



# HEINEKEN SPEAK UP POLICY



# SPEAK UP



## 2 WHO CAN I TALK TO?

IF POSSIBLE, TALK TO THE **PERSON INVOLVED**

OR

TALK TO YOUR **MANAGER, HR REPRESENTATIVE, INTERNAL AUDITOR OR LEGAL COUNSEL**

OR

YOU CAN ALWAYS CONTACT THE **TRUSTED REPRESENTATIVE(S)** APPOINTED FOR YOU:

<b>Hens de Koning-Ghijzen</b> +31651499674 hens.dekoning@heineken.com	<b>Evert Jan Muller</b> +31651586369 evertjan.muller@heineken.com
<b>Jan Joost Bierhoff</b> +31612293213 janjoost.bierhoff@heineken.com	

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YOU CAN ALSO USE ONE OF THE FOLLOWING OPTIONS:

**SEND AN EMAIL TO** BUSINESSCONDUCT@HEINEKEN.COM

OR

CALL THE INTEGRITY LINE AT **0800-0226174**, MANAGED BY AN EXTERNAL AND INDEPENDENT PARTY

OR

GO TO **HTTP://SPEAKUP.HEINEKEN.COM** TO FILE A REPORT OR TO GET MORE INFORMATION



WE UNDERSTAND IT IS NOT ALWAYS EASY TO RAISE CONCERNS ABOUT POSSIBLE MISCONDUCT BUT WE DO **ENCOURAGE YOU TO COME FORWARD** WITH ANY CONCERNS AND **SPEAK UP!**

ANY CONCERN WILL BE DEALT WITH **APPROPRIATELY AND CONFIDENTIALLY.**

## Introduction – Purpose and scope

### Why is Speaking Up important?

Our Company is committed to conducting business on a daily basis with fairness, integrity and respect for the law and our values. In spite of this commitment, you may one day observe conduct that seems to violate the law, our Code of Business Conduct and/or its policies and HeiRules. If you observe or suspect such misconduct, you are encouraged to Speak Up. By doing so, you give our Company the opportunity to deal with the issue. Remaining silent about possible misconduct may worsen a situation and decrease trust.

Our Company truly values the help of employees who identify and Speak Up about potential concerns that need to be addressed. Speaking Up is encouraged and employees who Speak Up are protected. You will not suffer for raising concerns in good faith about suspected misconduct, and we do not tolerate any form of retaliation against you for Speaking Up. After all: Speaking Up is essential for us to sustain our reputation, success and ability to operate – both now and in the future.

### What is the purpose of this Speak Up policy?

The purpose of this policy is to explain how you can raise concerns about suspected misconduct in confidence and without fear of retaliation. It also describes what you can expect from our Company if you Speak Up.

### Who can Speak Up?

This Speak Up policy is available to everyone working for or on behalf of our Company. It is also open to any party with whom our Company has or has had some type of business relationship (such as business partners, suppliers, shareholders, agents, distributors, representatives and customers) who wish to raise a concern about possible misconduct within our Company.

### What concerns are covered by this Speak Up policy?

This Speak Up policy can be used to raise concerns about suspected misconduct within our Company, that is: any violation of the law, our Code of Business Conduct and/or its policies and HeiRules under which our Company operates. Employees are expected to report any fraud or good faith suspicion thereof as explained in the Fraud Policy.

Examples of concerns that can be raised using this Speak Up policy are:

- Fraud
- Discrimination or harassment
- Violations of competition laws and rules
- Inadequate financial or non-financial recordkeeping
- Conflicts of interest
- Bribery
- Environmental, health and safety issues
- Improper use of company resources
- Insider trading
- Disclosure of confidential information
- Violations of our policies on gifts, entertainment and hospitality

Do not use this policy:

- To report events presenting an immediate threat to life or property. If you need emergency assistance, please contact your local authorities or call your country emergency phone number.
- For any grievances you may have in relation to your terms of employment.
- To settle personal disputes.
- To make accusations which you know are false. Doing so may lead to disciplinary measures.

