



WHISTLEBLOWING PROCEDURE

France Télévisions Group

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Preamble

The internal whistleblowing system is one facet of the “Ethics and Compliance” programme implemented by France Télévisions Group and is in line with the anti-corruption code of conduct appended to the company’s internal rules. This system helps protect employees and the company, and is a key risk management and prevention tool for our daily business activities. The whistleblowing platform can be accessed by anyone and allows individuals to report a situation that is inappropriate or does not comply with France Télévisions’ principles or the laws and regulations in force.

1. Context

The internal whistleblowing system implemented complies with the following laws and regulations:

- French Law No. 2016-1691 of 9 December 2016 on transparency, the fight against corruption, and the modernization of the economy, otherwise known as the “Sapin II Law” (Articles 8 and 17);
- French Law No. 2017-399 of 27 March 2017 on the duty of vigilance of parent companies and instructing undertakings, otherwise known as the “Potier Law”.

In accordance with French Law No. **2016-1691 of 9 December 2016** on transparency, the fight against corruption, and the modernization of the economy, otherwise known as the “Sapin II Law” (Articles 8 and 17), the whistleblowing system is made available to all Group employees, as well as all external collaborators and temporary workers, to collect reports on events that may constitute a crime or offence or a serious, blatant breach of the laws or regulations, including international laws and regulations, or a threat or serious prejudice to the public interest¹.

Situations or conduct that are contrary to the anti-corruption code of conduct of France Télévisions and its subsidiaries may also be reported via this system.

In accordance with French Law No. **2017-399 of 27 March 2017** on the duty of vigilance of parent companies and instructing undertakings, otherwise known as the “Potier Law”, the whistleblowing system is available to stakeholders to collect information on the existence of serious risks or prejudice concerning human rights, fundamental freedoms, the health and safety of persons, and the environment caused by the business activity of the company and its subsidiaries, as well as that of subcontractors or suppliers with whom a business relationship has been established.

This system is based on four key pillars:

- Protection of a whistleblower who acts in good faith and disinterestedly
- The presumption of innocence regarding the individuals who are the subject of the report
- The appropriate conduct of the parties involved in collecting and processing the report
- Confidentiality

Any act of harassment, reprisal or discrimination towards a whistleblower who has acted in good faith and disinterestedly will be considered a disciplinary offence and punished as such by France Télévisions. The rights of the whistleblower with regard to such acts are protected by the laws in force (French Law No. 2016-1691 of 9 December 2016 on transparency, the fight against corruption, and the modernization of the economy, otherwise known as the “Sapin 2 Law”).

The whistleblowing system is not intended to replace the other existing reporting processes for employees, in particular via line management, but is an additional tool.

<https://alertefrancetelevisionsfr>

¹ Article 6 of French Law No 2016-1691 states that the whistleblower, “Reveals or reports, disinterestedly and in good faith, a crime or offence, a serious and blatant violation of an international commitment duly ratified or approved by France, a unilateral instrument of an international organization taken on the basis of such an undertaking, a law or regulation, or a serious threat or prejudice to the public interest, of which the whistleblower is personally aware.”

2. Definitions

Whistleblower: Any employee or external and occasional collaborator of France Télévisions Group who files a whistleblower's report in accordance with this procedure.

Point of Contact: The person appointed by France Télévisions to receive the whistleblower's report.

3. Internal whistleblowing procedure required by law

Article 8 of the Sapin II Law provides for a three-tier whistleblowing procedure. The whistleblower's protection depends, among other things, on compliance with this procedure:

The *Défenseur des droits* (human rights advocate) may be seized at any time in case of doubt on how to organize a whistleblower's report.

First	Tier One The report is brought to the attention of (choose an option): <ul style="list-style-type: none">- The employee's direct or indirect manager- The employer- "Whistleblower Points of Contact" appointed by France Télévisions (via the secure platform at https://alertefrancetelevisions.fr)
If internal recipients do not take action within a "reasonable period of time"	Tier Two The report is sent to: <ul style="list-style-type: none">- The judicial authorities- The administrative authorities- Professional associations
As a last resort, if the report is not addressed by one of the bodies described in Tier 2	Tier Three The report may be made public.

