Rules of procedure according to § 8 section 2 of the German Act on Corporate Duties of Due Diligence in Supply chains ("LkSG")

I. Setting up the complaint procedure

Vista Profesyonel has set up a suitable complaint procedure in accordance with § 8 LKSG to allow individuals to indicate human rights related and environmental risks and point out violations of human rights or environmental obligations resulting from the economic activity of Vista Profesyonel in its own business domain or the business domain of a direct or indirect supplier.

II. Responsibility and availability

Vista Profesyonel has entrusted an external legal counsel with executing the complaint procedure. You can contact this trusted counsel as follows:

Dr. Carsten Thiel von Herff, LL.M.
Loebellstraße 4
D - 33602 Bielefeld, Germany

Phone: +49 521 557 333 0 / Mobile: +49 151 58230321
E-mail: vertrauensanwalt@thielvonherff.de
Report platform: www.report-tvh.com
Homepage: www.thielvonherff.de

The trusted counsel will act as an unaffiliated and independent lawyer. He is impartial and is not subject to instructions by Vista Profesyonel with regard to the content-related handling of matters. The trusted counsel is obligated to maintain confidentiality. If requested, he will maintain confidentiality about the identity of any whistleblower.

III. Complaint procedure

Our trusted counsel will receive information submitted through one of the above-mentioned communication channels and will, if necessary, discuss the situation with the whistleblower in order to clarify the situation. The whistleblower will receive confirmation that the information has been received.

Our trusted counsel will then review the matter to determine whether a breach of duty as defined in LkSG or a breach of other laws or internal rules at Vista Profesyonel may have occurred.

If there is sufficient evidence, he will forward the situation as described to him to the legal department of Vista Profesyonel in a permissible manner for further investigation. Our trusted counsel himself will not conduct any investigations to avoid putting his neutrality at risk.

Vista Profesyonel shall investigate the information while observing all relevant laws and internal regulations and taking the concerns of all involved parties into account. The investigation will be performed without unnecessary delay and without significant interruptions.

Individuals affected by an investigation will be treated fairly and with respect. The presumption of innocence applies to all those affected. The right to be heard will be maintained. For this reason, the individuals affected by the information received will be informed about the matter and about their right to information and right of rectification as soon as possible. However, if there is a serious risk that notifying the individuals involved may put the investigation at risk, the notification may be delayed until the end of the investigation or until the risk no longer applies.

The legal evaluation of the investigated situation and the determination of suitable measures for eliminating and preventing incorrect business practices shall be conducted by Vistaline J. GmbH & Co. KG, who may consult the trusted counsel for this purpose. Measures may include taking suitable civil law steps, conducting training courses or contacting the responsible authorities. Even if no violations are found in the specific case, suggestions for changes to workflows and business operations and changes to organisational rules and codes of conduct may be in order.

The whistleblower can request information about the progress of the investigation from the trusted counsel at any time. The whistleblower shall receive feedback about the follow-up measures taken in response to the information three months after receipt of the information. The whistleblower shall be informed about the result of the investigation within the legally permissible limits by the trusted counsel no later than after completion of the process.

IV. Whistleblower protection

The whistleblower shall always be protected from discrimination or disciplinary measures. No reprisals aimed or threatened against the whistleblower will be tolerated.

If the trusted counsel has promised confidentiality to a whistleblower, he will not disclose the whistleblower's name and identity without the whistleblower's approval, neither to Vistaline J. GmbH & Co. KG nor to third parties. Should the trusted counsel be questioned as a witness in a criminal, civil law or other hearing, he will only disclose the whistleblower's name and identity if he has received written permission from both the person in question and Vistaline GmbH & Co. KG.

A whistleblower's wish to protect their identity runs counter to the interest of the person affected by the report in the disclosure of the facts. Therefore, a zero-tolerance approach is taken to deliberate abuse of the option to make complaints and whistleblowing reports – in other words, intentional false declarations in particular. The trusted counsel shall inform the whistleblower in the first conversation that intentional abuse of the complaint procedure will allow him to reveal the whistleblower's identity to Vista Profesyonel .

V. Data protection

The trusted counsel shall ensure adherence to the legal retention requirements and the data protection regulations. The collected personal data shall be limited to information about the identity, role and contact information of the whistleblower and affected individuals and to other personal data absolutely required for investigating the situation. Aside from that, only reported situations, processing information, follow-up information for the report and inspection reports will be stored.

The retention period for personal data collected in the context of reports and investigations is two months after the completion of the investigations. This period will be extended accordingly if the end of the investigation is followed by disciplinary or court hearings or any other disputes for which this data will have to be used.

The data privacy officer will regularly review the compliance of the complaint procedure with the data protection regulations.

VI. Effectiveness of the complaint procedure

The effectiveness of the complaint procedure will be reviewed once a year or as warranted, for instance if Vista Profesyonel expects significantly changed or expanded risk in its own business domain or from a direct supplier, for instance due to introduction of new products, projects or a new area of business.