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|  | PRO 004                  | PUBLIC | V 1 |
|   | WHISTLEBLOWING PROCEDURE |        |     |

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## WHISTLEBLOWING PROCEDURE

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## 1. PREAMBLE

The purpose of this document is to define the grievance / complaint procedure and whistleblower protection policy within Syspertec Group and its subsidiaries, in accordance with the legal provisions in force, in particular Law No. 2016-1691 of 9 December 2016, known as the Sapin II Law, and Law No. 2022-401 of 21 March 2022 aimed at improving the protection of whistleblowers. This policy aims to guarantee a secure framework for people wishing to report information relating to wrongdoing or threats to the general interest, while safeguarding the interests of the company and its stakeholders.

SYSPERTEC GROUP and its Subsidiaries [hereinafter SYSPERTEC] encourages its stakeholders to express their points of view, to defend their opinions and to report behaviour which is in contradiction with this procedure.

## 2. DEFINITION OF A WHISTLEBLOWER

### 2.1. Legal definition

A whistleblower is defined as any natural person who, in good faith and without direct financial consideration, reports or discloses information concerning :

- A crime or misdemeanour ;
- A threat or prejudice to the general interest ;
- Violation or attempted concealment of a violation of an international commitment duly ratified or approved by France, of a unilateral act of an international organisation taken on the basis of such a commitment, of European Union law, or of a law or regulation.

### 2.2. Conditions of use

This definition applies to SYSPERTEC employees as well as to any external person\* with knowledge of relevant information obtained outside their professional activities.

Facts, information and documents covered by the secrecy of national defence, medical secrecy, the secrecy of judicial deliberations, the secrecy of investigations or judicial enquiries and the professional secrecy of lawyers are expressly excluded from the scope of the alert.

Nor should a whistleblower report a situation in which the person making the report knows the facts to be false, without exposing him or herself to criminal prosecution, particularly for slanderous denunciation.

\* A candidate for a position if the information was known in the context of this candidacy, a shareholder or partner or a person holding voting rights at the general meeting of the entity, a member of the administrative, management or supervisory body, an external collaborator, a subcontractor or a member of its staff.

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### 3. REPORTING PROCEDURE

#### 3.1. Reporting channel

SYSPERTEC can be contacted at the following address: [compliance@syspertec.com](mailto:compliance@syspertec.com)

The author of a warning may also effect an external warning to the competent authorities such as the Rights Defender <https://www.defenseurdesdroits.fr/> (Annex to the decree of 3 October 2022).

The author of the alert may also choose to effect an external alert, either after having effected an internal alert, or directly, to one of the following authorities:

- The Human Rights Defender, who will deal with the report if it falls within his or her remit (particularly discrimination), or who will direct it to the authority or authorities best placed to deal with it;
- Judicial authority ;
- A European Union institution, body, office or agency competent to collect information on breaches falling within the scope of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 ;
- One of the authorities listed in the appendix to decree no. 2022-1284 of 3 October 2022, in particular, in a professional context: the DGT (Direction générale du travail) in matters of individual and collective labour relations and working conditions, the DGEFP (Délégation générale à l'emploi et à la formation professionnelle) in matters of employment and training, or the Cnil in matters of protection of privacy and personal data.

Information sent by e-mail will be sent only to the designated contact persons.

All reports will be subject to rigorous analysis and a detailed internal audit.

#### 3.2. Content of alerts

As far as possible, all alerts should contain :

- The detailed nature of the facts reported or the evidence provided (date of the facts reported, location, etc.) in relation to the subject of the alert.
- One or more factors to support the report of events that have occurred or are very likely to occur in the company.
- If the whistleblower wishes to remain anonymous :
- Contact details for the whistleblower.
- Evidence that the whistleblower represents a category of people who can issue a warning.

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### 3.3. Processing alerts

#### 3.3.1. Designation of persons authorised to receive and/or handle alerts

Reports will be received and processed by a body made up of the Managing Director and the Human Resources Director, guaranteeing an objective and impartial assessment of the information received.

#### 3.3.2. Reporting procedure

##### (i) Receiving the alert

The author of the alert will be informed in writing via the alert channel used **within 7 working days** of receipt.

