

# ***Europe Compliance Sub-Master Policy on Whistleblowing***



## **Policy Reference Number: ESMP014/F**

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### **Policy Statement**

#### **A. Aim**

The term 'Whistleblowing' describes an action in which an employee or worker or business partner discloses some wrongdoing or concern.

The suspected wrongdoing or concern may relate to the following topics:

- Corruption, bribery, fraud, embezzlement or anti-trust violations.
- Financial malpractice or impropriety.
- Failure to comply with a legal obligation or statutory requirement.
- Danger to (public) Health & Safety or the environment.
- Product safety and compliance.
- Protection of privacy and personal data.
- Security of network and information systems.
- Failure to comply with public procurement regulation.
- Money laundering and terrorist financing.
- Violation of corporate tax rules.
- Other criminal activity.
- Improper conduct or unethical behavior.
- Unfair treatment or retaliation for earlier reporting a concern or blowing the whistle.
- Attempts to conceal any of the above.

This list is not exhaustive and is an illustration of the type of concerns that could arise in relation to the FUJITSU Global Business Standards.

FUJITSU is committed to the highest possible standards of openness, probity and accountability. There may be occasions when these standards are not maintained. Employees are often the first to realize that there may be something seriously wrong within the company or with its business partners in the course of doing business with FUJITSU. It is in the interests of the company, its employees and business partners to ensure that misconduct does not occur. FUJITSU strongly encourages reporting of suspected or actual misconduct or other concerns and does not tolerate retaliation for reporting in good faith.

Some countries may have laws that are even stricter than this Policy. If that is the case, then the stricter rule applies.

Please contact your supervisor, local legal department, Compliance Representative, Local Compliance Advisor or Europe Compliance, if there is any doubt about the appropriate behavior in your jurisdiction.

The Whistleblowing Policy is only intended to cover situations in which individuals believe they have discovered the type of misconduct described above. The grievance procedure, which is in place to enable employees to lodge a grievance relating to their own employment, is not a procedure covered by the Whistleblowing Policy and is only covered by the legal whistleblower protection as far as provided for by the applicable national law. It is not designed to question financial or business

decisions taken by the company nor should it be used to reconsider any matters that have already been addressed under harassment, grievance, disciplinary or any other policy, if it does not relate to a reprisal against persons who have earlier reported compliance allegations in good faith.

## B. Definitions

Term	Definition
LCA	Local Compliance Advisor
Local Management	Management of FUJITSU's local legal entity
Retaliation	Retaliation includes any measure which is prompted by reporting concerns that constitutes direct or indirect unjustified adverse treatment or detriment of whistleblowers or persons associated with or supporting them such as for example measures affecting their physical integrity, reputation, employment or business partner contract, career or salary opportunities, bonus payments, or other work-related interests.
Whistleblowing in good faith	An action in which an employee, worker or business partner discloses suspected or actual wrongdoing or concerns in a work-related context. Reporting in good faith means that at the time of reporting, the person has reasonable grounds to believe that the information they have is true and may constitute wrongdoing even if it later turns out to not have been the case (honest mistakes). Not covered are malicious reporting or knowingly reporting untrue/false facts and allegations.

## C. General Policy

The protection of whistleblowers is of the highest priority at FUJITSU and governed by the Global Business Standards. Many countries in which FUJITSU operates also have laws to protect whistleblowers and to punish individuals who commit retaliatory acts against whistleblowers.

Retaliation against any person who has reported a compliance allegation in good faith or against persons associated with or supporting such person is not tolerated by FUJITSU.

Whistleblowers who have been unlawfully retaliated against may be entitled to legal remedies and support depending on the local legal provisions.

Whistleblower protection does not exclude disciplinary or legal/contractual measures undertaken which have not been prompted by reporting in good faith or which are a result of a whistleblower's own involvement in the reported misconduct.

FUJITSU employees, workers or business partners who observe or learn of a Retaliatory act, or the threat of one, shall immediately inform Europe Compliance directly or use Fujitsu Alert (section D. 2). Europe Compliance shall then immediately take the appropriate actions necessary to protect the interests of the whistleblower concerned. A separate internal investigation regarding the alleged Retaliation will be initiated as required.

The integrity and confidentiality of the information collected in a whistleblower report, including the identity of the reporter, the persons alleged in the report and any third parties mentioned in the report must be ensured, if passing on is not obligatory under local jurisdiction. This also applies to any other information from which the identity of the reporting person may be directly or indirectly deduced.

## D. Rules and Procedures

### 1. Management and LCA Responsibilities

It is the responsibility of the Local Management to ensure local implementation of the Whistleblowing Policy.

The rules regarding the investigation of compliance-related allegations are stipulated in the Europe Compliance Sub-Master Policy on General Compliance Matters.

### 2. Procedure for Making a Disclosure

Any issue should be raised freely and without concern of Retaliation.

To help employees, workers and business partners flag their concerns without jeopardizing their position, FUJITSU has established several ways of contact (see Global Business Standards). Concerns can for example be raised with supervisors, within the respective department, the HR, Compliance, Legal & Commercial or Audit departments or with management.

