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Author		Claudia Ramirez
Authorised By		Iris Bargallo
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Message from the EBMT Executive Committee

In order to remain successful in the future, it is essential that EBMT's reputation, impartiality and objectivity remain beyond doubt. To this end, all our actions and relationships must be based on the highest levels of integrity. In order to support all those acting for or on behalf of EBMT in understanding what acting with integrity means in our daily practice, we have adopted a Code of Conduct.

Our Code describes how we would like to conduct our activities, wherever we are in the world and under any circumstances. Work is more than just providing the best services. We also have to conduct our activities in the 'right way' by doing 'the right thing'.

At EBMT we are committed to the highest standards of integrity and openness in all aspects of our work. This is only truly meaningful if we remind each other of our commitment whenever we see or hear something inappropriate. In this way we can help each other and we help EBMT improve as an Association.

To maintain such high standards, we encourage our employees who have concerns about a (suspected) violation of our Code of Conduct to speak up and share their concerns with us. We understand that it takes courage to speak up. That is why we want a safe, trusted culture without fear of any negative consequences for raising such concerns and therefore the organisation has created the Integrity Channel.

If you suspect that a situation may be in violation of our Code of Conduct, internal policies, or the law, please do not keep such information to yourself. When you tell us about any concerns you enable us to take actions and internally attempt to improve the situation. With the use of our Integrity Channel (<https://ebmt.saferoom.es/>) the company ensures that your report will be managed on time, by experts and granting the option to make such reports anonymously.

We hope you will contribute to ensuring that EBMT remains the preferred place to work and retains its excellent reputation by speaking up and raising any concern you may have. We highly appreciate your contribution.

1. Policy Details

1.1. Why are you encouraged to speak up?

EBMT encourages a culture of openness in order to ultimately improve our daily operations. A culture in which we all feel comfortable raising questions and concerns related in any way to our Code of Conduct.

If you believe that a situation may be in violation of our Code of Conduct, internal policies, or the relevant country law, please do not keep it to yourself. When you tell us about your concerns, you enable us to take actions and help correct the situation before it may be too late.

Although some people may be nervous about raising concerns, we encourage you to speak up. Remaining silent about a possible violation of our Code of Conduct, our policies or even the law, may worsen the situation.

1.2. Who is concerned by this policy?

This Policy applies to all EBMT representatives and other individuals defined as informants in accordance with this policy (see section 2.1). All EBMT representatives must ensure they are familiar with this Policy.

EBMT "representatives" encompass a number of groups including the EBMT Executive Committee and Board of Association Members, Scientific Council representatives, EBMT Committee Members, Board of Counsellors, as well as individuals working for EBMT in either employed or volunteer capacities. Throughout this Policy, these individuals will also be referred to as 'representatives'.

1.3. What is the scope of this policy?

This policy establishes the general framework for managing reports and complaints within EBMT. However, in certain cases regulated by specific legislation as harassment based on sexual orientation, gender identity, or gender expression, a specific protocol approved by EBMT for Spain will apply, and its deadlines and measures will take precedence over this procedure (see annex 1).

1.4. Who is in charge?

The Compliance Unit is the body responsible for this policy and the Integrity Channel. One member of the Compliance Unit will be appointed as the person responsible for the management of the Integrity Channel, which includes the reception, preliminary assessment, and investigations of reports. Some of these tasks may be outsourced to a third party, who will apply all the safeguards and the requirements of this policy.

1.5. Roles and Responsibilities for Harassment and Workplace Misconduct Cases

Human Resources: A designated Point of Contact will handle harassment-related complaints. This individual will guide employees on available reporting options, maintain confidentiality, and oversee the initial stages of handling harassment reports.

Integrity Channel Decision Committee (ICDC): For cases involving harassment or workplace discrimination, the ICDC will work alongside the Point of Contact to review cases with heightened confidentiality. The ICDC will receive reports from the Point of Contact, implement recommendations, and ensure that the follow-up actions respect the rights and well-being of all involved parties.

