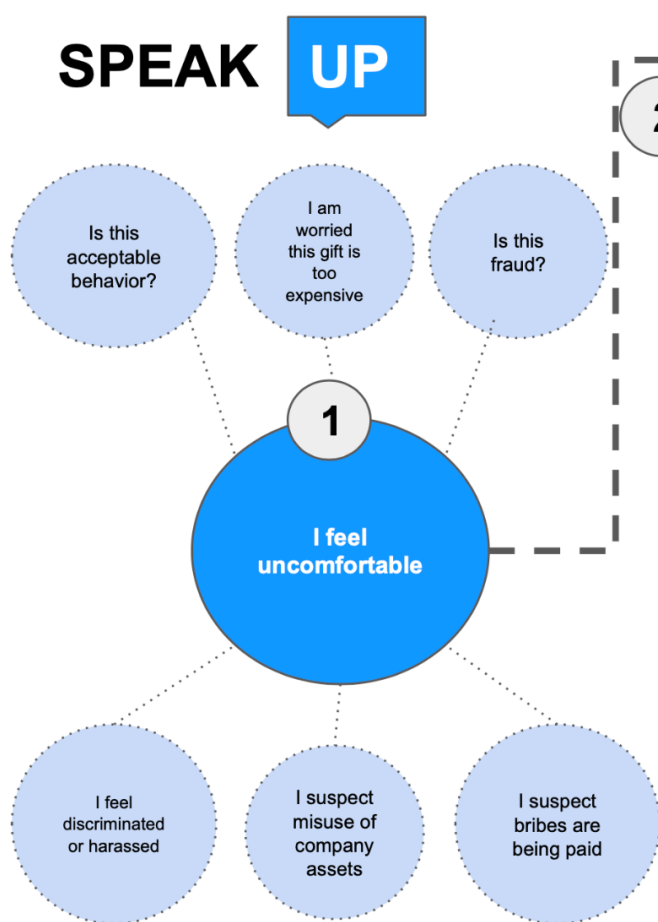


# Vopak Speak Up Policy

(previously: “Whistleblower rules”)



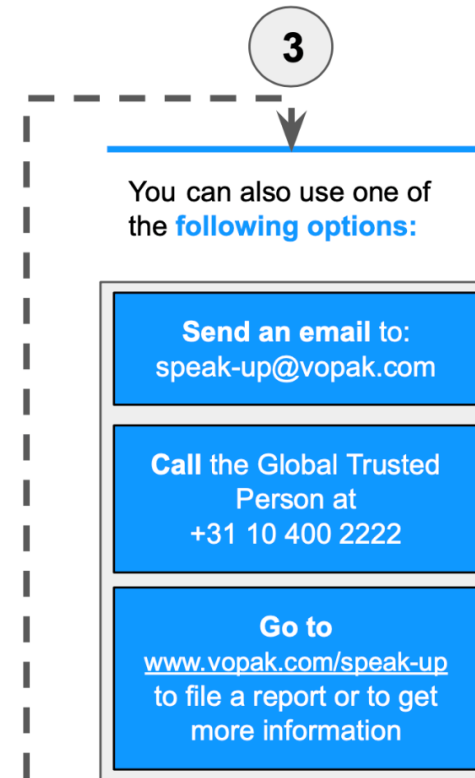
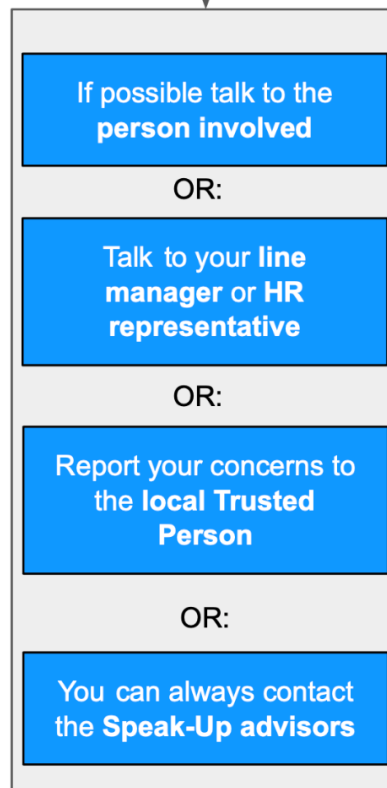
# SPEAK UP



Note: these are examples only

**2**

## WHO CAN I Talk to?



We understand that it is not always easy to raise concerns about misconduct, but we do encourage you to come forward with any concerns and speak up!

