

Speak Up Policy



Preface



Gasunie fulfils an important role in society and stands for safe and reliable energy transport. Millions of households, businesses and institutions in the Netherlands, Germany and beyond rely on our services. This is a shared responsibility of us all here at Gasunie, and it is something we can rightfully be proud of. Gasunie has been ensuring a reliable energy supply for decades, and has built an excellent reputation doing so. We want to keep it that way.

We believe it is important to be able to do our work in a safe and pleasant work environment. If any situations arise that (may) undermine this, it is important that we identify them and take appropriate action if necessary. It is therefore crucial for every employee to feel free to discuss situations where they feel uncomfortable, or where rules are being broken, with a colleague, a manager, a confidential counsellor or with someone at HR, Corporate Security or Legal & Compliance. However, if you do not feel free or comfortable discussing such a situation, or if the situation is not resolved, you can report it on the Speak Up portal.

The purpose of this Speak Up policy is to enable you to safely report anything you hear, see or notice that violates our rules, principles or core values. Our promise to you is that we will listen to your concerns and take any necessary action to resolve the situation. You can raise your concerns or make a report without fear of retaliation. Help us keep Gasunie a great place to work and achieve our goals.

With this Speak Up policy, we provide a clear procedure for reporting different types of situations and comply with legislation on integrity reporting. The Works Council was involved in developing this policy and has approved it. As and when required due to circumstances or changes in the law, we will amend this policy in consultation with the Works Council.

Willemien Terpstra
CEO Gasunie

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1 Who can make a Report?

Anyone who comes into contact with Gasunie through their work can make a Report. This includes in any case:

- current and former employees,
- interns,
- independent contractors,
- temporary agency workers,
- job applicants,
- volunteers,
- (anyone working for) suppliers or contractors/subcontractors.

If you do not come into contact with our organisation through your work, but you have still observed a situation that you think we should know about, please contact us through [Speak up portal](#). We will then make sure your message is processed in the appropriate manner.



2 What can you report?

You can make a Report if you have reasonable grounds to believe that one of the following situations exists, provided that they relate to Gasunie's operations.

A. Inappropriate Behaviour – you can make a Report if someone has behaved inappropriately towards you or others, which can be behaviour in the form of discrimination, aggression, violence, bullying, or sexual or other harassment.

Sexual and other harassment is defined as any form of verbal, non-verbal or physical behaviour of a sexual or other nature that is

intended to violate a person's dignity or that leads to a person's dignity being violated. This may be the case when someone creates a threatening, hostile, offensive, humiliating or abusive situation.

B. Integrity Incidents – you can make a Report regarding situations that jeopardise Gasunie's compliance with ethical standards in its operations. Examples include theft,

fraud, corruption, bribery, breach of confidentiality, discriminatory actions, insider trading, or violation of competition law, to the extent that it cannot be classified as Abuse.

C. Abuse – you can make a Report regarding Abuse. Abuse can concern failure to comply with laws or Gasunie's internal regulations. To be considered Abuse, the violation must concern the public interest. It may also be a violation of EU Law. EU Law is the body of rules established by the European Union that Member States must abide by. Even when a violation has not actually occurred, but there is a risk of it occurring, you can make a Report.

The exact definition of Abuse is as follows:

- 1)** An act or omission with regard to which the public interest is at stake due in connection with:
 - a)** a breach or risk of a breach of a statutory regulation or of internal rules that impose a specific obligation and have been established by an employer on the basis of a statutory regulation; or
 - b)** a risk to public health, public safety or the environment, or an improper act or omission that jeopardises the proper functioning of the public services or an undertaking. A public interest is in any event at stake if the act or omission affects more than just personal interests and is either part of a pattern or structural in nature, or is serious or broad in scope.

- 2)** a breach or risk of breach of EU Law.

The public interest is at stake in any case when:

- the act or failure to act does not solely affect personal interests, and
- there is a pattern or the act is of an ongoing nature, or
- when the act or failure to act is serious or extensive.

