



LEO FOUNDATION

Privacy Policy for Whistleblower scheme

This Privacy Policy explains how the LEO Foundation (“**the LEO Foundation**”, “**we**”, “**us**”) processes your personal information in connection with reports to the LEO Foundation’s Whistleblower Scheme.

Below is a description of the personal data processing that takes place and the rights you have if you are reported through the Whistleblower Scheme, as well as your rights if you use the Whistleblower Scheme to report another person.

1 DATA CONTROLLER

The legal entity responsible for the processing of your personal information is:

The LEO Foundation
CVR-no: 11 62 33 36
Lautrupsgade 7, 5
DK-2100 Copenhagen Ø
Email: info@leo-foundation.org

Reference is also made to the separate guidelines for the Whistleblower Scheme, which i.a. include information about who can submit reports and who can be reported.

This policy only concerns the handling and the investigation of reports submitted through the Whistleblower Scheme and must in relation to employees therefore be seen in connection with the LEO Foundation’s other relevant policies and procedures.

Updated: March 2021

DESCRIPTION OF THE PROCESSING

Purpose	Personal data categories	Sources	Legal basis for the processing	Recipients	Data retention
<p>#1 Handling and investigation of reports submitted through the Whistleblower Scheme regarding:</p> <ul style="list-style-type: none"> The person who is reported 	<p>We can process the following personal data categories about you: Ordinary personal data:</p> <ul style="list-style-type: none"> Name, email, telephone number Other information included in the report <p>Sensitive information and information regarding offenses or possible offenses may be included in the processing.</p>	<p>We can collect information from the following sources:</p> <ul style="list-style-type: none"> employees former employees members of the board or the executive management auditors lawyers grant and award recipients and applicants suppliers others who use the Whistleblower Scheme 	<p>We process your personal data on the following bases:</p> <ul style="list-style-type: none"> GDPR, Article 6.1.f (necessary for the purposes of the legitimate interests pursued by the LEO Foundation to investigate reports submitted through the Whistleblower Scheme) GDPR, Article 9.2.b (necessary for the purpose of carrying out obligations in the field of employment, social security and social protection), cf. the Danish Data Protection Act section 7.2 and 12. GDPR, Article 9.2.f (necessary for the establishment, exercise, or defense of legal claims) Section 8 of the Danish Data Protection Act regarding information of criminal offenses and convictions Section 11 of the Danish Data Protection Act regarding national identification numbers 	<p>We can share your personal information with:</p> <ul style="list-style-type: none"> Plesner Advokatpartnerselskab IT-suppliers External advisors The police Public authorities 	<p>We will retain personal data for as long as it is necessary for the purposes listed.</p> <ul style="list-style-type: none"> The data is retained for as long as the investigation is in progress. The subsequent retention period depends on the outcome of the investigation. If the report falls outside the scope of the Whistleblower Scheme, but does not appear to be unfounded, the data is disclosed to the LEO Foundation's CEO where it is processed in accordance with the LEO Foundation's relevant policies and procedures. If a report is filed to the police or another public authority, the data will be retained for at least as long as the investigation is in progress at the police/public authority. If, based on the information gathered, disciplinary sanctions are imposed against the reported person or if other reasons exist as to why it is reasonable and necessary to continue to store the reported person's data, the data will be stored in the reported person's personnel file, if the reported person is an employee, and will be deleted in accordance with the deletion policy for employee data. If the report turns out to be unfounded, the data will be deleted within 45 days after the finding that the report is unfounded. In other situations, it is assessed on a case-by-case basis whether there are reasons to retain the data and if so for how long.

