



## ITP Patients' Association internal complaints procedure

The ITP Patients' Association does its utmost to provide the best possible service to its target group.

However, it may happen that something goes wrong.

This complaints procedure details how to file a complaint with the ITP Patients' Association and how complaints are handled.

### ARTICLE 1

For the purposes of application of the provisions under or pursuant to this procedure, the following definitions are used:

- *Complaint – Written expression of discontent in relation to an activity or procedure under the responsibility of the ITP Patients' Association*
- *Complainant – The person filing the complaint for the ITP Patients' Association's complaints committee to rule on*
- *Respondent/subject – The person against whom the complaint was filed, or the employee of the ITP Patients' Association under whose responsibility the event to which the complaint relates occurred*

### ARTICLE 2

Composition, appointment, and dismissal of complaints committee members

#### *Paragraph 1*

The ITP Patients' Association sets up a committee that is tasked with handling complaints as per the provisions of this procedure.

#### *Paragraph 2*

The committee members and their deputies are appointed, suspended, and dismissed by the General Members' Meeting on the nomination of the board of the ITP Patients' Association. Prior to submitting a nomination to the General Members' Meeting, the board may proceed to appoint and suspend members on a 'provisional' basis. In case of an interim vacancy, a deputy will join the committee, without prejudice to the provisions of paragraph 4 of this article.

#### *Paragraph 3*

The complaints committee will be made up of 'ordinary members' appointed by the General Members' Meeting and a member-appointed chair. The member-appointed chair (hereinafter referred to as 'chair') is appointed by the 'ordinary members' of the complaints committee. These persons must not have any ties with the ITP Patients' Association, i.e. they cannot be employed by the association or be a member of the board.

#### *Paragraph 4*

A deputy will be appointed for the complaints committee chair.

The deputy chair will take on the duties of the chair:

- a. if the complaints committee chair is unable to take part in the work of the complaints committee.
- b. if the complaints committee chair invokes the right to be excused under Article 3 or is challenged.

### ARTICLE 3

Challenge and excusal

#### *Paragraph 1*

Every subject has the right to challenge a member of the committee when they believe that the committee member in question is prejudiced towards one of the subjects. This challenge of a committee member must detail the reasons behind the challenge and be submitted to the committee within two weeks of gaining awareness of these reasons.

The committee chair will rule on the challenge; if the challenge concerns the committee chair themselves, the deputy chair will rule on the challenge.



### *Paragraph 2*

A member of the complaints committee may also request to be excused from handling a certain complaint if their involvement could stand in the way of independent assessment.

## ARTICLE 4

### Complaint submission and handling

#### *Paragraph 1*

A complaint must be submitted to the committee in writing. The committee's address is as follows:

[klachtencommissie@itp-pv.nl](mailto:klachtencommissie@itp-pv.nl)

#### *Paragraph 2*

The complainant will receive written confirmation of receipt of the complaint within 2 business days. This confirmation will specify the further procedure.

#### *Paragraph 3*

The complaints committee will report the complaint and its specifics to the person to whom the complaint relates within 3 business days. This confirmation will specify the further procedure.

#### *Paragraph 4*

The committee can collect information by inspecting all documentation deemed relevant for the handling of the complaint.

#### *Paragraph 5*

The committee may ask all parties involved in the complaint to provide information on the subject of the complaint.

#### *Paragraph 6*

The complainant and the respondent will be given the opportunity to provide further details of the complaint and respond to the complaint respectively, verbally and/or in writing.

At the request of the complainant or the respondent, the committee can hear both sides separately from each other. After a separate hearing of both subjects, the committee may decide to hear both again, either separately or not.

Details of matters discussed with each subject will be recorded in a written report of which the absent party and the present party will receive a copy.

Hearings will not be held if the complaint is manifestly unfounded.

#### *Paragraph 7*

The committee may seek expert advice.

#### *Paragraph 8*

Each committee member and anyone involved in the handling of the complaint is subject to a duty of confidentiality with respect to all matters they heard or were told in that capacity.