##### (ii) If the report is sent to another department

If the alert is sent to a department other than the authorised persons, it must be forwarded without delay to the persons responsible for collecting or processing alerts.

##### (iii) Examination of the conditions for admissibility of the alert

The persons authorised to receive and process the alert examine the alert by checking the following elements:

- The perpetrator is a person covered by the Sapin II Act (art. 8-I).
- The facts reported are political & the breach reported is serious
- The alert is issued in good faith and without direct consideration
- The whistleblower has personal knowledge of the facts when the information was not obtained in a professional context.
- The facts are sufficiently serious and probable (when the alert is anonymous).

### 3.4. Follow-up to an alert

#### 3.4.1. Failure to comply with the conditions laid down by law for whistleblower status and/or the internal procedure:

- The author of the alert shall be informed within a maximum of one month by a person authorised to receive and process the alert of the reasons why the entity considers, where applicable, that the alert does not comply with the above conditions.
- Any alert that does not meet the conditions for admissibility of an investigation will be closed. The author of the alert will be able to open a new alert on the same facts if he/she is able to provide the information required to meet the conditions for admissibility of the investigation.

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### 3.4.2. If the conditions laid down by law for whistleblower status and the internal procedure are met:

- The persons authorised to receive and process the alert ensure that the alert is processed. Any authorised person may request additional information from the person making the alert in order to verify the accuracy of the allegations made and better assess the admissibility of the request.
- If the allegations are proven, SYSPERTEC will use the means at its disposal to remedy the matter.
- The persons authorised to receive and process the alert will communicate electronically to the author of the alert information on the measures envisaged or taken to assess the accuracy of the allegations and, where appropriate, to remedy the subject of the alert, as well as the reasons for these measures. In the absence of an acknowledgement of receipt, these communications will be made within 3 months of the expiry of a period of 7 working days following the alert.

### 3.5. Closing the alert

SYSPERTEC will close the alert when the allegations are inaccurate or unfounded, when measures have been taken to remedy the subject of the alert or when the alert has become irrelevant. The author of the alert will be informed in writing via the alert channel used that the case has been closed.

Misuse of the whistleblowing system may expose its author to sanctions or prosecution. Conversely, use of the whistleblowing system in good faith will not expose its author to any disciplinary sanction, even if the facts subsequently prove to be inaccurate or do not give rise to any follow-up.

No disciplinary action will be taken against the accused until the facts have been established and verified.

## 4. WHISTLEBLOWER PROTECTION

### 4.1. Protection against reprisals

SYSPERTEC undertakes to protect whistleblowers against any form of reprisal, discrimination or sanction related to their whistleblowing. The whistleblowing system is optional. No sanction or consequence will be taken against an employee or any person designated in article "1.2 Conditions of application", who has not made use of it.

The identity of the persons concerned and all the elements of the report will remain confidential unless the whistleblower decides to lift anonymity.

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## 4.2. Follow-up on alerts

Regular monitoring of cases will be effected to ensure that whistleblowers benefit from the protection and support promised by SYSPERTEC.

## 5. GUARANTEE OF CONFIDENTIALITY AND INTEGRITY OF THE INFORMATION COLLECTED IN THE ALERT

### 5.1. Protecting the confidentiality and integrity of the information collected

SYSPERTEC undertakes to guarantee the integrity and confidentiality of the information collected by all the recipients of an alert, the identity of the author of the alert, the persons concerned by the alert and any third party mentioned in the alert. Access to this information by members of staff who are **\*\*not authorised\*\*** to know about it is strictly forbidden.

### 5.2. Protection of information from third parties

**The information collected may only be communicated to third parties** if this is necessary to process the alert and in compliance with the following provisions:

- Information identifying the whistleblower may only be disclosed with the whistleblower's consent. It may, however, be communicated to the judicial authorities if the persons responsible for collecting or processing the whistleblower's reports are required to report the facts to the judicial authorities. The whistleblower is then informed, unless this information could compromise the legal proceedings. Written explanations are attached to this information.
- Information identifying the person who is the subject of an alert may only be disclosed, except to the judicial authorities, once it has been established that the alert is well-founded.

