confidential conversation. In that case, the employee can contact the confidential counsellor. The confidential counsellor can act as a sounding board and source of information for the employee before the problem is brought to the attention of the organization.

Another reason for engaging a confidential counselor may be that the supervisor themselves is involved in the integrity violation or has his own responsibility / interest in it. It may also be that the employee expects little from reporting to the manager.

A reporter may discuss a situation confidentially with a counselor. The law states that the employee has the opportunity to consult an advisor in confidence about a suspicion of malpractice. In our organization, this advisor is the confidential counsellor. This counsellor can also be a lawyer, a trade union lawyer, a lawyer from a legal assistance insurer or a company doctor.

- *Discuss suspected malpractice confidentially with the advice department of the Whistleblowers Authority*

The Whistleblowers Authority has an advice department and an investigation department. Employees can discuss suspected wrongdoing confidentially at the advice department. Website House for whistleblowers: <https://huisvoorklokkenuiders.nl/>

- *Report a suspicion of malpractice or irregularity to DAE*

The employee decides to report his suspicion of malpractice or irregularity within DAE and thereby appeals to DAE's Regulations for dealing with reporting (suspected) wrongdoing or irregularity (Whistleblower's scheme). This report can be made via the secretary of the Executive Board or via and / or with the support of the confidential counsellor.

DAE will then receive the report and handle it carefully in accordance with the

Regulations on how to report suspected malpractice or irregularity (Whistleblower Policy).

DAE will protect the reporter (and other parties involved) against prejudice, treat the information confidentially, keep the reporter informed investigate the report take a position. If the employee is not satisfied, he can make an external report.

- *Report anonymously via the confidential counsellor*

If the employee suspects malpractice, this employee decides whether to report this, unless it concerns official or serious crimes. It is useful for the employee to check with the confidential advisor whether it really concerns a reasonable suspicion of malpractice or irregularity. If the employee decides to make a report internally, he can - if desired - make the report confidentially.

The confidential counsellor will then forward the report to DAE without disclosing the name of the reporter. As an employer, DAE is then obliged to treat this report confidentially.

- *Report a suspicion of abuse outside the DAE.*

After submitting an internal report, it is also possible to report outside DAE. There are circumstances under which reporting can be done directly outside DAE. (See: Part V Regulations dealing with reporting suspected wrongdoing or irregularity Article 13 sub 2).

You can, for example, report to the Education Inspectorate. Here the employee can report an abuse if the quality of the education is at risk due to this abuse and he does not feel safe to disclose this information within the organization, or the employee has reported it but the DAE does not sufficiently address the abuse On.

<https://www.onderwijsinspectie.nl/onderwerpen/klokkenluidersregeling>

It is also possible to report externally to Meld Misdaad Anoniem (Meldpunt M). <https://www.rijksoverheid.nl/contact/contactgids/meld-misdaad-anoniem-m> Or it can be reported to the police.

Publicity

Seeking publicity is generally not recommended by the Whistleblowers Authority. You run the risk of violating your duty of confidentiality and forfeiting your legal protection against prejudice.

4. Dereliction of Duty

Introduction

Our policy on how to deal with suspected dereliction of duty is meant for tutors and staff.

This section aims to explain what falls under dereliction of duty.

In the concluding paragraph of this section we set out the action you can take when you experience misconduct

Fraud

Fraud is a broad concept. It includes much of the misconduct described in these rules, e.g. theft, embezzlement, corruption and administrative fraud. DAE employees must refrain from any form of fraud. Theft and embezzlement also include less obvious offences such as using knowledge belonging to DAE without consent or 'poaching' DAE contacts when working on a freelance basis. Corruption may involve fiddling the records but copying and leaking confidential data, or misusing the name or logo of DAE (e.g. headed paper) also constitutes corruption. Administrative fraud is when tutors/members of staff submit incorrect expenses claims or statements of hours worked, report in sick without justification, or record hours that they have not worked or where they have worked on their own behalf (on a freelance basis). This means, among other things, but not exclusively, that tutors/members of staff:

- must not intentionally misrepresent the situation ;
- must not manipulate (financial) data;
- must not use financial resources in an improper manner;
- must not (personally) benefit in an unfair way from knowledge or materials developed by others. This includes teaching materials, publications and artistic concepts.

Use of (ICT) facilities and resources

Tutors/staff must treat DAE's property (tangible and intangible resources) with care. They must not use DAE's equipment, materials, rooms and consumables for private purposes, unless such use has been approved by their line manager. In this context, account will be taken of the associated costs and, where relevant, the user agreement. When using ICT resources, the tutor/member of staff concerned must comply with the ICT Code of Conduct for employees. Before using resources, he must sign a loan agreement. Tutors/staff must not take ownership of resources which belong to DAE, whatever their value or condition. This also applies to resources which have been written off, resources which are not used or which are no longer used or which are surplus to requirements, and resources which are offered to third parties to be finished or processed. Resources which have been written off and resources which are surplus to requirements may be stored temporarily until they are removed. Tutors/staff must not remove these stored resources for their own use, to resell them or hand them to a third party. When leaving the university, tutors/staff must hand all DAE property – e.g. laptop, iPad, mobile, keys and DAE pass – in to their line manager, on their last day of employment at the latest. The resources must be intact, in good condition and unlocked. DAE will report incidences of theft and embezzlement to the police. The same applies if a

(former) tutor/member of staff fails to return the specified DAE property, despite having been requested to do so.

