

OVAL Code of Conduct

Preamble

The members of OVAL contribute daily to increasing the rate of labour force participation by promoting optimal employability of people; in other words, employability of workers who require advice about job mobility, competencies, staying healthy and motivated, about employees on sick leave and people who do not work as yet due to poor, but bridgeable, job prospects. In addition, our members are sparring partners for companies in the area of people – work – organisation. The sector organisation OVAL and its members consider it their responsibility to establish norms regarding the acceptable conduct of OVAL members, to safeguard the social responsibility of its business operations and to promote the expertise and reliability of the OVAL members.

Section I General Clauses

Article 1 Definitions

In this code, the following definitions are understood to mean:

- a. OVAL: Organisation for Vitality, Activation and Career Development (Dutch: **Organisatie voor Vitaliteit, Activering & Loopbaan**)
- b. Sector: natural persons and legal entities active in the work area of vitality, activation and career development
- c. Members/member: members as referred to in Article 5 of the OVAL articles of association
- d. Employee: any person employed by a member of OVAL as well as someone who performs work for a member, whether as a freelancer or otherwise
- e. Commissioning party: the natural person and legal entity to whose order the services are delivered
- f. Client: the natural person to whom the services are delivered

Article 2 General points of reference

1. Members shall observe the applicable Dutch legislation and regulations with regard to the employees, clients, commissioning parties and other enterprises in the sector.
2. The conduct of individual employees of the member is also regarded part of the member's conduct.
3. Exceptional rules derive from the aforementioned starting point, which the members must take into consideration in operating their company. These relate to:
 - a. The method used for operational management
 - b. Other colleagues in the sector
 - c. Clients, commissioning parties and other parties in the sector of Vitality, Activating and Career Development

Several exceptional rules and points of references are established in this code. In case of doubt regarding the explanation of the code, the board or an authorised representative of the board, has the deciding vote.

Section II Operational Management Method

Article 3 Free enterprising and honest competition

1. Free enterprising and honest competition are important values. Members shall observe the values of free enterprising and honest competition and shall conduct themselves vis-à-vis each other accordingly.
2. A member shall act with care and shall refrain from anything that might damage the reputation and trustworthiness of the sector and of the other members.
3. In the relationship with the commissioning party, a member avoids any other interests that might play a role in actually carrying out the assignment. This is in order to safeguard an independent position with regard to the commissioning party as well as to the client. Any semblance to a conflict of interest must be avoided.

Article 4 Professionalism

1. A member must ensure the professionalism of the organisation and its employees. Anyone commissioned by the member has specific professional knowledge necessary for carrying out the work activities in compliance and according to this code and the quality requirements.
2. A member provides employees with clear understanding of what is expected of them.
3. The member and the employee jointly formulate objectives aimed at maintaining and increasing the professionalism of the employee.
4. Employees are co-responsible for realising the objectives, as referred to in point 3.

Article 5 Integrity

1. A member operates with integrity with regard to both the commissioning party and the client.
2. A member treats all data from both the commissioning party and the client confidentially. This also applies to the relationship between the commissioning party and the client, such as vis-à-vis third parties.
3. Members shall never have in any manner, direct or indirect financial obligations or contribute finances to persons, organisations, companies or its associated persons/legal entities, which can directly or indirectly influence the awarding of an assignment.

The intention of this stipulation is only to prevent any improper influencing of persons/legal entities when awarding assignments. This should not impede the cooperation between companies and other persons/legal entities.

Section III Conduct vis-à-vis commissioning parties

Article 6 Rates

A member shall state and explain the rates to their commissioning parties/potential commissioning parties in a clear and transparent manner.

Article 7 General Terms & Conditions

1. A member applies General Terms & Conditions.
2. The General Terms & Conditions are presented to the commissioning party in a clear and transparent manner.
3. If a member does not have its own General Terms & Conditions, then the OVAL General Terms & Conditions shall apply.

Section IV Conduct vis-à-vis clients

Article 8

The OVAL member strives to create a good relationship with the client. The member provides its services to the client in an honest and professional manner in which the confidentiality is safeguarded and the privacy is respected, as prescribed by law.

Section V Compliance

Article 9 Complaints procedure

1. Members of OVAL are obliged to comply with the code of conduct.
2. In case of non-compliance, a complaint may be submitted by another member or by a board member of OVAL to the secretariat of the association. The complaint shall be handled by an Appeals Committee.
3. The Appeals Committee consists of 3 members: a member of OVAL, a member of the board and an independent adviser.
4. After a complaint is submitted, the committee is assembled.
5. The Committee is authorised to impose the following sanctions:
 - Sending a warning to the relevant member.
 - Advising the board of OVAL to cancel the membership in OVAL of any member found guilty.