1.6. Who makes the final decision?

The Integrity Channel Decision Committee (**ICDC**) will be the body responsible for making decisions and ordering the implementation of corrective measures, sanctions, or any other actions deemed necessary following the investigation report of the Compliance Unit. This ICDC is composed of the Secretary of the Executive Committee, the Scientific Council Co-Chair, the Manager of Human Resources, and the Executive Director.

1.7. Implementation

The EBMT will implement proactive measures to foster a safe and respectful workplace:

Mandatory Training: Regular anti-harassment and sensitivity training will be mandatory for all employees, with specialized modules for managers.

Awareness Campaigns: Information sessions, flyers, and digital resources will promote awareness of acceptable conduct and encourage a culture of mutual respect.

Annual Survey: An annual anonymised workplace survey will assess the work environment and allow employees to voice any concerns anonymously.

2. Speak-up procedure

2.1. Who can file a report?

Anyone who has obtained, in a work or professional context, information about a possible violation related to EBMT and its activities.

In this regard, Informants may include:

- Representatives of EBMT;
- self-employed individuals who provide services to EBMT;
- contributor sponsors, members of EBMT.
- any person who works for or under the supervision and direction of contractors, subcontractors, and suppliers who provide or have provided services to EBMT.
- Former employees, volunteers, interns, trainees, as well as those who are going through a recruitment process with EBMT even if the employment relationship has not yet begun.

2.2. Informal Mediation for Minor Workplace Conflicts

In cases of minor workplace conflicts or issues not involving severe harassment or legal violations, an ****informal mediation phase**** is encouraged. This phase provides an opportunity for resolution before initiating a formal investigation. The Point of Contact (designated below) will handle informal mediation, promoting confidentiality and ensuring that all parties are informed of the mediation's non-disciplinary purpose. If informal resolution fails or if the issue escalates, the formal process will proceed under the Integrity Channel Policy guidelines.

2.3. How can you file a report?

Reports must be filed directly through EBMT's Integrity Channel through the following link (<https://ebmt.saferoom.es/>).

However, the Informant may file the report to their immediate supervisor, the responsible person for the area they are related to or directly to the person responsible for the management of the Integrity Channel or one of the members of the Integrity Committee. In these cases, the persons receiving a report have the obligation to file it through the Integrity Channel (<https://ebmt.saferoom.es/>) for registration, evaluation, and/or investigation.

Reports can be made anonymously. The Integrity Channel guarantees the anonymity of the Informant, as well as the confidentiality of communications.

Reports must contain sufficient information to be adequately investigated. Ideally, the Informant should be able to provide information about all or most of the following circumstances:

- Nature of the violation or misconduct and what happened.
- Identification of at least one of the individuals involved in the alleged violation or misconduct.
- Details of when and where the alleged violation or misconduct occurred, or when the conduct is suspected to have taken place.
- Details of the alleged offense's implications for EBMT, its employees, or stakeholders.

If the report is filed through EBMT's Integrity Channel, the Informant must fill out all mandatory information referenced in the tool and keep the access codes provided by the Integrity Channel in a secure place.

If the Informant loses the access codes, they cannot be recovered later. It is recommended that the Informant regularly accesses the Integrity Channel to obtain information about the report and collaborate with EBMT during the investigation, if necessary.

If the informant reports a violation orally, including through in-person meetings, by telephone, or via voice messaging system, the report must be documented in one of the following ways, with the prior consent of the informant:

- by recording the conversation in a secure, durable, and accessible format, or
- through a complete and accurate transcription of the conversation. Without prejudice to the rights afforded to them under data protection regulations, the informant will be offered the opportunity to verify, rectify, and accept the transcription of the conversation by signing it.

2.4. What kind of conduct can be reported?

Acts or omissions carried out by workers, agents, or representatives of EBMT that are contrary to the Law, the Code of Conduct, and EBMT's policies, which may result in criminal, pecuniary, or administrative sanctions for EBMT or damage to its reputation, are considered violations for the purposes of this Policy.

Particularly, violations include but are not limited to the following topics:

- Public procurement.
- Violation of human rights.
- Discrimination and workplace harassment.
- Competition laws and regulations.
- Money laundering or violation of international sanctions legislation.
- Alteration or falsification of accounting records.
- Corruption, bribery, and fraud.