A violation of EU Law is an unlawful act, omission or undermining in the area of:

- tendering,
- financial services, products and markets, and prevention of money laundering and terrorist financing,
- product safety and product conformity,
- transport safety,
- environmental protection,
- radiation protection and nuclear safety,
- food and feed safety, animal health and welfare,
- public health,
- consumer protection,
- state aid,
- competition,
- taxation, or
- protection of privacy and personal data, and network and information system security.

If any of the above situations arise, we encourage you to make a Report as soon as possible.

While we encourage everyone to speak up and raise any concerns with Gasunie, not every situation is reportable under this policy. This policy is not intended for the following situations:

- Immediate threats to life. In this kind of situation, please contact the Emergency Response Team or emergency services.
- Immediate threats to property. In this kind of situation, please contact the Corporate Security organisation.
- Disputes about management decisions or the interpretation of company policy.
- Unfounded rumours.
- Individual work-related complaints. This includes complaints about employment conditions, performance reviews, disciplinary measures, or conflicts with colleagues, unless a complaint concerns inappropriate behaviour in those situations. For individual work-related complaints, please contact your supervisor or HR adviser.



3 Who can you report to?

If you are experiencing Inappropriate Behaviour or suspect an Integrity Incident or Abuse, please first take it up with the person in question. It is, of course, best to resolve the matter directly with that person. Talking to this person directly and holding them to account is often the best way to end a situation. If you find this difficult, prefer not to, or are unable to work it out together, it is important that you talk to someone else about it.

See Section 3.1 for details of who to turn to with your concerns if you are not sure yet whether to make a Report. If you decide to make a Report, see sections 3.2 to 3.3 for details of who to report the matter to.

3.1 Talking about it with a Confidential Counsellor, manager or other officials

We want everyone to be able to make a Report in an accessible way. If you are

unsure whether you can or want to make a Report, you can first contact:

- a **Confidential Counsellor**: you can consult with the Confidential Counsellor if something is bothering you and discuss it in private. This applies to all situations you can make a Report about: Inappropriate Behaviour, Integrity incidents and Abuse. A Confidential Counsellor can support and guide you in finding possible solutions and provide you with relevant information. A Confidential Counsellor will always keep your information confidential. You will keep full control. This may be different in the case of:
 - certain serious crimes that are subject to a legal obligation to report or notify the authorities;
 - a compelling organisational or social interest. This is sometimes considered a conflict of duties that creates 'moral distress'. This could, for example, be a life-and-death situation.

In such cases, the Confidential Counsellor will inform you first, where possible.

- Your manager, their manager or someone from a relevant Gasunie department, such as someone from HR, Corporate Security or Legal & compliance: you can discuss with these people whether a situation calls for a Report to be made or whether a different approach would be more appropriate.

Please note: When you discuss a situation, the person you discuss it

with may be under an obligation to take action. A manager, for example, is required to ensure a socially safe work environment. This may mean that you will no longer have control over the situation.

3.2 Making a Report to the Corporate Compliance & Integrity Officer (CC&I Officer)

You can make a Report to the CC&I Officer. The CC&I Officer is the person designated within Gasunie to coordinate Reports, ensuring that Reports are processed consistently and carefully. Gasunie sees to it that the CC&I Officer and those investigating a Report are able to conduct an independent investigation.

You can choose whether to make a Report on the Speak Up portal, by phone, or in person:

- On the **Speak Up portal**: Gasunie has engaged an independent third party to whom you can make a Report securely and (if you want) anonymously. The Speak Up portal is always available and offers the option to get in touch. The Speak Up portal allows both confidential and anonymous¹ Reports. The Speak Up portal does not store any data/metadata that can be traced back to the Person making the Report. Your Report on the portal will immediately be forwarded to the CC&I Officer so that it can be read and appropriate action can be taken. In your Report, it is important that you explain:
 - why you made the Report;
 - what exactly happened;

¹ See Section 4.1 for an explanation of the difference between 'confidential' and 'anonymous' Reports.

- when it happened;
- what you did to resolve the situation, if anything, before making the Report.
- if you have any documents to back up your story, please include them with your Report.

When making a Report anonymously, remember not to include any information in your Report that could reveal your identity. Correspondence with you about the handling of your Report will go through the Speak Up portal.

