WHISTLEBLOWING POLICY

April 2024

Responsible	Adrien De Knoop
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Statute	
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1. Context

1.1. Objectives and legal framework

With this internal procedure for reporting potential infringements, the Royale Union Saint-Gilloise (RUSG) wishes to comply with the 'Act on the protection of persons who report infringements of Union or national law detected within a legal entity in the private sector' of 28 November 2022 (hereinafter 'the Act') and provide the necessary internal channels for the confidential reporting of perpetrators who have obtained information about infringements in a work-related context.

The RUSG provides for this internal reporting channel so that perpetrators who have obtained information about potential offences in a work-related context can report them safely and confidentially, without fear of reprisal.

The reporting channel is organised internally in such a way as to ensure that such reports are dealt with seriously and with integrity within the prescribed deadlines.

1.2. Organisation

Like other organisations and companies, the RUSG must comply with various legal provisions. It goes without saying that, as an organisation, we wish to comply as fully as possible with this regulatory framework and are taking steps to ensure that we do so.

This policy governs the entire whistleblowing procedure, in particular the way in which reports are submitted, received, investigated, reported and stored.

Within our club, the general manager responsible for implementing the whistleblowing policy is:

Name	De Knoop
First name	Adrien
Address	Chaussée de Bruxelles 223, 1190 Forest
Phone number :	02/544.03.16
E-mail	adrien.deknoop@rusg.be
Appointed on 8 April 2024 for a period of 2 years	

Adrien De Knoop is the first point of contact within the club for all matters relating to the whistleblowing policy and its implementation. He is also responsible for communicating and raising awareness of this policy within the club.

2. Management of whistleblower reports

2.1. Parties entitled to report an infringement – personal scope

Any natural person may report and transmit information on potential infringements obtained in a professional context via the Whistleblowers Reporting Point.

This concerns at least the following individuals:

- employees, including civil servants, who discover an infringement in a private company in the course of their professional activity ;
- self-employed persons
- shareholders, members of the management, executive or supervisory body of a company, including non-executive members;
- volunteers and trainees, whether paid or unpaid;
- contractors, sub-contractors and suppliers;
- former employees;
- future employees (for information obtained during the recruitment process or other pre-contractual negotiations);
- facilitators;
- third parties associated with the whistleblowers who may be subject to retaliation in a professional context, such as colleagues or family members of the whistleblowers;
- legal entities owned by the authors of the reports, for which the authors work or with which the authors are otherwise linked in a professional context.

The persons listed in this section constitute the personal scope of application of this Whistleblower Policy.

2.2. Eléments that can be reported – material scope of application

In accordance with legal requirements, an internal whistleblower reporting point has been set up. In addition, a mandatory legal whistleblower protection system has been put in place for persons falling within the personal scope (see section 2.1) who report matters in any of the areas below:

1) Offences relating to the following areas:

    a) public procurement
    b) financial services, products and markets, prevention of money laundering and terrorist financing ;

c) product safety and conformity
d) transport safety
e) environmental protection
f) radiation protection and nuclear safety
g) food and feed safety, animal health and animal welfare ;
h) public health ;
i) consumer protection
j) the protection of privacy and personal data, and the security of networks and information systems;
k) combating tax fraud
l) combating social fraud;

2) infringements affecting the financial interests of the Union, as referred to in Article 325 of the Treaty on the Functioning of the European Union and further explained in the relevant Union measures ;

3) internal market infringements as referred to in Article 26(2) of the Treaty on the Functioning of the European Union, including infringements of EU competition and State aid rules.

The offences listed in this section constitute the material scope of this Whistleblower Policy.

Reports of potential offences that do not fall within the personal or material scope referred to above do not benefit from the Whistleblower Protection Policy.

2.3. When and how to report offences

2.3.1. Internal reporting channels

As required by law, RUSG has established internal reporting and monitoring channels and procedures. As soon as individuals become aware of, or suspect, breaches in the areas listed in 2.1, it is recommended that they are reported internally via the Whistleblower Contact Point.

