

Procedure for reporting professional alerts

1. CONTEXT

- In professional life it may happen to be confronted with situations which raise questions of ethics and integrity, or to identify behaviors which raise questions.
- Thanks to a corporate culture open to reporting, APEM has a professional alert system allowing internal APEM employees (including employees on permanent employment contracts or fixed-term, work-study students, apprentices, etc.) as well as only to external and/or occasional collaborators of APEM (including interns, temporary workers of a temporary work company, seconded employees, employees working within and on behalf of a company of the same group, service providers, subcontractors or suppliers) to bring to its attention, in a confidential manner, any serious attack on the general interest, internal rules and policies and legislative and regulatory provisions.
- The professional alert system is carried out on the reporting platform accessible at the following address: <https://apem.signalement.net> (hereinafter referred to as the “Platform”).
- This procedure allows you to answer the following questions:
 - Who can issue an alert?
 - What is an alert?
 - What are the conditions for the admissibility of an alert?
 - How to issue an alert?
 - How is confidentiality ensured?
 - Who are the *Reporting Referrals* ?
 - What are the missions of the *Reporting Officer* ?
 - How are professional whistleblowing reports handled?
 - How are personal data processed?
 - How is the effectiveness of the Platform evaluated?
 - How is this procedure disseminated?
- This procedure is not intended to replace the normal channels already existing in terms of internal communication which are carried out through the hierarchical structure of APEM, with the direct or indirect hierarchical superior, the Human Resources department, or also a representative of employees or staff: this procedure is therefore of a subsidiary nature. Please note that all professional whistleblowing reports will be processed on the Platform, regardless of the initial method of transmission of the report. This procedure is only one means of reporting among others, and failure to use it cannot result in any sanctions against employees.

2. WHO CAN ISSUE AN ALERT?

- Any individual including internal collaborators and external and/or occasional collaborators of APEM can report an alert, including if they are no longer collaborators of APEM on the date the alert is issued.

3. WHAT IS AN ALERT?

- The right to alert can be summarized as the ability offered to any person to decide or not to report the following situations:

1. Fraud, embezzlement and theft
2. Conflicts of interest, corruption and anti-competitive practices
3. Discrimination of any kind
4. Harassment of any kind
5. Non-compliance with laws and regulations
6. If the report is about the CEO of APEM Group, select this category
7. If your report is about the internal control department of APEM Group, select this category

- Any situation which does not appear to comply with APEM's internal rules or policies may also be the subject of a report.

4. WHAT ARE THE CONDITIONS FOR THE ADMISSIBILITY OF AN ALERT?

To report an alert, the following conditions must be met cumulatively:

- 4.1 The report must be made in good faith, that is to say with the reasonable belief that the facts are true at the time of their report.
- 4.2 The report must not have the intention of harming others.

5. HOW TO ISSUE AN ALERT?

- APEM's internal and external collaborators can make a report directly to the referent specially designated by APEM to receive and analyze alerts (the *Reporting Referent(s)*), as well as via our Platform and can also make a report directly to competent authorities.
- The maintenance of this Platform made available exclusively to APEM is carried out by a trusted external third party on dedicated servers independent of our computer network. Therefore, this Platform is only accessible by the *Reporting Referents* designated to collect and process cases.
- If one of the *Reporting Referrals* is himself the subject of the professional alert report, then the author of the report must contact the other *Reporting Referrals directly*, or to his hierarchical superior or even to the President of APEM.
- The report must include any element of fact, information or relevant documents to support the alert, so that the report is as exhaustive, precise, detailed and documented as possible; in

particular, the report must specify the date on which the facts took place and the identity of the people involved when these elements are known to the author of the report.