## 6. PROCESSING OF PERSONAL DATA

### 6.1. Collection of personal data

The personal data ("Personal Data") collected and processed by SYSPERTEC are those provided by whistleblowers as set out in Article 2.1.3 of this procedure and may fall into the following categories:

- Data relating to the facts which are the subject of the alert ;
- The identity, functions and contact details of the sender of the alert (if the alert is not anonymous), of the persons who are the subject of the alert, of the persons involved, consulted or heard in the collection or processing of the alert and facilitators and persons in contact with the sender of the alert;
- Information gathered in the course of verifying the facts reported ;

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- Audit reports ;
- Follow-up to the alert.

SYSPERTEC only processes information that is relevant, adequate and limited to what is necessary for the purposes for which it is processed.

We therefore encourage whistleblowers to limit the information they communicate to that which is relevant and necessary to the study of the alert and not to include in the alert any sensitive information (in particular relating to religion, trade union membership, sexual orientation or health).

## 6.2. Purposes of processing

Personal Data is processed for the purposes of:

- Collecting and processing alerts or warnings of a breach of a specific rule;
- Effperform the necessary checks, investigations and analyses ;
- Define the action to be taken on the alert ;
- Ensuring the protection of data subjects;
- Exercising or defending legal rights.

## 6.3. Legal basis for processing

This processing is based on the existence of a legal obligation incumbent on SYSPERTEC, in accordance with article 8-I-B of the Sapin 2 law.

## 6.4. Shelf life

The Personal Data and all the elements collected and produced within the framework of the processing of the alert will be kept for a period of five (5) years following the final decision on the follow-up to be given to the alert, in order to allow SYSPERTEC to demonstrate the respect of its legal obligations.

## 6.5. Who has access to personal data?

The Personal Data of whistleblowers is communicated only to persons authorised to have access to it in the light of their duties, in accordance with article 2.2.1 of this procedure.

Personal Data may be transmitted to SYSPERTEC's subcontractors, who are required to process Personal Data within the framework of the mission entrusted to them by SYSPERTEC. We ensure that our sub-contractors provide a level of protection equivalent to that put in place by SYSPERTEC and require contractual commitments so that Personal Data is processed exclusively for the purposes that whistleblowers have previously accepted, with the required confidentiality and security.



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Where one of the subcontractors is established outside the European Union, SYSPERTEC puts in place a mechanism to supervise transfers of Personal Data in accordance with the requirements of the GDPR (such as the signing of standard contractual clauses) and ensures that these subcontractors offer a sufficient level of security.

## 6.6. Whistleblowers' rights

Whistleblowers and individuals whose data is being or has been processed as part of a professional alert have the right to access their Personal Data, to efface it in certain circumstances, to exercise their right to portability, to request the restriction of processing and to rectify it if it is inaccurate, without this constituting a retroactive change to the elements contained in the alert.

In accordance with Article 21 of the GDPR, the right to object may not be exercised in respect of processing necessary for compliance with a legal obligation to which the controller is subject, and therefore may not be exercised in respect of processing carried out as part of the whistleblowing procedure.

Whistleblowers and individuals whose data is being or has been processed as part of a whistleblowing procedure may exercise their personal data protection rights by contacting SYSPERTEC's DPO:

- by email to [dpo@syspertec.com](mailto:dpo@syspertec.com)
- by post: SYSPERTEC - DPO, 196 Bureaux de la Colline - 92210 Saint Cloud - France

SYSPERTEC undertakes to respond as soon as possible and within one month of the request. If the whistleblower feels that his or her rights have not been respected, he or she may lodge a complaint with the CNIL or any other competent authority.

## 7. PENALTIES FOR NON-COMPLIANCE WITH THE POLICY


### 7.1. Internal sanctions

Any breach of the whistleblower protection policy by any of the persons referred to in Article **"1.2 Conditions of application"** may result in disciplinary action commensurate with the seriousness of the offence.

### 7.2. Legal recourse

If the whistleblower's rights are violated, legal action may be taken to obtain compensation for the damage suffered.

## 8. FINAL PROVISIONS

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### 8.1. Entry into force

This policy comes into force on the date it is signed.

### 8.2. Safeguard clause

If any provision of this Policy is held to be invalid or unenforceable, the remaining provisions shall remain in full force and effect and shall be construed to best reflect the original intent.