

**PROCEDURE - LEADERSHIP AND COMPETENCE (HR) - WHISTLEBLOWING OF OBJECTIONABLE CONDITIONS\*\***

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Valid for: Avinor AS, Svalbard Airport

Version 1.5

**1 DESCRIPTION**

The procedure shall ensure that Avinor and its subsidiaries comply with Chapter 2 A of the Working Environment Act on Whistleblowing, foster a culture of openness by facilitating the receipt of reports on objectionable conditions, and contribute to the Group achieving its strategic main goals while adhering to the Group's values, leadership requirements, and ethical guidelines.

The procedure applies to employees and hired workers within the Avinor Group who receive or assist in handling a whistleblowing report. It covers the reporting of objectionable conditions in the workplace that would not typically be reported through the deviation system for reporting undesirable events (aviation).

**1.1 Definitions/abbreviations**

Term	Definition
Whistle blowing	When employees and hired workers in Avinor report objectionable conditions within Avinor. In a specific guide published by the Norwegian Labour Inspection Authority, whistleblowing is defined as "reporting objectionable conditions in the workplace." Statements about matters that are publicly known, as well as political and moral expressions, are not considered whistleblowing. The same applies to matters that only concern the employee's own working conditions, unless the matter involves violations of legal regulations, ethical guidelines, or other ethical norms.
Kritikkverdige forhold	Objectionable conditions refer to matters that violate legal regulations, written ethical guidelines, or ethical norms that are widely accepted in society. Examples of such conditions may include: a) Danger to life or health b) Danger to the climate or environment c) Corruption or other financial crimes d) Abuse of authority e) Unsafe working conditions f) Breaches of data protection security Statements about matters that only concern the employee's own working conditions are not considered whistleblowing.
Whistleblowing Channels	Whistleblowing can be directed to the immediate manager, safety representative, union representative, the whistleblowing committee, or others; see section 2.1.

## 1.2 Whistleblowing Methods and Channels

Avinor aims to foster an open culture of expression, with high tolerance for differing opinions and a low threshold for reporting potential objectionable conditions. This applies not only to safety-related matters but also to issues of a legal, ethical, or moral nature.

The employer does not require employees to report in a specific way, but employees must choose a responsible approach to whistleblowing. Avinor provides the following channels for whistleblowing:

- Immediate supervisor or another manager
- Safety representative
- Union representative or another colleague
- CEO / Group CEO
- The Board of Directors
- Whistleblowing Committee: <https://intranett.avinor.no/tema/artikler/Sider/Varsling-og-konflikthandtering.aspx>
- External whistleblowing channel, Bull & Co Law  
Firm: <https://tilbakemelding.avinor.no/Whistleblowing/Create>

The recommended responsible whistleblowing method is open reporting through the chain of command and/or union representatives/safety services. If this is impractical or uncomfortable for the employee, or if the employee for any other reason does not wish to report to their immediate supervisor, they may use the other alternatives. Reporting to the Board of Directors is most relevant in situations where the Group CEO is involved in the objectionable condition.

The Whistleblowing Committee is led by the Compliance Officer. The committee also includes the Chief Safety Representative and two Avinor employees.

## 2 IMPLEMENTATION

### 2.1 When an Employee Should or Is Encouraged to Whistleblow

All employees are encouraged to report conditions they believe are objectionable or concerning. In certain cases, there is also a duty to report. Examples include Section 2-3 (2) d) of the Working Environment Act, which requires employees to notify the employer and the safety representative about harassment, discrimination, and errors or deficiencies that may pose a danger to life or health. Additionally, there is an important duty to report conditions that may pose a risk to aviation safety.

It is up to each individual to decide which whistleblowing channel to use and what to report. Whistleblowers are not required to provide evidence of an incident in their report, but a whistleblowing report should include:

- The whistleblower's name
- Date of the report
- Time period, or specific date and time of the observation

- A detailed description of what the whistleblower has observed, or information the whistleblower has received from others, and if so, from whom
- Location of the actions
- Other witnesses
- Any knowledge of previous related cases

A report will not be dismissed even if some of the information is missing.

## **2.2 Is It Safe to Whistleblow?**

Whistleblowing can be done verbally or through a written communication (letter, email, or similar). The whistleblower may choose to remain anonymous. However, it will be easier to proceed with the report if the whistleblower provides their identity.