Emergency procedure:

In accordance with the regulations, in the event of a serious, imminent danger or the risk of irreversible damage, the events may be reported directly to the judicial or administrative authorities or the competent professional bodies. They may also be made public.

4. How to use the whistleblowing system

4.1 Who can file a report?

This system is intended for:

- **All employees (including fixed-term contract employees, school/work students, temporary workers, consultants, interns, occasional workers, freelancers, etc.) who work within or for France Télévisions Group**, i.e. France Télévisions SA or one of the companies in which France Télévisions SA directly or indirectly owns more than half of the share capital or a portion of the capital that confers the majority of voting rights at general meetings² on it, and Fondation FTV.
- **All France Télévisions Group stakeholders** involved in any of our projects: clients, providers, suppliers, subcontractors, unions, not-for-profits, communities, etc.

4.2 What events can be reported?

This system must allow individuals to report any concern about events or conduct:

- That contravene the law or regulations³,
- That are contrary to the group's anti-corruption code of conduct,
- That seriously violate human rights and fundamental freedoms, and/or the health and safety of individuals and/or the environment, and that are caused by the business activity of France Télévisions and its subsidiaries, as well as the business activity of their subcontractors or suppliers with whom a business relationship has been established.

For example, the following may be reported via this system:

- Fraud;
- Violations of competition laws and regulations;
- Fraudulent financial and non-financial reports and statements;
- Personal data breaches;
- Misuse of company assets;
- Any illegal practice that contravenes ethical principles;
- Any illegal practice or any practice that contravenes the anti-corruption code of conduct;
- Disclosure of confidential information;
- Discrimination and harassment;
- Any serious, blatant violation of a law or regulation governing health, occupational safety, or the environment;
- Any serious violation of human rights and fundamental freedoms, and/or the health and safety of individuals and/or the environment, and that are caused by the business activity of France Télévisions and its subsidiaries, as well as the business activity of their subcontractors or suppliers with whom a business relationship has been established

² I.e., as at 31 August 2017 - France Télévisions Publicité; France Télévisions Distributions; France Télévisions SVOD; France TV Studio; GR1; ROM1, France 2 Cinéma; France 3 Cinéma; SCI France Télévisions; SCI Valin; France Télévisions Gestion Immobilière; PAPANGUE IMMO; France télévisions publicité conseil; France Télévisions publicité inter océan.

³ Article 6 of French Law No 2016-1691 states that the whistleblower, "*Reveals or reports, disinterestedly and in good faith, a crime or offence, a serious and blatant violation of an international commitment duly ratified or approved by France, a unilateral instrument of an international organization taken on the basis of such an undertaking, a law or regulation, or a serious threat or prejudice to the public interest, of which the whistleblower is personally aware. The facts, information or documents, regardless of the form or media used, covered by 'national defence' secrecy, medical confidentiality or client-lawyer privilege are excluded from the whistleblowing system defined in this section.*"

4.3 How can I file a report?

The whistleblower must:

- 1) Send a report to the Point of Contact as described below using the platform that can be accessed at **<https://alertefrancetelevisions.fr>**,
- 2) Provide the Point of Contact with all the information or documents, regardless of the form or media used, to explain the facts and allow France Télévisions to assess the situation, notably:
 - The context, background and reason for the report,
 - The names, dates, locations and other useful information,
 - Any document that may support the report,
- 3) Provide information for discussions, when appropriate, with the Point of Contact to whom the report is sent.

To protect the group's interests, the whistleblower is encouraged to report the situation as soon as possible before it worsens or causes harm to France Télévisions.

