

# **PRIVACY POLICY FOR WHISTLEBLOWER PORTAL**

## **R. FÆRCH PLAST A/S**

**Version 1.0 - 2018 (UK)**

This Privacy Policy explains how a company within Færch Plast Group ("We", "Us") processes your personal information regarding a report to the Whistleblower Portal.

Below is a description of the personal data processing that takes place and what rights you have, if a report is made about you through the Whistleblower Portal, as well as your rights if you use the Whistleblower Portal to make a report about another person.

Reference is also made to the separate guidelines and process descriptions for the Whistleblower Portal, including information about who can make a report and who can be reported.

This policy only concerns the handling and the investigation of a report made to the Whistleblower Portal and this policy must therefore be seen in connection with the HR-privacy policy and other relevant policies and procedures in regard to employees, consultants, contractors, volunteers, interns, casual workers and agency workers.

### **1 DATA CONTROLLER**

The entity responsible for the processing of your personal information is:

R. Færch Plast A/S

Rasmus Færchs Vej 1

7500 Holstebro

CVR-nummer 32308449

[dk@faerchplast.com](mailto:dk@faerchplast.com)

Telefonnummer + 45 99101010

## 2 DESCRIPTION OF THE PROCESSING

Purpose	Categories of personal data	Sources	Legal basis for the processing	Recipients	Data retention
<p>Handling and investigation of a report to the Whistleblower Portal regarding:</p> <ul style="list-style-type: none"> <li>the person who is reported</li> </ul>	<p>We can process the following categories of personal data about you:</p> <p>Ordinary personal data:</p> <ul style="list-style-type: none"> <li>Name,</li> <li>email address, telephone number,</li> <li>Other information which is included in the report</li> </ul> <p>Sensitive information and information about criminal offences or possible offences may be included in the processing.</p>	<p>We can collect your personal data from the following source(s) - equalling the group of people who has access to use the Whistleblower Portal:</p> <ul style="list-style-type: none"> <li>Employees</li> <li>Members of the board</li> <li>Members of the executive board</li> <li>consultants</li> <li>contractors</li> <li>volunteers</li> <li>interns</li> <li>casual workers</li> <li>agency workers</li> <li>Suppliers</li> <li>Collaborators</li> <li>Accountants</li> <li>Lawyers</li> </ul>	<p>We process your personal data on the following legal bases:</p> <ul style="list-style-type: none"> <li>Article 6.1.f (Necessary for the pursuit of legitimate purposes of the company), namely: <ul style="list-style-type: none"> <li>Investigating illegal activities</li> <li>Complying with legal requirements</li> <li>Investigating whistleblower reports</li> </ul> </li> <li>Article 9.2.b (necessary for the purpose of carrying out obligation in the field of employment, social security and social protection)</li> <li>Article 9.2.f (necessary for the establishment, exercise or defence of legal claims)</li> <li>Section 10 and Schedule 1 of the UK Data Protection Act for information about criminal matters or</li> </ul>	<p>We may share your personal information with:</p> <ul style="list-style-type: none"> <li>Plesner Advokatpartnerselskab</li> <li>IT-suppliers</li> <li>External counsellors</li> <li>The police</li> <li>Public authorities</li> </ul>	<p>We will retain personal data processed for this purpose for as long as it is necessary for the purposes listed.</p> <ul style="list-style-type: none"> <li>The data is retained for as long as the investigation is in progress. The retention period depends on the outcome of the investigation.</li> <li>If the report falls outside the whistleblower scheme, but does not appear to be unfounded, the information is disclosed to the HR Manager, where they are processed as described in the Personal Administration Privacy Policy.</li> <li>If a report is filed to the police the data will be retained for at least as long as the investigation is in progress at the police/public authority.</li> <li>If, on the basis of the information collected, a disciplinary penalty is imposed against the reported person or there are reasons for the fact that it is reasonable and necessary to keep the information of the person reported, the information is kept in the employee's staff folder and deleted in accordance with the policy for employee data.</li> </ul>