Any concern will be dealt with appropriately and confidentially

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# WHY THIS POLICY?

## Why is speaking up important?

Vopak is committed to conduct business with integrity and fairness, respecting the law and our values. In spite of this commitment, you may one day observe conduct that concerns you, or that seems to violate our Code of Conduct or seems to be inconsistent with the Vopak Values. If you observe or suspect such misconduct, you are encouraged to speak up. By doing so, you give Vopak the opportunity to deal with the issue. Remaining silent about possible misconduct may worsen a situation and undermine trust.

Vopak truly values the help of employees who identify and speak up about potential concerns that need to be addressed. Speaking up is encouraged and anyone who speaks up is protected. You will not suffer adverse effects for raising concerns in good faith about suspected misconduct, and we do not tolerate any form of retaliation against you for speaking up. After all: speaking up is essential for us to sustain our reputation, success and ability to operate – both now and in the future.

## What is the purpose of this Speak Up policy?

It explains how you can raise concerns about suspected misconduct in confidence and without fear of retaliation. It also describes what you can expect from Vopak if you speak up.

## Who can speak up?

This Speak Up Policy is available to anyone who feels uncomfortable and wishes to raise a concern about possible misconduct within Vopak. As such it applies in particular to:

- Vopak employees;
- all other workers in a professional context, i.e. employees, self-employed workers, volunteers, unpaid trainees, shareholders, members of supervisory bodies
- independent third-party contractors, subcontractors and suppliers, including amongst others surveyors, ship agents and truck drivers

## What concerns are covered by this Speak Up policy?

This Speak Up Policy can be used to raise concerns about suspected misconduct concerning Vopak, that is: any violation of our Vopak Values, the Code of Conduct and/or its policies under which Vopak operates, including suspected misconduct and breaches of EU law as defined in the Dutch Whistleblower Act (“Wet Bescherming Klokkeluiders”) as well as the laws and regulations of the countries outside the EU in which we operate.

Examples of concerns that can be raised using this Speak Up Policy are:

- Unacceptable or inappropriate behaviour
- Fraud
- Human rights violations
- Discrimination or harassment
- Violations of competition laws and rules
- Money laundering or violations of sanction laws
- Inadequate financial or non-financial record keeping
- Bribery
- Conflicts of interest
- Environmental, health and safety issues
- Improper use of company resources
- Insider trading
- Disclosure of confidential information
- Violations of any of our (other) policies
- Retaliation against anyone for speaking up in good faith

You should not use this policy in case of:

- To settle personal or legal disputes.
- To make accusations which you know are false. Doing so may lead to disciplinary measures.

## HOW AND WHEN TO SPEAK UP?

### How to speak up?

Vopak's Speak Up Policy allows you to raise concerns about suspected misconduct through a variety of channels. This policy does not replace Vopak's regular reporting lines or complaints procedures. If you suspect misconduct, you are encouraged to first address this directly with the person involved. If this would not be appropriate, please feel free to raise questions and concerns through any of the following Speak Up channels:

#### 1. Your line manager, your Human Resources manager

As a general guideline, the first person to approach when raising a concern is your line manager. You may also choose to discuss your concern with your Human Resources manager who can mediate personally on your behalf.

#### 2. Your local Trusted Person(s)

In many countries a local Trusted Person is appointed. These local Trusted Persons are always available to discuss your concerns and/or to report suspected misconduct. Please check the specific situation for your country / operating company.

### 3. Your Speak Up advisor

For each Division (i.e. Americas, Asia & Middle East, Europe & Africa, China and LNG) as well as for the Global Office Vopak has appointed a Speak Up Advisor as a second point of contact for you to raise concerns about suspected misconduct, for example if you prefer not to raise a concern with your line manager.

They are there for you to discuss your concerns in confidence and advise on any next steps. Our Speak Up Advisors are made available to you for individual, impartial and confidential advice, free of charge, on, for example, whether the information in question is covered by the applicable rules on whistleblower protection, which reporting channel might best be used and which alternative procedures are available in the event that the information is not covered by the applicable rules. Our Speak Up Advisor does not participate in any investigation as to protect the confidentiality of conversations. The Speak-Up advisors are:

- |                       |  |
|-----------------------|--|
| For the Divisions:    | <ul style="list-style-type: none"><li>• Division Director HR</li><li>• Division Director Finance</li></ul> |
| For the Global Office | <ul style="list-style-type: none"><li>• Global Director HR</li><li>• Global Director Finance</li></ul>     |

Please check the Vopak Who-is-Who for full contact details of the Speak-Up advisors.