## Guidance on how and when to Speak Up

### How to Speak Up?

Our Speak Up policy allows you to raise concerns about suspected misconduct through a variety of channels. This policy does not replace our Company's regular reporting lines or complaints procedures within your OpCo. Should you suspect any misconduct, you are encouraged to address this directly with the person involved. If this would not be appropriate, please feel free to raise questions and concerns through any of the following Speak Up channels.

#### *Your manager, HR representative, internal auditor or legal counsel*

As a general guideline, the first person to approach when raising a concern is your line manager. You may also choose to discuss your concern with your HR representative, internal auditor or legal counsel who can mediate personally on your behalf.

#### *Your Trusted Representative*

Our Company has appointed Trusted Representatives as a further point of contact for you to raise concerns about suspected misconduct, for example when raising a concern with your line manager is not preferred by you. They are there for you to discuss your concerns in confidence and advise on any next steps. Trusted Representatives do not participate in any investigation as to protect the confidentiality of conversations with Trusted Representatives. Please [click here](#) for the contact details of your Trusted Representatives.

#### *Business Conduct Office*

You can report suspected misconduct to the Business Conduct Office by e-mail at «[businessconduct@heineken.com](mailto:businessconduct@heineken.com)» or send a letter to the Business Conduct Office P.O. Box 28, 1000 AA Amsterdam, the Netherlands. You can also contact one of the members of the Business Conduct Office **directly**.

#### *Speak Up Service: Online or by phone*

In case you suspect misconduct and genuinely believe that the matter cannot be dealt with through the available channels within your OpCo, you can use the external Speak Up Service («<http://speakup.heineken.com>»). This gives you the opportunity to raise concerns confidentially and in your own language. The Speak Up Service is run by an independent third party and is available 24/7, 365 days a year. There are two ways to submit a report through the Speak Up Service:

ONLINE



To file a concern online, please visit the Speak Up Service's website at «<http://speakup.heineken.com>». Here you can fill in a form to submit your concern.

BY PHONE



To raise your concern by phone, please call the Integrity Line in your country (free of charge). The Integrity Line is operated by a third party. Please check «<http://speakup.heineken.com>» or [click here](#) for the phone number and further instructions.

After you complete your report (online or by phone), you will receive a unique code called a 'report key'. You can use this key to call back or access the website («<http://speakup.heineken.com>») to check progress on your report. You can see whether the person dealing with your report has feedback for you or further questions. If you want, you can provide additional information. Your report key is particularly important if you choose to remain anonymous, as we can only contact you through the website in that case. All reports received via the Speak Up Service are routed back to our Company for further handling.



## What about 'external whistleblowing'?

We strongly encourage you to raise concerns internally through one of the available channels. Taking a concern to an outside party (e.g. the media) can have serious implications for our Company, for the persons involved and possibly also for yourself. By Speaking Up internally, you give our Company the chance to look into the matter and take action if needed. In this way we can truly improve our Company together.

## What kind of information do you need to provide?

When you file a report (in person, in writing, online or by phone), please provide as much detailed information as you have to enable our Company to assess and investigate your concern, such as:

- the background, history and reason for the concern
- names, dates, places and other relevant information
- any documents that may support your report

A report can only be followed up if it contains sufficient information and there is a reasonable possibility of obtaining further information.

## What should you do if you do not have all the facts?

We encourage you to Speak Up as soon as possible, ideally before situations get out of hand or damage is done. It is always better to discuss upfront than to report afterwards. If you know about or suspect misconduct, Speak Up with the facts you have. We do not expect you to have all the answers and you are certainly not expected to prove that your concern is well founded. Let our Company look into the matter to determine if there is a reason for concern.

Never investigate the matter yourself and do not seek evidence to build a strong case. We guarantee that no disciplinary measures or other steps will be taken against you if your genuine concern later turns out to be mistaken or misguided.

