

# Privacy Statement

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Speak Up Privacy Statement

CLASSIFICATION  
External

VERSION  
0.1

# 1. Introduction

This service is a web and phone-based intake system provided by Action Services and Distributie in the Netherlands, and the Action entity based in your country ("Action") as data controller, to its employees, vendors, suppliers and business partners, and others who may submit a complaint under Action's Speak Up Policy ("reporters") for reporting matters, which may include possible violations of laws or regulations, our Code of Conduct or company policies;

This service and the database in which the personal data and information that you may report is is operated by NAVEX Global UK Limited ("NAVEX").

You may contact Action with any questions relating to this Statement or this service as follows:

Attn. Data Protection Officer

Perenmarkt 15

1681 PG Zwaagdijk

E-mail: [privacy@action.nl](mailto:privacy@action.nl)

## 2. Use of this service

Use of this service is entirely voluntary. If you are an internal employee, you are encouraged to first report possible violations directly to your supervisor or manager, or to a representative of the Human Resources, or to the Risk department, depending on the nature of the possible violation. If you feel that you are unable to do so, or have already attempted to do so and been unsuccessful, you may use this service to make your report. This service is a confidential online reporting system that allows you to report possible violations to Action.

Please be aware that the information you supply about yourself, your colleagues, or any aspect of the company's operations may result in decisions that affect others. Therefore, we ask that you only provide information that you believe is true. You will not be subject to retaliation from Action for any report of a suspected violation that is made in good faith, even if it later turns out to be factually incorrect. Knowingly providing false or misleading information will not be tolerated. You will face corrective or disciplinary consequences. Moreover, you can be held liable for any consequential damages incurred. The information you submit will be treated confidentially.

### 3. What personal data and information is collected and processed?

This service captures the following personal data and information that you provide when you make a report: (i) your name and contact details (unless you report anonymously), your relationship with Action (e.g., employee, supplier, external consultant) ; (ii) the name and other personal data of the persons you name in your report if you provide such information (i.e.: description of functions and contact details); and (iii) a description of the possible violation as well as a description of the relevant circumstances.

### 4. How will the personal data and information be processed?

The personal data and information you provide will be stored in a database which is located on

servers hosted and operated by NAVEX. NAVEX has entered into contractual commitments with Action to secure the information you provide in accordance with applicable law. NAVEX is committed to maintaining stringent privacy and security practices including those related to notice, choice, onward transfer, security, data integrity, access, and enforcement. You can find out more about NAVEX's processing of your personal data through their Privacy Statement, which is made available through the same EthicsPoint reporting platform where this Privacy Statement is posted.

For the purpose of processing and investigating your report, subject to the provisions of applicable law, the personal data and information you provide may be accessed, processed and used by the relevant personnel of Action as detailed in Action's Speak Up Policy and Procedure, or, in limited circumstances, by technical staff at NAVEX.

Personal data and information you provide may also be disclosed to the police and/or other relevant enforcement or regulatory authorities in any applicable jurisdiction in order to comply with a legal or regulatory obligation to which we are subject. The relevant bodies that receive and process personal data can be located in the country you reside in or in another country as is relevant to investigate and report the case.

Action will promptly notify any person who is the subject of a report except where notice needs to be delayed to ensure the integrity of the investigation and preservation of relevant information.

With some exceptions, the subject of the report may access information concerning the report (with the exception of the identity of the reporter) and request correction of personal data that is inaccurate or incomplete in accordance with applicable law. Similarly, with some exceptions, reporters may also access information about the report and request corrections of their personal data in accordance with applicable law.

## 5. Lawful grounds for processing reports

### 1. Retention of personal data

Your report and your personal data will only be retained for as long as they are needed for the investigation of your allegations, for any legitimate follow-up to the investigation, or as otherwise consistent with law; they will be fully and securely destroyed or erased when and as soon as they are no longer needed for the investigation of the report, or for the purposes of legitimate follow-up to the report (including legal action).

In the majority of cases, the processing of personal data in reports will be justified (where applicable data protection laws require lawful grounds for processing of personal data) because it is in within Action's legitimate interests as a business and employer to ensure that all those who have a working relationship with Action are complying with the law and the ethical and moral values and standards embodied in our Code of Conduct. Consent for such processing is not required or applicable for individuals employed in the European Economic Area (EEA).

