

Whistleblower Speak Up Policy

Date: December 2023

1. Policy

As the RIPE NCC and the RIPE NCC works council, we want to create a safe and ethical environment for all people who work with and for us.

Nevertheless, irregularities can occur. This whistleblower/Speak-Up policy and procedures encourages to come forward with credible information on illegal practices or violations of adopted policies and rules of the organisation. The policy specifies that the organisation will protect the reporting individual from retaliation, and identifies how and to whom such information can be reported.

This document contains the full speak-up procedure, also known as whistleblowing procedure. This procedure provides more detailed information about the steps to be taken and is also drafted to meet the requirements of the Dutch Whistleblower Protection Act. We conclude the procedure with an investigation protocol and a number of definitions, additional provisions and references.

2. Scope

The Whistleblower policy and procedure applies to all internal and external staff working for the RIPE NCC, including Employer of Record-consultants of Remote, Consultants, Temporary Workers and interns (hereinafter 'employees').

3. General Principles

1. As indicated in the Whistleblower Speak-up policy, we invite you to report integrity violations/wrongdoing (appendix 2) within the RIPE NCC, such as a violation of the RIPE NCC Code of Conduct, internal policies and rules or applicable laws and legislation, as well as a suspicion or apparent risk of such a violation.
2. You can also report unwanted behaviour through this procedure, like discrimination, intimidation or harassment. This can also be reported via the RIPE NCC Internal Complaints Committee.
3. You can also ask a question about the RIPE NCC Code of Conduct or internal procedures.
4. This procedure is not the place to discuss individual labour disputes. This can be reported via the RIPE NCC Internal Complaint procedure or to the HR Department.
5. The RIPE NCC takes every report seriously and ensures that The Integrity Coordinator will assess and investigate them in a fair, confidential and independent manner in accordance with our investigation procedure, see addendum 1.
6. The RIPE NCC will not retaliate against any person or organisation that submits a question or report. However, the suspicion of wrongdoing must be based on reasonable grounds.

7. The RIPE NCC will also not retaliate against any person who assists you as a result of your report or other concerned parties. Should you still feel that you are being disadvantaged as a result of a report, please also report this via the Speak Up reporting portal: <https://ripencc.speakup.report/en-GB/ripencc/home>.
8. The legal definition of (suspected) wrongdoing that can be reported under the Whistleblower Protection Act, after which you are legally protected against retaliation, is more limited. For example, it must involve a violation of internal rules that impose a specific obligation and in which a public interest is at stake. The legal definition of wrongdoing is described in Addendum 2.
9. You can contact our External Integrity Advisors for advice.
10. You can also contact the House of Whistleblowers for advice, to report wrongdoing or if you face retaliation as a result of your report. Addendum 4 lists the other external authorities to which you can report wrongdoing. This must however be wrongdoing as defined by the Whistleblower Protection Act.

4. Internal Procedures and Rules

Within our whistleblowing speak-up procedure, there are a number of ways to report a breach or suspected violation of our code of conduct, internal procedures or applicable law:

1	Always feel free to discuss things with your People Lead.
2	Are you not comfortable discussing it with your People Lead? Or do you disagree with the outcome of the conversation? You can also discuss it with our HR Department. When it involves our CEO/Managing Director you can approach the Chair of the Executive Board. When you prefer to talk to someone external, you can reach out to our External Integrity Advisors for Integrity Violations or our External Trusted Counsellors for Undesired behaviour.
3	You can also submit your question or report through our SpeakUp portal . This would be the preferred route if you suspect that it concerns wrongdoing that affects the public interest (addendum 2).

A. Reporting

The RIPE NCC strives to create a nice working environment where people act with integrity. We want everyone to feel free to use this reporting process. Asking questions and submitting reports is an essential part of our code of conduct. We therefore invite everyone to make use of it.

Besides our employees, also contractors, volunteers, interns, customers, (employees of) suppliers and other business partners, job applicants, former employees and other interested parties can make use of this.