If reporters are worried that their concerns have not been or will not be taken up or that they may even be at risk of Retaliation for reporting, they shall not hesitate to escalate their concern as a Whistleblower, whilst being protected by the company.

For raising concerns as a Whistleblower, Fujitsu has established Fujitsu Alert, where Whistleblowers are treated with confidentiality and potential breaches are investigated.

FUJITSU Alert, operated by a third-party provider, is available online or by phone in various languages. FUJITSU Alert can be accessed [here](#).

When a report is submitted in Fujitsu Alert, it is assigned to a designated person at Fujitsu as case manager, depending on the issue raised, to follow up, ensuring an independent, impartial, and fair review.

Using Fujitsu Alert, Whistleblowers can re-access their report using the report key they are assigned by the system to directly communicate with their designated case manager, provide further information, amend, and revise their report and stay in touch via the platform.

The designated case manager dealing with the concern will confirm receipt of the report and may follow up with questions. There will be further information at least once about the progress of the review, as far as it is neither jeopardizing the proceedings nor the rights of persons involved/named.

The rules regarding the investigation of compliance-related allegations are stipulated in the Europe Compliance General Compliance Master Policy

### 3. Anonymous Allegations

Employees are encouraged to put their name to any disclosures they make. That being said, anonymous allegations will be treated with the same due care. Anonymous allegations will be treated with the same due care but may be more difficult to follow up. To report anonymously, it is strongly encouraged to use the web portal of [FUJITSU Alert](#), because:

- the system provides the certificated functionality for the Whistleblower to report possible wrongdoing anonymously and directly to Europe Compliance and is officially logged into the system, and
- additionally provides an anonymous chat and information exchange functionality where the anonymous Whistleblower and Europe Compliance can at any time exchange views and information and the Whistleblower can upload data.

### 4. Untrue Allegations

In making a disclosure, the individual should exercise due care to ensure the accuracy of the information. If Whistleblowers have exercised due care, meaning that at the time of reporting, they had reasonable grounds to believe that the information they have was true and may constitute wrongdoing

even if it later turns out to not have been the case (honest mistake), no action will be taken against the whistleblowers.

If, however, a Whistleblower makes malicious or vexatious allegations, and particularly if the individual is knowingly providing wrong facts or persists with making wrong allegations, disciplinary action may be taken.

## 5. Reporting retaliation

To ensure the protection of the Whistleblower and associated/supporting persons against Retaliation according to the General Policy stated above, we strongly encourage to immediately report such measures to Europe Compliance, for example by submitting a report in FUJITSU Alert which will take the necessary actions as outlined above.

## 6. Timescales and remediation

Due to the varied nature of concerns, which may involve an internal investigation, it is not possible to lay down precise timescales for resolution. The investigating case manager will ensure that the follow-up and investigation is undertaken as quickly as possible without affecting the quality and depth of those and will keep the whistleblower informed as outlined above.

## 7. External reporting in EU member states

According to the Directive and the respective national laws, where already implemented, Whistleblowers in the EU or concerning EU locations may also consider reporting their concerns to EU agencies and/or external national designated authorities if the report concerns a breach of EU laws as listed in the Directive or as defined by the respective national laws ("External Reporting").

However, we strongly encourage employees, workers, and business partners to use Fujitsu Alert if they have concerns. Experience shows that an internal follow-up is a fast and effective way to investigate and allows Fujitsu to ensure confidentiality, support, and protection of Whistleblowers.

If contacted directly, Fujitsu can take immediate action and stop breaches or violations, thereby averting or containing potential damage to Fujitsu, its employees, business partners and – in case of severe violations- wider society.

More information on how to and where to report externally can be found on the Europe Compliance Intranet pages.

## Scope

This Policy applies to Fujitsu operations in Europe. This means that all Employees, Contractors, Working Partners and businesses carried on by Fujitsu Services Holdings PLC, Fujitsu Technology Solutions (Holding) BV and their subsidiaries, whether they be incorporated within Fujitsu Europe or not, except to the extent, if any, stated under Exemptions below, must comply with it.

## Exemptions

The Netherlands and Spain (covered by separate Local Policies due to specific local legal requirements).

## Effective Dates/Revision Number

Effective Date: 01/10/2016

Last Review Date: 22/11/2023

Next Review Due: November 2024

Version: 7.0

## Change History

<b>Version</b>	<b>Date</b>	<b>Change Summary</b>
1.0	20/10/2016	<i>First Definitive Issue</i>
2.0	11/09/2018	<i>Review – Change of link to Policy Owner and Policy Manager</i>
3.0	24/09/2019	<i>Review – Change in the section Applicability</i>
4.0	28/09/2020	<i>Review – Change name of region and exception list due to closing of Greece entity</i>
5.0	29/09/2021	<i>Review – Minor language changes. Required changes due to EU Whistleblowing Directive will follow in a later version (work in progress)</i>
6.0	08/11/2022	<i>Review – Changes due to EU Whistleblowing Directive and its local implementation in EU countries will follow in a later version (work in progress in various EU countries). Adaption to new EBMS Policy format.</i>
7.0	22/11/2023	<i>Review- Changes due to EU Whistleblowing Directive and its local transposition laws.</i>