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DETAILS OF DOCUMENT

Type	Policy
Document	Complaint System (Ethics Channel-Speak Up) Policy
Initial date	12 July 2023
Organisation	Farmaprojects, S.A.U.
Purpose	To establish management principles for the Internal Information System and the communications (alerts and allegations) received through it.
Classification	PUBLIC DOCUMENT
Author	Ribas

Version	Date	Author	Action
1	12/07/23	Ribas	Draft of document
1	13/09/23	Compliance Committee & Ribas	Revision of document
1	03/10/23	Compliance Committee	Approval of document

Author of document: Ribas	ribas
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01 INTRODUCTION

FARMAPROJECTS, S.A.U. (hereafter referred to as “**Farmaprojects**”) is committed to establishing a culture of transparency, ethics and zero tolerance of conduct that could be failing in compliance with applicable legislation, the company Ethics and Conduct Codes or the rest of the internal regulations.

By reason of the above, **Farmaprojects** has an Internal Information System which is available to those people who become aware, in their working or professional context or due to their business activity, of conduct that could be a breach of current legislation or the **Farmaprojects** internal regulations and who wish to report it, with adequate guarantees of confidentiality and protection against possible reprisals.

The aim of this policy (hereafter referred to as the “**Policy**”) is to define the general principles that **Farmaprojects** defends, promotes and adopts in the reception, processing, recording, investigation and response to communications received, and that inspire the rest of the internal regulations governing the functioning of the Internal Information System.

Also it contains a description of the key elements that form that System and a mention of other information channels called “external” which the informant can use as an alternative for communication with a specialised public authority.

This Policy will be published on the **Farmaprojects** webpage, in a separate section and easily identified.

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02 SCOPE OF APPLICATION

- 0201 **Company scope.**– This Policy is applicable to **Farmaprojects**.
- 0202 **Staff scope.**– This Policy is applicable at all levels in **Farmaprojects**, including the administration, executive posts, control bodies and all the employees of **Farmaprojects**.
- 0203 **Relations scope.**– The ambit of application of this Policy will extend to other people who, in a professional context or by reason of a business activity, detect possible Infringements (independently of whether or not the professional link or business activity has ended). That is, its ambit of application will extend also to any third party, among others, suppliers, distributors, outside collaborators, customers and individuals connected with the informant (as defined later), who may suffer reprisals.
- 0204 **Geographical scope.**– This Policy will apply to the public and private relations that **Farmaprojects** may establish in any geographical ambit, both local and international.

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03 APPLICABLE REGULATIONS

0301 This Policy is adapted to the following regulations:

- Directive (EU) 2019/1937 of the European Parliament and of the Council, of 23 October 2019, on the protection of persons who report breaches of Union law (the Whistleblowing Directive)
- Act 2/2023, of 20 February, on the Protection of Persons who report on breaches of Regulations and on the Fight against Corruption (Law on protection of the informant)
- Organic Law 10/1995, of 23 November, on the Penal Code.
- Regulation (EU) 2016/670, General Data Protection Regulation (GDPR) and the local implementing regulation in Organic Law 3/2018, of 5 December, on Personal Data Protection and Guarantee of digital rights (LOPDGDD)

0302 And to the following internal rules:

- Ethics and Conduct Codes
- Prevention and Control Policy
- Internal Information System (Ethics Channel-Speak Up) Policy

0303 This Policy will adapt to the legislative changes that take place in Spain and in countries where **Farmaprojects** has any kind of activity, as well as the criteria established in judgments by the Supreme Court, Constitutional Court, European Union Court of Justice and European Court of Human Rights and, also, will take into consideration the guidelines established in guides, reports and resolutions by the national or European public administration.

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04 DEFINITIONS

0101 **Alert:** communication of a potential risk.

0401 **Ethics Channel:** internal channel for the reception of information, set up by **Farmaprojects** within the Internal Information System to receive communications that deal with Infringements of the law, the Ethical and Conduct Codes and/or the internal regulations.

