

**PROTOCOL FOR INTERNAL COMPLAINTS
ABOUT POTENTIAL BREACHES OF THE DATA
PROTECTION LAW LOPDGDD 3/2018**

INDEX

- 1- PURPOSE AND SCOPE
- 2- RECEPTION, PROCESSING AND EVALUATION OF COMPLAINTS
- 3- RIGHT TO PRIVACY, HONOUR AND SELF-IMAGE AND PERSONAL DATA PROTECTION
- 4- CONFIDENTIALITY OF INFORMATION AND DOCUMENTATION
- 5- ANNEX I. COMPLAINT FORM
- 6- ANNEX II. Complaint link and QR Code

1.- PURPOSE AND SCOPE

The purpose of these regulations is to establish an internal operating procedure for receiving complaints and their subsequent processing, on acts or situations with characteristics that may involve a crime or potential criminal or administrative offence related to the data protection law LOPDGDD 3/ 2018. The scope shall refer to the entire LAMP SAU professional context, and with any external or internal collaborator, be it a company, client or supplier.

Failure to comply with the obligation to report constitutes an infraction within LAMP's code of ethics and disciplinary system, and shall be dealt with appropriately within the same investigation that assesses any fact that falls within the above-mentioned category.

2- RECEPTION, PROCESSING AND EVALUATION OF COMPLAINTS

The procedure set out below shall be initiated when a complaint is received through the company's whistleblowing channel with the address https://whistleblowersoftware.com/secure/LAMP-canal_de_denuncias; in the event a complaint is received concerning facts that are already being investigated and in progress, the provisions of this protocol shall not apply.

The complaint shall be made by filling in the form available on the LAMP SAU website. Once the complaint has been received or personal interview with the entity's GDPR officer (administration department), who shall fill to this protocol. **The Entity's data protection officer** shall receive this first communication and, in order to keep the identity of the complainant confidential, as provided for in point 3 of this protocol, shall omit their personal details.

The Entity's data protection officer shall, within 6 days of receiving the complaint, communicate to the technician, and the case shall be forwarded to the company's management, HR or to the corresponding department, as appropriate, and shall be required to provide the complainant with an acknowledgement of receipt.

LAMP SAU's data protection officer, supported externally and with the collaboration of a DATA PROTECTION Technician, shall evaluate the complaint, requesting any additional information that may be necessary in order to determine that the facts described may constitute illicit or criminal behaviour or a breach of the entity's rules and protocols. Likewise, they shall verify that the complaint is not clearly implausible, nor that it is the result of a mere subjective assessment by the complainant and lacks any indication of truthfulness.

In the event that the above requirements are not met, the complaint shall be filed, leaving a record in the form of an internal report justifying the reasons for its rejection, and the complainant shall be informed of the rejection.

In the event that the requirements for the complaint to be admitted for processing are met, **the Entity's data protection officer** shall initiate and lead an internal investigation to clarify the facts reported and, if they are true, shall inform the LAMP SAU Board in order to determine the relevant sanctions.

Regardless of whether or not the complaint is filed, **the LAMP SAU data protection officer** shall inform the respondent expressly, precisely and unequivocally about the content of the

complaint, the LAMP SAU personnel and third parties who may have access to it, as well as their rights and obligations, including their rights relating to personal data protection.

In the event that communicating the complaint to the respondent could in any way hinder the internal investigation, this communication may be delayed for a maximum period of two months from the date of the complaint.

The LAMP SAU data protection officer shall create and maintain a register of all complaints received, complying in any case with all appropriate data protection matters.

3- RIGHT TO PRIVACY, HONOUR AND SELF-IMAGE AND PERSONAL DATA PROTECTION

The right to privacy, honour and self-image of anyone who participates or is involved, directly or indirectly, in the proceedings established in this procedure shall always be guaranteed.

The identity of the person communicating and reporting shall not be disclosed and that person shall always be protected from any potential retaliation that may be directed against them as a result of their report. It is strictly forbidden to take any kind of sanction, reprisal or negative consequence against any person for having made a complaint.

The identity of the complainant may, if necessary, be communicated to the person(s) directly involved in the investigation, although they shall in any case be bound by a duty of confidentiality.

The personal data provided when a complaint is made and obtained as a result of the relevant internal investigation shall be processed solely for managing and controlling the complaint and shall only be accessible to LAMP SAU (data and GDPR officers), the companies and entities that have a contractual or corporate relationship with the persons reported, if necessary for the internal investigation and to adopt disciplinary or other appropriate measures, depending on the nature of the relationship with the person in question, and the internal and external professionals and public authorities that may be necessary.

4- CONFIDENTIALITY OF INFORMATION AND DOCUMENTATION

Pursuant to article 24.2 of Organic Law 3/2018 of 5 December, any individual who has knowledge of the information and documentation being reported, communicated and consulted through this Communication and Complaint channel is required to maintain reserve and confidentiality.

Without prejudice to the notification to the relevant authority regarding facts that may be considered a criminal or administrative offence, only when disciplinary measures may be taken against an employee, such access shall be granted to personnel with management and control duties.



Failure to comply with this obligation may result in disciplinary proceedings in accordance with the labour and statutory regulations applicable to the offender.

Reporting a complaint does not exempt the complainant from their potential responsibility for any involvement they may have had in the events reported.

The complainant is required to cooperate in the internal investigation resulting from the complaint.

This is without prejudice to the obligations established by the judicial and administrative authorities for the identification of the relevant subjects.

5- ANNEX I. Complaint link and QR Code

https://whistleblowersoftware.com/secure/LAMP-canal_de_denuncias