Reporting can be done via the SpeakUp portal:

<https://ripencc.speakup.report/en-GB/ripencc/home>

1. Through the [SpeakUp reporting portal](#) you have the option to file a report identifiable or anonymous. All reports will be dealt with in confidentiality.
2. Reporting can be in writing or you can leave a voice message. You will be given the option of having your voice distorted.
 - 2.1 If you submit an anonymous report, you will be given a code, which you can use to log back into the reporting portal, so you can see if a message or response has been sent to you or a question asked of you. Keep this code in a safe place!
3. Investigating an anonymous report is often difficult and clarifying questions are often needed; if you choose to not share your contact email, you can help us by logging in regularly and answering any questions that were submitted to you via the portal.
4. The SpeakUp portal is hosted by an external software provider. Reports submitted through this reporting portal are received by an external party, The Integrity Coordinator. The Integrity Coordinator is our external independent coordinator of the Whistleblower SpeakUp procedure.
5. A record of all reports is maintained through the SpeakUp portal. Details of a notification in this register shall be destroyed if they are no longer necessary to comply with the requirements of the Whistleblower Protection Act or other requirements established by or under law or Union law.
6. In case of a report via phone or another voice messaging system within the SpeakUp portal, the notification should also be recorded by making a recording (if the reporter consents to this) or a complete written record.
7. The Integrity Coordinator will ensure that your report is treated confidentially and that your identity remains confidential, regardless of whether you report anonymously or not, unless you explicitly provide your consent to the disclosure of your identity.
8. Through the SpeakUp portal, you can also indicate that you would like a face-to-face meeting. In that case, The Integrity Coordinator will contact you for a meeting, with the intention to meet within two weeks. If you agree, a recording of the conversation will be made during the interview. If you do not agree, a full and accurate written report of the conversation will be made. You will be granted the opportunity to check, correct and sign the report for agreement.

9. Any report of wrongdoing will be recorded in the register regardless of the reporting channel through which it is submitted, such as via your manager, HR or the reporting portal itself. If the report is submitted through the manager or HR, they will immediately take care of the recording in the register.
10. The Integrity Coordinator will send a confirmation of receipt within seven days. They strive to do this sooner.
11. You can also indicate that the report about unwanted behaviour, such as bullying, (sexual) harassment, discrimination, intimidation or violence, should be investigated by the Complaints Committee. This Committee may decide to investigate your report. Anonymous reports, however, will not be dealt with by this committee. Anonymous reports on unwanted behaviour can still be investigated via The Integrity Coordinator, though the possibilities for investigating the issue are more limited, if we can't hear both sides.
12. Depending on the nature of the report, The Integrity Coordinator will contact the CEO/Managing Director within the RIPE NCC. See the investigation protocol under addendum 1.
13. The Integrity Coordinator will follow up on the report. This can be possible together with an independent party or with a C-level representative of the RIPE NCC depending on the nature of the complaint. The Integrity Coordinator will inform you periodically about the progress. He may also ask you additional questions.
14. Within three months after the confirmation of receipt you will receive information about the (preliminary) assessment of your report, the progress of the investigation and the follow-up of your report, as far as possible. We aim to inform you more often. And please also feel free to ask us about the progress that we made.

B. Where to seek advice

1. You can also seek confidential advice or support from one of our confidential counsellors about unwanted behaviour.
2. You can also seek confidential advice or support from one of our Integrity Advisors about potential integrity violations.
3. They can also submit a report, anonymous or otherwise, to The Integrity Coordinator on your behalf.
4. If you prefer, you can also consult someone else as an advisor, such as a family member, a colleague, an attorney or someone from the union.