0402 **Allegation:** communication of information on infringements of the law or of the internal regulations.

0403 **Alleged offender or Affected person:** the individual to whom the infringement is attributed or someone associated with them.

0404 **Employee:** any natural person who has a labour relationship with **Farmaprojects**, of whatever type, including: a) future employees who are in a selection process; b) volunteers, grant holders, workers in training periods independently of whether or not they are paid; c) employees who have ended a labour relationship with **Farmaprojects**; and d) the workers' representatives.

0405 **Informant:** anyone, including Employees, who communicates an infringement, an alert warning of a non-compliance or infringement risk or makes an enquiry about the communications management system implemented by **Farmaprojects** or about its Compliance model.

0406 **Infringement:** any act or omission that could constitute a serious or very serious criminal or administrative infringement of European Union Law or the internal regulations.

0407 **People connected with the informant:** natural persons who assist the informant during the investigation process; workmates, family members and other third parties who could suffer reprisals due to their relationship with the informant; also legal entities with which the informant has any kind of labour relationship or a significant holding in the share capital or voting rights. These must not suffer any kind of reprisal in the same sense as the informant so it will be understood that, unless indicated otherwise, mentions of the informant in relation with reprisals will include individuals connected with the informant.

0408 **Reprisal:** any act or omission prohibited by law or which, directly or indirectly, results in unfavourable treatment meaning that those affected are at a particular disadvantage as regards others in the labour or professional context, simply through their being informants or through having made some information public. Examples of reprisals are: suspension, dismissal, termination or refusal to renew a contract; degradation or denial of promotion, substantial alterations in an employment contract; reputational damages or financial loss, coercion, harassment or ostracism; negative evaluations or references in professional performance; inclusion in blacklists, refusal of training, discrimination or unfair treatment, etc.

0409 **System manager:** the body or person in charge of managing the communications received in the Internal Information System and, where applicable, undertaking their investigation where relevant.

0410 **Internal Information System:** system in **Farmaprojects** for the receipt and management of communications regarding infringements of the law, the Ethics Code and/or the rest of the internal regulations, comprising both the channel, mailbox or preferential route for the information (Ethics Channel), and the System Responsible and Communications Management Procedure for these communications.

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05 INTERNAL AND EXTERNAL COMMUNICATION CHANNELS, WHO IS ABLE TO COMMUNICATE AND HOW TO DO IT

0501 **Internal channel (Ethics Channel-Speak Up).** Farmaprojects keeps the Ethics Channel available to the informant, this being the preferential route for reporting on conduct that could be infringing the law, the Ethics and Conduct Codes or the internal regulations. The Ethics Channel offers the following ways or routes for the communication of information:

<https://windstorm.speakup.report/Farmaprojects>

Web form and
APP



Telephone +34 900 031 156
Letterbox Farmaprojects premises.

0502 **External channel.** The informant also has the possibility of communicating information on any infringement to an informant protection authority, either directly or after having communicated the information through the **Farmaprojects** Ethics Channel, for example, because they consider that the infringement cannot be dealt with effectively or there is a risk of suffering reprisals. For more information on the external channels, go to **Annex I** of this Policy.

0503 The people who can use the Ethics Channel are:

- **Farmaprojects** employees
- Shareholders, partners and people belonging to the administration, direction and supervision bodies in **Farmaprojects**, including non-executive members.
- Third parties outside **Farmaprojects** (suppliers, distributors, outside collaborators, customers, etc.).

0504 Allegations can be communicated through the Ethics Channel. The Informant can also ask for a meeting with the System Manager within a maximum of seven (7) working days.

0505 In the event that Employees, executives, senior staff, administrators, shareholders or partners in **Farmaprojects** receive an alert or an allegation through other channels, they must still keep maximum confidentiality, avoiding, among others, any disclosure of information that could identify the informant, the alleged offender or the affected individuals, sending it on immediately, through the Ethics Channel, to the System Manager.

0506 Allegations can be made in nominative form, identifying the informant, or totally anonymously. In either of these cases, the guarantees and principles set out in this Policy will be respected.

