

# PRIVACY POLICY FOR WHISTLEBLOWER SCHEME

This Privacy policy explains how Ferrosan Medical Devices A/S ("FeMD, "we" or "us") process your personal information in relation to reports made to FeMD' whistleblower scheme.

The following describes in detail which processing of personal data takes place, and your rights if there is report made about you via the whistleblower scheme or if you use the whistleblower scheme to report another person.

See also the separate guidelines for the whistleblower scheme, where it among other things are stated who can make reports to the scheme and who can be reported.

This policy only relates to the handling and examination of reports to the whistleblower scheme and the policy should therefor in relation to employees be read in connection with FeMD' other relevant policies and procedures.

## **1 DATA CONTROLLER**

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

Ferrosan Medical Devices A/S

Company Registration (CVR) No: 32 94 23 42

Sydmarken 5

2860 Søborg

E-mail: [gdpr@ferrosanmd.com](mailto:gdpr@ferrosanmd.com)

## 2 DESCRIPTION OF THE PROCESSING

Purpose	Categories of personal data	Source of personal data	Legal basis for the processing	Recipients	Data retention
<p>Handling and examination of reports to the whistleblower scheme concerning:</p> <ul style="list-style-type: none"> <li>The person, who has been reported</li> </ul>	<p>We process the following categories of personal data about you:</p> <p>Ordinary personal data:</p> <ul style="list-style-type: none"> <li>Name, e-mail, telephone number</li> <li>Additional information included in the report</li> </ul> <p>Sensitive personal data and information about criminal convictions or possible offences may be included in the processing.</p>	<p>We collect your personal data from the following sources:</p> <ul style="list-style-type: none"> <li>Employees</li> <li>Former employees</li> <li>Board members or management members</li> <li>Auditors</li> <li>Attorneys</li> <li>Suppliers</li> <li>(possibly others who can use the whistleblower scheme)</li> </ul>	<p>We process your personal data on the following legal bases:</p> <ul style="list-style-type: none"> <li>GDPR, article 6.1.f (necessary for the pursuit of legitimate purposes of FeMD if a report is received via the WB scheme)</li> <li>GDPR, article 9.2.b (necessary for the purpose of carrying out obligation in the field of employment, social security, and social protection), cf. Section 7.2 and Section 12 of the Danish Data Protection Act.</li> <li>GDPR, article 9.2.f (necessary for the establishment, exercise or defence of legal claims)</li> </ul>	<p>We share your personal data with:</p> <ul style="list-style-type: none"> <li>Plesner Advokatpartnerselskab</li> <li>IT suppliers</li> <li>External advisors</li> <li>The police</li> <li>Public authorities</li> </ul>	<p>We will retain personal data for this purpose for as long as necessary.</p> <ul style="list-style-type: none"> <li>The information is retained as long as the examination is on-going. The storage period hereafter will depend on the outcome of the examination.</li> <li>If the report falls outside the whistleblower scheme but otherwise does not appear to be unfounded, the information is disclosed to FeMD' HR department where they are processed in accordance with FeMD' relevant policies and procedures.</li> <li>If a report is made to the police or to another authority, the information will be retained for at least as long as the examination is ongoing at the police/the authority.</li> <li>If the reported person is met with a disciplinary sanction on</li> </ul>

			<ul style="list-style-type: none"> <li>• Section 8 of the Danish Data Protection Act for information about criminal convictions and offences.</li> <li>• Section 11 of the Danish Data Protection Act for information about national identification number.</li> </ul>		<p>the basis of the information collected, or if there are other reasons to why it is legitimate and necessary to continuously retain the information about the reported person, the information will be kept in the person's personnel file and will be deleted in accordance with deletion policy for employee data.</p> <ul style="list-style-type: none"> <li>• If the report turn out to be unfounded, the report is concluded immediately and personal data will be deleted within 45 days from the conclusion of the report being unfounded.</li> <li>• In other situations, a concrete assessment is made on whether there are legitimate reasons to retain the information and, if so, for how long.</li> </ul>
<p>Handling and examination of reports to the whistleblower scheme concerning:</p> <ul style="list-style-type: none"> <li>• The person who made the report</li> </ul>	<p>We may process the following categories of personal data about you given that you decide not to make an anonymous report:</p>	<p>We may collect your personal data from the following sources:</p> <ul style="list-style-type: none"> <li>• You</li> <li>• Employees</li> </ul>	<p>We process your personal data as described above on the following legal basis:</p> <ul style="list-style-type: none"> <li>• GDPR, article 6.1.f (necessary for the</li> </ul>	<p>We may share your personal data with:</p> <ul style="list-style-type: none"> <li>• Plesner Advokatpartnerselskab</li> <li>• IT suppliers</li> <li>• External advisors</li> </ul>	<p>We will retain personal data processed for this purpose for as long as necessary.</p> <ul style="list-style-type: none"> <li>• The information is retained as long as the examination is ongoing. The storage period</li> </ul>

