

Internal whistleblowing procedure



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3.0	17.09.2020	Internal Audit	Group Management	Adopted

Purpose of the procedure

Sparebanken Sør wishes to be a safe and good workplace. The Bank wishes to facilitate a culture of freedom of expression and has established these guidelines to prevent, identify and rectify censurable conditions.

These whistleblowing procedures describe how employees and elected representatives at Sparebanken Sør can report censurable conditions in the workplace. The procedures also describe how reports should be processed to ensure good processes.

As an employee, you are legally entitled to report censurable conditions in the workplace under the Norwegian Working Environment Act. In some cases you are also legally required to report censurable conditions. If you learn about bullying or discrimination in the workplace or become aware of faults or defects that could present a risk to life or health, you must speak out.

If you have reason to suspect censurable conditions at the Bank, you are urged to bring the matter to Sparebanken Sør's attention so that we become aware of the matter and necessary measures can be implemented.

These whistleblowing procedures are intended to facilitate secure and professional reporting of censurable conditions.

Target group

These procedures are aimed at all employees, representatives and hired-in staff at Sparebanken Sør.

References

Section 2a, Notification, of the Norwegian Working Environment Act

Section 13-5 (5) of the Norwegian Financial Institutions Act

Section 17 of the Guidelines on Internal Governance

The whistleblowing channel can also be used to report suspected cases of money laundering.

What is meant by censurable conditions?

Censurable conditions are matters that contravene rules of law, written ethical guidelines or generally accepted ethical standards.

- Violations of laws and regulations
- Bullying, harassment or discrimination in the workplace
- Serious breaches of governing documents or procedures
- Embezzlement, theft or corruption
- Breaches of ethical standards
- Breaches of a duty of confidentiality
- Censurable management/governance

Censurable conditions can result in:

- A risk to life or health
- A risk to the climate or environment
- Abuse of authority
- Inadequate handling of conflicts of interest
- An unsatisfactory working environment
- Breaches of privacy

The list above only includes examples of situations that could be reported and is not intended to be exhaustive.

Comments you make on your own working conditions are not normally regarded as whistleblowing in the sense of the Norwegian Working Environment Act. This means that the whistleblowing rules do not apply to personnel conflicts or disagreements about the implementation of an employment agreement.

Procedure for whistleblowing

Who can you notify?

Sparebanken Sør has a dedicated whistleblowing channel. All reports registered in our whistleblowing channel are received by an external party (BDO). You can decide to remain anonymous in the whistleblowing channel (technical application). You will still be able to communicate about the case if you choose to remain anonymous.

You can also notify your line manager or your safety representative, employee representative or lawyer. Regardless of who you notify, the case must always be registered in the Bank's whistleblowing channel for further processing.

All cases that are reported are initially handled by the report recipient at BDO. The initial investigations are intended to help:

- determine what the report relates to
- assess the nature and seriousness of the report
- decide whether the report is objectively justified and whether any immediate measures are required
- clarify what investigations can be implemented to shed further light on the circumstances for the report
- provide a basis for preparing a brief assessment and recommendation of how to handle the case

Following the initial assessment, the report will be sent to Sparebanken Sør's Internal Audit department for further processing. Internal Audit can consult BDO for professional advice or request them to conduct investigations.

How to report censurable conditions* (“whistleblow”)**

Reports must be submitted in a professional and objective manner, with respect for those involved.

Written reports should describe

- What has happened (illegal activity or violation of internal guidelines)
- Who is involved
- When and where the event occurred/was discovered
- Whether it has happened more than once
- Whether there were any witnesses
- Any other matters you believe are important

Wherever possible, reports should be not be anonymous since this will enable us to gain as much information as possible about the case. However, the whistleblower's identity is confidential information, and you can report anonymously if you wish. If you wish to report anonymously and keep your identity secret, we recommend using BDO's whistleblowing channel or sending a letter.

Notification options:

- Via [whistleblowing channel](#) (the recipient is BDO)

- E-mail to BDO integrity@bdo.no
- Orally or by text message
- Internal Audit Internrevisjonen@sor.no
- Letter sent to postal address: Sparebanken Sør, Internrevisjonen, Postboks 200, NO-4662 Kristiansand, Norway

Reports received via media other than the whistleblowing channel must subsequently be registered in the whistleblowing channel by the recipient.

Processing whistleblowing reports

Policy for processing whistleblowing cases

- All reports must be taken seriously
- All reports must be followed up in a sound, thorough and efficient manner.
- Reports may be made anonymously.
- The case must be processed confidentially
- Sufficient information must be obtained and all aspects of the case must be investigated.
- The whistleblower's identity is confidential and should therefore wherever possible not be disclosed.
- It must be possible to use the whistleblowing system without fear of reprisals.