Before handling a complaint, the committee will notify the parties and all other subjects of the duty of confidentiality specified here.

#### *Paragraph 9*

During the handling of the complaint, the complainant and the respondent are free to appoint someone to assist them, whereby they will personally be responsible for paying any fees charged by such a person.

## ARTICLE 5

### *Paragraph 1*

A complaint will not be handled any further if it is withdrawn or the reason for the complaint has, at the complainant's discretion, been eliminated.

### *Paragraph 2*

A complaint can be disregarded if it turns out that:

- a. a similar complaint from the same complainant is still being handled, unless it concerns a different respondent;
- b. the complaint does not relate to a situation as specified in Article 1 and for which the ITP Patients' Association can, consequently, not be held responsible;



c. the matter complained about is pending before a civil court, subject of a mediation process, or part of a criminal investigation.

*Paragraph 3*

If it is decided based on the previous paragraph not to process the complaint, the complainant, the respondent, and the board of the ITP patients' association in question will all be notified. The complainant may appeal this decision with the board.

*Paragraph 4*

The committee is authorised to refer a complainant to another body that, at the committee's discretion, is better placed to handle the complaint or can offer a more appropriate legal procedure.

The committee reserves the right to consider the complaint closed if and as soon as the committee learns that the complainant has taken the complaint to another body.

ARTICLE 6

*Paragraph 1*

Unless Article 5 is applied, the committee will notify the complainant, the respondent, and the board of the ITP-PV association, in writing and substantiated, of its opinion on the merits of the complaint within 8 weeks after the complaint was submitted. The committee may include a recommendation. If the committee decides to take longer than 8 weeks, the committee will notify the complainant and the respondent of this extension and its reasons, while also specifying a term within which it will issue its opinion on the complaint.

*Paragraph 2*

The committee decides independently, without any mandate or consultation.

*Paragraph 3*

After having formed an opinion, the committee will immediately communicate it in writing to the complainant and the respondent. If the board is not the respondent, the board will also receive a copy.

ARTICLE 7

*Paragraph 1*

The committee issues its opinion on the complaint. The complaint can be deemed to be founded, unfounded, or partly (un)founded.

If a complaint is deemed entirely or partly founded, and the committee's decision contains an instruction to the board, the board will let the complainant, respondent, and committee know as soon as possible, but no later than <TERM> after the committee has issued its opinion, in writing, what measures the board will take based on the committee's opinion and recommendations. If the board deviates from this term, the board will notify the complainant, respondent, and the committee thereof, stating its reasons for the delay and specifying a new term within which it will communicate its stance.

The board is, in principle, under an obligation to apply the complaints committee's opinion and recommendations. Only in exceptional cases can the board decide not to apply the committee's opinion and recommendations. The board must then have compelling reasons for that and will be under an obligation to, prior to making a decision that does not apply the committee's opinion and recommendations, hear the complaints committee. If the board decides not to apply the complaints committee's opinion and recommendations, it must communicate its decision and the reasons behind it to the complainant, the respondents, and the complaints committee.



## Other provisions

### ARTICLE 8

The provisions of this procedure are without prejudice to the option to, instead of having a complaint handled by the complaints committee, take a complaint to a civil court, the General Members' Meeting, the board of the ITP Patients' Association, or other appropriately competent bodies.

### ARTICLE 9

Costs incurred by the complaints committee to handle the complaint are covered by the ITP Patients' Association.

### ARTICLE 10

The committee publishes an annual anonymised report of its activities. This report will be incorporated into the ITP Patients' Association's annual report.

### ARTICLE 11

#### *Paragraph 1*

This procedure is - along with a recommendation by the board and (except for the first time) the committee - adopted and amended by the General Members' Meeting.

#### *Paragraph 2*

Proposals for amendments to the procedure are submitted to the committee.

### ARTICLE 12

This procedure takes effect immediately after the ITP Patients' Association's General Members' Meeting of 31 October 2020.

## Annexes

- Online complaint form that is sent directly to the complaints committee