Whistleblower policy

April 2025

INTRODUCTION

With this policy, the Bureau for Standardisation (hereinafter referred to as "NBN") aims to establish an internal whistleblowing channel in accordance with the Act of 8 December 2022 on whistleblowing channels and the protection of whistleblowers in federal public sector bodies and the integrated police (hereinafter referred to as "the Act"), and to regulate its operation. It places great importance on the adequate handling of any suspected breach of the applicable law and on compliance with its legal obligations in pursuance of the Act.

BASIC PRINCIPLES

➢ Any person who, in a professional context, has obtained information about a potential integrity violation can report it. This may concern an employee (current or former), an intern, a volunteer, a self-employed person, a board member, a supplier, a subcontractor, etc.
➢ The whistleblower, or person who reports a concern, is free to choose the channel (internal or external) through which they wish to report their concern.
➢ If the internal whistleblowing channel is used, the officer designated to handle whistleblowing concerns shall process the reported concern by investigating it and taking the necessary measures.
➢ The whistleblower's hierarchical superior shall keep them informed of the progress and results of the investigation
➢ A whistleblower who reports breaches in good faith and with due observance of the legal procedures is protected against reprisals.

ARTICLE 1. SCOPE

This policy applies to all NBN employees. It also extends to third parties acting on behalf of NBN.

The policy applies to the persons specified in the aforementioned paragraph who are whistleblowers or are involved in the report of a whistleblower. A whistleblower is a person who, in a professional context, has obtained information about breaches committed by a private legal entity and discloses this information. Any natural person who reports a potential breach of the law, as referred to in article 2 of this policy, is considered a whistleblower.

The following persons may report a concern and can therefore be regarded as whistleblowers:

- current employees, as well as former employees and future employees (such as applicants) of NBN;
- self-employed persons (such as contractors, subcontractors and service providers or persons working under the supervision and direction of such (sub)contractors or service providers);

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- shareholders and members of the general meeting, the board of directors or the supervisory body, including non-executive members;
- volunteers and interns, whether remunerated or unremunerated.

<u>ARTICLE 2.</u> INTEGRITY VIOLATIONS

§1. If a whistleblower knows or suspects that a breach of the applicable law is being committed within the company, they must report this immediately, either internally or externally, and disclose the information they have in this respect.

"Information on breaches" shall be understood to mean: information, including reasonable suspicions, about actual or potential breaches that occurred or are highly likely to occur, as well as attempts to conceal such breaches.

"Breaches" or integrity violations, are essentially understood to mean: unlawful negligence or acts relating to the domains listed below, or that contravene the purpose or application of the rules within these domains.

§ 2. The whistleblower can report breaches of the law in the following domains, without this being an exhaustive list:

- public procurements;
- financial services, products and markets, prevention of money laundering and terrorist financing;
- product safety and conformity;
- road safety;
- environmental protection;
- radiation protection and nuclear safety;
- food safety and animal feed safety, animal health and welfare;
- public health;
- consumer protection;
- protection of privacy and personal data, and security of networks and information systems;
- tax fraud;
- prevention of social fraud.

Additionally, the whistleblower may also report:

- breaches that could harm the financial interests of the EU and breaches related to the internal market of the EU;
- in general, a criminal offence, a violation of a legal obligation, or a judicial error;
- a deliberate attempt to conceal any of the aforementioned breaches.

This policy applies insofar as it is in accordance with the applicable law on reporting breaches, as well as with European or national law and workplace welfare regulations (particularly those concerning the prevention of psychosocial risks at work), which take precedence.

<u>ARTICLE 3.</u> CHANNELS

If the whistleblower wishes to disclose information about breaches obtained in a professional context, they have the option to do so and can make this disclosure in the following manner:
- using the internal whistleblowing channel;
- using an external whistleblowing channel;
- by public disclosure of the information.

It is at the whistleblower's discretion to choose the most appropriate channel.

