

# Ole & Steen / Lagkagehuset

## Whistleblowing Policy

15 December 2020

### 1 Background and purpose

- 1.1 If someone violates a law or an internal company policy, at Ole & Steen, that person places Ole & Steen and possibly customers and colleagues of Ole & Steen at risk.
- 1.2 We encourage employees and third parties to report through the Ole & Steen internal reporting channels or to management, Group People (Jon Skålerud) or directly to Group CEO (Jason Cotta).
- 1.3 However, if someone is uncomfortable with reporting internally, or does not believe the matter will be dealt with properly, any such person can use the Ole & Steen Whistleblowing system as outlined below.
- 1.4 Ole & Steen have implemented this Whistleblower Policy, which has been adopted by the board of directors of Ole & Steen and which applies to the entire Ole & Steen group, being Danish Bake USA, Danish Bake UK, and Lagkagehuset. (the Whistleblower system is hereafter called the "**WBS**").
- 1.5 The purpose of the WBS is:
  - (a) a means to ensure that certain persons, as set out in Section 3, (the "**Whistleblower**") have access to anonymous reporting of certain serious concerns, as set out in Section 2, in compliance with applicable data protection laws and regulations; and
  - (b) to ensure that the reporting is received at a level above the persons, who might be involved in the issue;
  - (c) to enable Ole & Steen to take timely and appropriate action.

Whilst a Whistleblower is able to report a concern anonymously through WBS, Ole & Steen encourage same to identify himself through WBS, or to raise the concern with appropriate Ole & Steen senior personnel outside WBS.

### 2 What may and may not be reported through WBS

#### 2.1 What may be reported through WBS:

- 2.1.1 Serious concerns that could have an adverse impact on the operations and performance of Ole & Steen or which could have a significant effect on a person's life or health, such as concerns relating to:
  - (a) serious breaches of health and safety regulations, including food safety;
  - (b) other issues posing a serious threat to life or health of individuals;
  - (c) serious breaches of the Ole & Steen Code of Conduct;
  - (d) violence, sexual assaults and serious discrimination or harrassment by or against employees;
  - (e) pollution and breaches of environmental laws and regulations;
  - (f) breach of competition Laws/anti-trust laws;
  - (g) Breaches of GDPR / Personal Data Protection regulations
  - (h) other severe irregularities of a general and/or operational nature; and/or
  - (i) accounting or auditing matters or irregularities of a financial nature, legal and/or ethical

nature, such as:

- (j) fraud (e.g. financial fraud, document fraud or embezzlement);
- (ii) serious deficiencies or deliberate error (in e.g. financial reports or statements, or in internal accounting controls);
- (iii) bribery or corruption; and/or
- (iv) providing false information to authorities
- (v) Tax fraud.

## 2.2 **What may not be reported through WBS:**

2.2.1 Should concerns relating to the following matters be reported through WBS same will be disregarded and deleted without notice:

- (a) bullying;
- (b) cooperation problems;
- (c) incompetence;
- (d) absence;
- (e) breach of policies such as alcohol policy, e-mail policy and internet policy, etc. (other than serious breaches of safety related policies); and/or
- (f) other concerns not listed under section 2.1

2.2.2 Such matters may also be reported directly with Ole & Steen senior personnel outside the WBS or to relevant country manager, Group People, or Group CEO.

## **3 Who may report through WBS?**

3.1 Employees, including management, and board members of Ole & Steen; and

3.2 External stakeholders, such as customers, consultants, suppliers or other third parties related to Ole & Steen;

## **4 About whom can the reporting be made?**

4.1 Employees, including management, board members; and

4.2 Auditors, lawyers, customers, consultants, suppliers and other third parties related to Ole & Steen.

## **5 How to report through WBS**

5.1 Reporting through WBS is made by accessing this link:  
<https://report.whistleb.com/lagkagehuset>.

5.2 WBS is hosted by WhistleB who deliver best in class Whistleblower solutions.

5.3 The Whistleblower can choose between two groups of recipients of the reporting:

- (a) Group A, where the recipients are: The Chairman of the Board of Danish Bake Holding ApS (Henrik Brandt), Group CEO (Jason Cotta) and Head of Legal (Carl Moltke); or
- (b) Group B, where the recipients are: Head of Legal (Carl Moltke) and external lawyer from Horten Law firm (Ms. Vibe Kongsager Klausen).

