

Whistleblowing policy – Aalborg University

1. The object of the whistleblowing scheme

The object of the whistleblowing scheme at AAU is to ensure a safe framework in which employees and others with a connection to Aalborg University can express their views on objectionable affairs without fearing adverse consequences.

The whistleblowing scheme is designed to contribute to the detection of serious errors and neglect and to the widest extent possible prevent them.

The whistleblowing scheme is a supplement to the direct and daily communication at the workplace regarding errors and unsatisfactory conditions, etc.

Reports to the whistleblowing scheme are filed online via a web portal, Safe2Whistle, which is accessed via www.aau.dk.

2. Who may file a report?

The whistleblowing scheme is available to all employees and business partners, including cleaning staff and craftsmen as well members of the Executive Management and the University Board of AAU. People with different work relations to AAU, such as external examiners, guest lecturers or researchers, associated lecturers and professors as well as retired professors, may use the scheme as well.

Whether your association to Aalborg University has not yet commenced or your working relationship has ended, you may file a report under AAU's whistleblowing scheme.

3. What may the report relate to?

The whistleblowing scheme may be used only to file reports about issues included under the Danish Whistleblowing Act (act no. 1436 of 29 June 2021 and any subsequent amendments). As such, reports may be filed under the AAU whistleblowing scheme concerning

- certain violations of EU legislation and

- serious violations of the law as well as other serious issues

As for violations of EU legislation, reports may be filed on, for instance,

- Violations relating to the rules on the protection of privacy, personal information and the security of networks and information systems as well as the rules on public tender. Reference is made to the specific rules in Article 2 of EU Directive 2019/1937 of 23 October 2019 on protection of persons reporting violations of EU legislation.

Serious violations of the law as well as other serious issues are, for instance,

- Criminal offences, e.g. abuse of funds, theft, fraudulent misrepresentation, embezzlement, fraud, bribery, corruption, etc.
- Severe or repeated violations of legislation, including, for instance, legislation on use of force, the Danish Public Administration Act (*forvaltningsloven*), the Danish Act on Public Access to Documents in Administrative Files (*offentlighedsloven*), the Danish Act on Universities (*universitetsloven*) as well as the rules governing public funding of universities
- Severe or repeated violations of material internal guidelines, for instance concerning gifts, financial reporting, the statute of the independent institution Aalborg University, as well as AAU's rules concerning the delegation of the Rector's authority.
- Severe or repeated violations of administration law principles, such as the principle of investigation, the objectivity requirement, the principle of abuse of power, proportionality, and similar
- Serious interpersonal conflicts in the workplace, e.g. in the form of sexual harassment or other serious harassment.

If you wish to report a suspicion of scientific dishonesty, please use the reporting form found under this [link](#), where you will also find information about Aalborg University's Practice Committee. If you do not feel comfortable with this, reports received through the whistleblowing portal involving suspicions of violations of the Danish Act on Scientific Dishonesty (*lov om videnskabelig uredelighed*) will generally be forwarded to the Practice Committee at AAU. This is to ensure uniform processing of these cases. If your report concerns a violation of the Scientific Dishonesty Act, the following information will be useful in the further processing:

- The scientific product concerned in your report,
- The researcher(s) or scientific staff member(s) concerned in your report,
- The alleged violation of good scientific practice concerned in your report
- The reason for the allegations made.

Thus the whistleblowing scheme generally does not apply on dissatisfaction with salary levels, minor offences such as violations of in-house guidelines on smoking and alcohol, or less serious interpersonal conflicts and disagreements.

4. How to file a report

If you file a report, generally the following information will be useful in connection with the further investigation of the case:

- A description of the issue, including date, place and the name(s) of the person(s) involved
- Any documents or proof regarding the violation or other information that may facilitate the investigation of the matter

It is up to you whether you want to submit the report in your own name or anonymously.

If you choose anonymity, it is important that you do not state your name anywhere in the report. Moreover, you must be aware that it cannot be ruled out that your identity may be derived from the information you have provided in the report.

AAU may be under an obligation to make the report available to the persons affected by it or by the measures that it may result in.

