

**PROTOCOL**  
**CONFIDENTIAL ADVISOR**

---

# CONTENTS

---

Protocol Confidential Advisor .....	1
Contents .....	2
Protocol.....	3
Introduction .....	3
Undesirable behaviour in the workplace .....	3
Confidential Advisor.....	3
Role .....	3
Responsibility .....	3
Role of the Confidential Advisor .....	3
Listening ear.....	3
Advisor.....	3
Assistance .....	3
Referral .....	4
Recording and reporting .....	4
Providing information .....	4
Monitoring and follow-up.....	4
Policy and communication .....	4
Confidentiality .....	4
Relationship of trust .....	4
Confidentiality exceptions.....	4
Breach of the guarantee of confidentiality .....	4

# PROTOCOL

---

## Introduction

### Undesirable behaviour in the workplace

Employees of a company may encounter undesirable behaviour from their colleagues. Undesirable behaviour includes discrimination, aggression, violence, sexual harassment, and bullying. Unfortunately, this behaviour is becoming increasingly common in the workplace.

This is obviously unacceptable. Companies are therefore expected to implement preventive policies with regard to this undesirable behaviour.

If complaints of undesirable behaviour do occur, a Confidential Advisor can deal with them at an early stage.

### Confidential Advisor

This Protocol provides insight into the role of the Confidential Advisor. It also provides the vision of Perspective and its approach to confidentiality.

## Role

### Responsibility

This Protocol starts from the premise that company employees, together with company management, are responsible for preventing undesirable behaviour. This also applies to resolving situations involving undesirable behaviour and implementing policies in this respect.

The Confidential Advisor fulfils an assisting and supportive role: he/she provides a listening ear, is a reliable source of information and acts as an ethical sounding board.

### Role of the Confidential Advisor

#### Listening ear

The Confidential Advisor is the point of contact for persons confronted with undesirable behaviour and is responsible for the initial assistance. He/she is also provides assistance to those who are aware of the undesirable behaviour, who have questions about it or who are in a dilemma about it.

#### Advisor

The Confidential Advisor asks the person reporting an incident question to clarify the issue at hand. He/she also advises the person on how to deal with the issue.

The Confidential Advisor may provide management with advice on the implementation of policies, both when asked and at his/her own initiative.

#### Assistance

The Confidential Advisor can assist the person reporting an incident in raising the issue with management or with an internal or external complaints committee if the person concerned so wishes.

### Referral

The Confidential Advisor will adequately and discreetly refer the person reporting an incident to the appropriate employee or external agency, in consultation with the person concerned. The Confidential Advisor will play a more or less active role in this process depending on the wishes of the person reporting the incident and the seriousness of the issue raised.

### Recording and reporting

The Confidential Advisor will uniformly record all questions and reports of incidents that he/she receives.

### Providing information

The Confidential Advisor will provide information about undesirable behaviour internally within the organisation.

### Monitoring and follow-up

The Confidential Advisor will provide adequate aftercare to the person reporting the incident. The Confidential Advisor will ascertain whether the person reporting the incident is experiencing any adverse effects in his/her work as a direct result of the report. The Confidential Advisor also ascertains to what extent the person reporting the incident is satisfied with the handling of the issues raised, both by the Confidential Advisor and by any others within the company.

### Policy and communication

The Confidential Advisor will provide professional input for the drafting of an Undesirable Behaviour Policy. An anonymised report will be provided to the management on an annual basis. This will provide a broad outline of the number of consultations and the scope of the incidents reported, such as discrimination, sexual harassment and/or bullying.

The Confidential Advisor will not conduct any investigation into the incidents reported.

## Confidentiality

### Relationship of trust

The Confidential Advisor will establish a relationship of trust with the person reporting the incident or other persons he/she assists or who request his/her assistance. Therefore, the Confidential Advisor guarantees all those who consult him/her that he/she will uphold the confidentiality of all information that he/she acquires in the performance of his/her duties as Confidential Advisor.

The Confidential Advisor will also ensure that the documentation and archiving of data takes place in accordance with the confidential nature thereof.

### Confidentiality exceptions

Exceptions to this are only possible if the person reporting the incident or other persons involved provide written consent to the breach of this guarantee of confidentiality, or if there are very urgent reasons to do so, as described in the following paragraph.

### Breach of the guarantee of confidentiality

In the absence of written consent from the person reporting the incident or other persons involved to disclose information to third parties, the Confidential Advisor can only breach his/her guarantee of confidentiality if all of the following five conditions are met:

- every effort has been made to obtain the consent of the persons involved.
- the Confidential Advisor finds maintaining confidentiality weighs heavily on his/her conscience.
- the issue cannot be resolved in any other way than by breaching confidentiality.
- it is virtually certain that *failing* to breach confidentiality will result in identifiable and serious harm and/or danger to those involved or to third parties.
- the Confidential Advisor is reasonably confident that the breach of confidentiality will significantly prevent or minimise harm to the person involved or to others.

If such a situation arises, the Confidential Advisor will discuss the reasons for breaching confidentiality with an expert before breaching confidentiality.

The Confidential Advisor will inform the person involved of the intention to breach confidentiality before he/she actually does so.

If the breach of confidentiality makes it necessary, the Confidential Advisor will refer the person involved to another Confidential Advisor and/or other agency without delay.