- The author specifies the reasons for his personal knowledge of the facts, and whether a third party was informed, by the author of the alert or by another means, of the same facts.
- The author of the alert is invited to provide any information that will allow APEM, while preserving the confidentiality of his identity, to contact him and discuss the alert.
- As an exception, an anonymous report may be processed, provided that the seriousness of the facts mentioned is established and that the factual elements are sufficiently detailed. The Platform is secure and allows anonymity but does not encourage it because it is more difficult and sometimes even impossible to process an anonymous report or to establish that the facts are founded. APEM recommends that the report be nominative; the investigation process is in fact facilitated when the identity of its author is known in order to be able to communicate with him, it being noted that APEM is committed to preserving confidentiality.

6. HOW IS CONFIDENTIALITY ENSURED?

- APEM guarantees the strict confidentiality of:
 - 6..1 The identity of the author of an alert,
 - 6..2 The identity of the people targeted by the alert,
 - 6..3 Of all the information collected as part of the processing of the professional alert.
- Once the report has been collected, the exchange between the *Reporting Referent* (and/or his possible delegates) and the author of the report takes place via the Platform. The absence of use of this messaging, or the use of other means of communication, does not affect the possible admissibility of the alert. Access to the Platform's messaging system is reserved for the *Reporting Referent* and his possible delegates.

7. WHO ARE THE REPORTING REFERENTS ?

- There are several categories of *Reporting Referent* which are as follows:
 - **Main referent** : he has all the rights on the Platform and can act on all reports, regardless of the area of the alert;
 - **Specific referent** : he is responsible but dedicated exclusively to one or more categories of alerts;
 - **Occasional contributor** : this is a person invited by a *Reporting Referent* to process or occasionally help with the processing of an alert. He accesses the entire report in question but does not access other reports on the Platform.
- The *Reporting Referent Contacts* designated as part of this procedure are as follows:

Reporting Referent Category	Function
Main Referent	Internal Control Manager

Alerts are received by the referent(s) designated above who, by virtue of their positioning, have sufficient competence, authority, and resources to carry out their missions.

8. WHAT ARE THE MISSIONS OF THE *REPORTING REFERENT* ?

- The *Reporting Referent* receives and analyzes reports sent to him by any means, and in particular via the Platform, mail, email, telephone or in person. It is specified that all professional alerts will be processed through the Platform by the *Reporting Officer*.
- The *Reporting Referent* ensures the confidential processing of alerts and ensures the confidentiality, protection and retention period of personal data collected as part of the processing of the alert.
- The *Reporting Referent* may be assisted by delegates, occasional contributors and/or call on internal or external experts (for example lawyers) in the processing of reports and, more generally, use the various services and tools of APEM. Any person assisting the *Reporting Referent* is then bound by the same obligations, particularly in terms of protection of confidentiality and personal data, as the *Reporting Referent* .

9. HOW ARE PROFESSIONAL WHISTLEBLOWER REPORTS HANDLED?

- **Step 1: Issuing the alert.** The report of a professional alert has been issued on the Platform or by any other means. If applicable, the author of the report will obtain by email a unique connection code to the Platform to follow the progress of the report and communicate with the *Reporting Referent* .
- **Step 2: Acknowledge receipt of the alert.** Both for reports issued on the Platform and for reports issued outside the Platform, the author of the report will receive in the Platform's messaging system an acknowledgment of receipt of his report within 7 days confirming its receipt but not constituting admissibility of the report. .
- **Step 3: Analysis of the admissibility of the alert.** The verification, processing and analysis of reports are carried out by the *Reporting Referent* as quickly as possible and while respecting the confidential nature of the report. The author of the report is not invited to conduct his own investigation, nor to seek to establish the legal classification of the reported facts.

The admissibility of the alert is examined within a reasonable time.

