

Data protection policy: ethics report system

1 . Information on the implementation of personal data processing

The Direction de l'Éthique Groupe (Group Ethics Department, or DEG) within Société Nationale SNCF implements the automated processing of personal data as part of the system for collecting ethics reports in accordance with Articles 8.I.B and 17.II.2° of the Sapin II law as well as Article L.225-102-4 of the French Commercial Code resulting from Act no. 2017-399 of 27 March, 2017 on the duty of vigilance of parent companies and ordering companies.

2 . Purpose and legal basis of processing

This data processing is implemented in order to collect and process reports filed on the online report platform alerteethiquesncf.com, received by the DEG via another text-based channel (email, postal mail) or allocated to the DEG.

More precisely, the DEG collects data within the framework of this data processing in order to:

- collect and analyse the admissibility of reports aimed at exposing:
 - o a crime, a misdemeanour;
 - o a serious violation of human rights and fundamental freedoms, substantial impairment of the health and safety of persons or harm to the environment;
 - o a threat or prejudice to the general interest, or
 - o a violation or the attempted concealment of a violation:
 - of an international commitment duly ratified or approved by France;
 - of a unilateral action of an international organisation taken on the basis of such a commitment;
 - of European Union law;
 - of the law, regulations, or
 - the Group ethics code, of the code of conduct or policies implemented in application of these corporate standards.
- allocate ethics reports to the ethics officer of the competent entity closest to the factual circumstances within the state-owned unified group (Société Nationale SNCF, SNCF Voyageurs, SNCF Réseau, SNCF Gares & Connexions, FRET SNCF and R4L (RLE perimeter), their subsidiaries and controlled entities, with the exception of KEOLIS and GEODIS);
- handle reports for which there is a risk of conflict of interest or for which potential impartiality is identified;

- deal with critical or complex reports, as well as those whose allegations call into question, for example, the reputation of the SNCF or the governing bodies of SAs/SASs or controlled entities;
- manage, improve, and control the ethics report system (statistics, support of the network of ethics and control officers).

Processing is based on:

- the legal obligation to establish an internal procedure for collecting and processing the reports prescribed by Article 8.I.B of the Sapin II law, Article 17.II.2° of the Sapin II law and Article L.225-102-4 of the French Commercial Code resulting from the law on the duty
- of vigilance of parent companies and ordering companies;
The DEG's legitimate interest in collecting any report exposing a violation or attempt to conceal a violation of the Group ethics code or of policies implemented in application of company standards;
- the whistleblower's consent to the attribution of the report;
- the DEG's legitimate interest concerning the management, improvement, and control of the ethics report system (statistics, support of the network of ethics and control officers).

3.Categories of data processed

The categories of data processed are:

- identity, position, and contact details of the issuer of the report;
- identity, position, and contact details of the persons who are the subject of the report;
- identity, position, and contact details of the persons involved in the collection or processing of the report;
- facts reported;
- elements collected in the context of the verification of the reported
- facts;
- report on verification operations;
action taken in response to the report.

4. Data recipients

In accordance with Article 6 of Decree no. 2022-1284 of 3 October 2022, the DEG guarantees the integrity and confidentiality of the information received in a report filed on the platform.

4.1.External recipients

To ensure proper management of the online report platform accessible at the address alerteethiquesncf.com, the DEG subcontracts the personal data collected within the framework of the ethics report system to Business Keeper GmbH, a service provider with its head office within the European Union and which hosts the report collection platform on servers based within the European Union.

For the purposes of report processing, the data collected by the DEG may be communicated to an external professional (e.g., a translator, expert, law office, consultants, etc.).

The data collected can be transmitted to the judicial authority in the case of legal proceedings or when internal investigation reports are requested by a judicial authority (in this case, the ethics officer shall inform the whistleblower, unless there is a risk of compromising the judicial proceedings¹).

4.2. Internal recipients

Except in cases of conflict of interest or possible impartiality, when the report is complex or of a critical nature, or when the report concerns allegations calling into question, for example, the reputation of the SNCF or the management bodies of SAs/SASs or of controlled entities, the reports are transferred, with the agreement of the whistleblower, to the ethics officer of the competent entity closest to the factual circumstances, within the SNCF Group:

- Société Nationale SNCF,
- SNCF Voyageurs,
- SNCF Réseau,
- SNCF Gares & Connexions
- FRET SNCF and R4L (RLE perimeter),
- their subsidiaries or controlled entities, with the exception of KEOLIS and GEODIS.

