

OCTOBER 2020

## **PRIVACY POLICY FOR WHISTLEBLOWER SCHEME COPENHAGEN BUSINESS SCHOOL**

This privacy policy describes how Copenhagen Business School (hereinafter referred to as "CBS", "we" or "us") processes personal data when someone reports a serious though the whistleblower scheme.

The personal data processing is described in detail below as well as your rights if someone reports you to the whistleblower scheme and your rights if you use the whistleblower scheme to report someone else.

Please see other special guidelines and process descriptions for the whistleblower scheme in which it is described who can report and who can be reported.

This policy solely concerns the processing and investigation of reports in connection with the whistleblower scheme and must therefore be seen in context with the HR personal data policy and other relevant policies and procedures.

### **1 DATA CONTROLLER**

#### **The legal entity responsible for processing your personal data is:**

Copenhagen Business School  
Business reg. no. (CVR):19596915  
Solbjerg Plads 3

2000 Frederiksberg  
E-mail: [cbs@cbs.dk](mailto:cbs@cbs.dk)  
Tel.: +45 3815 3815

#### **Contact information on our Data Protection Officer:**

Jesper Smedegaard Madsen  
CBS Legal  
E-mail: [dpo@cbs.dk](mailto:dpo@cbs.dk)  
Tel.: +45 3815 2117

## 2 PROCESS DESCRIPTION

Purpose	Personal data categories	Sources	Legal basis	Recipients	Retention
<p>Processing and investigating reports made to the whistleblower scheme about:</p> <ul style="list-style-type: none"> <li>- the person who is reported</li> </ul>	<p>We can process the following categories of your personal data:</p> <p>Ordinary personal data</p> <ul style="list-style-type: none"> <li>• Name, e-mail, telephone number</li> <li>• Other information included in the report</li> </ul> <p>Sensitive information and information about offences or possible offences may be included in the processing.</p>	<p>We can collect information from the following sources – corresponding to the group of persons who have access to use the whistleblower scheme:</p> <ul style="list-style-type: none"> <li>• Employees</li> <li>• Members of Senior Management</li> <li>• Members of the CBS Board of Directors</li> <li>• Suppliers</li> <li>• Collaborative partners</li> <li>• Accountants</li> <li>• Lawyers</li> <li>• Students</li> <li>• Citizens</li> </ul>	<p>We process your personal data on the following legal basis:</p> <ul style="list-style-type: none"> <li>• Article 6.1.e (necessary to perform a task in the public interest or falls under public exercise of authority)</li> <li>• Article 9.2.g (necessary for essential public interests)</li> <li>• The Danish Data Protection Act s. 8 pertaining to information about criminal offences and convictions</li> <li>• The Danish Data Protection Act s. 11 pertaining to civil registration number (CPR)</li> </ul>	<p>We can share your information with:</p> <ul style="list-style-type: none"> <li>• Plesner Law Firm</li> <li>• IT suppliers</li> <li>• External consultants</li> <li>• The police</li> <li>• Public authorities</li> </ul>	<p>We will retain personal data as long as it is necessary for the purposes mentioned.</p> <ul style="list-style-type: none"> <li>• The information is retained for the entire duration of the investigation. The retention period will then depend on the result of the investigation.</li> <li>• If the report falls outside the scope of the whistleblower scheme but does not appear unfounded, the information is forwarded to Mette Kuhlen Gullach, Head of CBS Legal, where it is processed as described in the privacy policy for staff administration.</li> <li>• If a report is filed to the police or another public authority, the information will be retained at least for as long as the investigation is in progress.</li> <li>• If a disciplinary penalty is imposed against the person who has been reported on the basis of the information collected</li> </ul>