## ***Safeguarding your position: confidentiality and non-retaliation***

### **Do reports remain confidential?**

All reporting is done confidentially. This means that information about your concern will only be shared with a limited number of people on a strict need-to-know basis. Information will only be disclosed outside this small group if we are required to do so by law or an important public interest is at stake. In principle, we are obliged to inform the implicated person that a complaint has been filed against him/her, but your identity will not be disclosed. You yourself can help us protect confidentiality by being discreet and not discussing your report with your colleagues or anyone else.

### **Is it possible to report anonymously?**

You can share your concerns anonymously (where allowed by the laws of your country). We do however encourage you to reveal your identity as it is more difficult, and in some circumstances even impossible, for us to investigate reports that are made anonymously.

### **Will your privacy be safeguarded?**

Our Company is committed to protecting the privacy of everyone involved. We will do everything reasonable to safeguard personal data from unauthorized access and processing. Any personal data obtained as part of this Speak Up policy will only be used for the purposes explained in this policy or to comply with the law or an important public interest. Please [click here](#) for more details of the protection of personal data.

### **Non-retaliation – How will you be protected if you Speak Up?**

Speaking Up is encouraged and employees who Speak Up are protected. Please feel confident that you will not suffer for raising concerns in good faith about suspected misconduct. Any form of threat or retaliation will not be tolerated. Retaliation is treated as a disciplinary matter. You will not be protected, however, if you maliciously raise a concern that you know is false.

### **What happens if this policy is misused?**

It is a violation of our Code of Business Conduct to knowingly make a false accusation, lie to investigators, interfere with an investigation or refuse to cooperate in an investigation. Doing so may lead to disciplinary measures.

## Follow-up – What happens after you Speak Up?

### What can you expect if you Speak Up?

Our Company takes every report of possible misconduct seriously. If you submit a report, you will receive a confirmation of receipt within 5 to 7 working days, with an estimate of how long it will take to handle and assess your concern. Your report will undergo an initial review, and if necessary, it will be appropriately investigated. On average, closure of the matter can be expected within 1 to 3 months. You will be informed of the overall findings, i.e. whether or not our Company has established that misconduct has taken place. Please note that we will not be able to give you full details of the outcome of a case (or related actions taken) for reasons of confidentiality, privacy and the legal rights of all concerned.

### Who will act on your concerns and how?

All concerns that are received by our Company are logged into a case management system. Depending on the nature, urgency and potential impact of your concern, the case will be handled by an OpCo or Global Case Manager who works under the supervision and instruction of the Integrity Committee.

#### *Review and investigations*

Our Company follows a two-phased approach when handling concerns:

- **Initial review and inquiries** – The purpose is to assess the concern and decide if it requires further review and investigation (and, if so, by whom and in which form). You may be approached for additional information.
- **Further review and investigation** – If the report requires further review and investigation, a Case Manager will be assigned. The investigation itself will focus on an objective, factual analysis of the case. If needed, outside experts (e.g. lawyers or accountants) can be engaged to assist in the investigation. They will work under strict confidentiality.

Review and investigation will be conducted in an independent, fair and unbiased manner with respect to all parties involved and in accordance with relevant laws and principles (including fair hearing). Details of the case, your identity and the identity of anyone else mentioned in the report, are kept confidential throughout and after the investigation and are only shared on a need-to-know basis.

### What is expected of you in connection with investigations?

If you become involved in an investigation, you need to cooperate and answer all questions completely and honestly. Lying to the people performing the investigation as well as delaying, interfering with or refusing to cooperate with an investigation may lead to disciplinary measures. All parties involved, including the accused, are entitled to confidentiality in order to avoid unnecessary damage to their reputation. Therefore, if you participate in or learn about an investigation, you must keep the matter confidential.

#### *Appropriate measures*

If your concern is well-founded (i.e. misconduct has indeed taken place), appropriate measures will be taken where necessary and in accordance with the law and our Policy on Disciplinary Measures.

### What to do if you have a concern about the follow-up on a report?

If you believe that your concern or a concern raised against you has not been handled appropriately or that an investigation has not been performed correctly, please inform the Integrity Committee at [intcom@heineken.com](mailto:intcom@heineken.com) or at Integrity Committee P.O. Box 28, 1000 AA Amsterdam, the Netherlands or the chairman of the Supervisory Board of Heineken N.V. at [supervisoryboard@heineken.com](mailto:supervisoryboard@heineken.com) in Integrity Committee cases.