C. Protecting the reporter against unfair treatment

1. The employer shall not treat the reporter unfairly in connection with a report in good faith and according to the proper procedure of concerns about wrongdoing or irregularities in the RIPE NCC.
2. Unfair treatment as referred to in paragraph 1 is further explained under addendum 2. Definitions.
3. If the RIPE NCC proceeds to take a measure with a negative effect as referred to in paragraph 2 against the reporter within a short period following a report being made, it shall give justification as to why it considers this measure necessary and why this measure is not connected with the report in good faith and according to the proper procedure of concerns about wrongdoing or irregularities.
4. The RIPE NCC shall ensure that the reporter's People Lead, Executive Team and colleagues refrain from any form of unfair treatment in connection with the report in good faith and according to the proper procedure of concerns about wrongdoing or irregularities that interferes with the reporter's ability to function either professionally or personally. This includes the following:
 1. bullying, ignoring and excluding the reporter;
 2. making unfounded or disproportionate allegations about the performance of the reporter;
 3. imposing anything that amounts to a ban on the reporter or his colleagues from investigating, speaking about the matter, attending their work station and/or having contact with other persons, regardless of how it is presented;
 4. intimidating the reporter by threatening to take specific measures or actions if they proceed with their report.
5. The RIPE NCC shall speak to any employees who treat the reporter unfairly about their actions and may give them a warning or take disciplinary measures against them.

5. Addenda

1. Investigation Protocol
2. Definitions
3. Other Provisions
4. External authorities

Addendum 1. Investigation Protocol

The following investigation protocol is applicable for reports as described in our Whistleblower Speak Up policy and in line with [the Whistleblower Protection Act legislation](#).

Protocol

1. A question or report can be submitted through various channels, such as:

1	Via the RIPE NCC Leadership (your People Lead or the Executive Team)
2	Through a specialised department, such as HR, Legal or Information Security, depending on the violation.
3	To the Executive Board Chair when it involves the CEO/Managing Director
4	Through the Speak Up reporting portal .

2. If the People Lead or the specialised department can quickly answer or resolve the question and there is no wrongdoing, as defined in Addendum 2, then no further action needs to be taken.

3. However, as soon as the issue needs to be investigated or if there is possible wrongdoing, as defined in Addendum 2, the report should be recorded in the register. To this end, the report must be submitted through the reporting portal.

4. Once a report is submitted, the Integrity Coordinator will review the content of the report, he will make an initial assessment of the seriousness of the case and will consider who may be involved in the issue. It is important that the report and the identity of the reporter remain confidential unless the reporter explicitly agrees to disclose their identity.

5. The identity of any third parties named in the report must also remain confidential. If necessary, the Integrity Coordinator will rephrase the report so that it is not traceable to specific individuals. If necessary, the Integrity Coordinator will ensure that certain information is safeguarded, like the content of mailboxes or camera footage.

6. Next the Integrity Coordinator informs the CEO/Managing Director. If it turns out that the CEO/Managing Director may be involved in the matter, the Integrity Coordinator informs the Chair of the Executive Board.

7. If the report indicates that it concerns unwanted behaviour to be investigated by the Complaints Committee, the Integrity Coordinator will contact the Chair of this Committee. The Committee will then conduct the investigation in accordance with its internal complaint procedure.

1. The findings of the investigation will be recorded in the reporting portal. The Integrity Coordinator will keep an eye on whether wrongdoing, as defined in addendum 2, may have occurred. He or she also keeps an eye on the three-month period (see below). Incidentally, the Complaints Committee usually does not accept anonymous reports. In that case the case should be followed up by the Integrity Coordinator.

8. Within 7 days after the receipt of the report, the Integrity Coordinator will send the reporter a confirmation of receipt. We strive to do this faster. It is also possible that the reporter is requested to provide additional information.

9. The Integrity Coordinator will review the information and discuss the next steps with the CEO/Managing Director or CHRO, including the appointment of an independent or impartial (lead) investigator. It is also possible that first a limited preliminary investigation is conducted to better assess the case and to secure certain information.

10. Each report submitted is generally investigated by an independent or impartial investigator or a team of independent investigators. Budget may need to be allocated to hire external investigators. This must be approved by the CEO/Managing Director.