4.4 What are the admissibility conditions for a report?

The Point of Contact checks the following:

- The whistleblower in fact belongs to one of the categories of eligible individuals (Article 3.1 above)
- The misconduct reported is serious
- The report has been issued in good faith and disinterestedly
- The whistleblower has personal knowledge of the events
- The plausibility of the events reported
- Details on the events reported or the evidence provided

4.5 How is confidentiality protected?

In accordance with the Sapin II Law, the whistleblower's report may be submitted anonymously. An anonymous report will be taken into consideration only if it is sufficiently documented to be able to prove the severity of the events reported. **However, even when the report is not anonymous, the identity of the whistleblower is never disclosed without their consent.**

In fact, all reports are considered confidential. The information reported (with the exception of the whistleblower's identity, which is never disclosed without his or her express consent) is therefore only shared with the individuals necessary to examine the facts. These individuals are bound by a strict confidentiality obligation. A failure to comply with this obligation may carry a penalty of up to two years of imprisonment and a fine of €30,000.

In any event, this confidentiality may not be enforced against judicial or regulatory authorities, nor impede potential disciplinary or legal proceedings.

In order to protect the confidentiality of their reports, whistleblowers must also be very discreet.

5. Who is authorized to receive and process reports?

5.1 Whistleblowing system Points of Contact

The reports are received by the following Points of Contact who, in light of their position, have the competence, authority and means required to fulfil their duties.

They are:

- **Secretary General, France Télévisions SA**
- **Compliance and Ethics Director, France Télévisions Group**

These are the only two Points of Contact authorized to access the internal whistleblowing system. They are responsible for the proper execution of the procedure and communicating with the whistleblower.

The Points of Contact are subject to the following basic principles:

- Confidentiality
- Objectivity and impartiality in conducting the investigation
- Professionalism

The Points of Contact may appoint trustworthy individuals to assist them. If they do, these individuals are bound by the same obligations.

If the report involves the Points of Contact, it must not be communicated on the platform but directly to the CEO of France Télévisions SA.

5.2 *Whistleblowing committee*

The whistleblowing committee is composed of the following individuals:

- Secretary General, France Télévisions SA
- Compliance and Ethics Director, France Télévisions Group
- Deputy CEO responsible for Human Resources and Organization, France Télévisions SA
- Safety and Security Director, France Télévisions SA

If the report involves a subsidiary of France Télévisions, an employee of this subsidiary will attend the whistleblowing committee meetings:

- For France Télévisions Publicité (FTP), FTP's Human Resources Director, or, if this Director is unavailable, the Secretary General;
- For France 2 Cinéma, the Deputy CEO;
- For France 3 Cinéma, the Deputy CEO;
- For France Télévisions Distribution (FTD), the Human Resources Director and the General Counsel;
- For France Télévisions Studio, the Deputy CEO.

The purpose of the whistleblowing committee is to:

- Define the investigation plan once a report has been received
- Approve the investigation report and recommendations (including the action plan) presented by the Compliance and Ethics Director.

If needed, the whistleblowing committee may provide support for the investigation to the Compliance and Ethics Director.

The whistleblowing committee (excluding the two Points of Contact):

- Is not aware of the identity of the whistleblower, unless the whistleblower has consented,
- Is provided exclusively with the information required for it to fulfil its remit,
- Signs a confidentiality agreement for each report.

The Points of Contact may also ask the whistleblowing committee to decide whether a report is admissible, notably when it requires the adoption of precautionary measures to secure and protect the physical and digital media containing data and the computer equipment of the individuals under investigation.

If a member of the whistleblowing committee is involved in a conflict of interest, he or she must recuse him or herself and refrain from participating in the processing of the report.

If the report involves one of the whistleblowing committee members, this individual may not participate in the processing of the report in question.

6. Protection of the parties

6.1 Protection of whistleblowers from reprisals

To benefit from the protection granted to all whistleblowers, the whistleblower must:

- **Act in good faith**, i.e. must not intend to harm and must reasonably believe that the events reported are true at the time of the report
- **Act disinterestedly**, i.e. In the general interest, which means the whistleblower is not trying to satisfy a specific interest, such as a financial interest
- **Have personal knowledge of the events** the whistleblower reports, which means the whistleblower must not deduce or suppose the events he or she discloses and that he or she is not acting on behalf of an employee who refuses to file a report.