ARTICLE 4. INTERNAL WHISTLEBLOWING CHANNEL

§1. If the whistleblower is of the opinion that a breach of the law occurred, is occurring, or will occur in one of the aforementioned domains, they can report this internally, either orally or in writing, to the officer designated by NBN to handle whistleblowing concerns. The identity and contact details of this designated officer are:

CMS DeBacker
Chaussée de La Hulpe 178
1170 Bruxelles
nbn.reportingchannel@cms-db.com

The officer designated to handle whistleblowing concerns acts as the whistleblower's single point of contact and shall take appropriate measures to investigate and handle the reported concern. They shall also keep the whistleblower informed about the progress of the procedure. The officer designated to handle whistleblowing concerns operates in a neutral and independent way to prevent any conflicts of interest.

§2. Within seven (7) days of receipt of a reported concern, a confirmation of receipt shall be sent to the whistleblower. The confirmation of receipt contains (i) a description of the possible breach and (ii) the date of receipt of the reported concern.

Upon receipt of the internal report, the officer designated to handle whistleblowing concerns registers it in accordance with Article 9 of this policy.

The officer designated to handle whistleblowing concerns first decides whether the reported concern is admissible. If the reported concern is deemed to be inadmissible, the whistleblower is informed of this and the reasons for its inadmissibility.

If the reported concern is deemed to be admissible, the officer designated to handle whistleblowing concerns investigates the facts and the substance of the reported concern. During the investigation, the officer designated to handle whistleblowing concerns may request additional information from the whistleblower. The investigation into the suspected integrity violation aims to collect, verify, and analyse information with due consideration for both incriminating and exculpatory evidence. The purpose is to determine whether the accusation of irregularity is substantiated (or not) and, if so, to determine which staff members of the federal public sector bodies are involved in the established irregularity. The investigation also intends to formulate recommendations to the federal public sector body in the event of dysfunction or shortcomings in the internal monitoring system or existing procedures. The recommendations are intended to improve the federal public sector body's operations and/or reduce the risk of recurrence. The investigation is not intended to comment on the appropriateness of possible measures or sanctions in relation to the staff members of the federal federal public sector body involved in the integrity violation.

The officer designated to handle whistleblowing concerns respects the general principles of good governance in the performance of the investigation. In all their actions, they ensure compliance with the principles of impartiality, equality, proportionality, justification, and careful treatment. They conduct the investigation with due consideration for both incriminating and exculpatory evidence. They respect the contestable nature of the procedure by confronting the staff member of the federal federal public sector body with the findings and allowing them, during individual hearings, to respond and provide an explanation.

The staff member involved in the investigation is obliged to cooperate and provide all the relevant information they possess. In accordance with Article 8 below and the Act of 8 December 2022, they are granted protection. Once the facts have been established, and no later than three months after the date of confirmation of receipt, the officer designated to handle whistleblowing concerns provides the whistleblower with the results of the whistleblowing procedure (i.e. the measures planned or adopted, the reason of this outcome, and the consequences arising therefrom). If no confirmation of receipt was sent, the result must be provided within three months of the expiration of the sevenday period following the reported concern. For reasons of confidentiality the whistleblower shall not necessarily be informed of the recommended measures.

ARTICLE 5. EXTERNAL WHISTLEBLOWING CHANNEL

The use of the internal whistleblowing channel ensures a more effective handling of the reported concern by an officer designated to handle whistleblowing concerns who is authorised to take the necessary measures following the reported concern.

However, if the whistleblower chooses not to use the internal whistleblowing channel (for whatever reason), they may also file an external report with the federal ombudsmen in accordance with the Act of 8 December 2022 on whistleblowing channels and the protection of whistleblowers in federal public sector bodies and the integrated police.

ARTICLE 6. PUBLIC DISCLOSURE

In addition to internal and external whistleblowing channels, the whistleblower may also disclose information about breaches through disclosure. Disclosure implies making information about breaches publicly available, for example, via the press or social media.

The whistleblower is protected in such cases, provided that the conditions laid down in Article 24 of the Act have been met. However, if the whistleblower misuses the public disclosure or acts without reasonable grounds, the company may take disciplinary measures or invoke liability for the caused damage.

