

PRACTICAL GUIDE

Whistleblowers

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This practical guide for *Whistleblowers* has been prepared to explain what “whistleblower status” means, together with the principles of the Covéa internal whistleblowing system. It supplements the Covéa internal whistleblowing procedure. You are advised to read it before submitting a whistleblowing report.

It contains:

- a definition of the term “whistleblower”
- a reminder of the criteria to qualify for whistleblower status;
- examples of the types of situations that may be reported;
- a reminder of existing legal provisions protecting whistleblowers;
- the role of the *Défenseur des droits*;
- frequently asked questions.

BACKGROUND

The Covéa Group is required to implement an internal whistleblowing procedure on the basis of:

- the French Sapin 2 Act of 9 December 2016¹:
 - under the general protection measures introduced for whistleblowers,
 - under the Covéa anti-bribery system;
- the French law on the duty of care².

The whistleblowing system is open to employees, external or occasional staff, former employees, job applicants, members, the members of the Group's governance bodies, co-contractors of the Group and their subcontractors, and to external stakeholders with respect to duty of care failures.

Under this system, a person will be protected by the law if they report certain serious issues or situations that are contrary to the anti-bribery code of conduct, as long as they comply with the conditions set out in this guide.

1. Law No. 2016-1691 of 9 December 2016 on transparency, the fight against corruption and the modernisation of economic life.

2. Law No. 2017-399 of 27 March 2017 on the duty of care of parent and contracting companies.

WHAT IS A WHISTLEBLOWER?

A whistleblower is a natural person who reports or discloses, without deriving any direct financial benefit, and in good faith, information relating to a crime, offence, threat or harm to the public interest, a breach or an attempt to conceal the breach of a national law, a regulation of European Union law or an international commitment that has been duly ratified or approved by France.

WHAT ARE THE CRITERIA TO QUALIFY FOR PROTECTIVE WHISTLEBLOWER STATUS?

Conditions relating to the whistleblower	Conditions relating to the reported issues
<ul style="list-style-type: none">• Be a natural person;• Not derive any direct financial gain;• Act in good faith• Be a direct or indirect witness to the reported issues³.	<ul style="list-style-type: none">• crimes or offences;• serious threat or prejudice to the public interest;• violation or attempted concealment of a violation of national, European or international laws and regulations;• breaches or situations that are contrary to Covéa's anti-bribery code of conduct⁴;• risks of serious harm being caused, associated with the Covéa Group's activities, in relation to human rights, fundamental freedoms, human health and safety and the environment.



The person will not qualify for whistleblower protection unless all these conditions are met

3. Where the reported issues did not take place in a work-related sphere, the informant must have observed them with their own eyes. In a work-related context, the informant may report issues that they have learnt about from someone else.

4. As part of the system for preventing and detecting acts of corruption.



IMPORTANT

- The issues must be unlawful, contrary to the anti-bribery code of conduct or be prejudicial to the public interest. This rules out simple internal malfunctions at the company or discontent.
- **Good faith** means that the person has good reason to believe that the issues they are reporting truly exist.
- Any **misuse** of the whistleblowing system may expose the informant to disciplinary actions and/or legal proceedings.

MORE SPECIFICALLY, WHAT TYPES OF SITUATIONS CAN BE REPORTED?

We have provided some examples below:

Situations that contravene or violate regulations	Breaches of the anti-bribery code of conduct	Risks of serious violations of human rights, fundamental freedoms, and of a serious threat to human health and safety and the environment
<ul style="list-style-type: none">• fraud;• theft, swindling, misappropriation of company assets;• money laundering, tax fraud;• market abuse;• identity theft;• anti-competitive practices;• unfair commercial practices;• harassment, sexism;• discrimination.	<ul style="list-style-type: none">• corruption;• influence-peddling;• failure to comply with the rules contained in the code of conduct, namely those relating to gifts and invitations, hospitality and conflicts of interest.	<ul style="list-style-type: none">• serious violations of human rights and fundamental freedoms: violation of human rights, forced or illegal labour, violation of freedom of association rights;• serious breaches of personal data protection rules: large-scale data leaks;• serious harm to the environment: environmental damage, pollution.

WHO CAN I SEND MY REPORT TO?

- 1 You can raise the issue with your usual contacts (your manager, the head of HR, etc.).
- 2 You can contact the Compliance Department's Business Ethics division for advice at ethique@covea.fr.
- 3 For serious issues, you can use the whistleblowing system, which will enable you not to disclose your identity and qualify for protection, if needed, at a later date.
- 4 You can refer the issue to a competent authority ("external channel") at any time, regardless of whether you have already submitted an internal report, if this seems like the most effective option:

Internal channel	the platform https://covea.whispli.com/signalement
External channel	a judicial authority where the reported issues are likely to constitute a crime or an offence
	a competent administrative authority where the issues constitute a violation of regulations
	the <i>Défenseur des droits</i> if you are unsure which competent authority to contact (referral role)
	a competent European Union institution, body or agency

TELL ME HOW IT WORKS IN MORE DETAIL

Covéa has set up a **fully secure platform** with an encrypted messaging feature that is completely separate from the company's information systems. This ensures that IP addresses cannot be traced.

There are different ways to access the platform.

