Whistleblowing scheme

1. General

In this document you will find the whistleblowing policy that applies within JEKASHOP.

2. Definitions

Competent authority:

The competent authorities as referred to in Article 2c of the Whistleblower Protection Act, namely: the Authority

Consumer and Markets; the Netherlands Authority for the Financial Markets; the Dutch Data Protection Authority; De Nederlandsche Bank NV; the House for Whistleblowers as referred to in Article 3 of the Whistleblower Protection Act; the Health and Youth Care Inspectorate; the Netherlands Healthcare Authority; the Authority for Nuclear Safety and Radiation Protection and any other organizations and administrative bodies to be designated by General Administrative Order;

Social importance:

The public interest is in any case at stake if the act or omission does not only affect the personal interests of the reporter and there is either a pattern or structural nature, or the act or omission is serious or extensive;

Notifier:

A natural person who, in the context of his or her work-related activities, reports or makes public a suspicion of wrongdoing;

Notification:

Reporting a suspected irregularity;

Misconduct:

A wrongdoing is either a violation or risk of violation of Union law, or an act or omission in which the public interest is at stake:

1. due to a violation or risk of violation of a statutory provision or of internal rules of the employer (which rules contain a concrete obligation and have been established by the employer on the basis of a statutory provision) or
2. which poses a risk to public health, the safety of persons, damage to the environment or the proper functioning of the employer's undertaking; or ii) a breach or risk of breach of EU law.

Violation of Union law:

An act or omission which is either a. unlawful and relates to Union acts and policy areas falling within the material scope of application referred to in Article 2 of EU Directive 2019/1937, or b. undermines the object or purpose of the rules in Union acts and policy areas falling within the material scope of application referred to in Article 2 of EU Directive 2019/1937;

Suspicion of wrongdoing:

The suspicion of a reporter that there is wrongdoing within the organisation in which he or she works or has worked, or at another organisation if he or she has come into contact with that organisation through his or her work, to the extent that the suspicion is based on reasonable grounds arising from the knowledge that the reporter has acquired through his or her employer or arising from the knowledge that the reporter has acquired through his or her work at another company or organisation;

Work-related context:

Future, current or past work-related activities which, regardless of the nature of the work, may enable individuals to obtain information about misconduct and where those individuals may face retaliation if they were to report such information;

Employer:

Jeka Industrial Efficiency BV – Chamber of Commerce number 10036086

Employee:

A person who performs work under an employment contract or who otherwise performs work in a subordinate relationship in return for payment (e.g. interns, self-employed persons without employees, partners, directors, supervisors) for an employer.

3. Making a report

3.1 Any whistleblower who suspects misconduct can report it to their employer in the manner described below. If the whistleblower wishes to report it to one of the competent authorities, they can contact the House for Whistleblowers (https: //www.huisvoorklokkenluiders.nl/) .

3.2 Reporting can be done by contacting the Employer's General Manager via pp.blom@jekashop.com. External parties can also submit a report via this email address.

3.3 If the reporter has a reasonable suspicion and expresses the suspicion that the recipient of the report is involved in the suspected misconduct, the report will not be made to the recipient, but to the Employer's executive board.

3.4 A report may be made: by letter, by e-mail or by telephone to the official referred to in Article 3.2, or by means of a conversation, upon request and within a reasonable period to be determined by the recipient, at a location to be determined later with the person referred to in Article 3.2.

3.5 For practical reasons, the reporter may be asked to provide a (private) home address and/or (private) email address and phone number when reporting a concern. They can be reached by mail, email, and phone for reporting purposes. However, this is not mandatory.

3.6 The suspicion of wrongdoing must be based on reasonable grounds arising from knowledge acquired by the reporter from the employer or knowledge acquired by the reporter through his or her work at another company or organisation that carries out work for or on behalf of the employer.

3.7 When reporting, the reporter shall provide as much of the information available to him or her in this regard as possible.

3.8 Anyone who suspects wrongdoing can confidentially seek advice (consult and request information, consultation and support, for example).

4. Procedure

4.1 Upon receipt, the notification will be recorded in a register set up for that purpose.

4.2 The report will be investigated and followed up.

4.3 If the report is made orally (whether or not during a scheduled meeting), the person receiving the report will either prepare a written report of the meeting or record the meeting. Prior consent from the reporter is required for a recording of the meeting. The reporter will be given the opportunity to respond in writing to any written record of the meeting.

4.4 Receipt of the report will be confirmed to the reporter within seven days of receipt, by sending a written confirmation to the (private) residential or email address provided by the reporter. The confirmation of receipt should preferably include a brief description of the report and a copy of the report or, if submitted orally, a written record of the report.

4.5 Unless the report is not based on reasonable grounds or it is clear in advance that the reported matter does not relate to a misconduct, the report will be investigated by one or more persons who were not directly involved in the reported facts.

4.6 If the report is not based on reasonable grounds or it is clear in advance that the report does not relate to a misconduct, the reporter will be informed of this in writing, with an explanation of that finding.

4.7 The person or persons to whom the report relates shall be informed of the report, unless the employer considers this not to be in the interest of the investigation.

4.8 Within a maximum of three months after dispatch of the acknowledgement of receipt, the reporter will be provided with information about the assessment and, where applicable, the follow-up to the report.

4.9 The person(s) to whom the report relates shall be informed at least simultaneously with the reporter pursuant to Article 4.8 about the assessment and, where applicable, the follow-up to the report.

5. Confidentiality

5.1 Anyone within the employer who is involved in a report or in the investigation into a suspicion of misconduct, and who thereby obtains access to information the confidential nature of which he or she knows or should reasonably suspect, is obliged to maintain confidentiality of that information, except insofar as any statutory provision obliges him or her to disclose it or the need for disclosure arises from his or her duties in the implementation of this Act.

5.2 Data of a confidential nature shall in any case include: data on the identity of the reporter and the identity of the person to whom the wrongdoing is attributed or with whom that person is associated, and information about a trade secret.

5.3 The identity of a reporter and any information that can be used to directly or indirectly identify the reporter will not be disclosed outside the employer's organization without the reporter's consent. By filing a report, the reporter consents to the use of their identity to the extent required for the investigation of the report and any follow-up, unless the reporter expressly indicates at that time that they do not consent.

5.4 If any legal provision requires disclosure of the identity of a reporter in the context of an investigation into the report or legal proceedings, the reporter shall be informed of this in advance to the extent possible, unless such information could jeopardize the related investigation or legal proceedings.

6 Protection of the whistleblower

6.1 The reporter will not be disadvantaged during and after the handling of a report as a result of the report, provided that the reporter had reasonable grounds to believe that the reported information about the suspected wrongdoing was correct at the time of the report.

6.2 Detriment as defined in Article 6.1 includes, among other things, the employer taking a detrimental measure against the reporter, such as dismissal or suspension (other than at the reporter's own request) or imposing a fine (as referred to in Article 7:650 of the Dutch Civil Code).

7 Publication of this regulation

7.1 The employer will publish these regulations on its intranet and on its website.