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0507 The communications need to have the following content

- **Allegations**

1. Company involved in the facts (mandatory)
2. Description of the facts (mandatory)

Also the following content can be provided in allegations:

3. Data identifying the informant (optional)
4. Indication of an address, e-mail address or safe place for the purpose of receiving notifications (optional)
5. Whether a meeting is desired to formulate the allegation (optional)
6. Evidence (optional)

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06 SYSTEM MANAGER

- 0601 The System Manager will be appointed by the administration organ and the appointment must be notified to the competent Independent Informant Protection Authority (AAI) within ten (10) working days following the date of appointment.
- 0602 The Compliance Committee will be the System Manager, that is, it will be the recipient and manager in dealing with communications received through the Ethics Channel, one of its members being the direct manager and in charge of the investigations that, as applicable, have to take place.
- 0603 Although the System Manager will be the recipient of the communications, their initial reception can be entrusted to a specialised outside service provider, which will be required to produce, among others, adequate guarantees with respect to the independence, confidentiality, data protection and secrecy of the communications, and to sign the appropriate contract as the manager of data processing.
- 0604 This initial reception of communications by an outside third party must not mean any lessening of guarantees and requirements in the Internal Information System, nor any attribution of responsibility regarding that information to anyone other than the System Manager.
- 0605 The System Manager must carry out his functions independently and autonomously with regard to the other bodies and administration of **Farmaprojects**, may not receive instructions of any kind in the exercise of the job and must have all the personal and material means necessary to carry out his functions.
- 0606 Any change of the System Manager must also be notified to the Independent Informant Protection Authority (AAI) within the ten (10) working days following, specifying the reasons for his resignation.

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07 SYSTEM AND INVESTIGATION PROCESS GUARANTEES

0701 All the allegations received through the Ethics Channel will comply with the following principles and guarantees:

- a) **Security measures:** the Internal Information System will have adequate technical and organisational security measures to avoid any risk of disclosure, unavailability and loss or destruction of the information, that is, it will guarantee the confidentiality, availability and integrity of the allegations received.
- b) **Confidentiality:** confidentiality will be guaranteed for the identity of the informant, the alleged offender, affected individuals and any other third party mentioned in the communication, as well as for the facts described, access to the communication being only for authorised personnel.
- c) **Personal data protection:** the processing of personal data will be done in accordance with current legislation in matters of data protection.
- d) **Diligent and reasoned response:** communications will be answered with a respect for the established timescales.
- e) **Absence of conflicts of interests:** communications received will be dealt with impartially and objectively, attending to the reality of the specific facts and, as applicable, avoiding any conflicts of interests.

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08 INFORMANTS' GUARANTEES AND RIGHTS

0801 The informants will additionally have the following rights:

0802 **Confidentiality.** The informant has the right for his identity not to be revealed without his express consent (whether or not his details have been supplied or his identity is discovered subsequently) to anyone except the System Manager and other authorised personnel, unless it is an obligation, necessary and proportionate, imposed by current legislation or by an investigation in the framework of legal proceedings. In that case, he will be informed that his identity will be revealed, unless that information could compromise the investigation or court proceedings.

0803 **Anonymity.** The informant can decide whether to formulate the allegation with the supply of his personal identity details or without revealing his identity (anonymously).

0804 **Prohibition of reprisals.** The informant and connected individuals will not receive any kind of reprisal due to the fact of having made an allegation in good faith, this being understood as: a) there were reasonable indications that the information referred to was true at the time of the communication, even though no conclusive evidence was provided and b) the communication was made in accordance with this Policy.

0805 The informant can only be sanctioned in the case that the allegation was made in bad faith, as there were reasonable indications that it was not truthful and that the information provided was not correct.

0806 The System Manager, together with the relevant departments, will establish the appropriate follow-up actions to ensure the effectiveness of this guarantee.