					<p>or there are reasonable and necessary reasons to retain the information of the person reported, the information is kept in the employee's staff folder and deleted in accordance with the policy for employee data.</p> <ul style="list-style-type: none"><li>• CBS is covered by the Access to Public Administration Files Act and the data is therefore retained until the case has been submitted to the Danish National Archives.</li><li>• If the report turns out to be unfounded the data will be deleted within 6 months after the finding that the report was deemed to be unfounded.</li><li>• In other situations it is specifically assessed whether there are any reasonable reasons to retain the data and if so for how long.</li></ul>
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<p>Processing and investigating reports made to the whistleblower scheme about:</p> <ul style="list-style-type: none"> <li>- the person who has made the report</li> </ul> <p>This purpose does not include the processing of the reported information - please see above.</p> <p>If a deliberate false reporting is suspected, this also includes investigations of the person who has made the report.</p>	<p>We can process the following categories of personal data about you provided that you choose not to make an anonymous report:</p> <p>Ordinary personal data</p> <ul style="list-style-type: none"> <li>• Name, e-mail, telephone number</li> <li>• The content of your report</li> </ul> <p>Additional information from the persons mentioned under "Sources" in cases where a deliberate false report is suspected.</p>	<p>We can collect data from the following sources:</p> <ul style="list-style-type: none"> <li>• Employees</li> <li>• Members of Senior Management</li> <li>• Members of the CBS Board of Directors</li> <li>• Suppliers</li> <li>• Collaborative partners</li> <li>• Accountants</li> <li>• Lawyers</li> <li>• Students</li> <li>• Citizens</li> </ul>	<p>As described above we process your personal data on the following legal basis:</p> <ul style="list-style-type: none"> <li>• Article 6.1.e (necessary to perform a task in the public interest or falls under public exercise of authority)</li> <li>• Article 9.2.g (necessary for essential public interests)</li> <li>• The Danish Data Protection Act s. 8 pertaining to information about criminal offences and convictions</li> <li>• The Danish Data Protection Act s. 11 pertaining to civil registration number (CPR)</li> </ul>	<p>We can share your information with:</p> <ul style="list-style-type: none"> <li>• Plesner Law Firm</li> <li>• IT suppliers</li> <li>• External consultants</li> <li>• The police</li> <li>• Public authorities</li> </ul>	<p>We will retain personal data as long as it is necessary for the purposes mentioned.</p> <ul style="list-style-type: none"> <li>• The information is retained for the entire duration of the investigation. The retention period will then depend on the result of the investigation.</li> <li>• If the report falls outside the scope of the whistleblower scheme but does not appear unfounded, the information is forwarded to Mette Kuhlen Gullach, Head of CBS Legal, where it is processed as described in the privacy policy for staff administration.</li> <li>• If a report is filed to the police or another public authority, the information will be retained for at least as long as the investigation is in progress.</li> </ul>
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	<p>In principle, sensitive information and information about offences and convictions about you will not be part of the processing of the whistleblower report unless you choose to provide such information about yourself in the report.</p> <p>However, information about offences or possible offences may be included in the processing if a deliberate false report is suspected.</p>				<ul style="list-style-type: none"> <li>• If a disciplinary penalty is imposed against the person who has made the report on the basis of the information collected or there are reasonable and necessary reasons to retain the information of the person who has made the report, the information is kept in the employee's staff folder.</li> <li>• CBS is covered by the Access to Public Administration Files Act and the data is therefore retained until the case has been submitted to the Danish National Archives.</li> <li>• If the report turns out to be unfounded the data will be deleted within 6 months after the finding that the report was deemed to be unfounded.</li> <li>• In other situations it is specifically assessed whether there are any reasonable reasons to retain the data and if so for how long.</li> </ul>
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### **3 INFORMATION TO THE REPORTED PERSON AND RECTIFICATION**

If a report is made concerning you through the whistleblower scheme, you will be notified as soon as possible after a preliminary investigation has taken place and all relevant evidence is secured. In addition, you will receive information about:

- the identity of the person(s) responsible for the investigation of the report
- a description of the content of the allegations.
- who have seen the report

As mentioned below in the section about your rights, you have the right to access the report made about you and the right to request disclosure of the identity of the person who has submitted the report, if the identity of this person is known.

If it is concluded that the report is deliberately false you will be informed about who has made a report about you if the identity of this person is known.

You also have the right to request a rectification of the information in the report you believe to be false, misleading, incomplete or outdated. If your request cannot be met the information will be supplemented with your comments.

### **4 CONSEQUENCES OF THE PROCESSING**

A report to or an investigation of a report to the whistleblower scheme may have significant consequences for the reported person as a report concerns violations or suspected violations of the law the way the scheme is otherwise delimited in the separate guidelines and process description of the scheme.

Correspondingly, a report to the whistleblower scheme may have significant consequences for the person who has made the report in case it is deliberately false. Such cases may have criminal consequences.

### **5 TRANSFERS TO COUNTRIES OUTSIDE THE EU/EEA**

Your personal data is not transferred to countries outside the EU/EEA.

### **6 YOUR GENERAL RIGHTS**

You have the following rights:

- You have the right to request access to and rectification or deletion of your personal data.
- You also have the right to object to the processing of your personal data and have the processing of your personal data restricted.

- In general, you have an unconditional right to object to the processing of your personal data for direct marketing purposes.
- If the processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. Your withdrawal will not affect the lawfulness of the processing carried out before you withdrew your consent.
- You have the right to receive your personal data in a structured, commonly used and machine-readable format (data portability).
- You may always file a complaint with a data protection supervisory authority, e.g. The Danish Data Protection Agency.

In addition, you have the right to object to our processing of your personal data:

- If our processing of your personal data is based on article 6.1.e (public interest or in the exercise of official authority) or article 6.1.f (balancing of interests), see above under legal basis, you may at any time object to our processing of your personal data for reasons that concern your specific situation.

There may be conditions or limitations to these rights and it is therefore not certain that you have the right to have your personal data deleted in the specific case as it will depend on the specific circumstances of the processing activity.

You can take steps to exercise your rights by contacting CBS Legal at [legal@cbs.dk](mailto:legal@cbs.dk).

## **7 RIGHT TO A JUDICIAL REVIEW**

If employment proceedings are taken against you as a result of a report and subsequent investigation, you are entitled to bring the matter before the court.

## **8 QUESTIONS**

If you have any questions regarding this policy please contact CBS Legal at [legal@cbs.dk](mailto:legal@cbs.dk).

*Last updated: 26 October 2020*