## *More information?*

If you have questions relating to this Speak Up policy or if you need assistance, please contact:

- your manager, HR representative, internal auditor or legal counsel
- your Trusted Representative
- the Business Conduct Office by email at «[businessconduct@heineken.com](mailto:businessconduct@heineken.com)»



## *Protection of personal data*

Our Company is the party responsible (the 'controller') for the processing of personal data in the context of this Speak Up policy (the 'personal data'). The processing of personal data has been notified to the Dutch Data Protection Authority under number [1422894]. The controller will only process personal data for the purposes of this Speak Up policy.

The agency operating the external help line ('operator'), acts on behalf of the controller as a processor within the meaning of the Dutch Data Protection Act. Under its agreement with the controller, operator shall:

1. only process the relevant personal data in accordance with the instructions of the controller;
2. maintain the confidentiality of the personal data;
3. take appropriate technical and organisational security measures; and
4. provide the controller the right to review the measures taken by operator and submit its data processing facilities to audits conducted by the controller in connection therewith.

The controller will take the necessary technical and organisational measures to adequately safeguard the personal data against loss or unauthorized access and has instructed operator to do the same. The reports may be collected by any data processing means, whether electronic or not. Such means shall be dedicated to the code, i.e. the personal data shall in all cases be processed separately from other employee information systems or employee files.

Reports that have been found unsubstantiated shall be removed as soon as possible. Personal data relating to reports about substantiated claims will be removed within two months after the verification work of the investigators is completed, unless disciplinary measures are taken or court proceedings are filed against the implicated person or the reporter if the report was filed in bad faith, in which event the data will be removed within two months after the disciplinary measures or the court proceedings (in highest instance) have been completed. Recording of any disciplinary measures against an employee of our Company resulted from a report filed under the provisions of this policy shall be done in compliance with the internal procedures that our Company maintains in relation to personnel records. 'Remove' means destruction of the personal data or adaptation of the personal data in such a way that identification of the reporter and the implicated person are no longer possible. After the aforementioned storage periods are lapsed, the personal data may only be kept for archiving and statistical purposes in accordance with applicable national laws.

Any employee may, at all times, request its direct superior, the trusted representative or Integrity Committee whether or not a report has been filed against him. If so, he will be provided with a written overview of the personal data available about him unless this would seriously hinder the investigation. If personal data proves to be incorrect or irrelevant, the implicated person can request correction or removal thereof.

The implicated person has a right to object to the processing of personal data in relation to a report on compelling legitimate grounds relating to his particular situation, if the legitimacy of the processing by our Company is based on article 8(f) of the Dutch Data Protection Act. Replies to a request for access, correction or removal shall be provided as soon as reasonably practicable, but no later than four weeks. Any refusal shall be in writing and shall mention the reasons therefore. If it is necessary to disclose personal data to a person or legal entity in a country outside the European Economic Area that does not ensure an adequate level of protection in the meaning of directive 95/46/EC of October 24, 1995, the specific provisions to international transfers of personal data shall be complied with.

## Administrative information

Content Owner	Global Legal Affairs
Contact person	Obbe Siderius <i>Global Business Conduct Director</i> <a href="mailto:obbe.siderius@heineken.com">obbe.siderius@heineken.com</a>
Effective as per	1 January 2014
Version	1.0
Notes	HEINEKEN or our Company refers to each company that is majority owned and controlled, directly or indirectly, by Heineken N.V. This Speak Up policy supersedes any previous Whistleblowing procedure and Fraud Reporting Procedure anywhere within HEINEKEN. Amendments can be made from time to time and are communicated. Please note that this policy has a complementary character: any applicable national legislation remains valid. Where the terms of this policy are stricter than applicable legislation or provide additional safeguards, rights or remedies, the terms of this policy will prevail.