			criminal convictions and the Art 9 bases referred to above.		<ul style="list-style-type: none"> <li>If the report turns out to be groundless the data will be deleted within 2 months after the finding that the report was deemed to be unfounded</li> </ul>
<p>Handling and examination of reports to the whistleblower portal regarding:</p> <ul style="list-style-type: none"> <li>the person who has made the report (the reporter)</li> </ul> <p>If there is a suspicion that there is a deliberate false reporting, this purpose also includes investigations in relation to the reporter in such situations</p> <p>This purpose does not include the processing of the reported information in relation to the person who is reported - see above.</p>	<p>We can process the following categories of personal data about you if you choose not to make an anonymous report:</p> <p>Ordinary personal data:</p> <ul style="list-style-type: none"> <li>Name,</li> <li>email address,</li> <li>telephone number,</li> <li>The content of your report</li> <li>Additional information from the persons mentioned under "Sources" in cases where there is a suspicion that a deliberate false report has been made.</li> </ul> <p>As a rule, no sensitive information and information about criminal offences and convictions about you are handled as part of the handling of the Whistleblower Report - unless you choose to provide such information about yourself in the report.</p> <p>However, information about</p>	<p>We can collect your personal data from the following source(s):</p> <ul style="list-style-type: none"> <li>Yourself</li> <li>Members of the board</li> <li>Members of the executive board</li> <li>consultants</li> <li>contractors</li> <li>volunteers</li> <li>interns</li> <li>casual workers</li> <li>agency workers</li> <li>Suppliers</li> <li>Collaborators</li> <li>Accountants</li> <li>Lawyers</li> </ul>	<p>We process your personal data on the following legal bases:</p> <ul style="list-style-type: none"> <li>Article 6.1.f (Necessary for the pursuit of legitimate purposes of the company), namely: <ul style="list-style-type: none"> <li>Investigating illegal activities</li> <li>Complying with legal requirements</li> <li>Investigating whistleblower reports</li> </ul> </li> <li>Article 9.2.b (necessary for the purpose of carrying out obligation in the field of employment, social security and social protection)</li> <li>Article 9.2.f (necessary for the establishment, exercise or defence of legal claims)</li> <li>Section 10 and Schedule 1 of the UK Data Protection Act for information about criminal matters or criminal convictions and the Art 9 bases referred to above.</li> </ul>	<p>We can share your personal information with:</p> <ul style="list-style-type: none"> <li>Plesner Advokatpartnerselskab</li> <li>IT-suppliers</li> <li>External counsellors</li> <li>The police</li> <li>Public authorities</li> </ul>	<p>We will retain personal data processed for this purpose for as long as it is necessary for the purposes listed.</p> <ul style="list-style-type: none"> <li>The data is retained for as long as the investigation is in progress. The retention period depends on the outcome of the investigation.</li> <li>If the report falls outside the whistleblower scheme, but does not appear to be unfounded, the information is disclosed to the HR Manager, where they are processed as described in the Personal Administration Privacy Policy.</li> <li>If a report is filed to the police the data will be retained for at least as long as the investigation is in progress at the police/public authority.</li> <li>If, on the basis of the information collected, a disciplinary penalty is imposed against the reported person or there are reasons for the fact that it is reasonable and necessary to keep the information of the person reported, the information is kept in the employee's staff folder and deleted in accordance with the policy for employee data.</li> <li>If the report turns out to be groundless the data will be deleted within 2 months after the finding that the report was</li> </ul>

	criminal offences or possible offences may be included in the processing if there is a suspicion that a deliberate false report has been made.				deemed to be unfounded
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**3 INFORMATION TO THE SUBJECT(S) OF THE REPORT AND RETRACTION**

If you are subject to a report made through the Whistleblower Portal you will be notified as soon as possible after a primary investigation has taken place and all relevant evidence is secured. In connection with this you will receive information about:

- The identity of the person(s) that are responsible for the investigation of the report
- A description of the accusation(s)
- Who has seen the report

As mentioned below in the section about your rights you have the right to access to the report that has been submitted about you. However you are not usually allowed to be given the identity of the person who has submitted the report - regardless of whether the report has been made anonymously or the identity of the reporter is known.

If it is concluded that the report was deliberately false, you may be informed about the identity of the person, who has made the report about you, if the identity of the reporter is known.

You also have the right to request correction of information in the report which you believe to be false, misleading, incomplete or outdated. If your request cannot be met the information will usually be supplemented with your comments.

**4 CONSEQUENCES OF THE PROCESSING**

A report to or an investigation of a report to the Whistleblower Portal may have significant consequences for the reporting person, as a report may concern, for example, violation or suspected violation of the law, as described in the separate guidelines and process description of the scheme.

Making a report through the Whistleblower Portal may have significant consequences for the person who has made the report in case of a deliberate false report. Such cases may have criminal consequences or disciplinary consequences.

**5 TRANSFERS TO COUNTRIES OUTSIDE THE EU/EEA**

Your personal data is not transferred to countries outside the EU/EEA.

## **6 YOUR RIGHTS**

You have the following rights:

- You have the right to request access to and rectification or deletion of your personal data.
- You also have the right to object to the processing of your personal data and have the processing of your personal data restricted.
- In particular, you have an unconditional right to object to the processing of your personal data for direct marketing purposes.
- If processing of your personal information is based on your consent, you have the right to withdraw your consent at any time. Your withdrawal will not affect the lawfulness of the processing carried out before you withdrew your consent.
- You have the right to receive your personal information in a structured, commonly used and machine-readable format (data portability).
- You may always lodge a complaint with a data protection supervisory authority, e.g. The Information Commissioner's Office (in the UK).

There may be conditions or limitations on these rights. It is therefore not certain for example you have the right of deletion of your personal data in the specific case - this depends on the specific circumstances of the processing activity.

You can take steps to exercise your rights by contacting: Thomas Peter Vikkelsø Tranders - [tpt@faerchplast.com](mailto:tpt@faerchplast.com).

## **7 RIGHT TO COURT HEARING**

If employment proceedings are taken against you as a result of a report and subsequent investigation, you are entitled to refer the matter before the court.

## **8 QUESTIONS**

If you have any questions regarding this policy feel free to contact us at: Thomas Peter Vikkelsø Tranders - [tpt@faerchplast.com](mailto:tpt@faerchplast.com).