Code of Procedure for the Complaints Procedure under the Supply Chain Due Diligence Act (LkSG)

This document is the code of procedure of Landesbank Hessen-Thüringen Girozentrale (hereinafter: Helaba) for dealing with complaints pursuant to the LkSG[1] (hereinafter: Complaints Procedure). The Code of Procedure describes the complaints procedure established by Helaba for this purpose.

Persons providing information

The complaints procedure enables potentially affected persons to point out human rights and environmental risks or violations (hereinafter referred to as "whistleblower"). Potentially affected persons are persons who are directly affected by economic activities in Helaba's own business area or by economic activities of a direct or indirect supplier of Helaba or who may be violated in a protected legal position as well as persons who have knowledge of the possible violation of a protected legal position or an environmental obligation.

Reporting channel for a "Notification on the LkSG"

Helaba has set up a "Notification on the LkSG" section on its website (Link to external webpage) for a corresponding notice.

In this area, a contact option is stored by means of which the whistleblower can give the information about his or her complaint to a legal ombudsperson. The whistleblower decides on the way of giving the information and can communicate with the ombudsperson without revealing his identity. He chooses between direct contact and a notification in a special protected digital space by non-traceable electronic path.

Persons involved

The Legal Ombudsperson and Helaba's Human Rights Officer guarantee impartiality and act independently and without instructions within the scope of their functions.

The appeals procedure
Confirmation of the Notification

The whistleblower receives confirmation of receipt of the notification. Once the whistleblower has given his or her consent (release from the obligation to maintain legal confidentiality), the information is forwarded to Helaba's Human Rights Officer. If the complaint is made anonymously in such a way that it is impossible to contact the whistleblower or by (un)deliberately providing false contact details, Helaba is not required to identify the whistleblower in order to comply with its obligations regarding communication.

[1] The LkSG is available online at: https://www.gesetze-im-internet.de/lksg/

Clarification of the facts and official statement

Helaba's Human Rights Officer checks whether the complaint falls within the scope of the complaints procedure.

Rejection of the complaint

If the complaint does not fall within the scope of the complaints procedure, the person making the allegation will be notified within two weeks of receipt of the complaint.
Usually, a statement of reasons for the rejection is sent to the person making the referral. Helaba does not provide an explanation as to why it considers the whistleblower's complaint to be unfounded if the Helaba Human Rights Officer is prevented from doing so for legal, regulatory or factual reasons.

Follow-up of the complaint

If the complaint falls within the scope of the complaints procedure, Helaba's Human Rights Officer will clarify the facts of the case, if necessary with the involvement of the relevant departments within Helaba, and will make a statement to the whistleblower within three months at the latest. If the whistleblower does not wish to disclose his or her identity, the ombudsperson can be instructed to conduct this discussion in the specific individual case, insofar as this is possible for the ombudsperson. Helaba will provide the ombudsperson with all the information required for this purpose. In this connection, the ombudsperson may also be instructed to clarify the facts of the case. In consultation with Helaba, the Ombudsperson may call in other professionally appropriate persons for this purpose.

If the investigation reveals that the factual information provided by the whistleblower is not sufficient or not relevant to further clarify the complaint, the Human Rights Officer or the Ombudsperson shall inform the whistleblower accordingly and request further information.
The Human Rights Officer or Ombudsperson will discuss the facts of the case with the whistleblower, if appropriate, with the aim of gaining a better understanding of the facts.

Possible violation of rights

If the examination of the complaint shows that the violation of an LkSG-related duty appears to be possible, imminent or has occurred in Helaba's own business area or at a direct or indirect supplier, Helaba will initiate appropriate preventive and/or mitigation measures. The aim of these measures is to prevent a violation of protected legal positions or to minimize or eliminate violations of protected legal positions that have already occurred. The Human Rights Officer or the Ombudsperson informs the whistleblower about the measures taken.

Review of the effectiveness of the complaints procedure

The effectiveness of the complaints procedure is reviewed once a year and on an ad hoc basis.

Documentation and storage

The respective complaint process is documented and stored in accordance with legal requirements.

Data protection and confidentiality

Helaba takes appropriate personnel, organizational and technical measures to ensure that the confidentiality of the identity of whistleblowers is maintained in the case of incoming complaints and tips and that effective protection against disadvantage or punishment on the basis of a complaint by the whistleblower is guaranteed. Persons involved in the complaints procedure are bound by confidentiality and data protection obligations. Confidentiality relates to the whistleblower, the person(s) who is/are the subject of the report and other persons named in the report.

Costs

The procedure is free of charge for whistleblowers.