

# WHISTLEBLOWER POLICY

## 1. OBJECTIVE

This whistleblower policy allows employees and third parties to report serious concerns regarding possible irregularities or misconduct at AGO Jobs & HR. These irregularities or misconduct do not concern individual interests. They relate to a breach of EU law in the areas of:

- The areas of those breaches are:
  - public procurements;
  - financial services, products and markets, prevention of money laundering and terrorist financing;
  - product safety and product conformity;
  - safety of transport;
  - protection of the environment;
  - national health;
  - consumer protection;
  - protection of privacy and personal data, and security of network and information systems;
  - combating tax fraud;
  - social fraud prevention.
  - etc.
- that are harmful to the EU's financial interests,
- that relate to the internal market, including breaches of EU rules on competition and government support.

AGO Jobs & HR has set up an internal whistleblower channel for such breaches. When you report something within the scope of the whistleblower act, you can start by using the internal whistleblower channel.

## 2. WHO CAN REPORT IRREGULARITIES OR MISCONDUCT?

You can only do this if you have a working relationship with AGO Jobs & HR. The relationship need not already or still exist at the time of reporting. This means former or current employees, self-employed persons, trainees, volunteers, suppliers, applicants, shareholders, (sub)contractors, etc. This procedure thus has a wide area of application. Concretely, the whistleblower reports irregularities or misconduct that they believe in good faith to be in breach of the applicable areas. Are you a temporary worker and want to report any irregularities or misconduct of a company you are temporarily working for? Use the whistleblower channel.

## 3. WHERE CAN I REPORT ANY IRREGULARITIES OR MISCONDUCT?

A person who has detected a breach or has reasonable suspicions that a breach has occurred or will occur reports it through the most appropriate and accessible channel. This can be both an internal and external channel.

### 3.1. Internal whistleblower channel

Irregularities or misconduct can be reported to AGO Jobs & HR as follows:

- By telephone to 056 26 17 05
- By email to [incident@ago.jobs](mailto:incident@ago.jobs)
- By appointment (arranged by telephone or email)

#### 3.1.1. Internal follow-up process

AGO Jobs & HR's whistleblower channel is managed internally. An impartial department is responsible for the follow-up of the reports and the communication with the whistleblower. At AGO Jobs & HR this is the Incident Department.

- Confirmation of receipt

The whistleblower receives confirmation of receipt within **seven days**.

The whistleblower's identity remains strictly confidential. Unless the whistleblower expressly agrees, their identity is not disclosed. The whistleblower can choose to remain anonymous.

- Investigation

The report is carefully investigated by the Incident Department.

The onus of proof lies with AGO Jobs & HR, which allows the whistleblower to make a report without having to provide evidence. In this case, the whistleblower reports a breach based on suspicions, for example.

The whistleblower can make the report public if:

- the report is not handled properly;
- there is an immediate and clear danger to the public interest; or
- there's a risk of irreparable damage.

- Feedback

The whistleblower is notified about the follow-up of the report no later than **three months** after the confirmation of receipt. This means they receive information about corrective measures, process improvements or changes, and/or other further steps that will or will not be taken. This feedback does not include details on specific individuals and may be of a general nature.

Even when feedback is not possible, the whistleblower receives feedback on why there is no information.

- Report

The Incident Department draws up an overview report during the investigation. This remains strictly confidential.

- Decision

The Incident Department makes a final decision and determines relevant actions that are necessary to end the irregularities or misconduct and to protect the company. The investigative team draws up a final report with the final decision and a description of the facts.

### 3.2. External whistleblower channel

A whistleblower who does not want to make an internal report may also use an external whistleblower channel. An external report is the oral or written communication of information about breaches to

- **The Federal Ombudsman**

A whistleblower can report the breach by calling 0800 99 961 or by emailing [contact@federaalombudsman.be](mailto:contact@federaalombudsman.be).

- **The competent authorities**

The following bodies are indicated as competent authorities, each for their own field:

- Le Service Public Fédéral Economie, P.M.E., Classes Moyennes et Energie ;
- Le Service Public Fédéral Finances ;
- Le Service Public Fédéral Santé Publique, Sécurité de la Chaîne Alimentaire et Environnement ;
- Le Service Public Fédéral Mobilité et Transports ;
- Le Service Public Fédéral Emploi, Travail et Concertation sociale ;