Potential breaches can be reported as follows:

- Bye e-mail to whistleblowing@rusg.be ;

- Via the Google form accessible on the following link : https://forms.office.com/e/pMKsJUbQmQ

- By appointment, you can always contact Olivier Taquin / François Geerardyn to personally report and discuss the potential infringement. A brief report of the meeting is drawn up and signed by both parties as acknowledgement of receipt and proof of the report.

2.3.2. External reporting channels

A whistleblowing report that falls within the scope of this whistleblowing policy is preferably made via one of the above-mentioned reporting channels.

In addition, any person is free, under the conditions laid down by law, to make a so-called external report.

To this end, the author may contact the Federal Ombudsman, who has been charged by the Belgian legislator with coordinating the reports made via the external reporting channels. He therefore plays the role of federal coordinator.

2.4. Informations that the alert must contain

To ensure that the offence reported can be investigated quickly but also thoroughly, it is important that the alert is sufficiently detailed and, as far as possible, even documented. Each report must therefore contain the following information

- the date and place of the offence ;
- a detailed description of the offence
- the way in which the perpetrator observed or became aware of the offence;
- the names and contact details of the persons involved or information enabling them to be identified;
- the names and contact details of any other person who can confirm the potential offences reported;
- any other relevant information on the offence reported that may facilitate the investigation.

2.5. Internal whistleblowing procedure

Whistleblowing is always handled in a cascade: the independent whistleblowing manager (Olivier Taquin / François Geerardyn) receives the alert and reports it to the manager (Adrien De Knoop), who in turn decides what action to take on the alert.

2.5.1. The independent whistleblower manager analyses the alert: an acknowledgement of receipt is sent to the author of the alert within seven working days.

Whistleblowers' reports are received and processed by the independent whistleblower manager. As soon as the alert is received, it is checked to see whether it falls within the scope of the regulations on whistleblowers.

The alert is classified in one of the categories below:

- Irreceivable: the report does not fall within the scope of the regulations governing whistleblowers within the club;
- Clearly unfounded: this means that the whistleblower manager considers that the report is admissible, but that no investigation is necessary;
- Unverifiable, which means that the whistleblower manager believes that the report is valid, but that further investigation is not possible due to a lack of evidence/information;
- Verifiable, which means that the alert manager considers that the alert is admissible and that it is necessary to carry out an investigation because the alert is detailed and specific.

In all cases, the author of the alert is informed of the acceptance or rejection of the alert within 7 days of its receipt.

2.5.2. If the whistleblower manager finds that the report/complaint is admissible and verifiable/investigable, he/she will briefly report the initial findings to the whistleblower regulator. The whistleblower regulator then decides how the facts should be investigated and either:

- Appoint an internal investigator (who cannot be the same as the whistleblower manager);
- To appoint an ad hoc internal committee to carry out the further investigation (which cannot include the whistleblower manager);
- Or to appoint a third party to carry out the further investigation.

When the investigation is complete, a report must be sent to the manager, who will then decide what action to take internally (e.g. report to HR, management, etc.).

Within three months of acceptance (admissibility) of the alert, the alert manager informs the author of the status of the investigation.

2.5.3. Sanctions against the offender

Infringements committed by members of staff and disclosed through the whistleblowing regulations may be dealt with through the channels provided within the club.

In the case of offences committed by non-staff members, the Management Board or the competent body may take an appropriate decision against the offender.

The RUSG management may, if necessary, after taking legal advice, always decide to take legal action against the offender.

3. Miscellaneous provisions

3.1. Confidentiality

The principle of confidentiality is the cornerstone of our whistleblower protection. The recipient of the whistleblower's report and all other people involved in the whistleblowing process treat the information confidentially and with the utmost care. The whistleblower's data is stored in digital form and is only physically accessible to the recipient directly involved in the reporting and investigation process, on a need-to-know basis.

The identity or any information enabling the identity of the author to be deduced directly or indirectly is generally not disclosed to third parties. An exception may be made in two cases:

- The author has given his or her free and express consent in this regard;
- Disclosure of the identity of the author is a necessary and proportionate obligation under special legislation in the context of investigations by national authorities or following legal proceedings, including to safeguard the rights of defence of the person concerned.

All parties involved in the investigation and follow-up actions are subject to an obligation of strict confidentiality.