In some cases, particularly non-HR related cases, the processing of personal data in reports is necessary to comply with a legal obligation in a particular jurisdiction. For example, some countries' laws mandate the operation of a whistleblowing system to report suspected acts of corruption.

Action may also process personal data for the purposes of establishing, exercising and defending potential legal claims in the event of a legal proceeding (in any jurisdiction) relating to matters contained in a report, or in a dispute or controversy between you and Action, or between Action and a third party.

Where required by applicable law, Action will obtain your consent before using your personal data for purposes other than those stated in this Privacy Statement.

## 6. Sources of personal data

Most personal data processed in connection with reports will have

been provided by the person submitting the report, and by other persons in the course of follow-up investigations or verifications. Personal data may also be provided by third parties, for example customers, business partners or regulatory bodies, or collected indirectly from monitoring

devices or by other means (for example, building and location access control and monitoring systems, Closed Circuit television, telephone logs and recordings and email and Internet access logs), if and to the extent permitted by applicable law.

## 7. Transfers of personal data

We may transfer personal data in connection with a report for the

purposes identified in this Privacy Statement outside the country where you work or reside, for instance, to the Netherlands or another country as is necessary to carry out an investigation. Data transfers to other third countries outside the European Economic Area or without adequacy will only occur on the basis of European Commission-approved Standard Contractual Clauses.

## 8. Your Rights

Depending on applicable law, you may have the following rights under certain circumstances:

Right to correction - Action will take steps in accordance with applicable legislation to ensure that all personal data related to reports is accurate and complete. You are entitled to have any inadequate, incomplete or incorrect personal data corrected (that is, rectified).

Right to access - You also have the right to request access to your personal data as well as additional information about the processing.

Right to erasure - You may be entitled to have your personal data erased under specific circumstances.

Right to restriction of processing - You may have the right to restrict our processing of your personal data (that is, allow only its storage) in certain circumstances.

Right to object to processing (including profiling) based on legitimate interest grounds - Where we are relying upon legitimate interests to process personal data, you may have the right to object to that processing. If you object, we must stop that processing unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or we need to process the personal data for the establishment, exercise or defense of legal claims. Where we rely upon legitimate interest as a basis for processing we believe that we can demonstrate such compelling legitimate grounds, but we will consider each case on an individual basis.

Right to withdraw consent to processing - Where we are relying upon consent to process personal data, you have the right to withdraw your consent to processing of your personal data at any time.

You may also have the right to lodge a complaint with us and/or the relevant Supervisory Authority (see appendix)

Please contact [privacy@action.nl](mailto:privacy@action.nl) if you wish to exercise any of your rights, or if you have any enquiries or complaints you'd like to make internally regarding the processing of your personal data

## 9. Appendix – Local Specifications

### Austria

“Data Controller”: Action Retail Austria GmbH

Contact details Data Protection Authority:

Österreichische Datenschutzbehörde  
Barichgasse 40-421030 Wien  
Telephone: +43 1 531 15-202525  
Website: <https://www.dsb.gv.at/>  
E-Mail: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

### Belgium

“Data Controller”: Action Belgium BVBA

Contact details Data Protection Authority:

Commissie voor de bescherming van de persoonlijke levenssfeer  
Drukpersstraat 35,  
1000 Brussel  
Telephone: +32 (0)2 274 48 00  
E-mail: [contact@apd-gba.be](mailto:contact@apd-gba.be)  
Website: <https://www.privacycommission.be>

### Croatia

“Data Controller” Action Croatia d.o.o.

Contact details Data Protection Authority:

Selska cesta 136  
10 000 Zagreb  
Telephone: +385 (0)1 4609-000  
E-mail: [azop@azop.hr](mailto:azop@azop.hr)  
Website: <http://www.azop.hr>

### Czechia

“Data Controller”: Action Retail Czech s.r.o.

