

DFDS Compliance Line FAQ's

These FAQ's contain the information you need to understand the DFDS Compliance Line whistleblower system which is implemented throughout the DFDS Group by DFDS A/S, with registered address at Marmorvej 18, DK-2100 Copenhagen, Denmark, who acts a data controller in this context. If you have any other question, please contact the legal department of DFDS A/S at notice@dfds.com.

Section 1: About the DFDS Compliance Line system

What is the DFDS Compliance Line system?

DFDS Compliance Line system is an additional means of reporting that enables both employees and external stakeholders to report existing or potential violations of law or regulations, certain parts of the DFDS Code of Business Conduct, or other serious irregularities directly to DFDS. The system permits DFDS to learn of wrongdoings and quickly take actions to stop them.

Is the DFDS Compliance Line system the only way to report a concern?

No, the DFDS Compliance Line system is just an additional means of reporting existing or potential violations within a certain scope. The best way to report any type of concern is, as always, through your manager. If you feel that you cannot report to you manager for some reason, for example if he or she is involved in the violation, you can report your concern to the HR or legal department – or through the DFDS Compliance Line system.

Why do we need a DFDS Compliance Line system?

We all have the right to work in a positive environment and with that right comes the responsibility of acting in an ethical manner and letting the appropriate people know if someone is not acting appropriately. By working together, we can maintain a healthy and productive environment. Corporate misconduct can threaten the livelihood of an entire company.

An effective reporting system will support and strengthen our other efforts to foster a culture of integrity and ethical decision-making.

DFDS management wants you to report. In fact, we *need* you to report. You know what is going on in our company - both good and bad. You may have initial knowledge of an activity that may be cause for concern. Your reporting can minimize the potential negative impact on DFDS and our people. Also, offering positive input may help identify issues that can improve corporate culture and performance.

Even though it is preferred that concerns are reported through the traditional channels, i.e. via your manager or your usual contacts, it is important to understand that this may not always be an option. In some situations, for example, the manager may be involved in the violation. In those incidents a DFDS Compliance Line system will provide the possibility of raising the concern.

What may I report on via the DFDS Compliance Line system?

You may report serious violations – or suspicion of same – that may affect DFDS or which may be crucial for the life or health of individuals. It is only possible to report on matters relating to DFDS. The following areas are covered by the scope of the DFDS Compliance Line system:

- Financial fraud, such as theft and embezzlement of DFDS assets and funds, vendor fraud, acceptance of kickbacks, accounting manipulation, breaches in internal accounting controls and auditing matters;
- Serious violations of the DFDS Code of Business Conduct, including, breaches of health, safety and environment regulations, conflicts of interest, acts of corruption, including payment of bribery or facilitation payments, unethical donations or gifts and entertainment to business partners or public officials given by DFDS employees or third parties acting on behalf of DFDS as well as violation of insider trading rules, competition law violation, breach of IT security and (except in France and Belgium due to local laws) sexual harassment, workplace harassment and discrimination.

If you are not sure if what you have observed or heard is a violation of company policy, or involves unethical conduct, but it just does not look right to you, you should file a report. EthicsPoint, our independent third party service provider, can help you prepare and file your report so it can be properly understood. We'd rather you report a situation that turns out to be harmless than let possible unethical behavior go unchecked because you weren't sure

In Sweden, reports may not be made about employees below manager level.

It is important to emphasize that only serious violations of the DFDS Code of Business Conduct can be reported via the DFDS Compliance Line system. Due to Danish and other local legislation, violations of internal policies on routine matters, e.g. dress code, smoking, vacation or sick-leave, may not be reported or dealt with via the DFDS Compliance Line system. Such issues should be reported through the normal channels.

Also, the system is not intended for ordinary employment related complaints, concerning e.g. wages, holiday time, cooperation issues between colleagues, employment or union matters, or for practical complaint, e.g. problems with a PC, food quality or heating/cooling in an office.