### 4. Global Trusted Person

The Global Trusted Person in Rotterdam, the Netherlands, is overseeing our company-wide efforts to ensure that we conduct business with integrity and fairness, with respect for the law and our values. You can report suspected misconduct to the Global Trusted Person by:

- Email at [speak-up@vopak.com](mailto:speak-up@vopak.com)
- Via the Vopak website: [www.vopak.com/speak-up](http://www.vopak.com/speak-up)
- Post to Global Trusted Person, P.O. Box 863, 3000 AW Rotterdam, the Netherlands
- Verbally via telephone at +31 6 22798008
- Verbally via videoconferencing at [speak-up@vopak.com](mailto:speak-up@vopak.com)
- Verbally via our voice messaging system at +31 10 400 2222.

### **What about ‘external whistleblowing’?**

We strongly encourage you to raise concerns through one of the available channels within Vopak. Taking a concern to an outside party (e.g. the media) can have serious implications for Vopak, for the persons involved and possibly also for yourself. By speaking up internally, you give Vopak the chance to look into the matter and take action if needed. In this way we can truly improve Vopak together.

## What kind of information do you need to provide?

When you file a report (in person, in writing, online or by phone), please provide as much detailed information as you can to enable Vopak to assess and investigate your concern, such as:

- The background, history and reason for the concern
- Names, dates, places and other relevant information
- Any documents that may support your report

A report can only be followed up if it contains sufficient information and there is a reasonable possibility of obtaining further information.

## What should you do if you do not have all the facts?

We encourage you to speak up as soon as possible, ideally before situations get out of hand or damage is done. It is always better to discuss upfront than to report afterwards. If you know about or suspect misconduct, speak up with the facts that you have. We do not expect you to have all the answers and you are certainly not expected to prove that your concern is well founded. Let us look into the matter to determine if there is a reason for concern.

We guarantee that no disciplinary measures or other steps will be taken against you if your genuine concern later turns out to be mistaken or misguided.

# SAFEGUARDING YOUR POSITION: CONFIDENTIALITY

## Do reports remain confidential?

All reporting is done confidentially. This means that information about your concern will only be shared with a limited number of people on a strict need-to-know basis. Information will only be disclosed outside this small group if we are required to do so by law or an important public interest is at stake. In principle, we are obliged to inform the implicated person that a complaint has been filed against him/her, but your identity will not be disclosed. You yourself can help us protect confidentiality by being discreet and not discussing your report with your colleagues or anyone else.

## Is it possible to report anonymously?

You can share your concerns anonymously (where allowed by the laws of your country). We do however encourage you to reveal your identity as it is more difficult, and in some circumstances even impossible, for us to investigate reports that are made anonymously.



## Will your privacy be safeguarded?

Vopak is committed to protecting the privacy of everyone involved. We will do everything to safeguard personal data from unauthorised access and processing. Any personal data obtained as part of this Speak Up Policy will only be used for the purposes explained in this policy or to comply with the law or an important public interest. Please find more details on the protection of personal data in the [Annex](#).

# SAFEGUARDING YOUR POSITION: NON-RETALIATION

## Non-retaliation – How will you be protected if you speak up?

In Vopak we encourage people to speak up about (suspected) misconduct and employees are always protected when they address a concern. Please feel confident that you will not suffer for raising concerns in good faith about suspected misconduct. Any form of threat or retaliation will not be tolerated. More specifically, the following are prohibited:

- Suspension, lay-off, dismissal or equivalent measures
- Demotion or withholding promotion
- Transfer of duties, change of location of work, reduction in wages
- Withholding of training
- Bad evaluations
- Discrimination
- Coercion, intimidation, harassment

Retaliation against reporters is treated as a violation of our Code of Conduct and consequently may lead to disciplinary measures. You will not be protected, however, if you maliciously raise a concern that you know is false.

## What should you do if you notice any retaliation?

If you notice any retaliation against you or against anyone else for raising or having raised a concern in good faith about suspected misconduct, report this via one of our Speak Up channels. A report on retaliation against a reporter is treated like any other Speak Up report and the same procedure is followed, with one important exception:

From the moment that you can demonstrate that (i) you disclosed information (by internal or external reporting or by public disclosure) on a genuine concern and that (ii) you encountered any act of retaliation, the burden of proof shifts to Vopak to demonstrate that the (supposed) retaliating action is not related to your report of suspected misconduct in any way.

