Whistleblower-policy
for
Brønderslev Gymnasium og HF S/I

1. Introduction

1.1. This whistleblower-policy is applicable to Brønderslev Gymnasium og HF S/I (hereinafter referred to as "the Company"), Islands Alle 20, 9700 Brønderslev, VAT no. 29553513.

2. What is a whistleblower-scheme?

2.1. A whistleblower-scheme aims to ensure that you as an employee can safely report reprehensible conditions concerning the Company without fear of negative consequences.

3. The purpose of the whistleblower-policy

3.1. The purpose of this whistleblower-policy is to inform you about in which situations you can use the scheme and to promote the reporting of information on violations, including reasonable suspicion of actual or potential violations that have occurred or are very likely to occur during work-related activities, and finally, to create a safe reporting platform which can be used by the Company's employees according to Act No. 1436 of 29 June 2021 on the protection of whistleblowers.

4. What matters can be reported to the whistleblower-scheme?

4.1. You can use the scheme if you become aware of or suspect serious breaches of legislation in activities related to the Company.

4.2. Information on violations or neglect in other contexts such as internal guidelines of less serious nature, collaboration problems, and dissatisfaction with salary negotiations, however, cannot be reported through the scheme.

4.3. The categories of information that can be reported via the whistleblower-scheme can be divided into 3 categories and are, for example:

Category 1 – any violation of certain EU regulations, which have been implemented in Danish law:

- prevention of money laundering and financing of terrorism,
- product safety and compliance,
- consumer protection,
- protection of privacy and personal data

There is no de minimis limit for the above matters, and any violation can therefore be reported.

Category 2 – other serious legal violations:

- misuse of economic resources,
- theft, fraud, embezzlement, fraud, and bribery,
- serious breaches of workplace safety

Category 3 – other serious matters:

- severe person-related conflicts,
- sexual harassment and violence,
- severe harassment on grounds of race

5. Who can report to the scheme?

5.1. The scheme is available to the Company's employees, including volunteers at the Company, paid or unpaid interns, board members, leaders, etc., and persons whose employment relationship has not yet started, who report information about violations, which the individual has accessed during the hiring process or other pre-contractual negotiations.

6. Whistleblower-unit

6.1. Reports to the scheme are received by the Company's internal whistleblower-unit. The whistleblower-unit is Niels Johnsen <NJ@br-gym.dk>, Palle Grønbæk <pg@frhavn-gym.dk> which is an internally and impartially appointed employee/s.

6.2. The whistleblower-unit is subject to a special duty of confidentiality and treats your information as confidential as far as possible. In some situations, however, the unit may be obliged to disclose your identity, for example, if your report leads to a police report of the matter you have reported.

7. How to report to the whistleblower-unit

7.1. Reports are made to the Company's internal whistleblower unit. The report can be made in writing.

7.2. You also have the option to report verbally, and you choose as the person reporting whether this should be done by telephone or during a physical meeting with the whistleblower-unit.

7.3. You also have the option to report anonymously to the whistleblower-unit. If you choose to use this option, you must ensure that your report is made in a way that prevents the unit from becoming aware of your identity.

7.4. Written reporting is done using an online platform. Reporting is done at the link https://whistlepilot.dk/portal/4e21dac3-6e36-4eef-add7-0e196485545d which securely handles your confidential information when you use the reporting form.

7.5. Reporting to the Company can only be done via the above link, and thus written reports cannot be made in other ways, e.g., by sending an email to the person(s) responsible for the Company's whistleblower-scheme.

7.6. The Company has ensured that the scheme is designed in such a way that unauthorized employees cannot access the reports.

7.7. You can also make a report to The Danish Data Protection Agency’s whistleblower-scheme, where anonymous reporting is also possible.

7.8. It is optional which scheme you as a whistleblower wish to use. However, if the matter being reported can effectively and internally be addressed by the Company, and you as a whistleblower assess that there is no risk of reprisals, the Company encourages the use of the Company's internal whistleblower-scheme.

8. How the whistleblower-unit processes your report

8.1. When the whistleblower-unit has received your report, you will receive a confirmation of receipt of your report within a maximum of 7 days, unless, you have chosen to make your report anonymously.

8.2. The whistleblower-unit initially screens your report. The screening involves, that reports that are obviously unfounded, or do not pertain to matters that a report to the scheme can deal with, are rejected, which the unit in such case will inform the person who made the report.

