

## **Rules of Procedure according to Section 8 II LkSG**

### **I. Establishment and purpose of the complaints procedure**

The company has established an appropriate complaints procedure in accordance with Section 8 LKSG. The complaints procedure enables individuals to draw attention to human rights and environmental risks and to violations of human rights or environmental obligations that have arisen as a result of the business activities of a company in its own business area or of a direct or indirect supplier.

### **II. Responsibility and accessibility**

The complaints procedure is handled by the external lawyer of trust (ombudsman), who can be contacted as follows:

Dr Carsten Thiel von Herff, LL.M.

Loebellstraße 4

D - 33602 Bielefeld

Tel: +49 521 557 333 0 / Mobile: +49 151 58230321

E-mail: [ombudsmann@thielvonherff.de](mailto:ombudsmann@thielvonherff.de)

Reporting platform: [www.report-tvh.com](http://www.report-tvh.com)

Homepage: [www.thielvonherff.de](http://www.thielvonherff.de)

The lawyer of trust acts as a self-employed and independent lawyer. He is impartial and is not subject to any instructions from the company with regard to the handling of the matter. The lawyer of trust is bound to secrecy. If requested, he will maintain the confidentiality of the identity of a whistleblower.

### **III. Complaints procedure**

The confidential counsellor receives the complaint and, if necessary, discusses the facts of the case with the whistleblower. In any case, the whistleblower will receive an acknowledgement of receipt.

The confidential counsellor checks whether a breach of duty within the meaning of the LkSG or a violation of other laws or internal rules may have occurred. If there are sufficient indications, he will forward the facts submitted to him to the company for investigation in an authorised form. In order not to jeopardise his neutrality, the lawyer of trust shall not conduct an investigation himself.

The company shall follow up the tip-off in accordance with the law and internal rules and taking into account the interests of all parties involved. The investigation should be conducted swiftly and without major interruptions.

Persons affected by an investigation must be treated fairly and respectfully. The presumption of innocence applies to all parties involved. The right to be heard must be granted. For this reason, the persons affected by a report are informed as soon as possible about the report received and are made aware of their rights to information and rectification. However, if there is a serious risk that notification would jeopardise the investigation of the tip-off, notification may be postponed until after the investigation has been completed or until the risk has ceased to exist.

The legal assessment of the facts under investigation and the determination of suitable measures to eliminate and prevent improper business practices are carried out by the company, which may consult the lawyer of trust for this purpose. Measures may include, for example, appropriate civil action or the involvement of an authority. Even if no violations are found in a specific case, suggestions for changes to work and business processes as well as changes to organisational and conduct regulations may be appropriate.

The whistleblower can obtain information on the status of the case from the confidential counsellor at any time. They will receive feedback on the follow-up measures to the report three months after receipt of the report. The confidential counsellor will inform the whistleblower of the outcome no later than after the process has been completed, to the extent permitted by law.

#### **IV. Protection of the whistleblower**

The whistleblower is generally protected from discriminatory or disciplinary measures. Any act of retaliation directed against them will not be tolerated. In the event of indications of retaliatory measures against whistleblowers, the confidential counsellor must be consulted immediately.

If the confidential counsellor has assured a whistleblower of confidentiality, he will not disclose his name and identity to the company or third parties without his consent. If the lawyer of trust is questioned as a witness in criminal, civil or other proceedings, he will only disclose the name and identity of the whistleblower if he is authorised to do so in writing by both the whistleblower and the company.

The whistleblower's desire to protect his or her identity is countered by the interest of the persons affected by the whistleblowing in the disclosure of the facts. This is another reason why deliberate abuse of the opportunity to submit complaints and reports will not be tolerated. The confidential counsellor should point out to the whistleblower in the first meeting that in the event of deliberate misuse of the complaints procedure, their identity may be disclosed to the company.

## **V. Data protection**

Compliance with the statutory retention obligations and data protection regulations is ensured by the lawyer of trust. The personal data collected is limited to details of the identity, function and contact information of the reporting and affected persons and to the other personal data absolutely necessary for processing the matter. In addition, only reported facts, processing details, follow-up of the report and test reports are stored.

The retention period for personal data recorded as part of reports and investigations is two months after the investigations have been completed. This period is extended accordingly if disciplinary or court proceedings and other disputes for which the data must be used follow the conclusion of the investigation.

## **VI. Effectiveness of the complaints procedure**

The effectiveness of the complaints procedure is reviewed once a year and on an ad-hoc basis, for example if the company has to expect a significantly changed or significantly expanded risk situation in its own business area or at its direct supplier, for example due to the introduction of new products, projects or a new business area.