- The Federal Public Service Economy, SMEs, Self-employed and Energy;
- the Federal Public Service Finance;
- the Federal Public Service Public Health, Food Chain Safety and Environment;
- the Federal Public Service Mobility and Transport;
- the Federal Public Service Employment, Labour and Social Dialogue;
- the Public Planning Service Social Integration, anti-Poverty Policy, Social Economy and Federal Urban Policy
- the Federal Agency for Nuclear Control;
- the Federal Agency for Medicines and Health Products;
- the Belgian Federal Agency for the Safety of the Food Chain;
- the Belgian Competition Authority;
- the Data Protection Authority;
- the Financial Services and Markets Authority;
- the National Bank of Belgium;
- the Supervisory Board for Auditors;
- the authorities stated in Article 85 of the Act of 18 September 2017 on the prevention of money laundering and the financing of terrorism and on restricting the use of cash;
- the National Committee for the Security of the Supply and Distribution of Drinking Water;
- the Belgian Institute for Postal Services and Telecommunications;
- the National Institute of Health and Disablement insurance;
- the National Institute for the Social Security of the Self-employed;
- the National Employment Office;
- the Social Security Office;
- the Social Intelligence and Investigation Service;
- the autonomous Anti-Fraud Coordination Service (CAF);
- the Shipping Authority.

## 4. WHAT DATA DO WE PROCESS?

Personal data is processed in accordance with Regulation (EU) 2016/679 and the legal provisions on the protection of natural persons with regard to the processing of personal data. Any exchange or transmission of information by EU institutions, bodies, offices or agencies is in accordance with Regulation (EU) 2018/1725. Personal data that are clearly not relevant to the processing of a specific report shall not be collected, or, if collected unintentionally, shall be deleted immediately. The name, position and contact details of both the whistleblower and any person to whom the protection and support measures extend, as well as the data subject, including, where applicable, the company registration number, shall be retained until the reported breach is time-barred. AGO Jobs & HR shall ensure that the information relating to the report is retained in such a way that it is physically and digitally accessible only to those designated by AGO Jobs & HR as competent persons. All reports and subsequent investigative reports and/or determination reports, decisions, etc. are treated with the strictest confidentiality.

## 5. WHAT ARE MY RIGHTS?

- AGO Jobs & HR guarantees, when a report is made in good faith, that the whistleblower will not be disadvantaged by reporting an incident. The whistleblower is safeguarded against any form of reprisal, such as:
  - suspension, temporary dismissal, dismissal or similar measures;
  - demotion or refusal of promotion;
  - transfer of duties, change of workplace location, reduction of pay, change of working hours;
  - withholding of training;
  - negative performance appraisal or employment reference;
  - imposition or application of a disciplinary measure, reprimand or other sanction, such as a financial penalty;
  - coercion, intimidation, harassment or exclusion;
  - discrimination, adverse or unfair treatment;
  - non-conversion of a temporary contract of employment into a contract of employment for an indefinite period, in case the employee had the legitimate expectation to be offered employment for an indefinite period;
  - non-renewal or early termination of a temporary contract of employment;
  - damage, including damage to reputation, especially on social media, or financial loss, including loss of turnover and income;
  - blacklisting based on an informal or formal agreement for an entire sector or industry, which prevents the person from finding a job in the sector or industry;
  - early termination or cancellation of a contract for the supply of goods or services;
  - withdrawal of a licence or permit.
- The whistleblower is safeguarded against a violation of confidentiality and duty of secrecy only if the following conditions are met:
  - You have reasonable grounds to believe that the report or disclosure is necessary for the disclosure of the wrongdoing or breach
  - You have reasonable grounds to believe that the reported information is accurate;
  - You have made the report public correctly.
- The whistleblower may not make information public. This is only allowed in the following cases:
  - When there is an imminent danger to the public interest.
  - If the competent authority does not adequately address the information.
- In addition to the whistleblower, facilitators and third parties connected to the whistleblower who may also become victims of reprisals in a work-related context and any accused individuals are also protected.
- The whistleblower has the opportunity to inspect and correct the report.

## 6. RETENTION OF DOCUMENTS

AGO Jobs & HR keeps a register of all reports, tracking both the receipt of the report, its investigation and its resolution. The reports are kept in this register for as long as the contractual relationship between the whistleblower and the employer continues. Investigative reports and supporting information are kept for **at least five years** after the end of the investigation.

## 7. PROCESSING OF PERSONAL DATA

This policy applies to the following companies (jointly known as AGO Jobs & HR):

- AIB NV (0867.323.421), having its registered office at Wolvenstraat 23, 8500 Kortrijk
- AGO Construct NV (0874.698.785), having its registered office at Wolvenstraat 23, 8500 Kortrijk

All personal data are processed in accordance with the applicable data protection legislation, including the General Data Protection Regulation ("GDPR").

We process personal data solely for the purpose of carrying out required investigations pursuant to a legal obligation. We only process strictly necessary data. We may share the data with public bodies if the report contains information that is required to be disclosed by law. In addition, we may share the data with other external parties involved in an investigation.

All personal data are retained for at least as long as the contractual relationship between the whistleblower and the employer continues. The data are kept for as long as the limitation period relevant to any legal claims.

All data subjects have the right to request access, rectification, erasure and objection to the processing of their personal data.