- By phone: you can make your Report by calling the [Speak Up hotline](#). You can also call the CC&I Officer directly (see the annex for contact details for the CC&I Officer and their substitutes).
- In person: you can make an appointment with the CC&I Officer for an in-person meeting (see the annex for contact details for the CC&I Officer and their substitutes).

To be able to register your Report, the CC&I Officer will (i) record a verbal report with your prior consent, or (ii) make a written or digital summary of what you discussed. You will be given the opportunity to review, correct and approve this summary in writing or digitally.

If your Report is about the CC&I Officer, please state this on the Speak Up portal. Your Report will then automatically be assigned to one of the substitutes. You can also contact one of these substitutes directly by phone or in person (see annex for contact details).

3.3 Making a Report to an External Body, such as the industry regulator or the Dutch Whistleblowers Authority

If your Report concerns Abuse, you can also take it directly to an External Body, such as the Dutch Authority for Consumers and Markets, the Dutch Data Protection Authority, or the Dutch Whistleblowers Authority.

Please note that if you make your Report internally at Gasunie, the situation within Gasunie is more likely to be resolved quickly. This is why Gasunie prefers for Reports to be made internally. If you are unsure whether you can make your Report to an External Body, seek advice from the Dutch Whistleblowers Authority, which is an independent external organisation. For more information about making your Report to an External Body, see the website of the [Dutch Whistleblowers Authority](#).



4 How will you be protected?

When you make a Report, you get the following protection.

4.1 Protection in the form of anonymity and confidentiality

Anonymity

Gasunie prefers that you identify yourself when making a Report. However, if you feel uncomfortable sharing your identity, you can choose to remain anonymous on the Speak Up portal when making a Report about an Integrity Incident or Abuse.

We will respect your decision, and the Report will be handled with the exact same rigour as if you had shared your identity. Neither Gasunie nor the Speak Up portal provider has access to your identity. The Speak Up platform does allow us to contact you about your Report.

To find out how the Speak Up portal guarantees your anonymity, see [here](#).

Please note that anonymous Reports concerning Inappropriate Behaviour will, in principle, not be accepted. This is because the person who is the subject of the Report has the right to defend themselves, which they will generally not be able to do in case of an anonymous Report of Inappropriate Behaviour.

When you make a Report and reveal your identity, the following applies with respect to your identity.

Confidentiality regarding the identity of the Person making a Report concerning an Integrity Incident or Abuse

When making a Report concerning an Integrity Incident or Abuse, your identity as the Person making the Report (and any personally identifiable information) may not be disclosed without your consent to anyone other than the officers involved in handling your Report. The only exception is when disclosure of your identity is required under a statutory provision in the context of an investigation by an External Body or for legal proceedings. If your identity must indeed be disclosed as a result, you will be notified in advance with a written explanation of why your identity will be disclosed, unless notifying you will jeopardise the investigation or legal proceedings.

The identity of a Person making a Report concerning Inappropriate Behaviour

In order to be able to investigate your Report concerning Inappropriate Behaviour, your identity must be shared with the person who is subject of your Report. Other than that, the CC&I Officer and the team investigating the Report will treat

your identity confidentially in the manner detailed below.

Confidential data

Everyone who is involved in the Report or the investigation into it is under an obligation to keep confidential data confidential. The only exception is when disclosure is required under a statutory provision or turns out to be necessary in order to be able to investigate the Report. Confidential data also includes the identity of the person who is the subject of a Report and information about trade secrets.

4.2 Protection of your personal data

Gasunie adheres to privacy legislation in its processing of personal data. Gasunie minimises the processing of personal data and stores as little information about the Report as possible.

Personal data that is clearly not relevant to the handling of the Report will not be collected and any personal data collected inadvertently will be erased immediately. Personal data processed in relation to the Report will not be retained for longer than necessary. The standard retention period is 3 years. The CC&I Officer can extend this period within the limits set by Gasunie's privacy policy. A decision to this effect will be recorded along with an explanation of the reasons why the period is extended.

