

## **Rules of procedure according to § 8 para. 2 LkSG**

### **I. Establishment and purpose of the complaints procedure**

The Miele company has established an appropriate complaints procedure in accordance with Section 8 of the LkSG. The complaints procedure enables individuals to point out human rights and environmental risks as well as violations of human rights-related or environmental obligations that have arisen as a result of the economic actions of a company in its own business area or of a direct or indirect supplier.

### **II. Responsibility and accessibility**

The complaint procedure is located at the external attorney of confidence (ombudsman), who can be reached as follows:

**Dr. Carsten Thiel von Herff, LL.M.**

Loebellstrasse 4

D - 33602 Bielefeld

Tel: +49 521 557 333 0 / Mobile: +49 151 58230321

**E-mail:** [ombudsmann@thielvonherff.de](mailto:ombudsmann@thielvonherff.de)

**Reporting platform:** [www.report-tvh.com](http://www.report-tvh.com)

**Homepage:** [www.thielvonherff.de](http://www.thielvonherff.de)

The lawyer of confidence shall act as an independent and autonomous lawyer. He is impartial and is not subject to any instructions by the company with regard to the substantive treatment of the matter. The lawyer of confidence is bound to secrecy. If desired, he shall maintain the confidentiality of the identity of a person providing information.

### **III. complaint procedure**

The lawyer of confidence receives the complaint and, if necessary, discusses the facts of the case with the person making the referral. In any case, the informant receives an acknowledgement of receipt.

The lawyer of confidence shall examine whether there may be a breach of duty within the meaning of the LkSG or a violation of other laws or internal rules. If there are sufficient indications of such a breach, he shall pass on the facts submitted to him in an admissible form to the company for investigation, where the Compliance Department is responsible for operational implementation. The lawyer of confidence does not conduct an investigation himself in order not to jeopardize his neutrality.

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The company shall follow up the tip-off in compliance with the law and internal rules and taking into account the interests of all parties involved. The investigation is to be carried out swiftly and without major interruptions.

Persons affected by an investigation must be treated fairly and with respect. The presumption of innocence applies to all persons affected. The right to be heard must be granted. For this reason, the persons affected by a whistleblower are informed as soon as possible about the whistleblowing received and advised of their rights to information and rectification. However, if there is a serious risk that notification would jeopardize the investigation of the tip, notification may be postponed until after the investigation has been completed or until the risk has ceased to exist.

The legal assessment of the facts under investigation and the determination of appropriate measures to eliminate and prevent improper business practices are carried out by the company, which may consult the lawyer of confidence for this purpose. Measures may include, for example, appropriate civil action or the involvement of an authority. Even if no violations are found in a specific case, proposals for changes to work and business processes as well as changes to organizational and behavioral rules may be appropriate.

The person making the report can obtain information on the status of the case from the Ombudsman at any time. Three months after receipt of the report, he or she will receive feedback on the follow-up measures to the report. At the latest after completion of the process, he or she will be informed of the result by the Ombudsman to the extent legally permissible.

### **IV. Protection of the person providing the information**

The whistleblower is generally protected from discriminatory or disciplinary action. Any retaliatory action directed against them will not be tolerated. If there is any indication of retaliation against whistleblowers, the confidential counsellor must be contacted immediately.

If the lawyer of confidence has assured a person providing information of confidentiality, he will not disclose his name and identity to the company or third parties without his consent. Should the lawyer of confidence be questioned as a witness in criminal, civil or other proceedings, he will only disclose the name and identity of the person providing the information if he is permitted to do so in writing by both the person providing the information and the company.

The wish of the person providing the information to protect his or her identity is opposed by the interest of the persons affected by the information in the disclosure of the facts. For this reason, too, deliberate abuse of the

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opportunity to submit complaints and tips will not be tolerated. The confidential counsellor should point out to the person giving the tip-off during the first interview that in the event of deliberate misuse of the complaint procedure, his or her identity may be disclosed to the company.

### **V. Data protection**

Compliance with the statutory retention obligations and the provisions of data protection law is ensured by the lawyer of confidence. The personal data collected is limited to information on the identity, function and contact information of the persons providing the information and the persons concerned, as well as to the other personal data that is absolutely necessary for processing the matter. In addition, only reported facts, processing details, follow-up of the report and audit reports are stored.

The retention period for personal data recorded in the course of tip-offs and investigations is two months after completion of the investigations. This period is extended accordingly if the conclusion of the investigation is followed by disciplinary or legal proceedings or other disputes for which the data must be used.

The data protection officer shall review the data protection conformity of the complaints procedure on a regular basis.

### **VI. Effectiveness of the appeal procedure**

The effectiveness of the complaints procedure is reviewed once a year and on an ad hoc basis, for example if the company anticipates a significantly changed or significantly expanded risk situation in its own business area or with its direct supplier, for example as a result of the introduction of new products, projects or a new business area.