

PERSONAL DATA PROTECTION POLICY - SPEAK UP

INTRODUCTION

The purpose of this document is to set out the conditions under which personal data (hereinafter "personal data") communicated or collected in the context of Speak Up reports issued via the L'ORÉAL SPEAK UP system is processed, in accordance with L'ORÉAL's Group Speak Up Policy.

PERSONAL DATA PROCESSED

In the event of a Speak Up report, the reporter may be required to communicate to L'ORÉAL personal data concerning him or her, as well as, where appropriate, personal data concerning the person(s) concerned, and possibly the person(s) who can provide information necessary for the processing of the Speak Up report.

In addition, L'ORÉAL may collect and process personal data relating to other persons (witnesses, respondents, persons named in an interview) as part of the processing of a Speak Up report.

Personal data which are manifestly not relevant for the processing of a specific report shall not be collected or, if accidentally collected, shall be erased without undue delay.

The types of personal data that may be collected and processed include:

- the identity, functions and contact details of the reporter,
- the identity, functions and contact details of the persons implicated in the Speak Up report,
- as well as any other information communicated voluntarily by the reporter or resulting from the processing of a Speak Up report. Such information must remain factual and have a direct link to the subject of the report.

When processing a report, L'ORÉAL may also collect personal data from persons who can provide information necessary for the processing of reports (who may or may not be identified by the reporter).

PURPOSES and LEGAL BASES

The purpose of collecting and processing this personal data is to determine the admissibility of the reports, to verify the facts and to take corrective measures if necessary.

This personal data is processed in accordance with the legal obligations incumbent on L'Oréal and requiring the implementation of the following measures:

- The reporting system resulting from the Sapin 2 law of 9 December 2016 (article 17) is a compulsory system whose purpose is to report the facts relating to the existence of conduct or situations contrary to the company's code of conduct in order to prevent and detect the commission, in France or abroad, of acts of corruption or influence peddling
- The reporting system resulting from the Sapin 2 law of 9 December 2016 (articles 6 and 8) is a compulsory system whose purpose is to alert the authorities of any crime or offence, serious and manifest violation of an international commitment duly ratified or approved by France, of a unilateral act of an international organisation taken on the basis of such a commitment, of the law or regulations or a threat or serious prejudice to the general interest

- The reporting system resulting from the law of 27 March 2017 relating to the duty of vigilance, the purpose of which is to collect reports relating to the existence or realisation of risks of serious violations of human rights and fundamental freedoms, health and safety of persons and the environment, resulting from the activities of the company and those of the companies it controls, as well as the activities of subcontractors or suppliers with whom an established commercial relationship is maintained, when these activities are related to this relationship.

In addition, L'Oréal processes personal data as part of its legitimate interest in upholding the ethical principles of the L'Oréal Group by implementing two optional systems:

- The reporting system resulting from the company's ethical principles, the purpose of which is to collect reports of violations of the Group's Ethics Charter and Ethical Policies
- The system concerning the prevention of reprisals is an optional mechanism whose purpose is to fight against any form of reprisals likely to be taken against the perpetrator whose identity has been disclosed, relatives and any person who has given information in connection with a Speak Up report.

Where Speak Up reports contain sensitive data, for example concerning a person's sexual orientation, health data or data relating to criminal convictions or offences, such data may in particular be processed where such data are necessary for the establishment, exercise or defence of legal claims.

As part of the management of the Speak Up report or after it has been issued, data will be kept for the creation of statistics, in particular for the purpose of:

- Steering the activity of conducting ethical investigations, e.g., timeframes for conducting investigations, number of investigations at key stages of the investigation management process, etc.
- Communicating with employees: number of reports per country, nature of allegation, etc.

The statistical data stored or those used for their construction are always purged of personal data and never identify an employee.

DATA CONTROLLERS

L'ORÉAL S.A. 41 rue martre, Clichy, France acts as data controller in relation to the personal data collected and processed.

When handling a Speak Up report, personal data may be collected or processed by, or transferred to other entities of the L'ORÉAL Group, for example, the entity where the relevant Employee, External Staff, or Stakeholder is employed or located. In this case, these entities also act as data controller. All L'ORÉAL entities shall process personal data for the purposes outlined in this Privacy Statement. For further information about other entities' use of personal data in relation to the Group Speak Up Policy, please refer to the applicable entity's privacy policy or statement, and any applicable whistleblowing policies or statements.