## What happens if this policy is misused?

It is a violation of our Code of Conduct to knowingly make a false accusation. Doing so may lead to disciplinary measures.

# FOLLOW-UP – WHAT HAPPENS AFTER YOU SPEAK UP?

## What can you expect if you speak up?

Vopak takes every report of possible misconduct seriously. If you submit a report, you will receive a confirmation of receipt within 7 working days, with an estimate of how long it will take to handle and assess your concern. Your report will undergo an initial review, and if necessary, it will be appropriately investigated. On average, closure of the matter can be expected within 1 to 3 months, but should not exceed 3 months. When necessary due to the specific circumstances of the case this period could be extended to 6 months.

You will be informed of the overall findings, i.e. whether or not Vopak has established that misconduct has taken place. Please note that we will not be able to give you full details of the outcome of a case (or related actions taken) for reasons of confidentiality, privacy and the legal rights of all concerned. If and when appropriate Vopak will provide victim support.

## Who will act on your concerns and how?

All reports of concern that the Global Trusted Person receives are logged into a case management system. In this system, the Global Trusted Person keeps a complete and accurate register of Speak Up reports. When a report is done verbally, e.g. by telephone or voice messaging system, an accurate transcript of the conversation that leads to the report will be retained. Notifications will be retained no longer than is legally required.

Depending on the nature, urgency and potential impact of your concern, the case is handled by an OpCo, Division or a Global Case Manager who works under the supervision and instruction of the Global Trusted Person.

## Review and investigations

Vopak follows a two-phased approach when handling concerns:

- Initial review – We assess the concern and decide if it requires further review and investigation (and, if so, by whom and in which form). You may be approached for additional information.
- Integrity Committee - The Trusted Person will apply a severity ranking for each concern. High-severity cases will be discussed with the Integrity Committee, consisting of the Trusted Person, the Global HR Director and the Global Director Legal Affairs.
- Investigation – If the report requires further investigation, we assign it to an OpCo, Division or a Global Case Manager. The investigation itself focuses on an objective, factual analysis of the case. If needed, outside experts (e.g. lawyers or accountants) can be engaged to assist in the investigation. They work under strict confidentiality.

Review and investigation are conducted in an independent, fair and unbiased manner with respect to all parties involved and in accordance with relevant laws and principles (including fair hearing). Details of the case, your identity and the identity of anyone else mentioned in the report, are kept confidential throughout and after the investigation and are only shared on a need-to-know basis.

### **Appropriate measures**

If your concern is well-founded (i.e. misconduct has indeed taken place), appropriate measures will be taken where necessary in accordance with the law and/or our Disciplinary Policy, where applicable. These measures could include involving external regulatory authorities, inspections or the police. If appropriate measures are taken, you will be informed.

### **What to do if you have a concern about the follow-up on a report?**

If you believe that your concern has not been handled appropriately or that an investigation has not been performed correctly, please inform the Global Trusted Person at [speak-up@vopak.com](mailto:speak-up@vopak.com) or at Global Trusted Person, P.O. Box 863, 3000 AW Rotterdam, the Netherlands.

### **Reporting to the Executive Board and Audit Committee**

If deemed appropriate, the Global Trusted Person will immediately inform the Executive Board and/or the Chairman of the Supervisory Board regarding a Speak Up report and/or the subsequent outcome of the investigation.

In any event, the Trusted Person will provide, on a quarterly basis, the Executive Board and the Audit Committee of the Supervisory Board with an overview of Speak Up reports received during the reporting period as well as the outcomes of investigations.

## **MORE INFORMATION?**

If you have questions relating to this Speak Up Policy or if you need assistance, please contact:

- Your line manager, or Human Resources manager.
- Your local Trusted Person.
- One of the Speak Up Advisors in your Division.
- The Global Trusted Person at [speak-up@vopak.com](mailto:speak-up@vopak.com)

# ANNEX: PROTECTION OF PERSONAL DATA

## This Annex

The Speak Up Policy helps employees, contract staff and external parties to report a suspected wrongdoing by or involving a Vopak Company, employee or contractor staff that is in violation of the Vopak Values, the Vopak Code of Conduct and/or its policies.

This annex explains how Vopak collects, uses and shares personal data for Speak Up purposes. This includes any personal data relating to the person making a report, as well as personal data about those individuals against whom an allegation has been made or those who have been identified as having information about the allegation.