0807 However, protection is expressly excluded for allegations that:

a. Have not been admitted due to one of the following reasons:

- i. The facts related lack any verisimilitude.
- ii. The facts related do not constitute any kind of infringement.
- iii. The communication manifestly lacks foundation or there are indications that the information in the allegation has been obtained through committing an offence, in which case an investigation will be opened on this last situation.
- iv. The communication contains no new or significant information regarding an infringement in comparison with an earlier allegation, with respect to which an investigation has been completed, unless there are new factual or legal circumstances which justify a separate follow-up.

b. The facts are concerned with interpersonal conflicts or only affect the informant and alleged offender.

c. The facts are already public knowledge or are merely rumours.

d. The facts are not infringements of the law or of the internal Compliance regulations.

0808 **Information.** The informant will receive an acknowledgement of receipt within a maximum of seven (7) calendar days from the date of receipt of the allegation in the Ethics Channel, unless this could prejudice the confidentiality of the communication. He will also receive a report on the end of the investigation and the measures envisaged or adopted.

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09 ALLEGED OFFENDERS' GUARANTEES AND RIGHTS

0901 Alleged offenders will additionally have the following rights:

0902 **Confidentiality.** The alleged offender has the right for his identity not to be revealed without his express consent to anyone except the System Manager and other authorised personnel, unless it is an obligation, necessary and proportionate, imposed by current legislation or by an investigation in the framework of legal proceedings.

0903 **Presumption of innocence and the right to honour.** The alleged offender has the right to the presumption of innocence, and therefore cannot be sanctioned or penalised until the end of the investigation. However, in the event that during the investigation it is found that the alleged offender is still committing infringements, precautionary measures can be adopted, all this in accordance with and subject to the limitations in current regulations at any time.

0904 **A right to testify, submit evidence and receive assistance.** The alleged offender has the right to testify in the investigation procedure or to invoke his right not to testify against himself or admit his culpability. He also has the right to use the means of evidence that he considers appropriate for his defence (witnesses, documents, etc.). In any case, in all investigations, the alleged offender must be given the opportunity to testify and submit evidence before the investigation is closed. Also, in accordance with current legislation, he can testify accompanied by a workers' representative or lawyer, if this is requested beforehand and provided that the representative or lawyer is not involved in the facts investigated. This circumstance will be mentioned in the record of the statement.

0905 **Information.** The alleged offender has the right to know of an allegation made against him and to be informed of the acts or omissions attributed to him, also to have access to the investigation file, know of the results of the investigation and the corrective measures that, as appropriate, are to be applied, except for information that may not be transmitted under current legislation, such as the identity of the informant. The alleged offender will be informed as soon as possible, provided that the investigation is not compromised. In this last case, the information will be given prior to summoning the alleged offender for his statement. In the event that the allegation is not exact or true or does not constitute any unlawful act, the alleged offender has the right for this to be recorded. In this case, if the investigation on the alleged offender has become widely known, the System Manager, on a request from the alleged offender, will prepare an internal communiqué to all the personnel in the alleged offender's department or those departments deemed appropriate, depending on the case, expressing the closing of the investigation with the conclusion that the facts were not exact or true, or that there was no evidence of any kind of unlawful activity.

0906 **Right to fair procedure.** The alleged offender has the right to a procedure with all the guarantees, respecting the legal provisions and internal regulations applicable to the process, which will include, in addition to those described above, among others, a respect for the timescales established (avoidance of undue delays) and the adoption of measures in proportion to the seriousness of the facts that occurred (proportionality of the sanction or penalty).

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10 PROMOTING USE OF THE INTERNAL INFORMATION SYSTEM AND AWARENESS OF IT

- 1001 **Farmaprojects** will regularly arrange training sessions and campaigns of sensitisation on the use of the Internal Information System for all the Employees, which will include, among others, a warning that failure to comply with this Policy is a very serious infringement, as well as the obligation to pass on to the System Manager all communications received outside the channels prepared for the receipt of infringements of the Internal Information System.
- 1002 **Farmaprojects** will provide sufficient information, clearly and easily accessible, on the use of the Internal Information System and on the essential principles that govern its management. This information will be available on the webpage, in a separate section that is easily identified.
- 1003 In the same way, information will also be given, clearly and in accessible form, on external channels for allegations to be sent to the competent authorities and, where applicable, the institutions of the European Union (see **Annex I**).
- 1004 In the event that no communications are received in the Ethics Channel during a period of approximately one (1) year, it will be checked that it is working correctly and that it is known to all the Employees of **Farmaprojects**. In the case of finding some fault in the functioning of the Internal Information System, it must be checked that it is working properly and any incident sorted out immediately.

