

Speak up

WHISTLEBLOWING CHANNEL



What is Speak Up?

Speak Up is a tool that allows to communicate, in a confidential and safe way, potentially irregular activities and behaviors that may constitute a breach of the Code of Ethics, or the possible commission of a criminal offense.

This channel is characterized by being reliable and secure, thanks to an asymmetric cryptography that guarantees data authentication, integrity and confidentiality. Its aim is to protect “whistleblowers”, that is, people who report an illegal act committed in the company, from possible reprisals that others may take against them because of the report.

The channel’s main objective is to prevent possible regulatory breaches and correct those that have already been detected. Its mechanism makes it possible to reduce risks and create trust both for Opentrends’ people and for the company’s collaborators and suppliers.

Who can use Speak up?

People who can send complaints through this channel are the following:

1. People who currently work, or have worked, at Opentrends.
2. People who are in selection process.
3. Clients and suppliers.
4. Shareholders and all those people who are part of the administrative body, the supervisory board or the Steering Committee.

What actions are reportable through Speak Up?

Specifically, the events that can be reported by this channel are the following:

- **Public procurement:** actions related to contractual matters with public administrations, whatever their form.
- **Environmental protection:** any action that may violate current regulations for the preservation of the environment.
- **Public Health:** public health is the organized response of a society, a response allocated to promote, maintain, and protect the health of the community, and also to prevent disease, injury, and disability. Any action that violates these patterns will be reportable.
- **Protection of privacy and personal data, and security of networks and information systems:** guarantee of confidentiality, privacy, security and treatment of personal data. Reporting of any computer crime that violates protection rules for personal data.
- **Inappropriate behaviors and actions in job performance:** behaviors that may violate labor regulations are:
 - Unfulfillment of labor risks prevention regulations.
 - Unfulfillment of the company internal procedures.
 - In general, any behavior that can be considered outside of good business practice.

- **Inadequate management of business resources:** use of business assets for own purposes, or their inadequate management and handling.
- **Theft:** any type of robbery or theft of personal or work property that is located in the business environment.
- **Discriminatory treatment or influence peddling:** difference in treatment of an employee for reasons not related to their job performance, or behaviors that objectively can be considered as mobbing or influence peddling.
- **Misuse of classified information:** manipulation, falsification or revelation of data classified by the company itself as reserved and confidential.
- **Fraud and Corruption:** tax fraud, deception, bribery, embezzlement, money laundering or any type of corruption.

How does Speak Up work?

This tool guarantees confidentiality and safeguards the identity of the complainant, which is protected at all times during the process. The identity of the person who reports will only be revealed when it is strictly necessary and proportional to guarantee the right of defense of the accused person.

The channel works as follows:

- 1.** The complainant must fill out a form clearly and precisely, providing as much detail as possible.
- 2.** An acknowledgment of receipt will be sent to the complainant within a maximum period of seven days from the reception.
- 3.** The complainant will be informed on the channel operation and on how their personal data will be processed.
- 4.** To the extent possible, the complainant will be informed on the course of their file.
- 5.** The file must be resolved in a period not exceeding three months. In duly justified cases, this time can be extended up to six months.
- 6.** The information provided to the complainant must be clear and easily accessible.
- 7.** The appropriate impartial person or department will be contacted to carry out the follow-up and resolution of the report.
- 8.** A diligent, impartial and confidential follow-up will be performed.
- 9.** The final resolution can lead to three options:
 - A.** Solution of the incident and imposition of the appropriate measures.
 - B.** Closing of the file for not being proper.
 - C.** Transfer of the file to the appropriate authorities for further investigation.

Legal regulation of the Speak Up channel

The legal regulation of the Speak Up channel is based on the following precepts:

- **ISO 19600–2014**, Compliance management systems.
- **Organic Law 1/2015**, which amends the Penal Code.
- **Circular 1/2016** of the Spanish Public Prosecutor's Office's.
- **Organic Law 3/2018**, on Protection of Personal Data and Guarantee of Digital Rights (LOPDGDD).
- **Directive (EU) 2019/1937** of the European Parliament and of the Council, of 23 December 2019 on the protection of persons who report breaches of Union law (known as the Whistleblowing Directive).