ARTICLE 7. CONFIDENTIALITY

A reported concern is handled confidentially. The whistleblower's identity, or any information that could reveal their identity, will not be disclosed to anyone other than those authorised and responsible for receiving or responding to the reported concern, without their explicit and free consent. The officer designated to handle whistleblowing concerns ensures that the information related to the reported concern is only accessible to the persons entrusted with its processing. These persons shall not disclose the whistleblower's identity, or any information that could lead to their identification, without their prior, free, and written consent.

The whistleblower's identity is only protected if certain conditions are met, which comply with the eligibility requirements for protective measures.

Despite the preceding paragraph, the whistleblower's identity as well as any other information that may directly or indirectly reveal their identity may only be disclosed when necessary and proportional on the grounds of legal provisions, for example in the context of an investigation conducted by government agencies or authorities, or in the context of legal proceedings. In such cases, the whistleblower's prior written consent is not requested, but they will be informed of the disclosure.

ARTICLE 8. PROTECTION

§1. The whistleblower can benefit from the protections described below if the following conditions are met:

- They had reasonable grounds to believe that the reported information about integrity violations was accurate at the time of the reported concern and fell within the scope of the law (see Article 2 of this policy);
- They made an internal or external report in accordance with the law.

§2. A whistleblower who discloses something publicly falls under protective measures:

- if they first made both an internal and external report, or immediatelytmade an external report, without appropriate measures being taken within the legal term in response to this; or
- if they had reasonable grounds to believe:
    - that the integrity violation poses an imminent or real threat to the public interest; or
    - that, in the case of an external report, there is a risk of reprisals or little likelihood of action effectively being taken against the integrity violation due to the specific circumstances of the case.

§3. If the aforementioned conditions are met, the whistleblower falls under specific protective measures. When a breach has been reported, NBN shall take all reasonable measures to ensure that the whistleblower who reported the concern does not suffer any adverse treatment. Any form of reprisals (including threats and attempts thereof) is strictly prohibited. This comprises, but is not limited to: dismissal, suspension, demotion, negative evaluation, amendment of employment conditions, disciplinary penalties, intimidation, harassment or early termination of a contract.

§4. The protection specified in this policy also applies to the following persons:

- the facilitator, i.e. the person who assists the employee, i.e. the whistleblower, during the reporting process, whereby this assistance needs to be confidential;

- third parties connected to the employee, i.e. the whistleblower, who may face reprisals in a professional context (e.g. colleagues or family members);
- legal entities belonging to the whistleblower, those the whistleblower works for, or entities to which they are otherwise professionally connected.

§5. NBN reserves the right to proceed with dismissal for reasons unrelated to a reported concern made in the context of this current policy.

§6. A person covered by the aforementioned protective measures who believes they are a victim of reprisals, or are being threatened with reprisals, may file a reasoned complaint via the external whistleblowing channel.

ARTICLE 9. REPORT AND PROTECTION OF PERSONAL DATA

§1. NBN draws up an annual report on reported concerns, in accordance with legal requirements, including those related to confidentiality. In addition, the whistleblowing channel ensures the archiving of every report. The whistleblowing channel takes the necessary technical and organisational measures to ensure proper preservation thereof and to prevent unlawful processing, loss, destruction, and damage.

§2. In view of the above, the processing of a reported concern also involves the processing of personal data (of the whistleblower and/or the involved persons). NBN is the data controller of personal data in the context of this policy. The applicable protection of privacy laws will be respected. The name, position, and contact details of the whistleblower (and other persons who fall under protective measures as a result of a reported concern), as well as the name, position, contact details, and personnel number of the involved persons, will be retained until the breach has been resolved.

ARTICLE 10. DISCLOSURE AND AMENDMENTS

The current policy will be communicated to the employees in question and shall be accessible at all times via the intranet at the following link. NBN reserves the right to amend the provisions of the current policy from time to time in accordance with operational circumstances and/or amendments to acts.