Who may I report on via the DFDS Compliance Line system?

It is only possible to report on matters relating to DFDS. Both employees, members of the Executive Management, members of the Board of Directors and persons associated with DFDS, such as auditors and legal advisors, may be subject of a report.

In Sweden, it is only possible to file a report in case of a serious offense – or suspicion of same – conducted by employees in leading/key positions.

Section 2: How to use the system

How do I make a report through the DFDS Compliance Line system?

The system consists of a website which is managed by EthicsPoint to ensure the highest levels of security and confidentiality

Instructions on how to make a report will be provided when reporting online.

Due to legal requirements, there is one link for reports from France, one for reports from Spain or Portugal, one for reports from other European countries, and one for reports from the rest of the world. For legal reasons you must use the link applicable to the country from where you are making your report.

It is important to notice that Portugal and Spain do not allow anonymous DFDS Compliance Line reports made from those countries.

When reporting from France or Belgium come categories of reports, e.g. discrimination and harassment, are not included in the scope of the system due to legal restrictions. It is therefore not possible to report those incidents from France or Belgium.

Must I report in English?

No, reports can be made in over 40 languages, e.g. French, German, Danish, Dutch, Russian and Spanish.

Do I risk retaliation for making a report?

DFDS will not retaliate nor tolerate any form of retaliation against people for making a good faith report or participating in an investigation. Reporting in good faith means that you know that a violation is occurring or that you have a strong suspicion based on certain facts. This does not mean however, that someone who has wrongfully participated in a violation of laws or certain parts of the DFDS Code of Business Conduct can avoid disciplinary action, or legal penalties, simply because he/she afterwards reported the violation. In such case, DFDS will take all relevant facts into consideration, including the fact that the person reported the violation.

Can people abuse the system?

A DFDS Compliance Line system can, by nature, be abused, e.g. if persons make false accusations or use the system to spread unfounded rumors. Persons who knowingly make false accusations through the system or otherwise abuse it will face disciplinary actions in accordance with the facts of the matter in question. Thus, it is just as important for DFDS to determine that someone has been wrongly accused of a violation as it is to take action when someone has in fact conducted a violation.

Section 3: Anonymity

May I report anonymously?

Yes, you are allowed to report anonymously. When you file a report at the EthicsPoint Web site, you receive a unique user name and are asked to choose a password. You can return to the EthicsPoint system again by Internet and access the original report to add more detail or answer questions posed by a company representative and add further information that will help resolve open issues. We strongly suggest that you return to the site in the time specified to answer company questions. You and the company now have entered into an “anonymous dialogue,” where situations are not only identified, but can also be resolved, no matter how complex.

All EthicsPoint correspondences are held in the same strict confidence as the initial report, continuing under the umbrella of anonymity.

Even though it is possible to report anonymously, you are encouraged to make a report using your name, because it makes the investigation more effective.

Please be informed that due to local laws it is not possible to make anonymous reports from Spain or Portugal.

Is my anonymity guaranteed?

If you report anonymously, DFDS will only receive the content of your report – no information or details on your identity will be passed on from EthicsPoint, who operates the system, to DFDS.

EthicsPoint does not generate or maintain any internal connection logs with IP addresses, so no information linking your PC to EthicsPoint is available. In fact, EthicsPoint is contractually committed not to pursue a reporter's identity.

If you feel uncomfortable making a report on your work PC, you have the option of using a PC outside our work environment (such as one located at an Internet café, at a friend's house, etc.) through the EthicsPoint secure website. Many people choose this option, as EthicsPoint's data shows that fewer than 12% of reports are generated during business hours

DFDS will always protect your identity to the extent possible while conducting a thorough investigation. You should however always consider if the information provided in the report is so specific that someone participating in the investigation will be able to identify you.

What if I use my name – is my identity then confidential?