<p>This purpose does not include the processing of the reported information - see above in this case.</p> <p>If there is a suspicion that the report is deliberately false, this purpose also includes the examination of the reporter in such situations.</p>	<p>Ordinary personal data:</p> <ul style="list-style-type: none"> <li>Name, e-mail, telephone number</li> <li>The content of your report</li> <li>Additional information from the group of persons mentioned under "sources" in situations where there is a suspicion that the report is deliberately false.</li> </ul> <p>In principle, sensitive personal data and information about criminal convictions and offences about you are not being processed in relation to the handling of the whistleblower report - unless you decide to include such information about yourself in the report.</p> <p>However, information about criminal convictions or possible criminal convictions may be included in the processing, if there is a suspicion that a</p>	<ul style="list-style-type: none"> <li>Former employees</li> <li>Board members and management members</li> <li>Auditors</li> <li>Attorneys</li> <li>Suppliers</li> <li>(possibly others who can use the whistleblower scheme)</li> </ul>	<p>pursuit of legitimate purposes of FeMD if a report is received via the WB scheme)</p> <ul style="list-style-type: none"> <li>GDPR, article 9.2.b (necessary for the purpose of carrying out obligation in the filed of employment, social security, and social protection), cf. Section 7.2 and Section 12 of the Danish Data Protection Act.</li> <li>GDPR, art. 9.2.f (necessary for the establishment, exercise or defence of legal claims)</li> <li>Section 8 of the Danish Data Protection Act for information about criminal convictions and offences.</li> <li>Section 11 of the Danish Data Protection Act for information about national identification number.</li> </ul>	<ul style="list-style-type: none"> <li>The police</li> <li>Public authorities</li> </ul>	<p>hereafter will depend on the outcome of the examination.</p> <ul style="list-style-type: none"> <li>If the report falls outside the whistleblower scheme but otherwise does not appear to be unfounded, the information is disclosed to FeMD' HR department where they are processed in accordance with FeMD' relevant policies and procedures.</li> <li>If a report is made to the police or to another authority, the information will be retained at least as long as the examination is ongoing at the police/the authority.</li> <li>If the reporter is met with a disciplinary sanction on the basis of the information collected, or if there are other reasons to why it is legitimate and necessary to continuously retain the information about the reported person, the information will be kept in the person's personnel file if the reporter is employed.</li> <li>If the report turn out to be unfounded, the report is concluded immediately and personal data will be deleted within 45 days from the conclusion of the report being unfounded.</li> </ul>
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	deliberately false report has been made.				<ul style="list-style-type: none"> <li>• In other situations, a concrete assessment is made on whether there are legitimate reasons to retain the information and, if so, for how long.</li> </ul>
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### 3 INFORMATION TO THE REPORTED EMPLOYEE AND RECTIFICATION

If you are exposed to a reporting via the whistleblower scheme, you will be notified as soon as possible after a preliminary examination has taken place and all relevant evidence are ensured, and you will in relation to this receive information about:

- The identity of the/those person(s) responsible for the examination of the report.
- A description of the content of the accusations.
- Who has seen the report.

As stated below in the section about your rights, you have the right to request access to the report submitted about you. If we are aware of the identity of the reporter, you are otherwise only entitled to be informed about the identity, if you are entitled to this by law. However, you do not have the possibility to receive information about the identity of the person, who has submitted the report, if the report was made anonymously.

If a conclusion is made that the report is deliberately false, you will be able to receive information about who submitted the report against you, if the identity of the reporter is known.

Furthermore, you have the right to request rectification of information in the report, if you consider the information incorrect, misleading, incomplete or outdated. If your request can not be met, the information will be complemented with your remarks.

### 4 CONSEQUENCES OF THE PROCESSING

Reporting to and examination of reports to the whistleblower scheme can have significant consequences for the reported person, including criminal consequences, since reports concerns violations or suspicion of violations of the legislation, in the way the scheme is otherwise limited in the separate guidelines and process descriptions for the scheme.

Accordingly, reporting to the whistleblower scheme can have significant consequences for the person who made the report, in the case of a deliberately false report. Such cases can have criminal consequences.

## **5 TRANSFERS TO COUNTRIES OUTSIDE THE EU/EEA**

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

## **6 YOUR RIGHTS**

You have the following rights:

- You have the right to request access to, rectification or erasure of your personal data.
- You also have the right to have the processing of your personal data restricted.
- Generally, you have the right to object at any time to the processing of personal data about you 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.

Furthermore, you have the right to object to processing of your personal data as follows:

- If processing of your personal data is based on article 6.1.e (public interest or exercise of official authority) or article 6.1.f (legitimate interests), see above regarding legal basis, you have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data.

There may be conditions or limitations on these rights. It is therefore not certain for example you have the right of data portability in the specific case - this depends on the specific circumstances of the processing activity.

You can take steps to exercise your rights by contacting **gdpr@ferrosanmd.com**.

## **7 RIGHT TO JUDICIAL REVIEW**

If legal action is taken against you as a result of a report and subsequent investigation, you have the right to bring the matter before the courts.

## **8 QUESTIONS**

If you have questions regarding this policy, you are welcome to contact: the legal department at [gdpr@ferrosanmd.com](mailto:gdpr@ferrosanmd.com).

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