

Whistleblower Scheme



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1 INTRODUCTION

The purpose of the whistleblower scheme is to give EG employees and others an alternative communications channel to report certain serious, repeated or systematic errors, neglect or offenses in EG or any suspicion of such, whether committed by EG as a company or by an EG employee, during employment. The whistleblower scheme ensures transparency in EG in relation to serious misconduct and offenses as well as ensures a prevention system and remedy of serious misconduct and illegalities. Further the whistleblower scheme protects the EG employees, who reports on suspicions of misconduct.

The whistleblower scheme focuses on serious misconduct and suspicion of such misconduct, which might be crucial to individuals' lives or health, or to EG A/S or EG's associated companies. This includes situations such as:

- serious breaches of safety at work
- violence or sexual assault
- forgery
- environmental pollution
- bribery
- fraud
- breach of the money laundering act

In this guide you can read more about the whistleblower scheme and how the processing of personal information is carried out in connection with this.

1.1 APPLICABILITY

This whistleblower scheme is a framework that can be used by all staff working for EG, including the executive board and board of directors, EGs associated companies, future acquisitions as well as external business partners, to report cases or suspicions of misconduct and offences.

For a list of EG and its associated companies, please see a list [on the company website](#).

1.2 DEFINITIONS

EG A/S, the executive board, board of directors and associated companies will hereafter be referenced to as EG.

The individual submitting a report will hereafter be referenced to as the whistleblower.

The individual or individuals reported through the whistleblower scheme will hereafter be referenced as the reported individual.

Supervisory authority refers to the Data Protection Agency in each country where EG has offices:

- Denmark: Datatilsynet
- Sweden: Datainspektionen
- Norway: Datatilsynet
- Poland: Urząd Ochrony Danych Osobowych

2 THE WHISTLEBLOWER SCHEME

The scheme will be described in the following section, explaining who and what can be reported through the whistleblower scheme, how to submit a report, as well as data protection rights for individuals involved in the report process.

2.1 WHO CAN BE REPORTED

EG itself can be reported through the whistleblower policy, as well as employees, the executive board, board of directors and individual board members. All of the above can be subject to closer investigation.

2.2 HOW TO REPORT SUSPICION OR KNOWLEDGE

Reporting can be done through the whistleblower scheme at <https://whistleblower.dahllaw.dk/WhistleBlowerForm.aspx?customerID=2917>. The form contains a brief guide on the type of information that should be included in the report.

Reporting can also be done at <https://whistleblower.dahllaw.dk>, where customer ID 2917 must be entered before submitting a report.

Alternative communication channel

The whistleblower scheme is an alternative to the usual communication channels. The whistleblower can choose to use the usual communication channels or the whistleblower scheme. EG employees may report any knowledge, concerns or suspicions to managers or other supervisors in the organization as alternative to the whistleblower scheme.

Any external individuals who wants to report any knowledge, concerns or suspicions to EG may contact DAHL Law Firm as alternative to the whistleblower scheme. Please see contact information in section 2.8.

Report information anonymously

Information can be reported anonymously through the whistleblower scheme, though it is voluntary whether to remain anonymous or disclose ones identity as a whistleblower. The page of the reporting form does not log the IP address or location of the user.

To ensure full anonymity, access the whistleblower scheme from a computer other than the provided work computer and while not on an EG network.

Even if the identity of the whistleblower is not disclosed directly, it is possible, that the case or circumstances that are being reported, can be linked to the identity of the whistleblower. If the whistleblowers identity is disclosed, EG can have an obligation to disclose the identity to the reported individual.

EG recognizes the wish to report anonymously, but encourages to report with an indication of who the whistleblower is, as there will be a better opportunity to investigate the matter and make contact with the whistleblower for further information.

2.3 CONSEQUENCES FOR EMPLOYMENT

If the whistleblower scheme is used by EG employees, there shall not be any unfavourable treatment or consequences of the employment for the whistleblower. Therefore, reporting of suspicions or knowledge of misconduct within EG committed by either EG as such or a colleague, can be done without any consequences for the whistleblower's employment. However, if the report includes the whistleblower as a reported individual, the report can have consequences for the whistleblower and the employment at EG if it turns out that a misconduct or offense has occurred.

Individuals deliberately submitting false reports or submitting in bad faith will not enjoy protection. If the scheme is misused, there might be civil, criminal and, if employed by EG, disciplinary sanctions implemented, including but not limited to termination of employment.

2.4 INFORMATION PROVIDED TO THE REPORTED INDIVIDUAL

The reported individual is normally informed that a report has been made. Together with the notification, the following information will generally be provided:

- the set of actions that the reported individual is reported of having engaged in
- any information related to the circumstances for which the information has been collected, so the reported individual is able to protect his/her interests, such as:
 - the type of information reported and collected as part of the investigation
 - the recipients of the information
 - the rules regarding insight into and rectification of information relating to the reported individual

However, the reported individual will not be notified if it is considered that the reported individual's interest in knowing the information must deviate for the sake of private interests, including the interests of the reported individual, or the prevention, investigation, detection and prosecution in criminal proceedings where investigations or evidence may be jeopardized if the reported individual is notified.