4.3 Protection against retaliation

When you have reasonable grounds to assume that a Report is justified, you, as the Person making the Report, may not be retaliated against in any way during and after the Report. This means, among other things, that Gasunie may not take any adverse measures against you, such as:

- dismissal or suspension ;
- a fine as specified in Section 7:650 of the Dutch Civil Code;
- demotion;
- withholding a promotion;
- a negative performance review;
- a written reprimand;
- transfer to another office;
- discrimination;
- intimidation, bullying or exclusion;
- defamation or slander;
- early termination of a contract for the supply of goods or services, and
- withdrawal of a permit.

In addition to taking the aforementioned adverse measures, retaliation also includes threatening or attempting to retaliate.

Such (adverse) measures may, however, be taken if they are unrelated to your Report or if you yourself are found guilty of Inappropriate Behaviour, an Integrity Incident or Abuse. The CC&I Officer or a Confidential Counsellor can discuss with you whether there are risks of retaliation and explain what you can do if you believe you are being retaliated against.

This protection against retaliation also applies to Third Parties Involved, the person assisting the Reporter, the CC&I Officer and the officials conducting the investigation.

4.4 Protection against retaliation when disclosing Abuse

As the Person making the Report, you can, in exceptional cases, consider going public with your suspicion of Abuse. While you will also be protected against retaliation when and after going public with a suspicion of Abuse, this is subject to a number of strict conditions. Make sure you get proper guidance from a Confidential Counsellor, the CC&I Officer, the Dutch Whistleblowers Authority or an external adviser beforehand.

4.5 Protection by reversing the burden of proof

As a Person making a Report, you enjoy additional protection if you suspect you are being retaliated against as a result of the Report. This additional protection is also provided when going public with a suspicion of Abuse. The burden of proof is reversed, meaning that it will be up to Gasunie to prove that the measures taken are not related to the Report or going public with the suspicion of Abuse, but that the measures were taken for other reasons.

4.6 Assistance from an adviser

As the Person making the Report, you can have a Confidential Counsellor or your own adviser or expert assist you in submitting the Report and during the investigation. The person about whom the Report was made may also have their own external adviser or expert assist them during the investigation.



5 What happens after a Report has been made?

Needless to say, your Report will be treated seriously and meticulously. The CC&I Officer has a coordinating role and is independent. The Report handling process consists of the following steps.

5.1 Receipt and registration

You will receive confirmation of receipt as soon as possible, but no later than seven days after receipt of your Report, either on the Speak Up portal or, if you made the Report by phone or in person, by email. The Person making the Report will be registered on the Speak Up portal.

As soon as the Report has been registered, the CC&I Officer will carefully consider the next steps. Not every Report will require a (detailed) investigation. If there appears to be a simple solution to your problem, or in the event of a misunderstanding, the matter can be resolved or clarified without further investigation by, for example, suggesting a

meeting of the parties involved or through mediation.

The CC&I Officer has the authority to notify Gasunie's Executive Board, the (senior) manager(s), and/or HR of a Report, unless there are reasons not to do so, such as when someone on the Executive Board, the (senior) manager or someone at HR is the subject of the Report or is otherwise involved. The CC&I Officer will carefully assess for each individual situation what information can be shared and will adhere to the confidentiality rules specified in this policy. This also applies to protecting the identity of the Person making the Report, as described in Section 4.1.

If a Report received by the CC&I Officer concerns a manager who reports directly to one of the members of the Executive Board, the CC&I Officer may involve the chair of the Supervisory Board in the investigation to guarantee independence in the handling of the Report.

5.2 Investigation

If it is clear that your Report falls under this policy, the CC&I Officer can decide to assemble an investigation team to investigate the Report. The members of this investigation team will be selected based on factors such as the nature and seriousness of your Report.

The investigation team may consist of, for example, one or more persons from within Gasunie (such as the CC&I Officer, a security adviser, a legal counsel, an HR adviser, an IT expert, etc.) and/or an external investigation agency or expert(s). The investigation team will never include individuals who are the subject of the Report or who are (or were) directly involved in the reported situation in any other way.