Depending on what the reporting is about, a Whistleblower may have preference for one Group over the other. The receiving Group is hereafter called the "**WBS Council**"

- 5.4 Reporting may be done in English or in Danish.
- 5.5 The WhistleB platform ensures that reporting can be done anonymously – as well as secures an anonymous platform for the WBS council to communicate with the Whistleblower should follow-up questions be relevant, but at the same time securing that the Whistleblower can remain anonymous.
- 5.6 The Whistleblower can choose whether he or she wishes to report anonymously. WBS does not log IP-adresses. However, Ole & Steen recommend that a Whistleblower who wishes to report anonymously, does so via a private connection and not via Ole & Steen' WIFI.
- 5.7 The Whistleblower can submit supporting documents though WBS as part of the reporting. Ole & Steen recommend that a Whistleblower who wishes to report anonymously ensures that all such supporting documents are cleared from compromising metadata before submitted through WBS, as said meta data could potentially reveal the Whistleblower's identity. Such metadata could be tracked changes revealing the initials of the Whistleblower or similar.

## **6 Process after the reporting has been successfully submitted through WBS**

- 6.1 The WBS Council will act upon the reporting immediately and will report back to the Whistleblower promptly and no later than within 7 days.
- 6.2 The WBS Council will together decide if the reporting is within the scope of the Ole & Steen Whistleblower Policy and not manifestly unfounded.
- 6.3 If a member of the WBS Council is or may be involved in the reported matter, the WBS Council will ensure that the matter is handled by non-involved persons only.
- 6.4 Once the WBS Council has decided that the reported matter is within the scope of the WBS Policy and not manifestly unfounded, it shall initiate an investigation of the concern and take necessary action, if required.
- 6.5 Matters raised may:
- (a) be investigated by management, the board of directors, internal audit, or through a disciplinary process;
  - (b) be referred to the police or other law enforcement authorities;
  - (c) be referred to an independent auditor; or
  - (d) become the subject of an independent inquiry.
- 6.6 The WBS Council can ask questions and submit request for additional information to the Whistleblower (who can remain anonymous) through WBS ("**WB Requests**"). The Whistleblower can access the WBS via a log in to respond to such WB Requests while maintaining complete anonymity.
- 6.7 The WBS Council shall present to the board of directors of Ole & Steen A/S a written report outlining the results of the investigation and the measures taken. The WBS Council shall protect and ensure anonymity of the Whistleblower's identity at all times, should the Whistleblower have chosen to report anonymously through WBS, regardless of any compromising metadata having come to the attention of the WBS Council.
- 6.8 In any event the Whistleblower will receive feed-back of the result of the investigation within 3 months at the latest.

## **7 Contradiction and no retaliation**

- 7.1 The person(s) whose behaviour has been reported, will be notified of the reported concern as soon as possible to allow that person to present objections. However, such notification may be delayed as long as there is a substantial risk that such notification will jeopardise the

investigation or have a detrimental effect on any future measures or actions.

- 7.2 When a report though WBS is within the scope of this Whistleblower Policy, the Whistleblower is legally protected from any kind of retaliation, discriminatory or disciplinary action, such as termination of employment, transfer of duties, withholding of training, unfair treatment, demotion, suspension, threats or any other kind of harassment. Any such retaliation against the Whistleblower is considered a serious breach of this Whistleblowing Policy and a serious breach of the retaliating persons employment with Ole & Steen and will have employment consequences for the person seeking to retaliate against the Whistleblower.
- 7.3 The Protection against retaliation against the Whistleblower does not apply if the WBS is abused, i.e. if the Whistleblower did not have reasonable grounds to believe that the information on breaches reported was true at the time of reporting or did not have reasonable grounds to believe that the matter fell within the scope of this Policy of what may be reported.

## **8 Retention and deletion of personal data**

- 8.1 Subject always to local applicable data protection laws and regulations, any personal data received through the WBS will be retained and deleted as follows:
- (a) Deleted without undue delay if the reporting is outside the scope of the WBS or is manifestly unfounded, or if no internal action is made in relation to the concern;
  - (b) Deleted without undue delay after the closing of the case by the authorities if a report is filed with the police or other relevant authorities;
  - (c) Deleted after 2 months after the investigation has been completed if no further action is taken, or
  - (d) Deleted no later than 1 years after the time of the employee's departure if disciplinary sanctions are made towards the reported employee on the basis of the collected information, or other reasons for it being factual and necessary to continue storing the information, the collected information will be stored in the personnel folder in question.
- 8.2 The Data controller of data processed under this WBS is Lagkagehuset A/S, Dortheavej 10, 2400 Copenhagen NV.
- 8.3 **Any questions** regarding the WBS may be directed to the Head of Group Legal at Lagkagehuset / Ole & Steen.