

# PRIVACY NOTICE SPEAKUP (SPAIN)

Version 1, English  
November 10, 2023



## Privacy Notice SpeakUp (Spain)

The personal data you provide, as the informant, at the time of submitting the communication through the SpeakUp helpline, as well as data from those of any employee or collaborator of Capgemini España, S.L. (hereinafter, "Capgemini" or the "Company") or any other Capgemini Group entities, and/or third parties or any other personal data will be processed in accordance with the provisions of this Privacy Notice.

Submission is voluntary and may be anonymous.

We ask that you provide only personal data that is accurate and truthful. The information you provide will be treated as confidential.

**Data Controller.** Capgemini España, S.L. with NIF B08377715 and address at calle Puerto de Somport, 9, Edificio Oxxeo, 28050 Madrid.

You can contact Capgemini's Data Protection Officer at the following address: [protecciondedatos.es@capgemini.com](mailto:protecciondedatos.es@capgemini.com).

**Categories and types of data.** If a communication is submitted, we will obtain the following personal data and information:

- Your name, your contact details and your relationship with the Company, if applicable.
- The name of the person and other personal data of the persons you name in your submission if you provide such information (e.g. job description, contact details).
- A description of the event reported, as well as a description of the circumstances in which the incident took place, including the time and place of the incident, and, if applicable, the Group entity/entities affected.
- If the information received contains personal data included in the special categories of data, it shall be deleted immediately, without any registration and processing thereof, unless the processing of such data is necessary for the management and processing of the communication or for reasons of substantial public interest.

**Purpose of Processing.** The purposes of data collection are:

- To identify the persons involved, where applicable.
- To manage the internal and/or external communication submitted, or public disclosure made.
- To process the communication to carry out the necessary investigations aimed at finding a solution to the issue raised.

**Legitimation.** The legal basis for the processing of personal data in the event of internal and external communications is the fulfilment of the Company's legal obligations. In the case of public disclosure, it is understood that the processing is necessary for the performance of a task carried out in the public interest or in the exercise of public powers vested in the controller.

The processing of special categories of personal data for reasons of essential public interest may be carried out in accordance with the provisions of Article 9(2)(g) of the European Data Protection Regulation 2016/679.



**Data retention.** Personal data that are subject to processing may be retained in SpeakUp helpline only for the time necessary to decide on the appropriateness of initiating an investigation into the facts reported in the communication. In any case, after three (3) months from receipt of the communication without any investigation having been initiated, the data will be deleted, unless the purpose of the retention is to leave evidence of the operation of the SpeakUp helpline. The maximum period of conservation of the personal data contained in the communication shall be ten (10) years.

Under no circumstances will personal data be processed if they are not necessary for the investigation of the actions or omissions to which the communication refers, proceeding, if necessary, to their immediate deletion.

We also inform you that communications that have not been acted upon will be deleted or, failing that, may only be recorded in anonymised form.

If it is accredited that the information provided in the communication or part of it is not truthful, it shall be immediately deleted as soon as this circumstance comes to light, unless said lack of truthfulness may constitute a criminal offence, in which case, the information shall be kept for the necessary time during the legal proceedings.

**Communication of data.** Access to personal data contained in the SpeakUp helpline shall be limited, within the scope of its powers and functions, exclusively to:

- a) The SpeakUp helpline manager and whoever directly manages the SpeakUp helpline.
- b) The human resources manager or the duly designated competent body, only when disciplinary action against an employee may be appropriate.
- c) The head of the legal department of the organisation or body, if legal action may be appropriate in relation to the facts described in the communication.
- d) The Data Processors that may be appointed. In this regard, the Personal Data and information you provide will be stored in a secure database which is located on servers hosted and operated by a third-party service provider, Convercent, located in Ireland. Convercent has entered into contractual commitments with Capgemini to secure the information you provide in accordance with applicable law.
- e) The data protection officer.
- f) In addition, Where necessary for the purpose of disclosure, personal data may also be disclosed between entities of Capgemini Group to which the data controller belongs, as well as to the relevant governing and representative bodies of the Company and of the Group entities involved.

We inform you that under all circumstances your identity will remain confidential and will not be communicated to the persons involved in the reported actions or to third parties not identified in this clause. According to the law, The identity of the informant may only be communicated to the judicial authority, the Public Prosecutor's Office or the competent administrative authority in the context of a criminal, disciplinary or disciplinary investigation.

**International transfers.** Within the framework of the provisions of this Privacy Notice, for the purposes foreseen and in the context of the communications indicated herein, personal data may be transferred to entities of the Group to which the Company belongs, which may be located inside and outside the European Economic Area and have a different level of protection to that of Spain.



The Company declares that it has the relevant Binding Corporate Rules that allow to exchange personal data between the entities of the Capgemini Group and are available at the following link:

<https://www.capgemini.com/about-us/management-and-governance/policies/data-protection-policy/>

In addition, your Personal Data may be accessed from the United States of America for maintenance purposes, in which case such transfer shall be framed by the EU Model Clauses, ensuring an adequate level of protection to the Personal Data.

**Security measures.** The Company informs that it has implemented the necessary technical and organizational security measures to guarantee the security and confidentiality of your personal data and to prevent its alteration, loss, unauthorized processing and/or access, taking into account the state of the technology, the nature of the data stored and the risks to which they are exposed, whether from human action or from the physical or natural environment.

Likewise, the SpeakUp helpline has appropriate technical and organizational measures in place to preserve the identity of the persons concerned and of any third parties mentioned in the information provided, especially the identity of the informant in the event that he/she has or has not identified him/herself.

**Data subject's rights.** The informant may, under the terms established in the data protection regulations in force at any given time, exercise the rights of access, rectification, deletion, opposition, the right to request the limitation of the processing of his/her personal data, the right to portability and the right to lodge a complaint with a supervisory authority, the Spanish Data Protection Agency ([www.aepd.es](http://www.aepd.es)). This can be done in writing by e-mail to [protecciondedatos.es@capgemini.com](mailto:protecciondedatos.es@capgemini.com).

In the event that the person to whom the facts related in the communication or to whom the public disclosure refers exercises the right to object, it will be presumed that, in the absence of proof to the contrary, there are compelling legitimate grounds that legitimize the processing of his or her personal data.



## About Capgemini

Capgemini is a global leader in partnering with companies to transform and manage their business by harnessing the power of technology. The Group is guided everyday by its purpose of unleashing human energy through technology for an inclusive and sustainable future. It is a responsible and diverse organization of over 360,000 team members more than 50 countries. With its strong 55-year heritage and deep industry expertise, Capgemini is trusted by its clients to address the entire breadth of their business needs, from strategy and design to operations, fueled by the fast evolving and innovative world of cloud, data, AI, connectivity, software, digital engineering and platforms. The Group reported in 2022 global revenues of €22 billion.

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