The investigation team will investigate your Report. This may involve various follow-up steps:

- you may be invited for a meeting to provide further clarification, or you may be asked to provide further information in another way (for example, through the Speak Up portal);
- the report may be declared inadmissible. This means that the Report will not be processed any further. This may be the case, for example, due to a lack of importance, the Report consisting of unfounded rumours, the situation having happened too long ago to investigate, the Person making the Report wishing to remain anonymous when filing a report about Inappropriate Behaviour, the Report already having been investigated previously and no new information having been submitted, or the Report concerning individual employment-related issues. In such cases, the case will be closed and you will be notified;
- the investigation team may investigate further;
- the matter may be reported to the appropriate authorities if, for example, it concerns a criminal offence.

The investigation will be focused on establishing the truth. During the investigation, the following principles will be observed for both the Person making the Report and the person who is the subject of the Report:

- Due diligence: all circumstances will be taken into account, both those that incriminate and those that exonerate the person who is the subject of the Report.
- Independence: members of the investigation team will have sufficient independence from the Report.
- Proportionality and subsidiarity: the depth and breadth of the investigation will be commensurate with the nature and seriousness of the Report. The least intrusive investigative measure that can lead to the intended objective will be used.
- Confidentiality: the group of persons who will be informed about the Report and involved in investigating it will be kept as small as possible. In practice, this group will include a manager, the CC&I Officer, the investigation team, possibly a Confidential Counsellor, a legal counsel, HR and/or Gasunie's Executive Board, provided none of these persons are directly involved. In many cases, the person who is the subject of the Report will also be heard, but the identity of the Person making the Report will be kept confidential as specified in Section 4.1 of this Policy.
- Hearing: as the Person making the Report, you will have the opportunity to share your perspective on the matter reported and the circumstances with the investigation team.

The above principles are also intended as a way to protect the person(s) who the Report is about. This person also has the right to be heard.

All Gasunie employees will be under an obligation to cooperate with the investigation, which includes appearing for interviews and providing information. This applies to the Person making the Report, to the person who is the subject of the Report, as well as to witnesses or employees with relevant knowledge. However, it does not apply to the Confidential Counsellor who has knowledge of the Report.

5.3 Competences of the investigation team

The investigation team may request any information it deems necessary. The investigation team has the following powers, insofar as relevant to the investigation:

- Interviewing employees and third parties, such as any witnesses and experts.
- Investigating the physical and digital work environment;
 1. investigating the physical work environment includes, among other things, accessing workstations, cupboards, filing cabinets, documents, desks and vehicles used during work.
 2. investigating the digital work environment includes accessing documents and systems, the use of email, internet communication, telephone, and other IT resources.
- Observing, deploying, analysing and processing observational material such as (hidden) cameras, audio recordings and photographs.

5.4 Investigation report and advisory report

After completing the investigation, the investigation team will draw up an investigation report and send it to the CC&I Officer, provided that the CC&I Officer was not part of the investigation team. The investigation report will at least include:

- a description and justification of the investigative means used;
- a rundown of the relevant facts and circumstances;
- relevant underlying documents (such as interview reports/evidence);
- any relevant internal or legal regulations;
- findings from the investigation and any recommendations based on the investigation.

Based on the investigation report, the CC&I Officer will, if necessary, coordinate with other functions within the company and draw up an advisory report. Including a summary of the investigation data, a judgment and possibly recommendations as well, the advisory report is intended to enable the responsible body to make a decision about the Report. The judgement will be a substantiated verdict as to whether the Report was justified or not. If a Report is deemed justified, the CC&I Officer will consider the degree to which the person in question can be held accountable for the behaviour, as well as any (mitigating) circumstances, in recommending an appropriate response from the employer. If relevant, an employment law specialist will be consulted to advise on the appropriateness of measures under employment law.

The investigation report and the recommendations will be shared neither

with the Person making the Report nor with the person who is the subject of the Report. This is due to the requirement to keep confidential the identity of the Person making the Report, the person who is the subject of the Report, and other involved parties. The person who is the subject of the Report will be given ample opportunity to request to be heard and will, after a careful weighing of interests, be given access to an anonymised copy of the relevant passages, where possible.

The Person making the Report and other involved parties will be informed, on a need-to-know basis, of the main findings of the investigation and the management actions taken. Sometimes, however, due to confidentiality constraints, we are unable to share specific details.

