



Policy

filtration

# Whistleblower Policy

Enschede, the Netherlands, 2023

The Board of NX Filtration N.V. (**NX**) adopted the following policy on June 11, 2021 as anyone working within NX should feel safe and encouraged to speak-up.

## 1. Definition

For the purposes of this policy, the following definition shall apply:

**Suspicion of social wrongdoing:** the suspicion of an employee that, within NX or at another organization if he or she has come into contact with that organization through his or her work, there is serious wrongdoing insofar as:

- (a) the suspicion is based on reasonable grounds, arising from knowledge gained by the employee in his or her employment with NX or from knowledge gained through his or her work with NX; and
- (b) the social interest is at stake because of:
  - (i) an (imminent) violation of a statutory regulation; (ii) an (imminent) danger to public health;
  - (iii) an (imminent) danger to the safety of persons;
  - (iv) an (imminent) danger to the degradation of the environment;
  - (v) an (imminent) danger to the proper functioning of the organization as a result of an improper act or omission;
  - (vi) an (imminent) threat of the deliberate withholding, destruction or manipulation of information about facts and circumstances referred to under (i) to (v).

## 2. Information and advice

2.1 An employee may consult an independent professional advisor bound by confidentiality undertakings in confidence about a suspicion of wrongdoing.

2.2 In accordance with paragraph 1, the independent Dutch Advisory Point for Malpractice (*Het Adviespunt Misstanden*) can be requested for information, advice and support regarding the suspicion of malpractice. See <https://huisvoorklokkenluiders.nl/> for more information.

## 3. Internal Report

3.1 An employee may report a suspicion of social wrongdoing within NX to an appointed confidential adviser or to the most senior manager of NX.

3.2 An employee of another organization who has come into contact with NX through their work and suspects wrongdoing within NX may report it to an appointed confidential adviser or the most senior manager of NX.

#### **4. Protection of the reporter and other persons involved against disadvantage**

4.1 Protecting the report is of utmost importance. NX will not disadvantage the reporter in connection with the reporting in good faith and properly of a suspicion of wrongdoing at NX.

4.2 NX will endeavour to ensure that managers and colleagues of the reporter refrain from any form of disadvantage in connection with the good faith and proper reporting of a suspicion of wrongdoing, which impedes the professional or personal functioning of the reporter.

4.3 NX will impose disciplinary measures on employees who are guilty of harming the reporter, at its discretion.

4.4 If the reporter believes that there has been detriment, he or she may discuss this without delay with the person to whom the report was made. This person and the reporter also discuss what measures can be taken to prevent the disadvantage. The person to whom the report was made shall ensure that this is recorded in writing, and shall submit this record to the reporter for approval and signature. This report shall be forwarded to the most senior manager without delay, and the reporter shall receive a copy of it.

#### **5. Treating the report as confidential**

5.1 NX will ensure that the information about the report is kept in such a way that it is accessible only to those who are involved in the handling of the report and that it is treated confidentially at all times.

5.2 Without the explicit written consent of those involved in the reporting of suspected wrongdoing, the identity of all those involved in the processing of a report will be kept unknown.

5.3 If the suspicion of misconduct is reported through the confidential adviser and the reporter has not given permission to disclose his or her identity, all correspondence about the report will be sent to the confidential adviser and the confidential adviser will forward this to the reporter without delay.

#### **6. Recording and receiving the internal report**

6.1 If the employee reports a suspicion of wrongdoing to the most senior manager or provides a written report with an oral explanation, this most senior manager, in consultation with the reporter, will ensure that a written record is made of the report and will submit this record to the reporter for approval and signature. The reporter will receive a copy of this.

6.2 If the employee reports a suspicion of misconduct through a confidential adviser, the recording procedure will be as described in paragraph 1, whereby "most senior manager" in this paragraph can be read as "confidential adviser".

6.3 The most senior manager shall immediately send the reporter a confirmation of receipt, which shall in any case contain a business description of the report, the date of the report and a copy of the report.

## **7. Handling of internal reports**

7.1 The most senior manager will initiate an investigation of the reported suspicion of misconduct unless:

- (a) the suspicion is not based on reasonable grounds, or
- (b) it is clear in advance that the reported suspicion of misconduct does not relate to the company.

If, based on the above, the most senior manager decides not to initiate an investigation, the reporter will be informed of this in writing within two weeks of the report being made. If the most senior manager decides to initiate an investigation, the following provisions will be observed.

7.2 The most senior manager will determine whether an external party must be informed of the report. Unless there are serious objections, the most senior manager will send the reporter a copy of this assessment.

7.3 The most senior manager assigns the investigation to investigators who are independent and impartial and informs the reporter of this in writing.

7.4 The most senior manager will inform both the reporter and the persons to whom the report relates about the report and about the informing of an external party, unless this could harm the interests of the investigation or the interests of enforcement.

7.5 If it is decided to launch an investigation into the reported suspicion of misconduct, the investigators will give the reporter and others involved the opportunity to be heard. The investigators shall submit the written findings for approval and signature to the person heard and provide him/her with a copy of the findings.

7.6 The investigators will draw up an investigation report and send a copy to the reporter, unless there are serious objections.

7.7 The notifier will be given the opportunity to respond to the investigation report and the position as referred to in this article. If necessary, a new or amended investigation report will be drawn up.

## **8. Position of NX**

8.1 Within a period of eight weeks from the moment of the report, the reporter will be informed in writing of the position taken with regard to the reported suspicion of misconduct. The steps taken as a result of the report will also be indicated.

8.2 If the position cannot be given within the period of eight weeks, the reporter will be informed of this in writing and he will be informed of the term within which he or she can expect the position to be given.

8.3 NX will give the notifier the opportunity to respond to the investigation report and NX's opinion. If the notifier indicates, in response to the investigation report or the position taken by NX, that the suspicion of wrongdoing was not investigated properly or that the position taken by NX contains material errors, NX will respond to this in terms of content and, if necessary, launch an additional or new investigation.

8.4 After completion of the investigation, the most senior manager will decide whether an external party must be informed of the investigation report and NX's position within a reasonable period of time.

8.5 The persons to whom the report relates will be informed in the same way as the reporter, unless this could harm the interests of the investigation or of enforcement.

## **9. External report**

9.1 A person reporting can (preferably after making an internal report) make an external report to the Whistleblower's House (*Het Huis van Klokkenluiders*), if:

- (a) an internal report cannot reasonably be required of the reporter;
- (b) the report is not handled or dealt with properly internally; or
- (c) there is an external obligation to report. See <https://huisvoorklokkenluiders.nl/>

## **10. Taking effect of regulations, repeal of current regulations**

10.1 These regulations will take effect on June 11, 2021.

10.2 These regulations will be cited as the reporting arrangement for dealing with the reporting of a suspicion of social wrongdoing at NX.

10.3 Periodically (or as much earlier or more often as desired), this regulation will be evaluated together with the works council (if any) and it will be determined whether changes are required.

## **11. Appointed persons**

11.1 In this article the names of the confidential adviser and the most senior manager are mentioned.

11.2 The internal confidential adviser for purposes of this policy at NX is: Mariël Brouwer

11.3 The external confidential adviser for purposes of this policy is: Annemieke Wolff

11.3 The most senior manager for purposes of this policy at NX is: Michiel Staatsen.

11.4 The reporter may always consult with the head of human resources if he or she has experienced suspicion of social wrongdoing.