- Conflicts of interest.
- Misuse of EU and national public funds
- Environmental, health, and safety issues.
- Consumer protection.
- Privacy and personal data protection, and security of networks and information systems.
- Misuse of EBMT's resources.
- Disclosure of confidential information.
- Violations of the code of conduct and internal policies.
- Retaliation against any person for using the integrity channel to report in good faith about a potential violation.

If you have doubts about whether a behaviour constitutes a violation in light of this Policy, you are encouraged to raise your doubts through the Integrity Channel.

All reports must be made in **good faith**. This means that the informant must have reasonable grounds to believe that the information is truthful at the time it is reported.

Do not use the Integrity Channel or this policy to report:

- events that pose an immediate threat to life or property. If you need emergency assistance, contact local authorities or call the emergency telephone number.
- any allegations that may relate to your employment contract.
- personal or legal disputes.
- allegations that you know to be false/vexatious or information that has been obtained illegitimately.

2.5. Preliminary evaluation of the Report

After submitting a report through the Integrity Channel, the informant will receive an acknowledgement of receipt in the system no later than seven calendar days after the communication has been sent.

The person responsible for the management of the Integrity Channel will conduct a preliminary assessment of the report.

1. It will first check if the received allegation falls under the scope of this policy. If this is not the case but the report contains information falling within the responsibility of another area of EBMT, the report will be forwarded to the relevant area with the permission of the submitter.
2. Reports falling under the scope of this policy will undergo a credibility check:
 - a. If the allegations are notoriously unfounded, the person responsible to manage the Integrity Channel will inform **ICDC** who will decide if the case should be closed with no further pursuit.
 - b. If the allegations seem founded and plausible, the next step involves a thorough review to determine whether sufficient information exists to justify an investigation. At this stage, the informant may be contacted through the system to provide further information.
 - c. Once there is sufficient information available to determine the seriousness of the allegations, the person responsible for the management of the Integrity Channel will initiate an investigation.

2.6. Investigation of the Allegations

As each report and its circumstances are different, investigation procedures tailored to each situation will be applied, to safeguard the rights of affected persons and the Informant, recover evidence and ensure its preservation, uncover the truth of the report, and take appropriate corrective and disciplinary actions as deemed necessary.

If a report is determined to have sufficient elements to be investigated, the Compliance Unit will ensure that the following measures are taken:

- Appoint a suitable person, either within or outside of EBMT, to investigate the reported facts. The investigation will not be conducted by a person who is subject to the investigation or who is conflicted because he/she has links or connections (real or perceived) to the person(s) or facts under investigation.
- Ensure the objectivity, independence and confidentiality of the investigation.
- Implement the necessary measures to prevent retaliation against the Informant.
- Ensure that all reasonable measures are taken to protect the identity of all the persons involved in the investigation (the Informant, facilitators, affected persons and witnesses)
- If, during the investigation, the facts present indications of a criminal offence, EBMT shall immediately inform the Public Prosecutor's Office or the European Public Prosecutor's Office, if the facts affect the financial interests of the European Union.
- Seek the collaboration of other EBMT representatives and departments with the necessary technical capabilities for data interpretation, fact confirmation, or collection, search, and preservation of evidence.
- Conclude the investigation within a reasonable period, not exceeding three (3) months from the acknowledgment of receipt.
- In cases of particular complexity, grant an extension of a further three (3) months to continue the investigation of a report. In this case, the Informant shall be informed of this extension through the Integrity Channel.

2.6.1. Reports of Workplace Harassment, Sexual Harassment, or Gender-Based Discrimination.

When reports of Workplace Harassment, Sexual Harassment, or Gender-Based Discrimination are received, the person responsible for the management of the Integrity Channel will promptly refer the contents of the report to the EBMT HR department responsible for managing and processing these special cases.

2.6.2. Reports related to Privacy, Personal Data Protection, and Network and Information Security.

When reports related to Privacy, Personal Data Protection, and Network and Information Security are received, the person responsible for the management of the Integrity Channel will immediately refer the contents of the report to the EBMT department responsible for managing and processing data breaches.