Purpose	Personal data categories	Sources	Legal basis for the processing	Recipients	Data retention
<p>#2 Handling and investigation of reports submitted through the Whistleblower Scheme regarding:</p> <ul style="list-style-type: none"> • The person who submitted the report <p>This purpose does not include processing of the reported information – see above.</p> <p>In situations where deliberate false reporting is suspected, this purpose also includes an investigation of the whistleblower.</p>	<p>We can process the following personal data categories about you if you choose not to submit an anonymous report: Ordinary personal information:</p> <ul style="list-style-type: none"> • Name, email, telephone number, • The content of your report • Additional information from the persons mentioned under "Sources" in cases where there is a suspicion that the submitted report is deliberately false. <p>As a rule, no sensitive information and information on criminal offenses and convictions about you are processed as part of the handling of the whistleblower report - unless you choose to provide such information about yourself in the report.</p> <p>However, information about criminal offenses or possible offenses may be included in the processing if there is a suspicion that the submitted report is deliberately false.</p>	<p>We can collect information from the following sources:</p> <ul style="list-style-type: none"> • You • employees • former employees • members of the board or the executive management • auditors • lawyers • grant and award recipients and applicants • suppliers • Others who use the Whistleblower Scheme 	<p>We process your personal data as described above on the following bases:</p> <ul style="list-style-type: none"> • GDPR, Article 6.1.f (necessary for the purposes of the legitimate interests pursued by the LEO Foundation to investigate reports submitted through the Whistleblower Scheme) • GDPR, Article 9.2.b (necessary for the purpose of carrying out obligations in the field of employment, social security and social protection), cf. the Danish Data Protection Act section 7.2 and section 12. • GDPR, Article 9.2.f (necessary for the establishment, exercise or defense of legal claims) • Section 8 of the Danish Data Protection Act regarding information of criminal offenses and convictions • Section 11 of the Danish Data Protection Act regarding civil registration numbers 	<p>We can share your personal information with:</p> <ul style="list-style-type: none"> • Plesner Advokatpartnerselskab • IT-suppliers • External advisors • The police • Public authorities 	<p>We will retain personal data for as long as it is necessary for the purposes listed.</p> <ul style="list-style-type: none"> • The data is retained for as long as the investigation is in progress. The subsequent retention period depends on the outcome of the investigation. • If the report falls outside the scope of the Whistleblower Scheme, but does not appear to be unfounded, the data is disclosed to the LEO Foundation's CEO where it is processed in accordance with the LEO Foundation's relevant policies and procedures. • If a report is filed to the police or another public authority, the data will be retained for at least as long as the investigation is in progress at the police/public authority. • If, based on the information gathered, disciplinary sanctions are imposed against the whistleblower or if other reasons exist as to why it is reasonable and necessary to continue to store the whistleblower's data, the data will be stored in the whistleblower's personnel file, if the whistleblower is an employee, and will be deleted in accordance with the deletion policy for employee data. • If the report turns out to be unfounded, the data will be deleted within 45 days after the finding that the report is unfounded. • In other situations, it is assessed on a case-by-case basis whether there are reasons to retain the data and if so for how long.



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3 INFORMATION TO THE REPORTED PERSON AND RETRACTION

If you are subject to a report submitted through the Whistleblower Scheme, you will be notified as soon as possible after an initial investigation has taken place and all relevant evidence is secured. In this connection, you will receive information about:

- The identity of the person(s) who is/are responsible for the investigation of the report
- A description of the accusation(s)
- Who have seen the report

As mentioned below in the section about your rights, you have a right of access to the report that was submitted about you. If we know the identity of the whistleblower, you are only entitled to have the identity disclosed if you are entitled by law. However, disclosure of the identity of the person who submitted the report is not possible if the whistleblower is anonymous.

If it is concluded that the report was deliberately false, you will be informed about the identity of the person, who submitted the report about you, if the identity of the whistleblower is known.

You also have the right to request correction of information in the report if you believe this to be false, misleading, incomplete, or outdated. If your request cannot be met, the information will be supplemented with your comments.

4 CONSEQUENCES OF THE PROCESSING

Reports to and investigation of reports to the Whistleblower Scheme may have significant consequences for the person who is reported, as reports concern violations or suspected violations of the law, as further outlined in the separate guidelines for the Scheme.

Likewise, a report to the Whistleblower Scheme may have significant consequences for the person who has submitted the report in case of a deliberate false report. Such cases may have criminal consequences.

5 TRANSFERS TO COUNTRIES OUTSIDE THE EU/EEA

Your personal data is not transferred to countries outside the EU/EEA.

6 YOUR RIGHTS

You have the following rights:

- You have the right to request access to and rectification or deletion of your personal data.
- You also have the right to object to the processing of your personal data and have the processing of your personal data restricted.
- In general, you have an unconditional right to object to the processing of your personal data for direct marketing purposes.
- If processing of your personal information is based on your consent, you have the right to withdraw your consent at any time. Your withdrawal will not affect the lawfulness of the processing carried out before you withdrew your consent.
- You have the right to receive your personal information in a structured, commonly used and machine-readable format (data portability).
- You may always lodge a complaint with a data protection supervisory authority, e.g. The Danish Data Protection Agency.

You are furthermore entitled to dispute our processing of your personal data:

- If our processing of your personal data is based on article 6.1 (e) (public interest or exercise of official authority) or article 6.1 (f) (balancing of interests), see above under legal basis for the processing, you are, at any time, entitled to dispute such processing for reasons related to your particular situation.

There may be conditions or limitations on these rights, e.g. you may not be entitled to deletion of your personal data in the specific case – this depends on the specific circumstances of the processing activities.

You can make use of your rights by contacting legal@leo-foundation.org.

7 RIGHT TO COURT HEARING

If legal proceedings are taken against you as a result of a report and subsequent investigation, you are entitled to bring the matter before the court.

8 QUESTIONS

If you have any questions regarding this policy feel free to contact: Peter Kjeldsen, Director Legal & Business Development, peter.kjeldsen@leo-foundation.org.