EMPLOYEES: via the **Covéa intranet applications** (search for "Whistleblowing system" in the Apps section).

THIRD PARTIES:

- either through the **Covéa corporate website: www.covea.com** (search for "Whistleblowing system");
- or via the following link: <https://covea.whispli.com/signalement>.

Before accessing the online form, you will be asked to:

- either set up a Whispli account (click on "Create your anonymous Whispli inbox");
- or, if you do not wish to disclose your identity, opt for a "Guest" profile (click on "Continue without inbox")⁵.

You will then open an **online form** which you can use to submit your report. You will be asked to provide evidence to support the information you are reporting (there is a feature to upload documents).

After you have submitted the report, you will be able to communicate with a case manager via your safe inbox on the platform. You can choose to set up notifications to tell you when you have received a new message.

WHO HANDLES REPORTS AT COVÉA?

The Whistleblowing Officer* (the Covéa Group Head of Compliance)	<ul style="list-style-type: none">• This person is responsible for overseeing the receipt and handling of reports.• They are assisted by authorised employees at the Business Ethics division.
The Ethics Committee*	<ul style="list-style-type: none">• Chaired by the Whistleblowing Officer, the Ethics Committee provides added support for handling reports.• It is made up of a small number of permanent members (the Head of Internal Audit, the Head of Permanent Internal Control and the Head of Human Resources).
The Investigation Unit*	<ul style="list-style-type: none">• The Investigation Unit investigates reports in order to establish the veracity of the reported issues.• It has a small number of members, all employees, appointed by the members of the Ethics Committee.

All these persons are bound by **strict non-disclosure obligations**.

5. In such case, it is very important that you **hold onto the 6-character access code** you will be sent after you submit your report, as you will need it to log back into your Whispli inbox.

WHAT HAPPENS AFTER I HAVE SUBMITTED MY REPORT ON THE PLATFORM?

All further communication will take place via the platform's secure messaging service.

- You will receive an **acknowledgement of receipt** immediately after you submit your report.
- Once your report has been analysed, you will be informed if it is not admissible under the internal whistleblowing procedure.
- During the course of the investigations, you may be asked to provide additional information to facilitate the process.
- You will be notified within **3 months** of any follow-up action that may have been decided subsequent to your report or, if the investigations are still ongoing, of the status of your report.
- At the end of the process, you will be notified when the **case has been closed**.

HOW DOES THE SYSTEM PROTECT WHISTLEBLOWERS?

—> WHEN MAKING A REPORT

The system protects whistleblowers by **keeping their identity strictly confidential**, both during the handling of the report and afterwards.

The content of the report is also kept private and all messages sent and received on the platform are encrypted.

Whistleblowers may also submit a report **anonymously**. However, this prevents them from benefiting from individual protection measures and can make the investigation process more complex.

—> AFTER A REPORT HAS BEEN SUBMITTED

The company that employs a whistleblower is required to protect them from any form of **discrimination or retaliation** in connection with their report.

A court may decide that a whistleblower is entitled to receive **financial support** during the course of the legal proceedings if their financial circumstances have deteriorated.

A whistleblower may not be held criminally liable for disclosing confidential information or a secret of which they lawfully became aware, provided that such disclosure was necessary and commensurate with safeguarding the interests in question.

Any person who files a "SLAPP" suit⁶ (strategic lawsuit against public participation) against a whistleblower is liable to a civil penalty in the form of a fine of up to €60,000.

Where they are exposed to retaliation measures, persons close to the whistleblower⁷ may qualify for the same protection as the whistleblower.



The *Défenseur des droits* can provide support for whistleblowers:

- It can advise them about their rights and obligations.
- It can guide them through the reporting process (particularly when choosing the competent authority).
- It may issue an opinion certifying a person's status as a whistleblower.
- It can protect the whistleblower against retaliation measures.

FREQUENTLY ASKED QUESTIONS



Do I have to use the internal whistleblowing system?

No, everyone is free to either use this channel or to choose another way to pass on the information they have.

However, only the whistleblowing system can provide assurance that the whistleblower will be protected and that their identity and the details of the report will be kept strictly confidential.

6. Example: legal action taken in a bid to intimidate the whistleblower.

7. Example: a co-worker.



When should I report a situation or conduct?

You may use the whistleblowing system if you have specific information on issues that are potentially illegal, unlawful or contrary to the public interest. You must be reporting in good faith.



Should I talk to someone before I make a report?

You can discuss the matter with your manager or your head of Human Resources, or you can seek advice from the Compliance Department (ethique@covea.fr). Alternatively, you can use the internal whistleblowing system directly if you would like to avail of whistleblower protection measures.



Do I need to be very specific in my description of a situation I want to report?

Yes, you must provide all the elements in your possession: description of the issues supported by factual elements, evidence, the activity or processes used by the company in question and the persons involved.

It is important that you be as objective and thorough as possible in the information you provide in your report.



Can I change the information I have provided in a report?

Yes, you can change or complete your report at any time by logging into the platform.



FIND OUT MORE

- **Covéa internal whistleblowing procedure, available on the Covéa intranet site and at www.covea.com**
- **Guidance and protective measures for whistleblowers - published by the Défenseur des droits: [2023 Whistleblower Guide](#)**



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