2.7. Investigation Report

Once the investigation is completed, the Compliance Unit will submit a report to the **ICDC** detailing the nature of the allegations, the actions taken during the investigation process, the proven facts, and the conclusions.

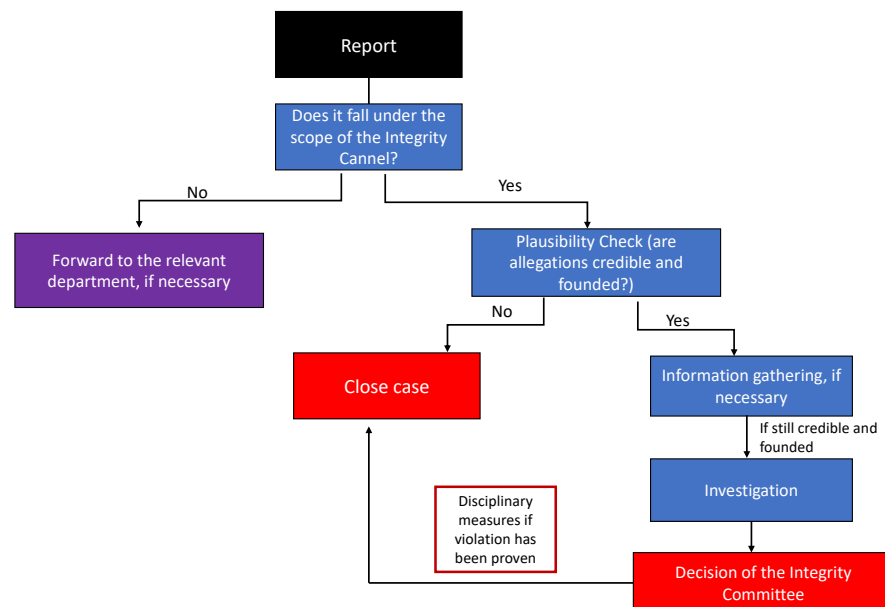
If the existence of a violation is considered proven, the report's conclusions will contain recommendations for subsequent actions to be taken, including but not limited to modifying procedures or policies, creating, or strengthening internal control processes, conducting new general or individual training, as well as proposing the imposition or non-imposition of disciplinary sanctions.

If there is no evidence of a violation, the report will include a recommendation to close the case and, if relevant, to adopt preventive measures.

The **ICDC** will decide what is the course of action based on the recommendations contained in the investigation report.

The investigation report will preserve the anonymity of the Informant, as well as the identity of the affected persons or those who have participated in the investigation unless it is necessary to disclose such information for disciplinary measures.

Finally, the **ICDC** will keep a record of all reports received as long as necessary, in compliance with confidentiality and data protection requirements.



2.8. External Channels

The EBMT Integrity Channel should be the preferred option to report suspicions of infringement. However, the informant may also use external channels.

External Channels in Spain are:

- the Independent Whistle-blower Protection Authority (*Autoridad Independiente de Protección del Informante, A.A.I.*)
- The Anti-Fraud Office of Catalonia (*Oficina Antifraude de Cataluña*) <https://www.antifrau.cat/es/investigacion/denuncia.html>

The external channels in the Netherlands is:

- the Dutch Whistle-blowers Authority (contact@huisvoorklokkenuiders.nl)

Other authorities have been appointed to receive external reports in the areas of their competence:

- the Netherlands Authority for Consumers and Markets;
- the Dutch Authority for the Financial Markets;

- the Data Protection Authority;
- De Nederlandsche Bank N.V.;
- the Health and Youth Care Inspectorate;
- the Dutch Healthcare Authority;
- the Authority for Nuclear Safety and Radiation Protection; and

3. Protection Measures

3.1. Anonymity and Confidentiality of the Informant's Identity and Report

The informant/s has/have the right to remain anonymous and to only disclose their identity when desired or when necessary, by legal provisions. If the informant reveals their identity, EBMT will still maintain the confidentiality of its identity to the extent required by law.