Please note that under the General Data Protection Regulation (GDPR), Avinor (the employer) is generally obligated to inform both the whistleblower and the person mentioned in the report. Section 16 of the Personal Data Act provides exceptions to both the right to information and access. The Whistleblowing Committee must assess, on a case-by-case basis, what information needs to be withheld.

The Working Environment Act prohibits retaliation against employees who report objectionable conditions. The only requirement for the employee is that the whistleblowing is done responsibly. The reasoning behind this is that allegations of objectionable conditions can place a burden on the organization, the whistleblower, colleagues, and the workplace environment. Any unfavorable treatment resulting from whistleblowing, whether through actions or omissions, is covered by the prohibition against retaliation.

It is not decisive whether the criticism is ultimately proven to be correct. If you have reason to believe that objectionable conditions exist, it does not matter if it later turns out that your suspicion was unfounded. However, deliberate harassment, defamation, or knowingly false accusations may result in disciplinary or employment-related actions against the person making the report.

## **2.3 Avinor's Handling of Received Whistleblowing Reports**

The person receiving a whistleblowing report must send a receipt to the whistleblower as confirmation that the report has been received. For verbal reports, the recipient must document the information and send a copy of the written version to the whistleblower so they can confirm that the written version accurately reflects the content of the report..

The Compliance function shall establish and maintain a log register of whistleblowing reports and subsequent case handling, ensuring that all cases can be traced. Any manager or employee in the organization who receives a whistleblowing report must, without undue delay, send a summary of the report to the Whistleblowing Committee so that the case can be logged.

The summary must at a minimum include:

- A compilation of the case's content

- The name/department of the whistleblower and/or the person being reported, if this information is provided and the whistleblower does not wish to remain anonymous
- The recipient's assessment of the potential consequences of the report for Avinor
- An overview of the follow-up actions the recipient believes are appropriate, including an assessment of how the whistleblower can be best supported

The recipient may, without regard to confidentiality obligations, contact and consult with the head of the Whistleblowing Committee at any time.

The Whistleblowing Committee will then conduct a risk assessment and quality assurance of the report.

The risk assessment shall include a tailored review and evaluation of the potential consequences of the report for Avinor, such as reputation, personnel, operations, finances, and possible sanctions—assuming the alleged facts are accurate.

Quality assurance involves attempting to establish a dialogue with the whistleblower to gather additional information and, if necessary, obtaining relevant information from other sources (e.g., public registers).

## **2.4 Case Processing of Whistleblowing Reports**

In following up on a whistleblowing report, we are committed to ensuring fair treatment of all parties involved. Reports of potential objectionable and/or illegal conditions contain sensitive information that requires special attention to privacy considerations and the need for confidentiality, including principles of independence, objectivity, and the right to respond. The process also includes an assessment of how to best support both the whistleblower and the person(s) being reported.

The Whistleblowing Committee must determine whether the report concerns a potential objectionable condition and whether it should be handled as a whistleblowing case, a deviation, a professional disagreement, or a personnel matter. If the report involves a potential legal violation, a breach of internal guidelines, or a violation of society's perception of what is ethically acceptable, it should be treated as a whistleblowing case.

If the content clearly does not involve an objectionable condition, the case may be transferred to another process, such as the deviation system. To avoid unnecessary conflict with the whistleblower, it is important to provide an explanation and justification for why the matter is not considered a whistleblowing case. In this assessment, the impartiality of the Whistleblowing Committee is particularly important.

If the content is deemed to involve an objectionable condition and is treated as a whistleblowing case, it is up to the employer to determine the extent of the investigation required. This assessment should take into account the seriousness and complexity of the case.

If the whistleblowing case involves the processing of personal data, the handling must safeguard privacy. The privacy of both the whistleblower and the person being reported must be protected. Strict requirements apply to the collection, storage, and processing of personal data. The person responsible for follow-up must be able to document compliance with obligations

related to information, the right of access, deletion of personal data, and data disclosure, all of which are governed by the Personal Data Act.