Expenses claims

Tutors/staff must only claim expenses incurred during their work if the expenses incurred relate directly to the fulfilment of the role. They must not claim for expenses which are already reimbursed in another way. Tutors/staff must manage expenses claims in accordance with the internal instructions. Line managers must ensure that expenses claims are accurate and reasonable. It is important to remember at all times that this is money which is intended in the first instance for education.

Actions in the case of (suspected) dereliction of duty

| Step 1 | Step 2 | Step 3 |
|-----------------|--------------|------------|
| Person involved | Line manager | HR Manager |

5. Confidential information and intellectual property

Introduction

Our policy on handling confidential information and intellectual property is meant for students, tutors and staff.

Handling sensitive and confidential information

Both within and outside of Design Academy Eindhoven, tutors/staff must handle sensitive and confidential information with care. 'Confidential' includes not only information which is classified as confidential but also information which the tutor/member of staff knows or should know is confidential. Sensitive and confidential information is only accessible to or disclosed to authorised individuals. This means, among other things, that this information can only be used in a functional way and not to the individual's own advantage. The duty of secrecy continues to apply even when the employee is no longer working for DAE. Sensitive and confidential information always includes:

- personal details of students, tutors and staff within the meaning of the General Data Protection Regulation;
- written or unwritten confidential information concerning students, tutors, staff, DAE or partners of DAE.

Personal information must not be disclosed to third parties without the express consent of the data subject, unless relevant legislation and regulations (e.g. DAE's privacy regulations) require it to be disclosed or safety is at risk. Sensitive and confidential information must be adequately protected. If sensitive and confidential information is lost, the tutor/member of staff concerned must notify their line manager immediately. A data leak must be reported to the Data Protection Authority through DAE's data protection officer.

Intellectual property and plagiarism

Action in the event of (suspected) breach of Copyright and/or abuse of confidential information

| WHO | Step 1 | Step 2 | Step 3 | Step 4 |
|----------|-----------------|-------------------------|-------------------------|----------------------|
| Staff | Person involved | Line manager | Confidential counsellor | Complaints committee |
| Students | Person involved | Confidential counsellor | Complaints committee | |

6. Scientific Integrity

Introduction

Our policy on how to deal with suspected dereliction of duty is meant for DAE tutors and staff.

State of affairs

In 2018, the Dutch code of conduct for Scientific Integrity was adopted by Design Academy Eindhoven. This lays down thoroughly and extensively all rules and regulations with regard to scientific research.
-Code of Conduct Scientific Integrity-

The Dutch Art institutions founded an Academic Integrity Committee which was appointed by the collective Executive Boards. This committee is responsible for handling complaints regarding suspected violation of academic integrity. The Academic Integrity Committee offers a safe and independent route for complainers and the joint institutions in a delicate matter.

Action in the event of (suspected) violation of Scientific Integrity

| Step 1 | Step 2 | Step 3 | Step 4 |
|-----------------|--------------|---|------------------------------|
| Person involved | Line manager | Confidential counsellor/ Executive Board | Academic Integrity Committee |

7. Miscellaneous

Use of alcohol, drugs and medicines

Students, tutors and staff must not be under the influence, have alcohol or drugs in their possession or use or buy/sell these substances in work situations.

Exceptionally, e.g. at receptions, business lunches or dinners, the drinking of alcohol is permitted but only if this is done responsibly and in accordance with legislation and regulations, including road safety regulations. The rules around alcohol, drugs and medicines can be found in the Alcohol, Drugs and Medicines Policy and in the House Rules.

Unforeseen circumstances

In cases which are not provided for by these rules and/or the underlying regulations or where application is not straightforward, the Executive Board or, if (a member of) the Executive Board is involved, the Supervisory Board will decide.

Final provisions

These rules replace the DAE Integrity Code (2012), which lapse as a result. These rules were adopted by the Executive Board on <>. The rules will enter into force on the day after it is approved by the Institutional Participation Council. The Institutional Participation Council gave this consent on <>. These rules are published on the website of DAE and expressly brought to the attention of students and (new) tutors/staff and third parties working with or for DAE and students.

Relevant codes and regulations pertaining to this Code of Conduct

- Code of Good Governance for Universities of Applied Sciences
- Collective Agreement for Universities of Applied Sciences (CAO-HBO)
- Dutch Higher Education and Research Act (WHW)
- DAE Policy on drugs and alcohol
- Code of Conduct for International Higher Education Students
- Ombudsman Regulations
- Whistle blowers' Regulations
- DAE Teaching and Examination Regulations (TER)
- DAE Students' Charter
- DAE Privacy Statement
- DAE Code of Conduct for Academic Integrity (
- DAE Rules and Regulations on Unacceptable Behaviour
- DAE General Terms and Conditions of Purchase and Supply
- DAE Language Policy
- DAE Misconduct Complaints Procedure
- DAE Confidential Counsellors