An investigation might not prove that misconduct or an offence has occurred. If that is the case, the reported individual will be notified of the result. An investigation can also lead to proof, or at least the probability, that misconduct or an offence has occurred. In such cases, EG can choose to investigate the case further, pass on information from the case and initiate sanctions against the individuals included the report.

In such cases, EG will assess on a case-by-case basis when the reported individual is to be notified and informed about the report.

2.5 RIGHTS OF DATA SUBJECTS

Subject to the personal data protection regulations, both the whistleblower and the reported individual has certain rights when personal data about them is processed in the whistleblower scheme.

The right of access includes that both the whistleblower and the reported individual can request access to information processed or collected through the whistleblower scheme.

When the right of access is exercised, EG shall provide information on:

- the information being processed
- the purpose of the processing
- the categories of recipients of the information
- the source the personal data originate

However, right of access does not apply if it is determined that the reported individuals' interest in having knowledge of the information ought to deviate for the sake of private interests, including the interests of the reported individual, and including considerations of the whistleblower.

Request for access to information must be submitted to the responsible for EG's whistleblower scheme. Contact information can be found in section 2.8.

Subject to the personal data protection regulations, the whistleblower and the reported individual may also exercise the right to request rectification or erasure of personal data or restriction of processing concerning the whistleblower or the reported individual and to object to processing.

If the whistleblower or the reported individual disagree to EG's processing of personal data, both have right to submit a complaint with the supervisory authority.

2.6 DATA SECURITY AND DATA PROCESSING

The whistleblower scheme consists of an IT system provided by DAHL Law Firm, that runs on a server in Denmark. It is only possible to report to the system electronically, and the subsequent investigation and casework is only recorded in the system. DAHL Law Firm acts as data processor and has a signed data processing agreement with EG, who is the data controller.

EG has taken the necessary security measures for a whistleblower scheme in order to comply with the personal data protection regulations and the Danish Data Protection Agency guidelines.

Processing of personal data

A report submitted through the whistleblower scheme means that EG, will process personally identifiable information about the reported individual and the whistleblower, if their identity is indicated or may be identified because of the content or nature or other circumstances of the report.

Personal data submitted through the scheme is processed based on:

- the Danish Data Protection Act, Section 6, cf. the General Data Protection Regulation Article 6(1), (f) (legitimate interests)
- the Danish Data Protection Act, Section 8(3) (legitimate interests) for information on criminal offences
- the Danish Data Protection Act Section 8(5), cf. Section 7(1) and the General Data Protection Regulation Article 9(2), (f) (determination and pursuit of legal claims) for any processing of special categories of personal data.

In order to comply with the applicable personal data protection regulations, only people who have a work-related need to access and process the information reported are authorized to do so.

Personal data collected through the whistleblower scheme is processed for the intended purpose of:

- checking and assessing if any misconduct, offence or potential offence has been reported
- investigating a report further
- drawing the necessary conclusions, including whether there should be a disclosure of information or sanctions imposed against the reported individual

Personal data is only disclosed to the police or other relevant authorities, if there is reason to do so in an investigation.

If the report falls outside the scope of the whistleblower scheme or if the initial checking and/or assessing of the report shows the report to be unfounded, the information is deleted immediately.

In other situations, the information is deleted within two months if no notification has been made to any relevant authorities by the end of the investigation, or if the information has not been transferred to an employee's personnel file.

If a notification was made to relevant authorities, the information included in the report will be stored during the investigation and deleted immediately after the authorities close the case.

If the reported individual is an employee at EG and a disciplinary sanction is imposed, based on the information gathered, or there are other objective and necessary reasons why EG continues to retain information about the employee, the information will be stored in the personnel file of the employee and subject to applicable legislation at all times.

2.7 WHAT CANNOT BE REPORTED

Other matters not included in the whistleblower scheme that an employee wish to report must still be reported through the usual communication channels. This includes:

- instances of bullying
- cooperation difficulties
- incompetence
- absence
- breach of guidelines regarding dress code, smoking, alcohol, e-mail and internet use, etc.

2.8 CONTACT INFORMATION

At EG

If there are any questions or concerns regarding the whistleblower scheme, please contact:

Name: Søren Wolstrup - Director Data, Risk & Compliance

E-mail: soren.wolstrup@eg.dk

Telephone: (+45) 72 60 21 32

Outside of EG

EGs solicitor at DAHL Law Firm are available if there are any questions or concerns regarding the whistleblower scheme, where one doesn't want to contact EG directly.

Name of solicitor: Søren Wolder

E-mail: swk@dahlaw.dk

Telephone: (+45) 88 91 92 45 / (+45) 30 84 35 12

The solicitor is bound by professional secrecy and does not disclose information about identity, questions or potential inquiries to EG.

3 COMPLIANCE CONTROL

A yearly control of the whistleblower scheme is conducted and documented by the Compliance Office. The purpose of the control is to verify that the approved process and online tool is up to date and works as intended.