If a whistleblower has acted disinterestedly and in good faith, France Télévisions guarantees that he or she will not be subject to any disciplinary penalty or reprisal of any type. This guarantee applies even when the report relates to events that are found to be inaccurate thereafter, or if no action is taken after the report has been filed.

The rights of the whistleblower in these cases are governed by the laws in force. The potential criminal penalty is a maximum of two years of imprisonment and a fine of €30,000.

6.2 Protection of individuals reported

Any individual who is the subject of a whistleblowing report is presumed innocent until the allegations against this individual have been proven.

The Points of Contact take every precaution to ensure that the information that may identify the subjects of a whistleblowing report (name, position, contact details) is kept strictly confidential. If experts must be called on in the course of the investigation, only the information that is absolutely necessary is transmitted and the Point of Contact ensures that the individuals participating in the investigation are bound by a stronger confidentiality obligation regarding the identity of the individual who is the subject of the investigation.

Furthermore, the individuals who are the subject of the whistleblowing report may exercise all of their rights under applicable personal data regulations, notably their right of access, right to rectification or erasure of their data, right to restrict processing of their personal data, the right to object to processing on legitimate grounds, and the right to file a claim with a supervisory authority.

An individual who is the subject of a whistleblowing report may in no case receive communications, on the grounds of his or her right of access, to information on the name of the whistleblower.

To ensure any individual who is the subject of a whistleblowing report has a right of access and to rectify his or her personal data, the Point of Contact must inform said individual of the allegations filed against him or her. When precautionary measures are necessary to prevent the risk of evidence being destroyed, these individuals are informed once said measures have been adopted.

6.3 Retention of collected data

The whistleblowing reports that include personal data will be retained, archived and/or destroyed in accordance with the regulations in force. The Point of Contact is responsible for documenting the investigation and management of the whistleblowing reports.

- ⇒ When the report has been declared inadmissible: the information in the file is destroyed immediately or archived once it has been anonymized*.
- ⇒ When the report is considered admissible:
- When no disciplinary or legal action has been taken, the personal data (on the name of the whistleblower and the individual or individuals who are the subject of the report) set out in the report documentation are destroyed or archived after they have been anonymized*, at the latest two months following the closing of the investigation.
 - When a disciplinary procedure or court proceedings are initiated against the individual under investigation or a whistleblower acting in bad faith, the personal data in the report documentation are retained by the Compliance and Ethics Department until the end of the procedure or proceedings or the end of the period to appeal the decision on the whistleblowing platform.

The data that are the subject of retention measures are saved in an archiving system with limited access on the whistleblowing platform. The two Points of Contact are the only individuals who have access thereto.

*For traceability and reporting requirements, the name of the entity concerned, the date of the whistleblowing report with an anonymized description of the events, the report's ethical issue, the anonymized result, and the date the matter is closed by the Point of Contact may be retained in any event, but no information on the identity of the individuals involved may be retained.

6.4 Protection of personal data

The system pertaining to whistleblowing and the processing of internal whistleblowing reports constitutes personal data processing (see the Personal Data Protection appendix).

Individuals have a right of access to and rectification of their data and a right to restrict processing of said data, which they may exercise by contacting the Compliance and Ethics Director at caroline.pasquet@francetv.fr.

The company has conducted an impact analysis of this system.

7. Description of the process - key steps in the whistleblowing procedure

⇒ Step 1: Issuance of the report

The whistleblower sends his or her report to the Point of Contact appointed by France Télévisions by connecting to a secure external platform at <https://alertefrancetelevisions.fr>.

This platform may also be accessed from the intranet and institutional website of France Télévisions (Francetv&vous).

⇒ Step 2: Acknowledgement of receipt

The Point of Contact informs the whistleblower via the whistleblowing platform that his or her report has been received.

The Point of Contact indicates:

- The period required to conduct the initial examination of admissibility of the report (which may not exceed two months),
- The methods the Point of Contact will use to inform the whistleblower of the outcome of the report.

