



# WHISTLE- BLOWER'S GUIDE

# Introduction

At Roquette, we are committed to improving the lives of people around the world and that commitment begins with integrity. This is how we have become a world leader. This is what defines us.

We express our four values in all our endeavors. Our culture is based on the following values:

## **AUTHENTICITY - EXCELLENCE – FORWARD-LOOKING – WELL-BEING**

We have adopted a **Code of Conduct** to help us implement the highest standards wherever we do business. Wherever we are, whatever our position, everything we do must be done honestly and responsibly. Our Code of Conduct is a guide designed to help us deal with most situations in our professional lives that could raise ethical issues.

If you have witnessed inappropriate behavior, if you think you have seen unsuitable behavior, or if you have the slightest doubt, don't hesitate to talk about it! It is vital for maintaining confidence with our co-workers and partners.

This guide aims to create awareness about the new professional whistleblowing alert system implemented within Roquette. It also aims to draw employee's attention in the widest context to the legal protective measures whistleblowers benefit from.

In the past the French legislator had attempted setting out a legal framework for the action of these whistleblowers, particularly in terms of their protection, provided that their approach was legitimate.

The Sapin 2 law of December 9, 2016, relating to transparency, the fight against corruption and modernization of the economy, went further by creating a general and protective status for whistleblowers. These legal dispositions were supplemented by the April 19, 2017, law relating to procedures of how alerts given by whistleblowers are received.

At European level, on April 16, 2019, the Parliament adopted the directive aiming to create a harmonious framework protecting whistleblowers making alerts to violations of European Union legislation in a large number of sectors.

This directive aims to enable whistleblowers to be shielded from any retaliation when they use one of the alert procedures provided for by the European text.



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## What is a whistleblower?

A whistleblower is a person who, as part of their professional duties, exposes or reports a crime, an offense, a threat, or harm to people, the economy, society, the government, or the environment, i.e., to the common good, the general interest, without receiving direct financial compensation. Whistleblowers may also reveal attempts to conceal these actions. They do not need to have personal knowledge of the events. They may have been reported to them.

There are more and more whistleblowers and each year they disclose new facts that most often make the company in question advance. Whistleblowers are an indispensable brick in transparency, the fight against corruption and the modernization of economic life.

## What is a facilitator?

A Facilitator is an individual or non-profit organization that assists a whistleblower in reporting or disclosing information, and more specifically:

- An individual who may be at risk of retaliation by their employer, customers, or the recipient of their services because of their assistance to the whistleblower (family, friends, co-workers, etc.).
- Legal entities controlled by a whistleblower for whom they work or with whom they are linked in a professional context (unions, associations, etc.).

This Facilitator is afforded similar protections to the whistleblower, they cannot:

- be excluded from a hiring process or from access to a training course or a period of professional training, be penalized, terminated, or be the subject of a direct or indirect discriminatory measure, especially with regard to compensation, profit-sharing measures, or the distribution of shares, training, job reassignment, qualification, classification, professional promotion, transfer or renewal of their contract.
- be liable by damages caused by their reporting or public disclosure

## What is an alert system?

An alert system is a system provided for staff and external or temporary staff, in addition to the usual means of alert, to enable them to report behavior that is potentially unethical, against internal rules and applicable regulations.

## Which situations should be reported?

Any situation and any violation, proven or presumed, of the Code of Conduct, company regulations and applicable laws, and in particular:

- ✓ Fraudulent acts (bribes, corruption, discounts, anti-competitive practices, misappropriation of money, theft, abusive appropriation, money laundering, conflicts of interest, facilitation payments);
- ✓ Security breaches (for example, problems that relate to data protection and computer security);
- ✓ Harassment, discrimination;
- ✓ Malicious acts against persons or company property;
- ✓ More generally, any crime or offense.
- ✓ Any breach of an international commitment, a unilateral act of an international organization, a European Union law, a law or a regulation.
- ✓ As well as any information concerning the above-mentioned actions.

However, the alert may not concern matters covered by national defense secrets, medical secrecy, the secrecy of judicial proceedings, an investigation, a judicial inquiry, or attorney-client privilege.



# Who can report a situation?

## Any person working for the company

Persons working for the company include, on one hand, members of the company, and on the other, external or temporary staff.

- **Members of the company** include:
  - ✓ Employees (on fixed-term or permanent contracts),
  - ✓ Interns,
  - ✓ Temporary workers,
  - ✓ And any other staff member seconded within the company.
- **External and temporary staff.**

They correspond to all those who provide their services to the company within a professional framework and have access to the company information system

They include in particular:

- ✓ Suppliers,
- ✓ Subcontractors,
- ✓ Services providers,
- ✓ Freelance workers



## How should a situation be reported?

The Roquette confidential alert channel is the last resort for reporting an abnormal situation, if you do not feel comfortable sharing your concerns with your line manager, the Human Resources department, or if you have already shared your concerns and feel that an adequate answer has not been provided.