The head of the Whistleblowing Committee is responsible for ensuring that:

- Whistleblowing reports are received and registered appropriately.
- If the whistleblower provides their full name, a receipt confirming the report has been received is sent within one week of receipt.
- Where appropriate, the whistleblower is informed about the further handling of the report.
- Management is provided with timely and relevant information about the reported condition.
- The Whistleblowing Committee discusses the case as soon as possible.
- Necessary investigations for the case are identified. The Whistleblowing Committee may seek assistance from others with expertise in the area related to the report.
- All key parties in the case are given the opportunity to respond.
- The most competent person/department for follow-up and implementation of measures is identified.
- Where appropriate and within confidentiality rules, both the whistleblower and the person being reported are provided with written feedback on the outcome of the case.
- The process and the assessments made during the case are documented in the log.
- Group management is always involved when the report concerns financial crime or labor-related crime and may have significant financial or reputational consequences. The Board of Directors must be informed at an appropriate time.
- Avinor's management receives an annual report summarizing the committee's work, the number of cases handled, etc.
- Case documents are deleted when they are no longer necessary for handling the case.

When the Whistleblowing Committee has completed its handling of the case, the committee must prepare a summary note with its assessments, recommendations, and proposed measures, if applicable, to serve as Avinor's decision-making basis for further follow-up of the report. If appropriate, the note is sent to Avinor's management and/or Board of Directors. If the incident is determined not to involve a violation of laws, regulations, or Avinor's values, the Compliance Officer will close the case and provide justification.

A whistleblowing case is considered closed when the whistleblower has received appropriate feedback on the outcome of the case, and documentation has been archived and/or deleted in accordance with the Personal Data Act. If the criticism is found to be unfounded or based on a misunderstanding, the whistleblower must be provided with a thorough explanation.

Retaliation against an employee who reports in accordance with the Working Environment Act is prohibited. If an employee presents information suggesting that the employer has unlawfully

retaliated against the whistleblower, the employer must prove that the action was not motivated by the whistleblowing.

## **2.5 Investigation**

If the whistleblowing leads to an investigation, and it is deemed appropriate, a dedicated investigation team shall be established. The investigation will typically be led and conducted by Avinor's legal service provider, based on a mandate decided by group management. If the case is of significant reputational and/or financial importance, the Board of Directors must be informed as soon as possible that the investigation has been initiated.

The investigation will be carried out by an independent and professional third party in accordance with recognized principles, such as independence and objectivity, and in a manner that ensures all affected parties have the opportunity to present their views on the matter. The investigation's project manager must keep the head of the Whistleblowing Committee informed of progress on an ongoing basis.

The case handling must comply with the provisions of the Personal Data Act and the general procedural rules of the Public Administration Act. The legal rights of both the whistleblower and the person being reported must be safeguarded.

The identity of the whistleblower will always be treated as confidential information. The privacy of both the whistleblower and the person being reported must be protected. Under the Personal Data Act, the person being reported has the right to be informed about and access information concerning themselves and how that information is being processed.

Although the identity of the whistleblower and the person being reported must be treated confidentially, it may be necessary to disclose both the content of the case and the whistleblower's identity to parties involved in the case. If the whistleblowing results in a legal obligation to testify in court, the duty to testify will take precedence over the principle of confidentiality.

The need for legal advice must be continuously assessed throughout the investigation. Additionally, the need to inform other individuals within the company (e.g., the chair of the board, communications officer) should also be evaluated on an ongoing basis.

After completing the investigation, and depending on the outcome of the inquiry, a recommendation must be provided to all relevant parties involved in the incident to ensure adequate follow-up. If there is reason to believe that the reported incident may indicate a criminal offense that would typically warrant public prosecution, the case must be reported to the Group CEO and the Board of Directors. The Group CEO will then decide whether the incident should be reported to the relevant police authorities.

The log register must be updated to include details of the work performed, findings, recommendations, and any measures taken. If it is deemed necessary to implement measures as a result of the investigation, this decision will be made by group management, and the Board of Directors will be informed.

### 3 INTERFACES AND REFERENCES TO OTHER PROCESSES AND DOCUMENTS

N/A

### 4 ATTACHEMENTS

Attachment 1

Illustration of the Procedure for Handling Whistleblowing Reports



1 Receive Report

2 Am I Impartial?

3 Should the Case Be Referred to Compliance?

4 Safeguard and Inform About Case Handling

5 Investigate the Facts of the Case

6 Avoid Drawing Quick Conclusions

7 Retaliation Is Strictly Prohibited

8 Communicate and Provide Feedback

9 Conclude or Implement Appropriate Measures

10 Ensure Confidentiality

11 Document Conversations and Investigations

12 Ensure the Right to Respond