Information received from an informant will be kept strictly confidential and will only be disclosed if necessary to follow up on the investigation and in compliance with applicable laws.

3.2. Protection of Informants

Any person who files a report in good faith under this policy will be protected against retaliation, threats of retaliation and attempts at retaliation. Retaliation will neither be tolerated against the reporting person's relatives, colleagues or persons who have assisted him or her in making the report or legal entities that the reporting person owns, works for, or is connected with.

Examples of retaliation include:

- Suspension of the employment contract, dismissal, or termination of the employment or statutory relationship, including non-renewal or early termination of a temporary employment contract once the probationary period has been passed.
- Early termination or cancellation of contracts for goods or services.
- Imposition of any disciplinary measures.
- Demotion or denial of promotions and any other substantial modification of working conditions.
- Failure to convert a temporary employment contract into a permanent one.
- Damages, including reputational damages, or economic losses, coercion, intimidation, harassment, or ostracism.
- Negative evaluations or references regarding work or professional performance.
- Inclusion on blacklists or dissemination of information within a certain sector, making it difficult or impossible to access employment or contract for works or services.
- Denial or cancellation of a license or permit.
- Denial of training.
- Discrimination, or unfavourable or unfair treatment.

3.3. Comprehensive Support Measures for Affected Employees

Psychological and Physical Support: The EBMT commits to offering psychological and physical support to any employees impacted by harassment. Resources include professional counselling services, internal support networks, and access to external support as needed.

Safety and Non-Retaliation Measures: Safety measures, such as adjusting workspaces or schedules, will be implemented to ensure that affected individuals do not have continued contact with the accused during investigations. Strict non-retaliation policies will protect anyone who reports misconduct or cooperates with investigations.

4. Non-compliance with this Policy

Non-compliance with this Policy may result in disciplinary action, which may include dismissal, independently of the sanctions provided for by the applicable laws. In particular, disciplinary measures may be applied if:

- A report is made in bad faith or with the aim of obtaining compensation or financial gain.
- The receipt, processing and/or investigation of a report has been prevented or obstructed by action or omission.
- Strict confidentiality obligations in connection with the receipt, processing and/or investigation of a report have been breached.
- Acts of retaliation or threats against an informant.

5. Data Protection

Any processing of personal data obtained in the execution of this Policy will be carried out in accordance with the personal data protection laws.

Who is responsible for the processing of personal data (the controller)?

EBMT is responsible for processing the personal data that you provide when reporting suspicions through EBMT Integrity Channel. In legal terms, EBMT is the data controller for such a processing activity. EBMT processes your personal data in accordance with the provisions of Regulation (EU) 2016/679 of 27 April (GDPR).

What type of personal data is collected and processed?

The type of personal data collected and processed by EBMT when it receives and manages reports through the Integrity Channel may include:

- Identification information such as your name and contact details (if you choose not to report anonymously);
- The name and position of the person(s) concerned;
- A description of the suspicious conduct, including all relevant details.

The data will be processed and stored at the Data Center of Area Project located in the Technological and Scientific Park of Castilla-La Mancha in Albacete, Spain.

Purposes of the processing, why do we process your personal data?

We process your personal data:

- for the proper management of our Integrity Channel
- for checking and analysing the information reported through it,
- for deciding on the appropriateness of initiating an investigation, and
- for investigating the facts reported to detect and prevent possible violations of the law.

Legitimacy of the processing, why may we process your personal data?

In Spain and the Netherlands, EBMT processes your personal data to comply with its legal obligation to set up an internal reporting channel. The legal obligation is established by the Spanish Law 2/2023 regulating the protection of persons who report regulatory infringements and the fight against corruption (Whistleblower Protection Act) and the Dutch Whistleblower Protection Act. (Article 6.1.c GDPR).

In jurisdictions where EBMT is not legally required to have an internal reporting channel, the company processes your personal data based on the legitimate interest and expectation that the communications addressed to us through the Integrity Channel will be properly handled. (Article 6.1.f GDPR).

For how long will we keep your personal data?

Personal data that is irrelevant to the allegations will not be further processed and will be promptly deleted.