All reports received will be treated as any other sensitive matter DFDS may be dealing with; only people who need to know the details will be informed. Your identity, which will be treated as being confidential, will be protected to the extent possible while conducting a thorough investigation – that means, for example, that it may be necessary to reveal your name to someone involved in the investigation in order to learn essential information, or it may be required to provide a law enforcement agency with all evidence in an investigation, including your name and report.

Section 4: What happens to the reports

What happens when the DFDS receives a report?

Reports are entered directly on the EthicsPoint secure server to prevent any possible breach in security. EthicsPoint makes these reports available only to specific individuals within DFDS who are charged with evaluating the report, based on the type of violation and location of the incident. Each of these report recipients has had training in keeping these reports in the utmost confidence. No report will be made available to an individual who is implicated in the reported incident.

When we receive a report, we will investigate the possible violations reported. The main goal of every investigation is to gather the relevant facts, and every investigation will be thorough, objective and prompt. Depending on the facts involved, some investigations may be short and simple, whereas others may be long and complex.

If I make a report, do I then hear back from DFDS?

Yes, everyone who makes a report will receive a response. DFDS may also contact you with questions, requests for more information etc. through the DFDS Compliance Line system, unless you prefer direct contact. Likewise, you can also contact DFDS/the people handling the investigation – either directly or via the DFDS Compliance Line system – if you wish to add information, documents, etc. or if you have any questions. If you have reported anonymously, you can use your PIN code to log on to the DFDS Compliance Line system again and make contact.

Section 5: Investigations

What will trigger an investigation?

DFDS will investigate reports of alleged violations of law and/or certain part of the DFDS Code of Business Conduct made by persons within or acting on behalf of DFDS, when there is reasonable suspicion that a violation has occurred. Investigations may be initiated internally or triggered by a government agency investigation or by a report sent to DFDS, including reports received through the DFDS Compliance Line system.

What will be the scope of an investigation?

Any investigation conducted by DFDS will be thorough, prompt, objective and taking all relevant facts into consideration. It is just as important for DFDS to determine if someone has been wrongly accused of a violation as it is to take action when someone has in fact conducted a violation.

Facts relevant to the investigation will include, if necessary, employee e-mails, phone and internet records as well as computers, telephones and other equipment to the extent permitted by relevant data privacy regulations.

It is important to notice that only facts relevant to a specific incident, e.g. who did what, where and when, will be sought during an investigation. Health, sexuality, race, ethnicity, trade union membership, private matters unrelated to the incident or political, religious or philosophical beliefs will only be relevant when such private matters form an integrated part of the actual incident, e.g. if it is part of the allegation or defense.

Information deemed irrelevant will always be excluded from the investigation.

Persons handling the investigation, as well as others participating in the investigation, e.g. external consultants or advisers, will be subject to appropriate duties of confidentiality, as in any sensitive matter.

What happens if I am being investigated?

Persons under investigation will always be given the chance to respond to the allegations, for which they are under investigation, in a manner and at a time deemed appropriate to conduct a thorough and objective investigation, and always in accordance with legal requirements.

It is important to emphasize that the fact that an investigation is being carried out does under no circumstances express any, direct or indirect, accusation against you.

Employees interviewed or otherwise assisting in any investigation are expected to cooperate fully with the persons handling the investigation, providing accurate information and answering questions honestly and completely. Even though it is voluntary to participate and provide information in an investigation process, it is important to emphasize that refusing to participate or providing misleading or incorrect information, may impact the employee's further employment with DFDS.

What happens when an investigation is finalized?

If an investigation confirms a reported concern, appropriate administrative or disciplinary actions will be taken. This may include notifying the police or other relevant authorities.

If the reported concern is unsubstantiated no actions are taken. If the investigation shows that the person, who has made the report, has knowingly made a false accusation or otherwise abuse the system, this person will face disciplinary actions in accordance with the facts of the matter in questions.

All information involved in an investigation will be stored and subsequently deleted according to applicable laws.

FAQ as of 21 December 2022