Persons whose personal data is collected and processed in this way by the L'ORÉAL Group may contact the following department for further information:

L'Oréal S.A.
 Direction Générale de L'Ethique
 (Office of the Chief Ethics Officer)
 41 rue Martre
 92100 Clichy, France
 Tel: +33 1 47 56 87 93

For further information about the collection and processing of personal data by a specific L'ORÉAL entity, you will find the personal data contact details of the entity concerned: dpo@loreal.com.

RETENTION PERIOD

Personal data is only kept in a form allowing the identification of individuals for the time strictly necessary to achieve the purposes pursued. Anonymous data, i.e. data that can no longer be linked to one or more identified or identifiable natural persons, may, however, be stored for an unlimited period of time.

Subject to the applicable legal provisions on the retention of documents, if a Speak Up report is deemed inadmissible, the data relating to the report shall be anonymised or deleted without delay upon receipt of the report.

If the Speak Up report is deemed admissible, the data relating to the report are kept for the time necessary for the investigation.

If no action is taken, the data relating to the Speak Up report shall be anonymised or deleted within a maximum of 2 months from the end of the verification operations, subject to the applicable legal provisions on the retention of documents.

“Subsequent” means any decision taken by the agency to draw the conclusions of the Speak Up report. This may involve the adoption or modification of the organisation's internal rules (internal regulations, code of ethics, etc.), a reorganisation of the company's operations or services, the pronouncement of a disciplinary measure in any form, a procedure pending before a public authority in connection with the facts mentioned in the Speak Up report, or the implementation of legal action.

Once the Speak Up report has been followed up, the data collected is kept for the time necessary to implement the remedial plan. For example, data may be kept until the end of disciplinary or litigation proceedings against the respondent or the author of an abusive report, or for the duration of the statute of limitations for appeals against the decision.

At the end of this period, the data relating to the Speak Up report may be kept in the form of an intermediate archive for the purposes of protecting the whistleblower, for the detection of continuing offences or for the defence of a legal claim. In this case, the retention period selected by default corresponds to the duration of the legal statute of limitations in matters of tort, i.e. a period of 6 years from the last recorded fact, subject to the local legal provisions applicable to the retention of documents.

The cookies used on the speakup.loreal.com website do not under any circumstances allow the capture of personal information that could lead to the identification of a user. They are used to document the use of the site by users, for example: number of connections, duration of connection, country in which the user connects, etc.

Below is a summary table of the retention periods for data relating to the Speak Up report:

Time steps for processing a Speak Up report (day = working day)

		Acknowledgement of receipt of the Speak Up report	Communication of the time needed to examine the admissibility of the report for consideration (as of receipt of the report)	Information on the existence of the report to the accused persons and the collection of the personal data concerning them (as of acknowledgement of receipt of the report)	Reporter receives feedback on follow-up action taken (as of acknowledgement of receipt of the report)	Implementation of the remediation plan (as of the validation of the investigation report)	Anti-reprisal verification measures (as of the validation of the investigation report)	Intermediate archiving (only the data necessary for the pursuit of the purposes of the processing - [as of the validation of the investigation report])		Intermediate archiving: Deletion and/or anonymisation of personal data linked to the report	
								Disciplinary or contentious proceedings initiated against the respondent or the author of an abusive report	Recording of ongoing infractions and protection of the whistleblower		
Inadmissible report	Because allegations are clearly out of scope	Automatic and/or immediate	7 days	N/A	Informing of inadmissibility within 15 days	N/A	N/A	N/A	N/A	Without delay after the feedback on inadmissibility	
	Lack of information (e.g. anonymous report without response from the reporter)							N/A	6 years	Immediately after expiry of the intermediate archiving period or after anti-reprisal verifications	
Admissible report	Legal proceedings or equivalent in progress							6 years or period linked to the current procedure	N/A	Retention: the time taken to establish continuous infractions (retention period extended with each new alert) - statute of limitations: - tortious of 6 years - and criminal of 20 years.	- 2 months: from the closing of non-reprisal operations. - continuous infringement: immediately after expiry of the intermediate archiving period
	But no remediation plan (training, disciplinary action and other measures)							N/A	6 years or the period of time related to an ongoing disciplinary procedure following the implementation of the remediation plan		
	With remediation plan (training, disciplinary action and other measures)										

DATA RECIPIENTS

The EQS provider hosting the digital solution has no access to any data exchanged on the platform. Exchanges are encrypted/secured from end to end. Thus, the provider's role is limited to providing an operational IT service, without ever getting involved in an investigation.

