Everything you need to know

Procedural Regulation for Whistleblowers

TCH Therapie Company Holding GmbH
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1. Procedural Process

This procedural regulation for the whistleblower system serves the purpose of providing a structured method for receiving and processing reports and complaints about potential violations of laws within our organization.

Its objective is to protect whistleblowers and ensure that all reports and complaints are appropriately investigated and addressed. We strive to create a transparent, confidential, and fair environment where employees, executives, contractors, and other individuals in business relationships with our organizations can safely and securely report concerns or misconduct.

It is our firm principle that whistleblowers who act in good faith and responsibly report concerns should not fear any disadvantages or retaliatory measures. All reports and complaints will be handled confidentially, and the identity of the whistleblower will be protected.

We encourage all employees and other stakeholders who have concerns or observe violations of laws or guidelines to utilize this procedural regulation to submit reports or complaints. Through the active participation of our employees and the preservation of the integrity of our corporate group, we can collectively shape a responsible and successful future.

2. Scope

The whistleblower protection system applies to all areas of our organization and extends to the following situations, without being limited to:

- Violations of applicable laws, regulations, or legal requirements at the national and international levels according to § 2 HinSchG (Whistleblower Protection Act)
- Violations of anti-corruption laws or unfair business practices, such as instances where business partners, employees, executives, or public officials are offered personal, financial, or other advantages in connection with a business, where such benefits are accepted or demanded by those individuals, or where such corrupt actions are carried out through third parties.
- Irregularities in financial reporting or suspicion of fraud
- Endangerment of health, safety, or the environment
- Violation of data security, breaches of privacy, or misuse of information
- Criminal discrimination, harassment, or other misconduct in the workplace
- Penalty-liable violations that involve the protection of life, body, or health, or the protection of the rights of employees or their representative bodies.

The violation does not have to be conclusively proven. A report is also possible if the whistleblower perceives a compliance violation as probable or identifies risks and dangers in this regard. Reporting suspicions is also allowed, provided they are transparently presented in the report and are based on specific facts and incidents. Deliberately false statements must be avoided.

3. Behavioural Principles for Persons Involved in the Processing of Whistleblower Reports

The following behavioural principles are intended to ensure that the employees involved in the processing of whistleblower reports perform their duties in a professional and ethical manner:

- **Confidentiality:** The confidentiality of the reported information will be maintained, and it will be ensured that this information is not disclosed or divulged without authorization. The identity of the whistleblower will be protected and, if necessary, only disclosed to those directly involved in the investigation or processing of the report.
- **Objectivity and bias:** An objective and unbiased stance will be adopted during the investigation of reports. The available information will be thoroughly examined to make a fair assessment of the situation, independent of personal relationships or biases.
- **Conducting a thorough investigation:** Relevant information will be gathered, evidence secured, and, if necessary, all involved parties will be heard to make an informed decision. Potential impacts on the individuals involved and the company will be considered.
- **Adherence to legal standards:** Applicable laws and regulations will be followed. They ensure that the investigation and processing of reports are in line with legal and ethical standards.
- **Transparency and communication:** The whistleblower will be appropriately informed about the progress of the investigation, to the extent compatible with the protection of confidentiality.
- **Ensuring protection from retaliatory measures:** Whistleblowers will be protected from any retaliatory actions. Measures will be taken to ensure that the whistleblower does not experience negative consequences or disadvantages because of reporting concerns and violations.
- **Responsible handling of information:** It will be ensured that information is handled responsibly and adequately protected, only used for legitimate purposes related to the investigation and processing of the report.

4. Procedural Process

Reports and complaints can be submitted in writing, electronically or personally. Reports can be made in either English, German, Spanish or another common business language.

1. Submission in writing

The report can be submitted in text form by post to the central reporting office:

personal/confidential
WS Datenschutz GmbH
Meldestelle
Dircksenstraße 51
10178 Berlin

2. Electronically via the digital reporting platform

The report can be submitted in text form or as an audio recording via the digital reporting platform. Upon request, the report can also be provided through video chat, a phone call, or in person at the premises of WS Datenschutz GmbH.

QR-Code for accessing the platform:

https://therapie-company.meldestelle.compliance-center.eu

You can arrange a personal appointment by following this link:

https://www.terminland.de/ws-datenschutz/online/

5. Decision After the Investigation and Measures

After completing the initial assessment, a decision will be made on the next steps. The decision will be communicated to the whistleblower within a reasonable period. If the report is deemed complete and relevant, the necessary steps for investigation and processing will be initiated. If the report is deemed incomplete or irrelevant, the whistleblower will also be notified, and additional information may be requested if necessary. Communication with the whistleblower will be conducted in a confidential and appropriate manner.

Various measures may be taken after reviewing the report, depending on the nature and severity of the reported incident. Possible actions may include, but are not limited to:

- **Disciplinary Measures and Sanctioning of Employees:** If misconduct or a violation of internal guidelines or behavioural rules is identified, disciplinary measures can be taken. This can range from a warning or reprimand to sanctions such as relocation or termination of contract.
- **Criminal Proceedings**: If the reported violation has criminal relevance, a criminal complaint can be filed with the relevant law enforcement authorities. This may lead to criminal investigations and potential legal consequences for the individuals involved.
- **Civil Legal Actions:** If the reported violation results in financial damages or other legal implications, civil legal actions may be initiated. This can include pursuing claims for damages or enforcing other legal rights.
- **Organizational Measures:** In addition to individual penalties, organizational measures can be implemented to reduce the risk of future violations. This may involve revising policies and procedures, improving internal control mechanisms, providing training and procedures awareness programs for employees, and strengthening the compliance procedures.

6. Conclusion

The whistleblower will be informed about the resolution of their submitted report.

After completion, an evaluation of the entire process may be conducted to determine whether improvements are possible or necessary. The results of the evaluation can be used to adjust procedural processes, training measures, or other aspects of the whistleblower protection system to handle future reports even more effectively.

Do you have questions or requests?

Contact us directly

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www.compliance-center.eu/