Receipt and confirmation

The party who receives the notification must forward the notification through the whistleblowing channel without undue delay. If a report is made orally, the recipient must document the content before forwarding it.

The contact person and the report recipient are responsible for following up and ensuring that the case is processed.

All whistleblowers will be assigned a case number through the whistleblowing channel. This will enable whistleblowers to track their case and communicate during the processing.

Processing notifications

The report recipient at BDO will send the report together with the initial assessment to the Bank for further follow-up within 72 hours. Internal Audit is responsible for ensuring that the report is investigated within a reasonable time. The duration and scope of the investigation will depend on the seriousness and complexity of the report. If the investigations confirm the existence of a censurable condition, the report must be processed in line with the whistleblowing rules. If the notification relates to a non-conformance or a personnel issue, the employer must ensure that the case is followed up in line with the procedures and rules for such cases.

A specific assessment is made in each case of who should be involved in further processing. This will depend on the type of case and the notification subject. The CEO should be informed about the case if he/she is not personally involved in the matter. If the report relates to the company's executive management or contains censurable conditions of an extremely serious nature, the report should be sent to the Board of Directors via the Board Chair.

The employer must ensure that all aspects of the case are adequately highlighted. The subject(s) of the whistleblowing report must be informed about the notification and have the opportunity to give their version of events. The case officer must adopt an impartial, investigative, non-judgmental approach. It is important that the group obtains sufficient information from multiple sources before reaching a conclusion.

If the case relates to more serious or complex matters, the notification will result in a formal internal investigation. In such cases, Internal Audit will be formally responsible for conducting the investigation. The investigation may be conducted with the help of an external investigator.

Once sufficient information has been obtained, the employer must make a decision on the outcome of the case. The whistleblower must be informed of the decision, provided this in not in contravention of the law. This feedback should also confirm that the alleged censurable conditions have been investigated. Provided it is possible and a duty of confidentiality or other matters do not prevent it, the whistleblower must also be informed of the outcome of the investigations.

If the report and/or the investigation reveal violations of laws, the case must be referred to the appropriate supervisory authority.

The Bank's responsibility in relation to the whistleblower and subject of the notification

Provided that a report has been made in line with these guidelines, you are protected against any prejudicial treatment as a reaction to the report (reprisals). As an employer you must ensure that you provide a fully satisfactory working environment. If necessary, measures must be taken to prevent reprisals.

The employer must also consider the employee who is the subject of the whistleblowing report and ensure that they still enjoy a sound working environment.

Once a final decision has been made, the subject of the report must be immediately informed, regardless of the outcome.

Sparebanken Sør's employees must feel it is desirable and safe to speak out about censurable conditions.

As an employer, Sparebanken Sør will ensure that the whistleblower is not subjected to any form of reprisal. It is prohibited to punish or sanction whistleblowers. If you nonetheless experience reprisals, you must immediately inform Internal Audit, the Chief Safety Officer or a member of Group management. They have a duty to immediately action the case.

Notifying external authorities

Notification can also be sent to a supervisory or other public authority (e.g. the Norwegian Labour Inspection Authority, the Financial Supervisory Authority of Norway, the Norwegian Data Protection Authority, the Norwegian Board of Health Supervision).

The media or public should only be notified if you have previously attempted to report the censurable conditions internally or there are reasons to believe that internal notification would not be appropriate. In addition, you must act in good faith and reporting the censurable conditions must be in the public interest.

Notification by parties outside the Bank

The whistleblowing channel can also be used by customers, partners or other external parties to report censurable conditions or suspected breaches of the law. You can find information on this method of whistleblowing on the Bank's website www.sor.no.

Processing of personal data

Reports of censurable conditions may involve the processing of personal data. Data may also be processed when following up reports in order to clarify actual conditions and take necessary measures.

A separate data controller agreement has been established with BDO. Internal Audit is the data controller for receipt and follow-up of reports in cases involving the Internal Audit department. Personal data must be processed in accordance with the Norwegian Personal Data Act and satisfy the rights of both you, as whistleblower, and the subject of the whistleblowing report. Personal data must only be collected to the extent necessary to follow up and clarify a report.

As whistleblower you must be informed which of your personal details we process. Information about your identity will be kept confidential throughout the process. However, this does not preclude disclosure of such information under other laws, for example in the event of a police investigation or legal proceedings.

The subject of the whistleblowing report generally has the right to learn about the allegation and its justification as soon as possible. The subject of the report also has the right to access information on to all their personal data that is processed in connection with the whistleblowing case. Exemptions from the right to access information are regulated in Section 16 of the Norwegian Personal Data Act. Exemptions must be assessed on a case-by-case basis.

Personal data must not be stored for longer than is necessary. Information that is processed in connection with a report must be deleted as soon as possible after the case has been closed.