The persons who may access the investigation data are:

- Those involved in an investigation, such as: witness(es), reporter(s), respondent(s), etc., who have been implicated in an investigation.

Those involved in the management of an investigation, in particular: the Director General for Ethics (DGE), the persons mandated by the latter to deal with Speak Up reports and more generally any persons who may be called upon in the context of the collection and/or processing of the Speak Up report or to take appropriate measures, in accordance with the Group Speak Up Policy. This may include individuals within L'ORÉAL or its entities, for example the investigation supervisor, investigator, HR and respondent manager, law firm if outsourcing the investigation to an independent third party, or translation company.

Each person receives only the information strictly necessary for their involvement for them to resolve the Speak Up report.

Access to the intermediate archives is limited to the DGE or the persons authorised by the DGE to process reports and is only possible to ensure the protection of the reporter or the persons who participated in processing the Speak Up report or in the event of a new challenge to a person covered by a previous report or to enable L'Oréal to respond to a judicial challenge or at the request of the authorities.

If a Speak Up report was made through the secure L'ORÉAL SPEAK UP website:

www.lorealspeakup.com, L'ORÉAL's external service provider is also considered as data recipient. All these persons are bound by a strict confidentiality obligation and are obliged to process the data in strict compliance with this procedure.

TRANSFERS OF PERSONAL DATA OUTSIDE THE EUROPEAN UNION

When processing a Speak Up report, personal data may be transferred from L'ORÉAL Headquarters in France to the persons handling the Speak Up report based in the relevant entities. The purpose of these transfers is to enable the processing of Speak Up reports.

Transfers of personal data to countries outside the European Union not ensuring an adequate level of data protection are subject to appropriate safeguards, including standard contractual clauses approved by the European Commission. Persons whose personal data is collected and processed in the context of a Speak Up report may request a copy of the guarantees put in place (e.g. standard contractual clauses) from the service mentioned above.

RIGHT TO OBJECT

Any person whose personal data is collected and processed under the L'ORÉAL SPEAK UP system has the right to object to the processing of their personal data for reasons relating to their particular circumstances.

Such a right to object may not be exercised for processing operations necessary for compliance with a legal obligation or in the legitimate interest of the controller.

Please note that it can be more difficult, and in some cases impossible, to process a Speak Up report if a reporter exercises their right to object.

Moreover, this right to object cannot be used to prevent L'ORÉAL from fulfilling its legal obligation

to process Speak Up reports and protect reporters.

OTHER RIGHTS

Any person whose personal data is collected and processed within the framework of the L'ORÉAL SPEAK UP system also has:

- the right of access to their personal data, which means to obtain from the data controller confirmation as to whether or not personal data concerning them is being processed, and, where that is the case, access to the personal data with some specific information on its processing (in compliance with the applicable legislation). The exercise of this right must not give the person exercising it access to the personal data of other natural persons.
- the right to rectify inaccurate personal data and to complete incomplete personal data. This right must not allow the retroactive modification of the elements contained in the report or collected during its instruction. It thus enables factual data to be corrected, the material accuracy of which can be verified by supporting evidence, without erasing or replacing the data originally collected.
- the right to ask for personal data to be deleted, also called "right to be forgotten", which allows data subjects to obtain from the data controller the deletion of their personal data in certain cases (e.g. the personal data is no longer necessary for L'ORÉAL for the purposes of processing a Speak Up report). The exercise of this right is subject to any legal document retention requirements applicable to L'ORÉAL
- the right to restrict the processing of the personal data (including, in some cases, to obtain the suspension of the processing), and
- the right to give instructions about the retention, deletion and communication of their personal data after their death.

As for the right to object, the rights mentioned above cannot be used to prevent L'ORÉAL from fulfilling its legal obligation to process Speak Up reports and protect the reporters.

These rights can be exercised by sending a request to the data controller as described in the data controller section.

RIGHT TO LODGE A COMPLAINT

Any person whose personal data is collected and processed under the L'ORÉAL SPEAK UP system has the right to lodge a complaint with the competent supervisory authority, in particular in the European Union member state in which they have their habitual residence or place of work, or place of the alleged infringement of applicable rules.