The personal data collected by the DEG may be communicated within the framework of an internal investigation:

- to the president of the Société Nationale SNCF;
- to the legal representative of the entity concerned
- to the head of Human Resources of the state-owned unified group;
- to the deputy CEO for Strategy and Finance;
- to the Security Department when the issues revealed by the report justify their support, on the instructions of the DEG;
- to any manager in a position to implement recommendations or give all necessary instructions to this end.

5. Rights of the persons concerned

Any person concerned by the processing of personal data has the right, under the conditions and within the limits laid down by the regulations, to request access to, rectification of, or deletion of their personal data, to request limitation of the processing of such data or, where appropriate, to object to the processing / to withdraw their consent. Any person wishing to exercise these rights, in whole or in part, is invited, upon

¹ Sapin II law n° 2016-1691 of 9/12/2016 Art. 9.I.

proof of their identity by any verifiable means, to send their request to the email address: ligneethique@sncf.fr.

A reply will be sent within one month following receipt of the request. If necessary, this period may be extended by an additional two months. In this case, the person concerned will be informed of the extension, for which the reasons will be stated.

A request for access that is likely to infringe the rights and freedoms of third parties may not be granted. The exercise of this right must not allow the person exercising it to access the personal data of other natural persons. Thus, the DEG may refuse any request for access that would infringe the right of witnesses to remain anonymous, the confidentiality of the whistleblower's identity and the whistleblower's right to be protected from any reprisals.

The exercise of the right to rectification of the data must not allow the elements contained in the report or collected during its investigation to be modified retrospectively. The exercise of this right, when admitted, must not make it impossible to reconstruct the chronology of any changes to important elements of the investigation. Thus, this right may only be exercised to rectify factual data, the material accuracy of which can be verified by the DEG on the basis of evidence, and without any initially collected data, even if erroneous, being deleted or replaced.

The right to object may not be exercised in respect of processing whose purpose is based on the legal obligation to implement a system for collecting and processing data (see Articles 8.I.B and 17.II.2° of the Sapin II law and Article L.225-102-4 of the French Commercial Code resulting from Act no. 2017-399 of 27 March, 2017).

For your information, SNCF has appointed a data protection officer whose contact details are : dpo-sncf@sncf.fr.

If a person considers that the processing of their personal data constitutes a violation of the regulations, they have the right to lodge a complaint with the Commission nationale de l'informatique et des libertés (French Data Protection Authority) (CNIL, Service des plaintes, 3 place de Fontenoy TSA 80715 75334 Paris cedex 17, France) or the supervisory authority of the country in which they habitually reside, work, or where the alleged violation took place.

6 .Data retention periods

In accordance with Article 9.III of the Sapin II law and the recommendations of the CNIL, the personal data collected by the DEG during the processing of an report is retained for the period necessary to achieve the purposes of the processing set out in point 2.2 above and to protect the authors of the data, the persons concerned and third parties

mentioned in these reports, taking into account the time required for any further investigations:

- data relating to an report that does not fall within the scope of application of the report system is retained in intermediate archives for a maximum of 6 months from the closure of the report, then destroyed.
- data relating to an report falling within the scope of application of the system is retained in an active database until a final decision is taken on the action taken in response to the report (including the effective implementation of the action plan associated with the investigation report), then 6 years in intermediate storage.
- when disciplinary proceedings are initiated against an implicated person or the filer of an abusive report, the data relating to the report is retained for 3 years in the active database from the date of the end of the disciplinary process, then for 3 years in an intermediate archive.
- when a litigation procedure is initiated against an implicated person or the filer of an abusive report, the data is retained until the expiry of the ordinary and extraordinary means of appeal against the decision rendered;
- when a case involving or implicating one of the SNCF Group's companies is brought before a judicial, administrative, or arbitration court, or the Labour Inspectorate or an external authority listed in the appendix to Decree no. 2022-1284 of 3 October 2022, the data is retained until the expiry of the ordinary and extraordinary means of appeal against the decision rendered.

7 .Cross-border flows

The DEG may transfer personal data outside the European Union for the purposes of collecting and processing reports.

Where this is the case, the transfer may take place on the basis of a decision by the European Commission, when it has recognised that the country to which the data is transferred ensures an adequate level of protection. In the absence of such decision, the DEG will take all necessary measures to ensure the protection of personal data transferred on the basis of appropriate safeguards (standard contractual clauses approved by the European Commission or other transfer tools referred to in Chapter V of the General Data Protection Regulation, supplemented by adequate measures, if necessary).

In all cases, the DEG will take measures to secure cross-border data, in particular:

- by using the secure BKMS system for collecting ethics reports, the servers of which are located within the European Union;
- by implementing internal organisational measures to protect data.