



DPMS

Data Protection Management System

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Classification: **L1 - PUBLIC**

WHISTLEBLOWING PRIVACY POLICY

Made in accordance with Articles 12, 13 and 14 of Regulation (EU) 2016/679

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1 FOREWORD

This information is provided by **F.Ili GANCIA & C. S.p.A.** (hereinafter "**F.Ili GANCIA**") pursuant to Articles 12, 13 and 14 of the EU Regulation 2016/679 (GDPR) in accordance with the regulations on the processing and protection of personal data and is aimed at illustrating the methods for processing the personal data of the reporting or reported persons in the management of the internal reporting channel so-called "Whistleblowing". Such processing will be based on the principles of fairness, lawfulness and transparency, protecting the confidentiality and rights of all stakeholders.

Disclosure is a general obligation that must be fulfilled before or at the latest when initiating the direct collection of personal data.

2 CONTACT INFORMATION OF THE DATA CONTROLLER



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3 PERSONAL DATA PROCESSED

Our internal reporting channel can be used (to the extent permitted by law) without providing personal data, so-called "anonymous reporting." However, as part of the reporting procedure, you can voluntarily disclose personal data, particularly information about your identity, first and last name, country of residence, telephone number or e-mail address.

The data that can be processed are those that the reporter intended to provide to represent the facts described in the report. In this case, the Company is unable to determine a priori the data covered by the report, which may therefore also cover special data or data relating to criminal convictions and offenses.

In principle, we do not request or process any special categories of personal data, e.g., information on racial and/or ethnic origin, religious and/or ideological beliefs, union membership, or sexual orientation. However, due to free text fields in the registration form, such special categories of personal data may be voluntarily disclosed by the reporter if deemed relevant and necessary for the purpose of processing the report.

The report may also contain personal data of third parties (reported subjects).

Subject to legal obligations, the confidentiality of the reporter will always be guaranteed, as the reported person will not receive any information about the 'identity of the reporter. The reporter's information will be used throughout the process of handling the report in a manner that does not jeopardize the reporter's confidentiality.

The purpose of our internal reporting channel is to facilitate the receipt and processing of reports sent securely and confidentially by our employees and external persons regarding employee conduct that is illegal or is in violation of the legal object or purpose.

Our channel can be used (to the extent permitted by law) without providing personal data, so-called "anonymous reporting." However, as part of the reporting procedure, personal data can be voluntarily disclosed.

- Specifically, through the internal reporting channel the following categories of personal data may be collected and consequently processed by us:
- full name, job title, place of employment and professional contact details (if reporting is not done anonymously) and/or the corresponding details of the employee(s) to whom your report relates,
- the fact that it used the EQS Integrity Line in order to send a report the reported behavior of the affected employee(s),
- other (potentially special) categories of personal data, which are spontaneously entered into the report taking into account the context of the report or the resulting investigation procedure,
- working documents, such as performance records, travel expense reports, drivers' logs, invoices, and similar documents, which may also contain personal data, if they are requested to clarify the reported facts,



- information regarding behavior while using the Company's communication systems, such as metadata, access data or even the content of company e-mails, if they are requested to clarify the reported circumstances.

4 PURPOSE AND LEGAL BASIS FOR PROCESSING

Personal data are collected and processed exclusively to handle reports of misconduct related to activities and behavior that violate company procedures.

This includes violations of rules of professional conduct and ethical principles referred to in internal and external regulations, as well as illegal or fraudulent behavior involving employees, members of corporate bodies or third parties (customers, suppliers, consultants, collaborators). In particular:

- to check whether the information provided to Us is plausible and indicates a violation of laws or other legally binding requirements or a breach of duty under the labor contract,
- if necessary, for further clarification of the reported facts with respect to possible violations of laws or other legally binding requirements or violation of a duty according to the labor contract,
- if necessary, for further clarification in order to exonerate employees who are unfairly suspected of wrongdoing,
- if necessary, to avoid economic and other damages as well as to claim or enforce the rights of our Company; finally,
- if applicable, for the fulfillment of any obligation of cooperation by **F.Ili GANCIA** As part of investigations conducted by law enforcement or other authorities.

Therefore, the legal basis of the processing turns out to be the need to fulfill a legal obligation to which the Data Controller is subject (art. 6.1. lett. c of the GDPR), with reference to the provisions contained in Law No. 179 of November 30, 2017 ("Provisions for the protection of the authors of reports of crimes or irregularities of which they have become aware in the context of a public or private employment relationship") and Legislative Decree Legislative Decree No. 24/2023. The provision of personal data by the person concerned is optional (anonymous reporting), but in the absence of the provision **F.Ili GANCIA** will not be able to ensure that it can proceed with the management of the report on the basis of the information provided.

