

Complaints procedure Royal Library

The General Executive Council of the Royal Library,

Regarding the Chapter 9 of the General Administrative Law Act and Article 6.1 paragraph 3 sub b of the Royal Library Regulations;

Decides to adopt the following regulations regarding the Royal Library's complaints procedure:

Chapter 1 - General provisions

Article 1 - Definitions

In these regulations, the following definitions shall apply:

- › **General Board:** the General Board of the Royal Library as referred to in article 13.3 of the Higher Education and Research Act.
- › **Awb** [*Algemene Wet bestuursrecht* in Dutch]: General Administrative Law Act;
- › **Complaint coordinator:** official appointed by the KB Managing Director, who supervises the proper handling of complaints.
- › **Complaint:** any verbal or written expression of dissatisfaction with the way in which the KB has behaved towards the complainant.
- › **Complainant:** the person who has a complaint about a conduct of the KB.
- › **Employee:** any person who performs work for the KB under the responsibility of the KB.
- › **KB:** Koninklijke Bibliotheek, Royal Library.

Article 2 - Purpose and scope

1. The purpose of these regulations is to provide a procedure for handling complaints in accordance with the provisions of Chapter 9 of the Awb.
2. These regulations apply to the handling of both verbal and written complaints.

Article 3 - Right of complaint

1. The right to complain means (Article 9:1 Awb):
 - a. Anyone has the right to lodge a complaint against the KB about the way in which the KB has behaved towards him/her/them or another in a certain matter.
 - b. The conduct of a person working under the responsibility of the KB shall be regarded as conduct of the KB.
2. The KB shall ensure proper handling of both oral and written complaints regarding the way in which the KB has behaved towards the complainant (Article 9:2 Awb).

Chapter 2 - The manner of filing and admissibility of complaints

Article 4 - Verbal complaints

1. In the case of a verbal or telephone complaint, the complainant shall be given the opportunity to express her views (Article 10 paragraphs 1-4).

2. The complainant's viewpoint shall be dealt with, if desired, as a written complaint (Article 10 paragraph 5) in accordance with the provisions of these regulations.

Article 5 - Written complaints

1. The complainant shall address his/her written and signed complaint to the complaint handling coordinator.
2. In accordance with the provisions of Article 9:4 of the Awb, (s)he shall state at least:
 - a. his/her name and the address;
 - b. the date of complaint;
 - c. a description of the conduct the complaint is directed at
3. If the complaint does not meet the abovementioned requirements, the complainant will be given an opportunity to supplement their complaint.

Article 6 - Confirmation of receipt

The KB shall confirm the receipt of the complaint in writing (Article 9:6 Awb) promptly, and no later than two weeks after having received the complaint.

Article 7 - Inadmissibility

1. The KB is not obliged to handle the complaint if it relates to a conduct:
 - a. about which a complaint has already been made previously and dealt with in compliance with Articles 9:4 et seq. of the Awb;
 - b. that took place more than one year before the complaint was filed;
 - c. which could have been objected to by the complainant;
 - d. against which an appeal may be lodged by the complainant, unless that conduct consists of a failure to make a timely decision, or an appeal could be lodged;
 - e. which has been submitted to proceedings before a court other than an administrative court and is or has been subject to the judgment thereof,
 - f. while a criminal investigation on the orders of the public prosecutor or a prosecution is in progress; or if the conduct forms part of the investigation or prosecution of a criminal offence and a criminal investigation, on the orders of the public prosecutor or a prosecution that is in progress.
2. The KB is not obliged to deal with the complaint if the stakes of the complainant or the weight of the conduct is deemed clearly insufficient.
3. The complainant will be promptly notified in writing of the decision not to take up the complaint, but no later than four weeks after receipt of the complaint. Article 9:12, second paragraph Awb, shall apply accordingly.

Chapter 3 - Complaint handler and complaint registration

Article 8 - Complaint handling coordinator

1. Complaints shall not be handled by an employee who has been involved in the conduct to which the complaint relates (Article 9:7 Awb).
2. The KB as an administrative body shall appoint a Complaints Coordinator, who shall be in charge of handling and advising on complaints (Article 9: 14 Awb).

Article 9 - Complaint registration

1. The Complaint Handling Coordinator shall register every complaint received by the KB, monitor the progress of complaint handling and keep a record of it.
2. The registered complaints shall be reported annually in the KB's Annual Report (Article 9:12a Awb).

Chapter 4 - Informal handling of complaints

Article 10 - Informal handling of complaints

1. The KB shall ensure proper and empathetic treatment of received complaints and shall endeavour to resolve complaints informally.
2. In an informal settlement, the KB tries to reach a solution through consultation or mediation or other means. The KB contacts the complainant for this purpose.
3. Once the KB has satisfactorily addressed the complainant's complaint, the obligation to further apply these regulations lapses.
4. The complainant will receive a written notification that the KB assumes that the complaint has been satisfactorily dealt with.
5. If the complainant is not satisfied with the handling of their complaint, the complaint will nevertheless be dealt with according to this complaint scheme.

Chapter 5 - Formal handling of complaints

Article 11 - Opportunity of hearing

1. The complainant and the person to whose conduct the complaint relates shall be given an opportunity to be heard (Article 9:10 Awb).
2. The hearing of the complainant may be called off if the complaint is obviously unfounded or if the complainant has stated that he/she does not wish to exercise the right to be heard.
3. A report will be made of the hearing.

Article 12 - Complaint settlement

The complaint will be processed, within six weeks of receipt, by the person handling the complaint according to Article 8 of these regulations (Article 9:11 Awb).

1. In special cases, the handling of the complaint may be postponed for up to four weeks.
2. The complainant and the person to whose conduct the complaint relates, shall be informed in writing by the Complaint Handling Coordinator, of the findings of the investigation into the complaint and any conclusions drawn from them (Article 9:12 Awb).

Article 13 - No appeal and complaint National Ombudsman

1. A decision of the KB regarding the handling of a complaint cannot be appealed (Article 9:3 Awb).
2. The complainant will be referred to the National Ombudsman in order to submit a complaint (Articles 9:12 and 9:17 et seq. Awb).

Chapter 6 - Commencement

Article 14 - Hardship clause

In cases not covered by these regulations, the decision will be made by the General Director.

Article 15 - Commencement

1. These regulations replace the Royal Library Complaints Regulations dated 1 March 2003.
2. The Royal Library Complaints Regulations shall take effect one day after publication of their adoption in the Official Gazette.

Adopted by the General Executive Board on 7 February 2023.

Thus signed, on behalf of the General Executive Board,

The President of the General Executive Board

Mr. T.H.J. Joustra