5. How we handle the matter

Reports to the whistleblowing scheme are, as mentioned above, made online via a web portal, Safe2Whistle, accessible via the Internet.

Bech-Bruun manages the scheme as data processor. The use of an external party is to ensure impartiality and objectivity in the processing of the reports.

As external administrator, Bech-Bruun will eliminate the reports not falling within the scope of the scheme, see clause 3, and which must instead be processed via the common channels of communication. In this connection, it will be suggested that you approach the relevant person, for instance your immediate supervisor, his/her supervisor or another contact.

Reports that fall within the scope of the scheme are forwarded through the whistleblowing portal to AAU's whistleblowing unit, which will process and investigate the report. Through the whistleblowing portal, Bech-Bruun will be notified about the result of the investigation and will assess whether the matter may be considered as closed, or whether the report should give rise to additional investigations.

Reports concerning members of AAU's whistleblowing unit or the rectorate will be processed by Bech-Bruun in collaboration with the chairman of the University Board. Reports concerning the Executive

Management or members of the University Board will be processed by Bech-Bruun in collaboration with the chairman of the University Board. Reports concerning the chairman of the University Board will be processed by Bech-Bruun in collaboration with two members of the University Board who are not disqualified in the relevant case.

No later than 7 days after receipt of the report through the whistleblowing portal, you will receive confirmation that the report was received. Generally, within 3 months after receipt of such confirmation, you will receive notification that the case has been closed. If the processing of your report requires more than 3 months, you will be informed of this as well as of the reason why further investigation time is required. Generally, within the framework of the relevant legislation, you will be informed about the outcome of the investigations.

All communications between you and Bech-Bruun is through the whistleblowing portal. As such it is important that you follow the case, if you want to receive confirmation for receipt of your report, a reason for extended processing, or you want to be informed about the outcome of the investigations into your report.

6. Protection of the person filing a report (the whistleblower)

AAU will not tolerate harassment, retaliation or other types of sanctions against persons reporting a matter in good faith in the whistleblowing scheme.

Incorrect or misleading information may not knowingly be reported through the whistleblowing scheme. Depending on the circumstances, reports made in bad faith may have adverse employment-law consequences for the person making the report.

7. Duty of confidentiality

Together with AAU's whistleblowing unit and the persons involved in connection with the investigation of the report, as external administrator Bech-Bruun is subject to a particular statutory duty of confidentiality as regards the information investigated under the whistleblowing scheme.

8. Notification to the person the report concerns and to other persons

If information is reported about you under the whistleblowing scheme, and the report is assessed as falling within the scope of AAU's whistleblowing scheme, generally you will not be notified.

However, if the report is considered to fall outside the scope of AAU's whistleblowing scheme, you will be notified in accordance with the General Data Protection Regulation (GDPR) and the rules of the Danish Data Protection Act (*dataskyttelsesloven*).

9. Data protection

The processing of personal data in connection with a report is based on s. 22 of the Whistleblowing Act, under which personal data subject to Articles 6, 9 and 10 of the GDPR may be processed if necessary to process a specific report received under a whistleblowing scheme that is set up in accordance with the Whistleblowing Act.

Further, the GDPR and the Data Protection Act apply to the processing of personal data in relation to the whistleblowing scheme.

Aalborg Universitet, Fredrik Bajers Vej 7K, 9700 Aalborg, Denmark, CVR no. 29102384, is the data controller of the whistleblowing scheme.

For further information about the processing of personal data go to [AAU Privacy Policy and AAU Cookie Policy \(aau.dk\)](#).

Contact Lise Lauridsen, lawyer, Bech-Bruun, at +45 7227 3635, with any questions to the whistleblowing policy.

If you wish to complain about the processing of personal data, contact the Danish Data Protection Agency, Carl Jacobsens Vej 35, 2500 Valby, Denmark dt@datatilsynet.dk.

If you do not feel comfortable using AAU's whistleblowing scheme or for other reasons prefer to use an external whistleblowing scheme, you can use the Data Protection Agency's external whistleblowing scheme, which accepts written as well as oral reports. The Data Protection Agency's whistleblowing scheme can be accessed from the Agency's website.