For more general guidance on how Vopak handles your personal data please see the Vopak Privacy Manual.

## Personal data

The sort of personal data Vopak holds as part of the Speak Up process may include: your name and contact details (if you decide not to report anonymously);

- The name and title of the individual(s) you may be reporting;
- A description of any questionable conduct, including all relevant details; and
- Any question you may have.

Although Vopak does not actively seek it, sensitive personal data, as defined by privacy regulations, could be included in the Speak Up report.

Where you provide your name and personal contact details, your identity will be strictly confidential and will not be disclosed, to the person or people to whom the report relates unless you provide your consent. The only exceptions are where Vopak is legally required to disclose your identity; where Vopak is legally permitted to disclose your identity to protect or defend our rights or those of our employees, customers, suppliers or business partners, or; where Vopak has determined that the allegations were malicious and were made in bad faith.

The Speak Up reports may be collected by any data processing means, whether electronic or not. Please note that personal data will in all cases be processed separately from other employee information systems or employee files.

## Purpose of data processing

Vopak may process your personal data;

- To administer your report and assess and follow-up on submission.
- To investigate alleged violations.
- To take any necessary follow-up action upon the completion of an investigation.
- To create anonymous reports for the Executive Board and Audit Committee of the Supervisory Board.

## Legal basis

Vopak will only process your personal data in ways compatible with the purpose for which it was collected. To the extent necessary for such purposes, Vopak will take reasonable steps to make sure that personal information is accurate, complete and otherwise reliable with regard to its intended use.

With regard to this Speak Up Policy, Vopak shall use your personal data in line with the Vopak Privacy Manual, which refers to the grounds for processing personal data for conducting audits and investigations. Vopak relies on legitimate interests as the lawful basis for the collection and use of your personal data.

Your personal data may be kept and used to manage the process as laid down in this policy whilst you are working for us, at the time when your employment ends and for some time after you have left.

## Disclosures

We may permit selected third party experts, such as forensic accountants, external lawyers or consultants, to access your personal information for the purpose of conducting internal investigations in relation to (suspected) violation(s) of our Vopak Values, the Code of Conduct and/or its policies. When Vopak shares personal information with these third parties Vopak requires that they only use such personal information as necessary to provide investigatory services to us and in a manner consistent with the Vopak Privacy Manual and applicable law.

Furthermore, personal data collected for the purposes of this policy will only be disclosed to any other party if Vopak is under a duty to disclose or share your personal data in order to comply with any legal obligation or when necessary to report criminal offences.

## Data retention

Speak Up reports that have been found unsubstantiated shall be removed as soon as possible, including all personal data in or related to these reports. Personal data relating to reports about substantiated claims will be retained only for the period required to serve the Speak Up

purposes, to the extent reasonably necessary to comply with an applicable legal requirement, or as advisable in light of an applicable statute of limitations.

Recording of any disciplinary measures against an employee resulting from a report filed under the provisions of the Speak Up Policy shall be done in compliance with the internal procedures that Vopak maintains in relation to personnel records.

'Remove' means destruction of the personal data or adaptation of the personal data in such a way that identification of the reporter and the implicated person are no longer possible.

## Your rights

Any employee may, at all times, request the Global Trusted Person whether or not a report has been filed against him/her. If so, he/she will be provided with a written overview of the personal data available about him/her unless this would seriously hinder the investigation. If personal data proves to be inaccurate or incomplete, the implicated person can request rectification or completion thereof. Under specific circumstances, an employee may request erasure of personal data concerning him/her or request restriction of processing of personal data concerning him/her.

## Contact

If you have any other question, if you wish to exercise any of the above rights or if you have a complaint about our handling of your Personal Data with regard to the Speak Up procedure, please send an e-mail to [speakup@vopak.com](mailto:speakup@vopak.com), or contact the Global Trusted Person at +31 104002163.

# ADMINISTRATIVE INFORMATION

<b>Title:</b>	Vopak's Speak-Up Policy
<b>Policy owner:</b>	Global Internal Audit
<b>Policy contact person:</b>	Ard Huisman
<b>Stakeholder Panel:</b>	Global Legal, Global HR, Global Internal Audit
<b>Approved by:</b>	Executive Board
<b>Approval date:</b>	Feb 7, 2022
<b>Next review date:</b>	Feb 2027
<b>Related documents:</b>	Vopak's Code of Conduct

2022



[vopak.com](http://vopak.com)