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11 COMMUNICATING QUERIES AND WRONGDOINGS

- 1101 At all levels in **Farmaprojects** there is the obligation to communicate any situations of risk that may occur inside or outside **Farmaprojects**, where this could cause loss or damages to any natural person or legal entity. In particular, infringements of the law, the Ethics and Conduct Codes or the internal implementing regulations must be communicated, using the Ethics Channel.
- 1102 The Ethics Channel is not an emergency service. In the event of a situation in which immediate help is needed, the local emergency service should be contacted, or a call made to 112.
- 1103 For more information on the management of the Ethics Channel and the communications received, consult the Communication Management Proceeding for the management of allegations received in the Ethics Channel.

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12 SANCTION REGIME

- 1201 Non-compliance with the law, the Ethics and Conduct Codes and the internal implementing regulations, as well as this document, will constitute an infringement. The degree and sanction will be dealt with in accordance with the current legislation applicable and the internal regulations.
- 1202 The sanction procedure will start as the result of an investigation or an external communication or will be on the basis of the System Manager's knowledge of a presumed infringement.
- 1203 The sanction measures will be applied not only to those whose conduct has caused the infringement but can also be applied to any other person who has failed to follow the regulations on the prevention, detection and/or correction of the risk, a circumstance that is in itself considered as an infringement of the ethical values and principles of **Farmaprojects**.
- 1204 In the case that the infringing action is confirmed, **Farmaprojects** will impose the internal or contractual measures applicable and, as appropriate, the legal actions considered proper against the infringing offenders.

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13 UPDATES AND IMPROVEMENTS TO THIS POLICY

1301 This Policy will be updated regularly with the aim of including the changes and improvements made.

1302 **Farmaprojects** will keep up constant verification of the application of this Policy and will propose the appropriate alterations in the following circumstances:

1. When important infringements of the Policy come to light.
2. When there are significant changes in **Farmaprojects**, in the organisation, the control structure or the activity developed.
3. When there are important legal or jurisprudential alterations that make it advisable or necessary.

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ANNEX – I EXTERNAL INFORMATION CHANNELS

In accordance with the Law on protection of the informant, a report can be made to the competent Independent Informant Protection Authority on the commission of any acts or omissions included in the ambit of application of this Policy, either directly or by communication through the appropriate internal channel.

On the national level, this function pertains to the Independent Informant Protection Authority (AAI). Certain autonomous communities have also appointed their own respective independent authorities for functions analogous to those of the AAI, when the potential infringements only produce effects in the territory of their autonomous community. The European Union also has external information channels.

The table below shows the various competent independent informant protection authorities in Spain:

Informant Protection Authorities	
European Union Authority	
Name	OLAF – European Anti-Fraud Office
Contact details	https://anti-fraud.ec.europa.eu/index_es
Spanish Authority	
Name	Independent Informant Protection Authority, A.A.I.
Contact details	- Pending set-up -
Catalan Authority	
Name	Catalan Anti-Fraud Office
Contact details	https://www.antifrau.cat/
Andalusia Authority	
Name	Andalusia Anti-Fraud and Corruption Office
Contact details	https://antifraudeandalucia.es/
Valencia Community Authority	
Name	Valencia Anti-Fraud Agency
Contact details	https://www.antifraucv.es/buzon-de-denuncias-2/
Balearic Islands Authority	
Name	Office of prevention and fight against corruption in the Balearic Islands
Contact details	https://www.oaib.es/

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