8.3. If a report falls within the scope of the scheme, and there is a basis for processing the case, the unit investigates the case further and may obtain additional and necessary information from you and others in the Company in order to provide as detailed information about the case as possible. If necessary, the unit may seek assistance in processing the report from external advisers such as lawyers or accountants.

8.4. The personal data included in a report to the whistleblower unit is covered by data protection regulations. This applies as a rule to all individuals included in the report, i.e., both the whistleblower, the reported individual, and any other registered individuals involved in the report.

9. How the decision on the outcome of the case is made

9.1. The whistleblower-unit makes a decision on what consequences should be drawn based on the report.

9.2. The consequences drawn based on the report may, for example, be:

- employment-related sanctions against the person or persons involved in the report,
- reporting the matter to the police,
- drafting new or amended internal guidelines
- dismissal of the case due to insufficient evidence

10. As a whistleblower, you are entitled to receive feedback on your report

10.1. No later than 3 months after you have received a confirmation of receipt of your report, you will receive feedback on the course and outcome of the case. The orientation will take place with due regard to the Company's obligations under data protection legislation.

11. How you are protected as a whistleblower

11.1. You are protected against negative consequences associated with a report you have made, provided that you have made your report in good faith, which means that at the time of reporting you had reasonable grounds to believe that the reported information was correct and if the reported information was also covered by the whistleblower-scheme.

11.2. If, however, you have made a report in bad faith, i.e., against better knowledge, this can have negative consequences for you – including employment-related consequences - and in some cases, there may be grounds to report such a matter to the police.

11.3. Reports are not covered by the right to access information, and a whistleblower thus does not obtain party rights in the reported case.

11.4. Whistleblowers who have been subjected to reprisals as a result of a report or have been prevented or attempted to be prevented from making a report, are entitled to compensation.

12. Notification about the case to the reported person

12.1. The person who a report concerns is informed about the received report. The notification occurs when the whistleblower-unit assesses that it can appropriately be done considering that the notification should not be able to affect the investigation of the case, including the collection of evidence.

12.2. Since the whistleblower's identity is protected under the whistleblower legislation, the identity of the whistleblower is not disclosed to a reported person without the whistleblower's consent.

13. Processing of personal data

13.1. The Company is responsible for processing the personal data that is processed in connection with a report from a whistleblower.

13.2. The processing of personal data in connection with a report from a whistleblower is based on the Whistleblower Law § 22.

13.3. If it is relevant for processing or following up on a report from a whistleblower, personal data may be disclosed to external advisers and public authorities such as the police or the Danish Tax Agency (SKAT).

13.4. Registered individuals have, as a rule, a number of rights when their personal data is processed. The general rights under the data protection regulation are however limited to some extent due to the confidentiality and secrecy obligations that the Company must observe according to whistleblower legislation.

13.5. The rights of a person who is reported to the whistleblower scheme, or mentioned in a report, can be limited or entirely cut off. This can affect both the right to receive information according to data protection regulation article 14 and the right to insight according to article 15.

13.6. As a whistleblower, you have the right to be informed about which information is processed about you based on a report, just as you have the right to have incorrect information about yourself corrected.

13.7. The whistleblower in some cases also has the right to object to the Company's otherwise lawful processing of their personal data. The rights of the whistleblower can however in some cases be limited, if it is assessed that the whistleblower's interest in the information must yield to decisive private interests for example due to other involved individuals, and to the Company under the condition that the purpose of the collection will be lost if the whistleblower gains knowledge of the collection.

13.8. If a whistleblower, a reported person, or others disagree with the way in which their personal data is processed in the administration of the whistleblower-scheme, a complaint can be filed with the The Danish Data Protection Agency.

14. Retention and deletion of reports

14.1. Reports that are assessed to fall outside the whistleblower scheme are as a rule deleted 7 days after the whistleblower has received notification that the report does not pertain to the whistleblower-scheme, so that the whistleblower has the opportunity to express themselves about this.

14.2. Reports that fall within the whistleblower-scheme are retained as long as it is necessary for the Company to comply with its obligations under the whistleblower legislation.

15. How to get answers to any further questions about the scheme

15.1. If you have further questions about the whistleblower scheme, you are welcome to contact Niels Johnsen <NJ@br-gym.dk>, Palle Grønbæk <pg@frhavn-gym.dk> .

This whistleblower-policy was last updated: April 3, 2024.