At the end of the first analysis of admissibility by the *Reporting Referent* :

- either the alert is not admissible: an inadmissibility message is sent to the author of the alert. This is the end of processing the report;
 - either the alert is admissible after a pre-analysis : an admissibility message is sent to the author of the alert;
 - either the referent needs additional information to analyze the admissibility or otherwise of the alert: a message requesting additional information is sent to the author of the alert.
- **Step 4: Processing of the alert by the *Reporting Referent*.** The *Reporting Referent* will:
 - identify possible precautionary measures to be taken;
 - carry out a possible interview with the author of the alert;

- carry out a possible interview with the person targeted by the alert.

Processing times may vary depending on the elements of the report and the *Reporting Referents* will be available to provide the issuers of the alert with a status on the progress of the processing of the case.

The *Reporting Referents* must inform the author of the report within a maximum period of **three (3) months** after receipt of the report of the progress of the investigation of the report. This deadline does not assume the duration necessary for processing, the delay may be more or less long.

- **Step 5: Alert instruction.**

Either the investigation of the file is not continued:

- the issuer of the alert is then informed;
- the alert is deleted without delay or kept after anonymization.

Either the investigation of the file is continued:

- THE *Reporting Referent* decides on the measures to be taken;
- THE *Reporting Referent* may decide to launch an internal and/or independent investigation procedure;
- are implemented;
- Any internal disciplinary sanctions or legal proceedings are put in place.

- **Step 6: Closing the alert.** The author of the alert and the person targeted by the alert are informed of the closure of the alert.

At this stage, two options are possible:

- When the alert is not followed by a disciplinary or legal procedure, the data relating to this alert is destroyed or archived, after anonymization within two (2) months from the closure;
- When disciplinary or litigation proceedings are initiated against the person accused or the author of an abusive alert, the data relating to the alert are kept by the *Reporting Referent* responsible for managing the alerts until 'at the end of the procedure and expiry of the remedies, or kept beyond that after having been previously anonymized at short notice.

In any case,

- **if the issuer of the alert has no response one (1) month** after receipt of the report, he or she may directly bring the professional alert to the attention of the competent authorities (including administrative or judicial authorities or even professional orders);
- **In the event of serious and imminent danger**, the issuer of the alert may directly bring the professional alert to the attention of the competent authorities. Serious and imminent danger means any type of danger likely to result in injury or death, and which is imminent;
- as a last resort and **in the absence of information within the three (3) month period on the current investigation**, the alert issuer may make his professional alert public.

10. HOW IS THE AUTHOR OF A REPORT PROTECTED?

- APEM protects the author of a professional whistleblower report who, in a disinterested manner and in good faith, has brought to its attention facts constituting an offense or a crime, even if the reported facts turn out to be inaccurate, or do not should not give rise to any action.

- Any author of professional whistleblowing may not be excluded from a recruitment procedure or from access to an internship or a training period, and no employee may be sanctioned, dismissed or subject to a discriminatory measure, direct or indirect, in particular with regard to remuneration, incentive measures or distribution of shares, training, reclassification, assignment, qualification, classification, professional promotion, transfer or renewal of contract.
- Any individual who believes that they have been the subject of reprisals for having reported or testified, in good faith, to facts constituting an offense or a crime of which they became aware in the exercise of their functions, may report it to the *Referent*.
- Any abusive use of the system, in particular in the form of a slanderous report (reporting of information that the author of the alert knows to be totally or partially inaccurate) or made in bad faith exposes the author to disciplinary sanctions.
- Any APEM employee who obstructs or obstructs the transmission of an alert, or who has taken retaliatory measures against the author of a report, is liable to legal proceedings and may be subject to disciplinary sanctions.