11. If necessary, employees' physical or digital documents can also be searched, including e-mails and files or camera footage located on a company devices like computer, phone, tablet or server. This must be approved by the CEO/Managing Director according to the Video Observation Security Policy.

12. It is also possible that observation takes place, via cameras or by a specialised agency. This is only allowed in very serious cases and when there are serious suspicions of wrongdoing. This is because the method of investigation must be proportional to the matter being investigated. This must be approved by the CEO/Managing Director after legal advice on this has been obtained from an expert.

13. During the investigation, both sides will be heard, if possible. If a (substantiated) accusation is made against an employee or a business partner, they will be informed about that and provided the opportunity to present their side of the matter. The investigators will determine when to do this.

14. During the investigation, employees may be asked to cooperate with the investigation, although everyone also has the right to remain silent. If someone is being interviewed, that person has the right to bring someone of their own choice along to the interview, as long as that person is not otherwise involved in the investigation. The interviewee must therefore indicate in advance which person will be present at the interview.

15. In certain cases, the RIPE NCC offers free legal assistance to the interviewee, depending on the circumstances. The Integrity Coordinator can advise the RIPE NCC about this and the CEO/Managing Director needs to approve this.

16. During interviews, a recording of the conversation is made, if the interviewee agrees, or an interview report is prepared. The interviewee is provided the opportunity to review, correct and sign their own interview report for approval. Interviewees do not have the right to see other persons' interview reports or the entire investigation report.

17. Investigations shall be conducted in a confidential way and shall not involve more people than necessary. Careful consideration will be given by the Integrity Coordinator and CEO/Managing Director as to who should be notified about the investigation.

18. Within three months of sending the acknowledgement of receipt, the integrity Coordinator will send information about the (preliminary) assessment of the report and the progress of the investigation to the reporter. However, we strive to inform the reporter sooner and more frequently.

19. It is possible that the investigation will not be completed after three months. In that case, the Integrity Coordinator will inform the reporter periodically, at least once a month.

20. Once the investigation is completed, the Integrity Coordinator will inform the CEO/Managing Director of the outcome of the investigation and possibly also provide advice on the follow-up. The CEO/Managing Director will decide on the corrective and preventive measures to be taken. If an allegation is found to be substantiated, potential follow-up steps may include:

1. Further explanation, communication or additional training regarding the organisation's code of conduct, policies and procedures.
2. Review of internal Compliance controls related to legislation and policies
3. A review of the code of conduct, policies or procedures.
4. An additional assessment or evaluation interview with the individual(s) involved. This could include the imposition of a (temporary) restriction on opportunities for promotion or future salary increases
5. A verbal or written warning
6. Other disciplinary measures, such as demotion or dismissal of one or more employees [as well as reclaiming past remuneration if possible]
7. Informing the relevant authorities or supervisors
8. Other corrective or preventive measures as described in the RIPE NCC Disciplinary Measures.

21. It is also possible that insufficient evidence has been found to substantiate the suspicion of wrongdoing.
22. The Integrity Coordinator eventually informs the reporter in writing in general terms about the outcome of the investigation into their report.
23. The reporter is then offered up to 14 days to react to the outcome of the investigation, to ask questions, and possibly also to submit additional evidence. This may result in the investigation being reopened, but this does not have to be the case.
24. The accused(s) will be informed in general terms of the outcome of the investigation in so far as it is related to them. Other involved parties may also be informed in general terms, as appropriate, at the discretion of the CEO/Managing Director.
25. The outcome of the investigation is described by the Integrity Coordinator or the formal investigation body, in a report. This report describes the methodology used, the facts and circumstances found, any evidence found, relevant legislation, policies or procedures, and corrective and preventive actions taken or to be taken, if applicable.
26. The final report is provided to the CEO/Managing Director and filed in the SpeakUp register, after which the case is closed.
27. During and after the investigation, the rules from the General Data Protection Regulation (GDPR) and other relevant regulations are observed. If it appears that no evidence can be found for an allegation, the personal data will be deleted from the register within 3 months after the case is closed.
28. The Integrity Coordinator makes an anonymised report annually regarding the speak up procedure and provides it to the CEO/Managing Director and the CHRO.
 - a. The CEO/Managing Director and CHRO will report annually to the Works Council on developments regarding the whistleblowing procedure.