Roquette has set up the secure solution **SpeakUp**®, which enables a report to be made in writing or via voicemail.

This solution is available via an app available in the Roquette ONE intranet. A mobile app' is also available in the Roquette Software Center.



It is a secure, confidential platform subject to whistleblower laws and general data protection regulations.

## What must the report contain?

The information communicated within the framework of this alert system must be formulated in an **objective** way and be **sufficiently precise** in order for the alleged facts to be checked.

Only the data necessary for the examination of the legitimacy of the alert must be provided and show the presumed nature of the alert.

Whistleblowers are encouraged to identify themselves in order to carry out the investigation and facilitate discussion.



## What are the whistleblower's commitments?

The capacity of a whistleblower relies on five cumulative conditions:

- ☑ The whistleblower must be a natural person.  
  
A legal person (union, association...) cannot therefore report an ethical alert from the definition of the Sapin 2 law.
- ☑ They must act in a professional capacity, i.e. the reported actions must relate to ROQUETTE itself, regardless of whether or not they are reported to them.
- ☑ The alert must be given in good faith,
- ☑ The whistleblower must not receive any direct financial compensation. The whistleblower must also not be motivated by personal grievances or an intention to cause harm.

Any whistleblower who, knowingly, or in a manifestly negligent way, makes false declarations in full knowledge of the facts, discloses misleading information, acts in bad faith or an abusive way, will be liable to be subjected to disciplinary procedures or proceedings in line with applicable laws and regulations.

Conversely, a whistleblower or facilitator acting in good faith will not be subject to discipline or prosecution if the allegations prove to be inaccurate or do not result in any action.

## How is confidentiality guaranteed?

The originator of a professional alert who identifies themselves, benefits in return from their identity and personal data being kept confidential, in accordance with applicable legislation. The Correspondents undertake to maintain whistleblowers confidentiality throughout the investigation process. The identity of a whistleblower cannot be communicated without their agreement, except to legal authorities. In some cases, due to the nature of an investigation or certain legal requirements, it is necessary to disclose the identity of an individual. In those cases, Roquette will work closely with the individuals involved to address their questions or concerns.

An anonymous alert can only be dealt with according to certain conditions:

- ☑ Violation, cover-up, or attempted cover-up of the events is a violation.

*Examples: Sexual harassment, false accounting, corruption.*

- ☑ Factual elements are sufficiently detailed.

*Example: Detailed report that does not allow the authenticity of the alert and reported facts to be doubted.*

## How is the whistleblower protected?

Roquette does not tolerate any form of retaliation towards any employee or third party acting on behalf of Roquette who reports, in good faith, a proven or presumed violation of the Code of Conduct or applicable laws.

The access to data is **restricted only to Roquette SpeakUp Correspondents**. The elements that may identify the alert originator can only be disclosed with the person's agreement (except to legal authorities).

## What happens after an alert?

As soon as a professional alert is received by the Correspondents, through the different communication channels possible, the report originator is informed:

- ☑ That their alert has been received;
- ☑ Of the reasonable timeframe necessary to examine its admissibility;
- ☑ Of the modalities following which they will be informed of the next steps to be taken after their report.

In a first phase classed as verification, the Correspondents carry out a preliminary evaluation to establish that the report falls within the scope of application of this procedure.

Any report that does not clearly fall within the scope of application of the procedure that is not of a serious nature, that is in bad faith or constitutes an abusive accusation or even slander, as well as any report relating to facts that cannot be checked, will be immediately destroyed and the author informed.

The whistleblower is informed in the event that the correspondents conclude the alert is admissible.

Any alert deemed admissible will then be presented to the Alert Committee which will decide the form and substance the following steps will take. Referral to specialists could be envisaged and an investigation could be carried out.

The professional report originator will only be involved in the investigation process for the purpose of checking the reported facts. The proceedings of the investigation, its content, outcome, and the resulting report are strictly confidential, including for the alert originator.

As soon as the company has made a final decision following the case investigation, the whistleblower will be informed of this decision (the case is closed, disciplinary or legal measures, etc.) as well as the reasons that justified it.

If the whistleblower is informed of the action taken by Roquette management, they will not be informed of the nature of the sanction decided or criminal offenses on which a complaint may have been filed.

The complete process for handling alerts is described in DIFMGR1001EN



## Who are the correspondents?

Two SpeakUp Correspondents in Roquette Group are responsible for professional alerts and attached to the Audit and Internal Control and Risk Management division. These Correspondents have been awarded professional certification and adhere to the profession's standards.

Their role consists of:

- ✓ Receiving professional alerts and monitoring their full treatment, from opening to closing the file, with confidentiality and ethics being respected, according to the dedicated process;
- ✓ Communicating with whistleblowers and centralizing the contacts;
- ✓ Coordinating investigations which may be carried out.