3.2. Conflicts of interest

If the alert concerns a member of the Investigation Committee, a member of the Executive Committee, a member of the Board of Directors or a member of the Audit Committee, the person or persons concerned will not be authorised to participate in the investigation of the alert and the determination of any sanctions.

3.3. Protection measures

3.3.1. No retaliation against a whistleblower

Any direct or indirect act or omission that occurs in a professional context as a result of an internal or external report or disclosure and that results in, or is likely to result in, undue hardship or retaliation against the reporter will not be accepted.

Persons who report unwanted conduct in good faith and who meet the material and personal criteria of the scope of the Whistleblower Policy are protected within RUSG from reprisal or retaliation in accordance with the Act.

The RUSG will take the necessary measures to prevent and, where appropriate, punish such behaviour. Any complaint lodged by the author of a report may be reported to the RUSG, which will decide autonomously on the measures to be taken.

A person who feels that he or she has been the victim of reprisals or threatened with reprisals may also submit a substantiated complaint to the Federal Coordinator, who may then initiate extrajudicial protection proceedings.

By unjustified disadvantage or reprisals we mean, among other things, the following:

a) suspension, dismissal or any other similar measure ;
b) demotion or refusal of promotion;
c) transfer of duties, change of place of work, reduction in remuneration, change in working hours;
d) refusal of training
e) negative evaluation of performance or job references;
f) the imposition or application of a disciplinary measure, reprimand or other sanction, such as a financial penalty;
g) coercion, intimidation, harassment and exclusion;
h) discrimination, unfavourable or unequal treatment;
i) failure to convert a temporary contract of employment into a contract of employment of indefinite duration, where the employee had a legitimate expectation that he or she would be offered employment of indefinite duration;
j) non-renewal or early termination of a temporary employment contract;
k) damage, including damage to reputation, particularly on social media, or financial loss, including loss of turnover and income;
l) blacklisting based on an informal or formal agreement for an entire sector or industry, which prevents the author from finding employment in that sector or industry;
m) the early termination or cancellation of a contract for the supply of goods or services;
n) the revocation of a licence or permit;
o) psychiatric or medical referral.

3.3.2. Protection of the person concerned

The person responsible for the regulation of whistleblowers shall ensure that the rights of the person concerned by the alert are preserved and, in particular, that the identity of the person concerned and any information likely to reveal directly or indirectly the identity of the person concerned is not disclosed to anyone other than the members of staff authorised to deal with the alert, for as long as the investigations following the alert or the disclosure are in progress.

3.4. Record keeping

A record of all alerts issued is kept internally.

Where a report is made orally, the recipient of the report will prepare a transcript of the recording in order to facilitate the processing of the report. Where an alert is submitted orally during a meeting at the request of the whistleblower, the recipient of the alert will draw up the minutes of the meeting. In the case of oral reporting, the whistleblower has the opportunity to check and correct the transcript or minutes of the meeting.

Once agreed, the whistleblower will be asked to sign the minutes. All data will be kept for no longer than is necessary and proportionate and will be deleted two years after the end of the investigation.

The investigation should be considered closed (i) when a decision has been taken to take no further action, or (ii) when all the measures set out in the final decision have been implemented or completed. (iii) If the alert gives rise to legal action or proceedings, the investigation should be considered closed once all time limits for appeal have expired or been exhausted.

3.5. Privacy and data protection

Under this Whistleblower Policy, the processing of personal data is managed in accordance with legal principles and rules, in particular the General Data Protection Regulation (GDPR).

Data subjects who are the subject of a whistleblower report and any subsequent investigation are therefore always entitled to transparent information about the processing of their personal data, in concise, understandable and clear language. The RUSG privacy policy is therefore fully applicable in this context and can be consulted on the club's website.

Confidential information received by the RUSG via the Reporting Managers as part of a report is held in a secure physical or IT environment to ensure the strict confidentiality of the report.

All data is kept for no longer than is necessary and proportionate to the purposes of the processing.

Any request for access, rectification, supplementation or deletion of personal data should be addressed to the RUSG's Data Protection Officer by e-mail or post: rusg@rusg.be

Annex: internal reporting flowchart