The acknowledgement of receipt confirms the fact that the whistleblowing report has been recorded and exists. **It does not mean that the report is considered admissible.**

All communications with the whistleblower take place via a secure electronic messaging

system that is accessed directly from the platform.

⇒ *Step 3: Examination of the admissibility of the report*

The Point of Contact analyses the admissibility of the report in accordance with Article 3.4 above. He or she then informs the whistleblower of the results of the analysis.

When it is obvious that the report does not fall within the scope of application of this system, this may be indicated forthwith in the acknowledgement of receipt.

If, in light of the examination of the facts, the report is deemed inadmissible and no further action is taken, the whistleblower and the individuals who are the subject of the report are informed that the matter has been closed.

If the Point of Contact has not verified the admissibility of the whistleblowing report within a reasonable period, which may not exceed two months, the report may be sent directly to the judicial or administrative authorities or to the competent professional associations, in accordance with the regulations in force.

⇒ *Step 4: Communication to the individual who is the subject of the report*

The Point of Contact informs the individuals who are the subject of the report forthwith. These individuals may access their personal data and ask for the rectification or deletion thereof if said data are inaccurate, equivocal or have expired.

However, when precautionary measures are required, notably to prevent the destruction of evidence related to the report, these individuals are only informed once said measures have been adopted.

The following information, in particular, is provided to any individual who is the subject of a whistleblowing report:

- The alleged facts,
- The departments that potentially received the report,
- The methods to exercise his or her right of access and to rectification.

⇒ *Step 5 Examination of the allegations in the whistleblowing report*

The whistleblowing committee is in charge of defining the investigation plan.

Depending on the nature and severity of the events reported, the whistleblowing committee may decide that:

- The report requires an internal investigation to be conducted by the Compliance and Ethics Department;
- One or more experts must be called upon, depending on the nature of the report. These individuals are bound by a strict confidentiality duty when examining the events;
- The report requires an internal or external audit;
- The report requires an investigation by a law firm.

If an investigation is not deemed necessary, the Point of Contact must in any event ensure that the facts are documented (see 3.3 above) in accordance with the regulations in force.

As part of the internal investigation, any individual called upon to participate (Point of Contact, expert, lawyer or auditor) is subject to the rules set out in the Internal Investigations Charter and the following basic principles:

- Confidentiality
- Objectivity and impartiality in conducting the investigation
- Professionalism

⇒ *Step 6: Drafting the investigation report*

The Point of Contact draws up the investigation report in which the whistleblower's name is not

disclosed. This report describes all the investigations conducted and provides recommendations (including an action plan), and is handed over to:

- Either the CEO if a member of the Executive Committee is involved or the facts are particularly serious
- Or to a member of the Executive Committee responsible for the business area in question.

The report recipients will be in charge of monitoring the implementation of actions under the supervision of the Compliance and Ethics Department. Once the recommended actions have been implemented, the Point of Contact will close the whistleblowing report on the platform.

⇒ *Step 7: Closing the whistleblowing report process*

The whistleblowing reports that are proven to be factual are considered closed when all of the corrective actions defined in the investigation report have been implemented.

The Point of Contact decides when to halt all operations related to the management of the whistleblowing report. The whistleblower and the individual who is the subject of the whistleblowing report are informed by the Point of Contact on the platform that the whistleblowing report process has been closed.

⇒ *Step 8: Investigation by the authorities*

If management of France Télévisions believes it is necessary to inform the authorities of the events reported, it may contact the competent authorities. The whistleblower is informed of the actions taken relative to his or her report.

As a last resort, if the authority seized has not dealt with the matter within a period of three months, the whistleblower may make the facts public.

8. Disciplinary procedure

Disciplinary actions are taken in accordance with the procedure provided in the internal rules of each of France Télévisions Group's companies.

The author of any whistleblowing report filed in bad faith or for scurrilous purposes or of any malicious accusation may be subject to criminal and/or disciplinary penalties.