Addendum 2. Definitions

Reference: [Dutch Whistleblower Protection Act](#)

Definitions

	What	Definition
1	Reporter	A natural person who reports or discloses suspected wrongdoing in the context of their work-related activities
2	Report	Report of suspected wrongdoing (e.g. integrity violation)
3	Wrongdoing	<p>1. a breach or risk of a breach threat of Union law Directive (EU), article 2, lid 2B;</p> <p>2. an act or omission to which the public interest is at stake in:</p> <p>1°. a breach or risk of a breach of a legal requirement or of our code of conduct or internal procedures, that impose a specific obligation and have been established by the RIPE NCC on the basis of a statutory regulation</p> <p>2°. a risk to public health, to the safety of persons, to damage to the environment or an improper act or omission that jeopardises the proper functioning of the public service or a company as a result of improper acts or omissions</p> <p>In any event, the public interest is at stake if the act or omission affects more than just personal interests and is either part of a pattern or structural in nature, or is serious or broad in scope</p>
4	Reporting channel	Reporting channel: organisation and procedure for receiving and handling reports. In the case of the RIPE NCC this is the SpeakUp portal



5	Trade Secret	Trade secret as referred to in article 1 of the Trade Secret Protection Act ;
6	Concerned Third party	<ol style="list-style-type: none">1. a third person who is connected with the reporter and who could suffer a detriment by the reporter's employer or a person or organisation with which the reporter is otherwise connected in a work-related context; and2. a legal person/entity that the reporter owns, works for or is otherwise connected with in a work-related context
7	Person who assists a reporter	A natural or legal person who advises a reporter in the reporting process in a work-related context and whose advice is confidential
8	House	the House for whistleblowers
9	Follow-Up	Action taken by the RIPE NCC to verify the accuracy of the allegations made by the reporting person and, if necessary and to the extent authorised, to conduct further investigations or take measures
10	Directive	Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 (OJ L 305, 26.11.2019) Directive (EU)
11	Breach of Union law	An act or omission that: <ol style="list-style-type: none">1. Is unlawful and relates to Union acts and areas falling with the material scope referred to in Article 2 of the Directive; or2. Defeats the object or the purpose of the rules in Union acts and areas falling within the material scope referred to in Article 2 of the Directive



12	Suspected wrongdoing	Means a reporter's suspicion of wrongdoing in the organisation at which (s)he works or has worked, or in another organisation if (s)he has come into contact with that organisation through his or her work, in so far as the suspicion is based on reasonable grounds resulting from the knowledge gained by the employee in the service of his employer or from the knowledge obtained by the employee through his work at another business or organisation
13	Work-related context	Future, current or past work-related activities in the public or private sector through which, irrespective of the nature of those activities, persons acquire information on wrongdoing and in which those persons could suffer a detriment or retaliation as referred to in section 14 if they reported such information
14	Retaliation or detriment	Retaliation or detriment is in any event understood as: 1. a) dismissal or suspension; b) a fine as referred to in article 650 of Book 7 of the Civil Code ; c) demotion; d) withholding promotion; e) a negative assessment; f) a written reprimand; g) transfer to another location; h) discrimination; i) intimidation, bullying or exclusion; j) defamation; k) early termination of a contract for the provision of goods or services; and l) revocation of a permit. 2. Detriment or retaliation includes a threat of or attempt to cause detriment.
15	Manager	The People Lead, e.g. the person who supervises the reporter