During the preliminary assessment of your report, which may last up to three (3) months from the acknowledgment of receipt, we will retain relevant personal data.

If, following the preliminary assessment, it becomes evident that the report does not warrant further investigation or falls outside the scope of the Integrity Channel, the report and associated personal data will be deleted within 2 months (and, if applicable, referred to the appropriate channel/department).

If EBMT initiates an investigation, we may retain your personal data for the duration necessary to conduct the investigation.

These retention periods could be extended if it is required by law or as it may be required to exercise our rights before the courts.

Communication of data to third parties, to whom do we provide your personal data?

Unless required by law, your data will only be communicated to the following categories of recipients:

- Courts and Tribunals, as well as other possible dispute resolution bodies.
- State Security Forces and Corps.
- Notaries and registrars.

We may also share your personal data with providers who need access to it for the provision of the contracted services. In order to guarantee that those providers comply with the relevant data protection laws, EBMT will adopt the necessary measures, including the signing of data protection contracts (Article 28.3 GDPR).

Your rights

You have the right to object, on grounds relating to your situation, at any time of the processing of your personal data. Please note that it may be more difficult, and in some cases impossible, to process a report if you exercise your right to object.

You also have:

- The right to access your personal data. This right includes the possibility of obtaining confirmation from the controller as to whether personal data concerning you are being processed and, if so, access such personal data.
- The right to rectify inaccurate personal data and to complete incomplete personal data.
- The right to request the deletion of personal data, also called "right to be forgotten", which allows you to obtain from the controller the deletion of your personal data in certain cases (e.g., personal data is no longer needed by EBMT for the purpose of processing a report).
- The right to restrict the processing of personal data (including, in some cases, to obtain the suspension of the processing)

These rights cannot be used to prevent EBMT from complying with its legal obligation to receive and handle reports and protect whistleblowers.

If you wish to exercise any of the rights listed above. Please send an email to data.protection@ebmt.org or use the postal address below.

EBMT Data Protection Officer
Aticco Med Fórum
Passeig de Garcia Fària, 49

08019 Barcelona, Spain

You also have the right to lodge a complaint with the supervisory authority if you consider that the processing does not comply with the regulations in force.

6. Annual Policy Evaluation and Monitoring

- **Annual Review:** The Integrity Channel Policy's effectiveness will be reviewed every two years, focusing on the management and outcomes of harassment-related cases. Adjustments will be made based on feedback gathered from employees, with results shared in an annual report to ensure transparency.
- **Feedback and Continuous Improvement:** Employees will be invited to provide feedback on their experiences with the policy, allowing for continuous improvement. Corrective actions or additional training may be implemented as necessary to strengthen the policy's effectiveness.

7. Approvals

This Policy was approved by EBMT ExCOM on 25th November 2024.

8. Reference Documents

- EBMT 168 Protocolo de actuación acoso LGTBI.

9. ANNEX I

Phase	Integrity Channel Policy	LGTBI Protocol
1. Report	Submitted through the Integrity Channel (online, oral, or written). Acknowledgment of receipt within a maximum of 7 days.	Report submitted via the online channel. Acknowledgment of receipt within 2 working days.
2. Preliminary Assessment	Checks scope, plausibility, and whether closure or investigation is appropriate.	After the report is submitted, it is referred to the Investigating Team within 2 working days, which must be established within 1 working day.
3. Committee Formation	The ICDC decides on the investigation. No explicit timeframe for convening.	The Decision Committee must meet within a maximum of 5 working days after receiving the report.
4. Investigation	Must be concluded within 3 months, extendable by another 3 months in complex cases.	Investigation must be completed within 30 calendar days, extendable only for justified reasons.
5. Precautionary Measures	Generally foreseen, but without a specific list.	Specific measures: separation of spaces, suspension from work (without pay), change of schedule or workplace.
6. Closure	Investigation report sent to the ICDC, which decides on actions and sanctions.	The Investigating Team prepares the report and submits it to the Decision Committee (HR Spain + Legal & Compliance), which issues the resolution.

Table 1. Difference between the Integrity Channel Policy and LGTBI Protocol