

PRIVACY - PARTIES INVOLVED IN WHISTLEBLOWING (WHISTLEBLOWING - Italian Legislative Decree 24/2023)
Information document pursuant to and in accordance with Article 14 of Regulation (EU) 2016/679 (GDPR)

	<p>WHY THIS INFORMATION?</p> <p>1. WHO IS THE DATA CONTROLLER? CONTACT INFORMATION</p> <p>The Data Controller is FONDITAL S.p.A. with registered office at Via Cerreto 40, 25079 - Vobarno (BS), Italy, in the person of its <i>pro-tempore</i> Legal Representative, who may be contacted for any information by e-mail privacy@fondital.it.</p>
	<p>2. TYPE OF DATA PROCESSED</p> <p>Personal data: any information relating to an identified or identifiable natural person (“data subject”); an identifiable person is someone who can be identified, directly or indirectly, by specifically referring to an identifier such as name, identification number, location data, online identifier or to one or more factors specific to his/her physical, physiological, genetic, mental, economic, cultural or social identity (C26, C27, C30).</p> <p>The data processed will be those relating to reports made by Whistleblowers, which may include data relating to third parties, i.e. the persons reported, and will be processed in full compliance with and in the manner defined in the Whistleblowing Procedure adopted by the Data Controller.</p> <p>Data relating to the reported person, which may be provided by the Whistleblower: i) Name, surname or other elements enabling the identification of the person to whom the reported facts may be attributed; ii) company function; iii) other personal data such as telephone number, e-mail address, tax code; iv) other information communicated by the Whistleblower; v) any Special Data (see art. 9 of the GDPR): personal data capable of revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, as well as genetic data, biometric data intended to uniquely identify a natural person, data relating to the person's health or sex life or sexual orientation; vi) Any Data relating to criminal convictions and offences or related security measures (see. Art. 10 of the GDPR): personal data disclosing measures referred to in Article 3, para. 1, letters from a) to o) and from r) to u) of Italian Presidential Decree No. 313 of 14 November 2002 on criminal records, the register of offence-related administrative sanctions and related cases pending, or the status of defendant or suspect pursuant to Articles 60 and 61 of the Italian Code of Criminal Procedure.</p> <p>Category of data subjects: The subjects concerned by this processing are: i) the Reported person: the natural person or legal entity mentioned in the internal report as the person to whom the violation is attributed or as the person in any event implicated in the reported violation (Article 2, para. 1, letter l) of Italian Legislative Decree 24/2023); as well as persons in any way involved in the events reported: ii) Facilitator: the natural person who assists a Whistleblower in the reporting process, operating within the same work context and whose assistance must be kept confidential; iii) Person informed of the facts.</p>

3. PURPOSES OF THE PROCESSING, LEGAL BASIS, DATA RETENTION PERIOD AND SOURCE OF DATA

 PURPOSES OF THE PROCESSING	 LEGAL BASIS	 DATA RETENTION PERIOD	 SOURCE OF DATA
<p>A) Whistleblowing report management. In particular, use of his/her personal data collected following the submission of reports against him/her relating to conduct, acts or omissions detrimental to the public interest or the integrity of the public administration or private body, pursuant to Article 2, para. 1, letter a) of Italian Legislative Decree 24/2023.</p>	<p>The processing is necessary to fulfil a legal obligation (pursuant to Italian Legislative Decree 24/2023) to which the data controller is subject (C45).</p> <p>Art. 6 para. 1 letter c), GDPR</p> <p>Art. 6 para. 1 letter c), GDPR. The processing of “special” data is based on the fulfilment of obligations and the exercise of specific rights of the Data Controller and the Data Subject in the field of labour law (Art. 9, para. 2, letter b) of the GDPR.</p>	<p>For the time strictly necessary to process the report and, in any case, no longer than 5 years from the date of the communication of the final outcome of the reporting procedure (Art. 14 of Italian Legislative Decree 24/2023).</p> <p>In the event of a lawsuit, the above-mentioned time limit is extended until the exhaustion of all levels of proceedings. Personal data that are clearly not useful for processing a specific report are not collected or, if accidentally collected, are deleted immediately.</p>	<p>The source of the personal data is the report made by the Whistleblower (Art. 3, para. 3 and 4 of Italian Legislative Decree 24/2023) and by other parties during the investigation.</p>

 PURPOSES OF THE PROCESSING	 LEGAL BASIS	 DATA RETENTION PERIOD	 SOURCE OF DATA
	The processing of data relating to criminal convictions and offences, taking into account the provisions of Art. 10 of the GDPR, is based on the legal obligation to which the data controller is subject (Art. 6, para. 1, letter c).		

	<p>4. WHOM WILL PERSONAL DATA BE COMMUNICATED TO? RECIPIENTS OF DATA</p> <p>Personal data will be communicated to entities that will process the data as autonomous Data Controllers, or Data Processors (Art. 28 GDPR) and processed by natural persons (Art. 29 GDPR and/or Art. 2-<i>quaterdecies</i> Italian Legislative Decree 196/2003) acting under the authority of the Data Controller and Data Processors on the basis of specific instructions given regarding the purposes and methods of processing.</p> <p>Data will be communicated to recipients belonging to the following categories:</p> <ul style="list-style-type: none"> - the person or internal office or external party (including the Supervisory Body) entrusted with the management of the internal whistleblowing channel; - third parties for the provision of the whistleblowing platform adopted by the Data Controller; - any judicial authorities and public authorities (including ANAC);
	<p>5. IS THERE A DATA TRANSFER TO A NON-EEA COUNTRY?</p> <p>The personal data will not be transferred to countries outside the EEA.</p>
	<p>6. IS THERE AN AUTOMATED PROCESS?</p> <p>Personal data will be subject to traditional manual, electronic and automated processing. Please note that no fully automated decision-making processes are carried out.</p>
	<p>7. THE RIGHTS OF THE DATA SUBJECTS</p> <p>You may exercise your rights as expressed in Articles 15 <i>et seq.</i> of the GDPR by contacting the Data Controller using the contact details indicated above. You have the right, at any time, to request rectification (Art. 16) and access to your personal data (Art. 15). These rights may not be exercised if this could result in actual and material prejudice to the confidentiality of the identity of the Whistleblower of which he/she has become aware by reason of his/her employment relationship or the functions performed, pursuant to Italian Legislative Decree 24/2023 (Art. 2-<i>undecies</i> of Italian Legislative Decree 196/2003, as amended by Art. 24, para. 4 of Italian Legislative Decree 24/2023).</p> <p>If the processing of personal data by the Data Controller is believed to be in violation of the provisions of Regulation (EU) 2016/679, the data subject has the right to lodge a complaint with the Supervisory Authority, in particular in the Member State in which he/she usually resides or works or where the alleged infringement of the Regulation occurred (Italian Data Protection Authority https://www.garanteprivacy.it/) or to bring an action before the appropriate courts.</p>
	<p>8. CHANGES TO THE POLICY</p> <p>The Data Controller may change, add or remove any part of this Privacy Policy. In order to facilitate the verification of any changes, the information notice will contain an indication of the date on which the privacy policy was updated.</p>

Updated on: 29/052024

The Data Controller
Fondital S.p.A.