Contact details of the Czech Data Protection Authority:

Úřad pro ochranu osobních údajů  
Pplk. Sochora 27  
170 00 Praha 7  
Telephone: +420 234 665 800  
E-mail: [posta@uoou.cz](mailto:posta@uoou.cz)  
Website: <https://www.uoou.cz>

### France

“Data Controller”: Action France SAS and/or Action Logistics France (Distribution centers).

Contact details Data Protection Authority:

Commission Nationale de l'Informatique et des Libertés (C.N.I.L)  
3 Place de Fontenoy,  
TSA 80715  
75334 Paris  
Telephone number: (+33) 1 53 73 22 22  
Website: <https://www.cnil.fr/en/home> (English version)

## **Germany**

"Data Controller": Action Deutschland GmbH and/or Action Logistics Germany GmbH (Distribution center).

### Contact details Data Protection Authority:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen  
Kavalleriestr. 2-4  
40213 Düsseldorf  
Telephone: 0211/38424-0  
Fax: 0211/38424-10  
Website: <https://www.ldi.nrw.de>  
Email: [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)

## **Italy**

"Data Controller": Action Italy S.R.L.

### Contact details Data Protection Authority:

Garante per la protezione dei Dati Personali  
Piazza Venezia 11-00187 Roma  
Telephone: +39 06 6967 71  
Website: [www.garanteprivacy.it](http://www.garanteprivacy.it)  
Email: [protocollo@gpdp.it](mailto:protocollo@gpdp.it)

## **Luxembourg**

"Data Controller": Action Luxembourg Sarl

### Contact details Data Protection Authority:

Commission Nationale pour la Protection des Données  
15 Boulevard du Jazz  
L-4370 Belvaux  
Tél. : (+352) 26 10 60 -  
Website: [cnpd.public.lu](http://cnpd.public.lu)

## **Netherlands**

"Data Controller": Action Service & Distributie BV and/or Action Nederland BV (Dutch Action stores)

### Contact details Data Protection Authority:

Autoriteit Persoonsgegevens  
Postbus 93374  
2509 AJ DEN HAAG  
Telephone: 088 - 1805 250  
Website: <https://autoriteitpersoonsgegevens.nl>

## **Poland**

"Data Controller": Action Logistics Poland Sp. Z.O.O.

### Contact details Data Protection Authority:

Biuro Generalnego Inspektora Ochrony Danych Osobowych  
ul. Stawki 2  
00-193 Warszawa  
Telephone: +48 22 53 10 440  
Fax: +48 22 53 10 441  
Website: [www.giodo.gov.pl](http://www.giodo.gov.pl)  
Email: [kancelaria@giodo.gov.pl](mailto:kancelaria@giodo.gov.pl)

## **Portugal**

"Data Controller": Action StoreOps Portugal Lda.

### Contact details Data Protection Authority:

Comissão Nacional de Proteção de Dados  
Av. Dom Carlos I, 134 – 1st, 1200-651 Lisbon  
Telephone: +34 213 928 400  
Website: <https://www.cnpd.com/>

## **Slovakia**

"Data Controller": Action Logistics Slovakia s.r.o.

### Contact details Data Protection Authority:

Úrad na ochranu osobných údajov Slovenskej republiky  
Hraničná 12  
820 07, Bratislava 27  
Slovak Republic  
<https://dataprotection.gov.sk/uouu/>

## **Slovenia**

"Data Controller": Action trgovina na drobno SLO d.o.o.

### Contact details I Data Protection Authority:

Informacijski pooblaščenec  
Dunajska cesta 22  
1000 Ljubljana  
Telephone: +386 01 230 97 30  
Website: <https://www.ip-rs.si>  
Email: [gp.ip@ip-rs.si](mailto:gp.ip@ip-rs.si)

## **Spain**

"Data Controller": Action Retail Spain S.L.U.

Contact details Data Protection Authority:

Agencia Española de Protección de Datos

C / Jorge Juan, 6

28001 Madrid

Telephone: +34 91 266 35 17

Website: <https://www.aepd.es/es>

**Switzerland**

“Data Controller”: Action Switzerland GmbH

Contact details Data Protection Authority:

Office of the Federal Data Protection and Information Commissioner FDPIC

Feldegweg 1

CH - 3003 Berne

Telephone: +41 (0)58 462 43 95

Website: <https://www.edoeb.admin.ch/>

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