



Marres

Code of conduct and protocol for Marres, House for Contemporary Culture
Version: 2023

1. Introduction

Marres, House for Contemporary Culture, hereinafter referred to as "Marres", strives to be a safe space that is free from any form of structural oppression, including racism, sexism, ableism, ageism, and discrimination on the basis of sexuality or gender identity. We take responsibility for ensuring a safe working environment for everyone involved in the organization. Physical or verbal abuse, or any other form of unwanted, (sexually) transgressive behavior will not be tolerated.

A safe working environment is an extension of a healthy organization, where the development of employees and stakeholders is central; and where everyone performs their tasks in accordance to, and in pursuit of, the goals that the organization has set. Within a healthy organization, there is a clear vision and there are clear job descriptions. Interpersonal contact and connections evolve out of task-oriented, professional interdependence, and relationships are open.

Marres recognizes that safeguarding the above standing values requires a continuous, collective effort. We therefore ask everyone – from the board of directors/supervisory board, to employees, to visitors - for their active support and participation in this pursuit. Marres expects collegial and respectful behavior from all employees and third parties in their dealings with others in the workplace, and requires everyone to refrain from forging unwanted forms of interaction or exercising undesirable behaviors, regardless of any hierarchical differences that may exist between people. Finally, we expect a collective and individual alertness to undesirable behavior between persons in the workplace, and ask that everyone shall take (proportional) action in case of (suspected) transgressive behavior.

This means that:

- Marres is an inclusive space;
- All persons working for, or involved with Marres shall treat others with respect;
- Opinions may differ;
- Discussions are resolved through dialogue;
- Psychical or verbal violence will not be tolerated

This code applies to employees, freelance workers, interns, volunteers, guests, contractors, researchers, artists, service providers, and any other party working with Marres; and applies universally. Marres makes no distinctions, exceptions, or exemptions in the enforcement of this code on the basis of relational ties, forms of employment, or social hierarchy.

2. What constitutes undesirable behavior?

General

The provisions established by Dutch law Marres' starting principles. These include;

- The Civil Code;
- The General Equal Treatment Act (Awwg);
- The Gender Equality Act (Wgbm/f);
- the Occupational Health and Safety Act;
- the Risk Inventory & Evaluation and Plan of Action.

For more information on undesirable behavior see www.szw.nl then choose topics and click aggression and violence, bullying or sexual harassment.

By "undesirable behavior", Marres means conduct - whether or not there is a hierarchical difference in function or position between those involved - that leads to psychosocial workload¹, insofar as it concerns:

a. Harassment

Within the meaning of Article 1a paragraph 2 of the Gender Equality Act and Article 7:646 paragraph 7 of the Civil Code:

Conduct related to a person's gender that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, offensive, humiliating or offensive environment.

b. Sexual harassment

Within the meaning of article 1a paragraph 3 Gender Equality Act and article 7:646 paragraph 8 B.W.

Any form of verbal, nonverbal or physical conduct with sexual connotation that has the purpose or effect of violating a person's dignity, particularly when an intimidating, hostile, offensive, humiliating or offensive environment is created.

Examples of sexual harassment include:

- making ambiguous comments;
- telling tough stories about sex performances and oblique jokes;
- unnecessary touching or roadblocks;
- written approach with a sexual connotation;
- displaying offensive images in the workplace;
- sexual assault and rape.

c. Bullying

That is: all forms of intimidating behavior of a structural nature, by one or more employees (colleagues, supervisors) directed against an employee or group of employees who cannot defend themselves against this behavior.

An important element regarding workplace bullying is the repetition of the behaviors over time.

Here the following can be considered:

- Denigrating comments, such as tearing down someone's work;
- Comments on someone's appearance;
- Ignoring someone;
- Making it impossible for someone to work.

There is an imbalance of power or strength between the attacking party and the one being bullied because; e.g., one is hierarchically in a higher position, someone is verbally or physically stronger. This prevents the victim from defending themselves.

d. Aggression and use of force, i.e.:

Incidents in which an employee is psychologically or physically harassed, threatened, or assaulted under circumstances directly related to the performance of their work.

e. Discrimination

That is: statements, actions or decisions that are offensive or demeaning because of discrimination based on: physical or mental disability, race/appearance, ancestry, religion, political affiliation, age, marital status, chronic illness, gender, belief or sexual orientation.

The laws cited refer only to men and women, but at Marres, the above of course applies to people of **all** gender identities, and Marres holds regular consultations about the meaning of the terms described.