### Contacts:

- Véronique SCELLES [VERONIQUE.SCELLES@roquette.com](mailto:VERONIQUE.SCELLES@roquette.com)
- Arnault MARIN [ARNAULT.MARIN@roquette.com](mailto:ARNAULT.MARIN@roquette.com)



Any question regarding Data Protection in the framework of the alert system and requests relating to exercising your personal data rights must be addressed to [dpo@roquette.com](mailto:dpo@roquette.com) or [jennifer.godin@roquette.com](mailto:jennifer.godin@roquette.com).

*Cf. Protection of personal data charter in the framework of the professional alert system – Article 2 Whistleblower contact point*



## What is the response timeframe for an alert?

An acknowledgement of receipt is sent to the whistleblower within 72 hours of the report being filed.

The alert is then processed within a **reasonable timeframe**, which varies according to the nature of the alert (sexual harassment will take longer to investigate); the average timeframe is generally two months.

If a reason is not given for the report (absence of supporting documents) or unfounded, it is “closed” within 1 to 2 months following the investigations carried out.

## What other ways of reporting are there?

Instead of or subsequent to an internal report, the whistleblower may choose to submit an external report to a human rights advocate, to the courts, to the relevant authorities depending on the country.

## How is data relating to an alert stored?

Data relating to an alert that the Correspondents consider as soon as it is received as not coming under the system's scope of application, will be either **destroyed** or **archived** (after **being anonymized**) **without delay**.

When the alert is not followed by a disciplinary or legal procedure, the data relating to this alert is **destroyed** or **archived**, after **being anonymized**, within a **two-month timeframe** from when checking operations are closed.

When a disciplinary procedure or legal proceedings are started against the person implicated or the author of an abusive alert, the data relating to this alert is **kept until the end of the procedure**. Data subject to **archiving** measures is kept, in the framework of a distinct information system with restricted access for a **duration that does not exceed litigation procedure timeframes**.

## What data does ROQUETTE collect?

In accordance with the General Data Protection Regulation, ROQUETTE complies with the principles of relevance and data minimization. ROQUETTE divides the alert into two phases:

### 1- The issuing phase

During this phase, the whistleblower is asked to communicate strictly factual information directly related to the subject of the alert. It is up to the whistleblower to understand what information is necessary to process the alert.

### 2-The investigation phase

This phase enables ROQUETTE to investigate the reported events. ROQUETTE determines the evidence that may be collected or kept in the system.

As part of the investigation, ROQUETTE may process the following data:

- ID, job title, and contact information of the whistleblower.
- ID, job title, and contact information of the persons who are the focus of the alert.
- ID, job title, and contact information of the persons involved in collecting or processing the alert.

- Reported events.
- Items collected as a result of verifying the reported events.
- Verification reports.
- Follow-up of the alert.

ROQUETTE regularly updates its reporting log.

## How can I exercise my rights?

ROQUETTE processes your data in order to comply with the various regulations on whistleblower protection and, in particular, Law no. 2016-1691 dated December 9, 2016 on transparency, the fight against corruption and the modernization of the economy.

The purpose for processing the data is to assess the appropriateness of the alerts, to investigate them, and to take any appropriate measures necessary.

Your data may be sent to other ROQUETTE Group companies, judicial and administrative authorities in order to process the various alerts.

As a data subject of ROQUETTE's data processing, you have the following rights:

- The right to request access to your personal data.
- The right to have your personal data corrected or deleted.
- The right to limit the processing of your personal data.
- The right to object to the processing of your data.
- The right to the portability of your data.

You can exercise your rights under the General Data Protection Regulation by contacting the DPO at the following address:

**Jennifer Godin, Group Data Protection Officer**

Roquette Frères, Legal & Compliance  
Rue de la Haute Loge, 62136 Lestrem France

Or the following email: [DPO@roquette.com](mailto:DPO@roquette.com)

ROQUETTE has one month to respond to your requests.

# Sources and references



## Useful links

<https://www.defenseurdesdroits.fr/fr/lanceurs-dalerte>

## For more details

[https://www.cnil.fr/sites/default/files/atoms/files/referentiel-alertes-professionnelles\\_dec\\_2019.pdf](https://www.cnil.fr/sites/default/files/atoms/files/referentiel-alertes-professionnelles_dec_2019.pdf)

<https://www.cnil.fr/fr/le-referentiel-relatif-au-dispositif-dalertes-professionnelles-en-questions>

## Reference texts

- > Article 6 of the General Data Protection Regulation (GDPR) 
- > Article 8 of the GDPR 
- > Article 8 of the “SAPIN 2” law 
- > Article 17 of the “SAPIN 2” law 
- > Article L. 225-102-4 of the French Code of Commerce 
- > Deliberation no. 2019-139 of July 18, 2019 adopting a reference standard relating to processing personal data intended for implementing a professional alert system 

## Tool

<https://peopleintouch.com/>

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*Offering the best of nature™*