11. HOW ARE PERSONAL DATA PROCESSED?

- **Data collected.** APEM, as data controller, only collects and processes the following data in the context of processing a professional alert report:
 - 11..1 Name, first name, relationship of the author of the professional alert with APEM, telephone number, email of the author of the professional alert. The alert can be issued anonymously;
 - 11..2 Name, first name, email and department of the *Reporting Referent* in charge of processing the alert;
 - 11..3 Facts reported, elements collected as part of the verification of the facts reported, analysis of the alert, report of verification operations and follow-up to the report;
 - 11..4 Name, first name of possible witnesses;
 - 11..5 Identity, functions, and contact details of the people subject to an alert.
- **Purposes of processing** . The purpose of collecting and processing this personal data is to set up a professional alert system in order to collect and process alerts aimed at revealing a crime or misdemeanor, a breach of a law or regulation, or a threat or serious harm denounced by a whistleblower in alignment with the transposition of the EU Directive.
- **Legal basis for processing.** The processing with the aim of setting up a professional alert system in order to collect and process alerts denounced by a whistleblower is necessary to comply with a legal obligation in alignment with the transposition of the EU Directive.
- **Data sources.** Personal data was collected from the author of the report of the professional alert (victim or witness) and during the admissibility and verification operations of the professional alert.
- **Data recipients.** Only the authorized persons indicated in paragraph 7 of this procedure access the personal data processed in the Platform as well as the service provider in charge of the Platform. Personal data may be transmitted to third parties when communication is necessary for the sole purposes of verifying or processing the report. Personal data may also be communicated to the competent judicial authority in the event of legal proceedings following the professional alert.

- **Data transfer.** No transfer of personal data as part of the processing of professional alerts is made outside the European Union.
- **Data retention period.** Data retention periods are determined as follows:
 - data relating to an alert, considered by the *Reporting Referent* as not falling within the scope of the system, are either destroyed without delay or may be retained on the condition of having been previously anonymized promptly;
 - When no action is taken on an alert falling within the scope of the system, the data relating to this alert is destroyed or anonymized by the *Reporting Officer*, within two (2) months from the closure of the reporting operations. admissibility and verification of the alert. The author of the report and the people targeted by it are informed of this closure;
 - When a disciplinary or litigation procedure is initiated against the person accused or the author of an abusive alert, the data relating to the alert are kept by APEM until the end of the procedure and expiration. remedies, or kept beyond after having been previously anonymized at short notice.
 - The data may be kept for longer, in intermediate archiving, if APEM has a legal obligation (for example, to meet accounting, social or tax obligations) or if it wishes to constitute proof in the event of litigation and within the limit of the applicable limitation/foreclosure period.
- **Rights of data subjects.** Internal and external employees have the following rights: right of access, rectification, erasure and opposition at any time, for reasons relating to their particular situations, to processing of personal data concerning them based solely on on the processing having as legal basis the legitimate interest of APEM. They also have the right to limit processing, as well as the right to complain to the local data protection offices.
- Under no circumstances may the person who is the subject of the report obtain communication from the data controller of information concerning the identity of the author of the report.
- The author of the report and/or the person who is the subject of a report may be assisted by any person of their choice belonging to APEM at all stages of the system.
- **DPO contact.** To exercise their rights, internal or external employees can contact the APEM data protection officer at the following email address: cecile.raynaud@apem.com or to the following postal address: DPO - ZAC de la Fraye, 249 Imp. des Tamaris, 82000 Montauban, FRANCE

12. HOW IS THE EFFECTIVENESS OF THE PLATFORM EVALUATED?


- In order to be able to evaluate the effectiveness of the reporting system, the *Reporting Officer* may set up annual statistical monitoring concerning the reception, processing and follow-up given to reports.
- This annual statistical monitoring may show the number of reports received, files closed, files having given rise to or giving rise to an internal and/or independent investigation, the number and type of measures taken during and at the end of the investigation. investigation (precautionary measures, initiation of disciplinary or legal proceedings, sanctions imposed, etc.).

13. HOW IS THIS PROCEDURE DISSEMINATED?

- APEM will inform its internal and external employees of the existence of their right to report, including, for example, by means of display and notification.

14. CONTACT

- For any questions relating to this procedure, and the guarantees governing the right to report, internal or external APEM employees are invited to contact the *Reporting Referent*.

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For management,
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