16	Trusted Counsellor Unwanted Behaviour	Trusted Counsellor Unwanted behaviour: our external trusted counsellors for unwanted behaviour.
17	Trusted Integrity Advisor	Trusted Integrity Advisor: our external trusted Integrity advisors are there to advise and support a potential reporter regarding integrity violations as described in the Whistleblower Speak Up procedure.
18	Integrity Coordinator	The coordinator who receives reports via the SpeakUp portal platform, who will conduct a first triage assessment of the report and will redirect to the correct investigation body. The integrity Coordinator also has the mandate to conduct an investigation after an anonymous report on unwanted behaviour that cannot be investigated by the Internal Complaint Committee and will inform the reporter regarding the process and timelines.

Addendum 3. Other Provisions

Confidentiality and data protection

1. Anyone who is involved in a report or investigation of suspected wrongdoing and in doing so obtains information of which he knows or should reasonably suspect the confidential nature, is obliged to maintain confidentiality with respect to that information, except insofar as any statutory regulation obliges him to disclose or the necessity to disclose arises from his task in implementing this Act.

2. Data of a confidential nature shall in any case include:

a. Information about the identity of a person reporting wrongdoing and of the person to whom the wrongdoing is attributed or with whom that person is associated, and information that can be traced back to that person, and

b. Information about a trade secret.

3. The identity of a reporter and the information from which the identity of the reporter can be directly or indirectly traced will not be disclosed without the reporter's consent.

Prohibition of retaliation/detriment

4. It is prohibited to retaliate against a reporter during and after the handling of a report or disclosure of suspected wrongdoing, under the condition that when reporting to the RIPE NCC or the external authorities listed in Addendum 4, the reporter has reasonable grounds to believe that the reported information about the suspected wrongdoing was correct at the time of the report.

5.1 It is prohibited to retaliate against a reporter during and after disclosure of suspected wrongdoing, provided that

a. the reporter has reasonable grounds to believe that the reported information about the suspected wrongdoing is correct at the time of disclosure,

b. the reporter made a disclosure prior to the disclosure:

1°. to the employer and an external authority as referred to in Appendix 4 or

2°. directly to an external authority and

c. the reporter has reasonable grounds to believe that the investigation is not making sufficient progress.

5.2 It is also prohibited to retaliate against a reporter during and after disclosure of a suspicion of wrongdoing, under the condition referred to in the first paragraph, under a, and the reporter has reasonable grounds to believe that:

- a. the wrongdoing may pose an imminent or real danger to the public interest;
- b. there is a risk of disadvantage in reporting it to an external authority, or
- c. it is unlikely that the wrongdoing will be effectively remedied.

6. If a reporting party is disadvantaged during and after the handling of a report, or after disclosure of a suspicion of wrongdoing, it is presumed that the disadvantage is the result of the report or disclosure.

7. Articles 4, 5 and 6 apply mutatis mutandis to the person who assists a reporter, a third party involved and those who receive and/or follow up on the reporting

Addendum 4. External Authorities

We appreciate it if you report your suspicion of wrongdoing internally first via the [SpeakUp portal](#) as described in the procedure, so that we have the first opportunity to investigate the matter and take action if necessary.

However, you may also report your suspicion of wrongdoing directly to the external authorities.

You may also report internally first and then report externally if, for example, you are not satisfied with the handling of your report. You may file your report with institutions, bodies, and agencies of the European Union and, in addition, with the following Dutch authorities:

- 1°. The Netherlands Authority for Consumers and Markets;
- 2°. The Netherlands Authority for the Financial Markets;
- 3°. The Data Protection Authority;
- 4°. De Nederlandsche Bank N.V.;
- 5°. The House for whistleblowers;
- 6°. The Health and Youth Care Inspectorate;
- 7°. The Dutch Health Care Authority;
- 8°. The Nuclear Safety and Radiation Protection Authority; and
- 9°. Organisations and administrative authorities, or units thereof, designated by order in council or ministerial order, that have tasks or powers in one of the areas referred to in Article 2, paragraph 1, of the Directive.