¹In the context of Article 3, paragraph 2 of the Working Conditions Act

3. Reporting unwanted behavior

Everyone who works at Marres – employees, freelance workers, interns, volunteers, guests, contractors, researchers, artists, service providers and any other party working with Marres is jointly responsible for ensuring a safe working environment. If you experience unwanted behavior, the following are ways to express, discuss and/or report your concerns or experiences:

3.1 As a Marres employee (employed, freelance, internship or volunteer):

- Report to your supervisor (for employed people, interns, volunteers), or client (for freelancers). Your supervisor or client can put you in touch with one of the confidential advisors, if desired.
- If for any reason this is neither possible nor desirable, you can also report directly to Marres' internal confidential advisor: Rosa van der Flier, rosa.vanderflier@marres.org
- If for any reason this is neither possible nor desirable, please report to the Marres management/director(s): Valentijn Byvanck, valentijn.byvanck@marres.org
- If for any reason this is neither possible nor desirable, please contact Roberto Lanckohr, Roberto.Lanckohr@ing.com, he is confidential advisor on behalf of the supervisory board of Marres.
- In addition, Marres is affiliated with an independent, external confidential advisor Ingrid Caniels on behalf of Landelijk Bureau Integriteit en Vertrouwenspersoon. She can be reached at i.caniels@lbiv.nl.

The external confidential advisor:

- Is completely independent in his/her support and guidance;
- Is under the oath of confidentiality, which can only be lifted with the consent of reporter;
- Does not accept anonymous, written complaints;
- Does not handle complaints that are made through third parties;
- Does not fulfill the role of mediator;
- Is available free of charge to the reporter; the costs are always at the expense of Marres

The main duties of the confidant are:

- Being the first line of support for the employee;
- Analyzing the situation together with the employee;
- Advising the employee on taking further steps;
- Guiding and supporting the employee who is experiencing the undesirable behavior through the process of mediation and/or the grievance procedure.

3.2 As a visitor, guest or other external without a direct (employment) relationship with Marres:

From a Marres staff member or by e-mail to info@marres.org.

3.3 As a service provider:

To the person who commissioned you, or, if that is not possible, by e-mail to info@marres.org

All experiences are taken seriously and treated in confidence. If the Marres team does not have the appropriate expertise, professional help will be brought in - in consultation with the reporter – for further assistance.

Please note: the management/administrator(s) have a duty to ensure a safe working environment, and the supervisory board has the duty to supervise the organization. It may therefore be necessary to report to management or to the

supervisory board, for instance because the undesirable behavior also affects or could potentially affect others.

Although reports are always handled with caution and care, complete confidentiality cannot always be guaranteed. Employees against whom a complaint is made will also be treated with care. Complete confidentiality is the guiding principle, but it may be necessary to deviate from this principle if it is in the best interest of the general health and safety of the organization. In that case, the privacy of those involved will of course still be protected as best as possible. Clear agreements on follow-up steps are made with the consent of all parties.

4. Procedure

If transgressive behavior is reported, the following steps will generally be taken:

- The reporter is heard by Marres;
- If the reporter **witnessed** the behavior:
 - Marres discusses the report with the parties involved;
 - For further actions, see below;
- If the **reporter** himself has experienced this behavior:
 - Marres offers the first line of support for the reporter, according to the reporter's wishes;
 - Marres offers various further steps that could be taken. For example:
 - Engaging in conversation with the person(s) involved;
 - Talking to an external confidant (Ingrid Caniels, on behalf of *The National Integrity and Confidentiality Office*);
 - Call in police, victim assistance and/or the sexual violence center;
 - If the necessary expertise within Marres is insufficient, advice is sought from independent experts;
 - If necessary and appropriate, cases are discussed at the supervisory board meeting.
 - If necessary, appropriate sanctions will be taken depending on the relationship with the offending party and the severity of the behavior. This may range from issuing a formal warning, denial of access to the premises, termination of the relationship, termination of the assignment, dissolution of the employment or cooperation agreement, etc.

Throughout all of the procedural steps, Marres respects the trust and privacy of the reporter; and the reporter retains as much control as possible over the steps taken, unless the reporter's own safety or that of others is at stake, or when serious crimes require us to do otherwise. In the latter case, the privacy of those involved will be protected as much as possible.

Clear agreements on follow-up steps are made with the consent of all parties involved, and all cases are assessed individually.