5.5 Progress updates

As soon as possible, but no later than three months after the confirmation of receipt, the CC&I Officer will inform you about the follow-up to your Report. In principle, the CC&I Officer will communicate with you using the same channel as you chose to make the Report. Information will be provided about any planned or implemented measures. If the follow-up to your Report is not yet certain, the CC&I Officer will also inform you of this and let you know how they expect the procedure to unfold.

5.6 Measures after the investigation

If the advisory report classifies the reported issue as an Integrity Incident, Abuse or Inappropriate Behaviour, Gasunie may take action. The final decision to take measures will be made by Gasunie's Executive Board. The Executive Board may delegate this decision (depending on the situation,

responsibilities and the reason for the investigation) to a Business Line Director or the Head of a Central Department. If the Business Line Director or Head of a Central Department decides not to take the advice from the advisory report, this will be with the Executive Board's approval, and the CC&I Officer will be informed in advance.

This may result in various actions being taken, depending on the findings, for example:

- actions to improve processes within Gasunie;
- a discussion about the findings with the Person making the Report and/or those involved;
- disciplinary actions against the person who is the subject of the Report. This can range from a reprimand or a warning to summary dismissal. Reasons will be provided for decisions to that effect;
- noting the fact that there has been an investigation in the personnel file of the person who was the subject of the investigation;
- the matter may be reported to the relevant authorities.

As the Person making the Report, you will be informed of the outcome of the investigation and the measures being taken. If you believe your Report was not handled properly internally, you have the option to make another Report to an External Body.

5.7 Reporting

The CC&I Officer reports annually to the Executive Board on Reports made and implementation of this policy, ensuring the confidentiality and anonymity of those involved.



6 Definitions

Third Party Involved

A third party, either a natural person or a legal entity, associated with the Person making the Report (such as a colleague, family member or company connected to the Person making the Report in a work-related context or the legal entity where the Person making the Report works).

External Body

The Dutch Whistleblowers Authority or another legally designated supervisory body that operates a reporting channel for external work-related concerns, such as the Dutch Authority for Consumers and Markets, the Dutch Data Protection Agency, etc.

CC&I Officer

Gasunie's Corporate Compliance & Integrity Officer.

Gasunie

N.V. Nederlandse Gasunie and its Dutch-based group companies.

Dutch Whistleblowers Authority

The Dutch Whistleblowers Authority (*Huis voor klokkenluiders*) is an external organisation that was created to help those reporting Abuse, i.e. so-called whistleblowers, with advice and support.

Violation of EU Law

A situation as described in Section 2.C 'What can you report?'.

Employee

A person employed by Gasunie under an employment contract.

Person making the Report

A natural person who makes a Report.

Report

A report of a suspicion or observation of Inappropriate Behaviour, Integrity Incident or Abuse in relation to Gasunie's operations.

Abuse

A situation as described in Section 2.C 'What can you report?'.

Inappropriate Behaviour

A situation as described in Section 2.A 'What can you report?'.

Integrity Incident

A situation as described in Section 2.B 'What can you report?'.

Speak Up portal

An independent third party engaged by Gasunie to provide a confidential and anonymous reporting channel for anyone who wants to make a Report. Reports can be made online or over the phone.

Confidential Counsellor

An internal or external person designated by Gasunie as Confidential Counsellor. This person adheres to the Confidential Counsellor Regulations. You can find the Confidential Counsellor's contact details on KoersOnline.



7 Annex

Annex 1; Contact details

Confidential Counsellor

For a list of confidential counsellors at Gasunie and their contact details, see the 'Mensen' (People) section ('Gedragswijzer en vertrouwenspersonen' (Code of Conduct and confidential counsellors)) on KoersOnline.

Speak Up portal

[Speak Up portal](#)

Speak Up hotline

Telephone number within the Netherlands:
0800 0222473

Telephone number outside the Netherlands:
+31 10 7007503

Organisation code: 130590

CC&I Officer

Joost Damen

Telephone number: +31 (0)6 43565547

Email: j.a.damen@gasunie.nl

Substitutes in his absence:

Sandra Melman

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