Consent to treatment

When required by law, personal data will also be processed on the basis of consent given by the 'data subject at the request of the Data Controller (Articles 6.1 lett. a and 7 of the GDPR).

Are based on the consent of the data subject the treatments provided for in Article 12 (obligation of confidentiality), paragraphs 2 and 5, and 'Article 14 (preservation of records), paragraphs 2 and 4, of the aforementioned Decree No. 24/2023.

Legitimate interest

Personal data of reported individuals will be processed when necessary to safeguard the legitimate interests of the company or third parties (Art. 6.1 lett. f of the GDPR). **F.Ili GANCIA** considers the interest in processing personal data to be legitimate in order to prevent and detect violations within the company, to verify the legality of internal processes, and to safeguard the integrity of the company.

Special categories of data.

In compliance with applicable national regulations, special categories of personal data will be processed on the basis of Art. 9.2 lett. b of the GDPR in order to fulfill the obligations and exercise the specific rights of the data controller or the data subject in the field of labor and social security law and social protection and on the basis of Art.

9.2 lett. f of the GDPR as the processing may be necessary to establish, exercise or defend a right of the Controller in court.

Anonymization

Personal data may be anonymized for statistical purposes on the basis of our legitimate interest (art. 6.1 lett. f of the GDPR).

Further treatment

We do not intend to use your personal data for purposes other than those listed above. Otherwise, we will ask for your prior consent.



5 METHODS OF TREATMENT

Personal data will be processed using computer and paper media that guarantee their security and confidentiality. Documentation in paper format is limited to the minimum necessary and stored and kept in cabinets and rooms equipped with security locks. The transmission of data provided by the reporter through access to the platform is handled with HTTPS protocol. End-to-end encryption techniques are also applied to all data in transit and stored, thus ensuring the confidentiality of the information transmitted.

EQS Integrity Line includes an option for anonymous communication via an encrypted connection. When using EQS Integrity Line, IP address and geolocation are not stored at any time. When sending a message, you will receive your Inbox login information in the EQS Integrity Line so that you can continue to communicate with us in a secure manner.

The data provided will be stored in a particularly secure EQS Group database within the European Union. All data stored in the database are encrypted using state-of-the-art methods.

6 COMMUNICATION OF PERSONAL DATA

For the pursuit of the aforementioned purposes, the personal data provided may be made accessible only to those within the Company (or in the other group companies involved in the report) who have a need for it due to the role/mindset performed in relation to the process of receiving, analyzing, investigating and managing reports and any consequent actions. These individuals are appropriately instructed in order to avoid loss, access to the data by unauthorized parties or unauthorized processing of the data themselves and, more generally, in relation to personal data protection obligations.

In particular, the processing of reports may require the transmission of processed personal data to other companies in the group if they are also, or only they, affected by the reported facts. All persons authorized to access the data have a specific obligation to maintain its confidentiality.

If the processing of the report leads to the conclusion that a violation has occurred, the personal data of the accused person or, in the case of non-anonymous reports, also of the whistleblower, may be transferred to law enforcement authorities or courts and to attorneys or consultants retained by Us.

If it is necessary for F.lli GANCIA to assert and enforce rights, and if there are no interests of data subjects deserving protection, personal data may also be transferred to opposing parties or insurers.

Data may also be processed by External Consultants. Finally, personal data may also be transmitted to other autonomous data controllers, according to law or regulation (e.g. Public Authorities, Judicial Authorities, Court of Auditors and ANAC).

Apart from the parties authorized to handle reports, no other entity, including the service provider "EQS Integrity Line", holds the key to decrypt the report data and make it readable. In any case, while processing unreadable data, the third parties with technical functions act as Data Processors/Sub-Processors and have signed a special contract that punctually regulates the processing entrusted to them and the obligations regarding data protection and security of processing pursuant to Article 28(3) of EU Regulation 679/2016.

While ensuring the confidentiality of reports, if you knowingly send false reports with the intention of discrediting another person, we may have an obligation to disclose your identity to that person.

For more information about the recipients of your personal data and any safeguards, you can contact the Data Controller or our DPO.

Your personal data will be transferred to the above recipients only if necessary and permitted by law.

7 NATURE OF CONTRIBUTION



The provision of data is optional; it is understood that any refusal to respond at the time of information collection or any denial of data processing may result in our objective inability to consider the report.

8 SHELF LIFE

Your data will be kept for a period of time no longer than is necessary for the pursuit of the purposes for which it was collected, in accordance with legal obligations or otherwise to enable the Company to protect its own rights and interests or those of third parties (e.g., defense in court).

All data for which no further retention periods are necessary are automatically deleted from the platform after 5 years have passed since the closure of the report.

9 DATA TRANSFER TO A THIRD COUNTRY

For the purposes stated in this policy, **F.Ili GANCIA & C. S.p.A.** does not transfer the data of whistleblowers and whistleblowers outside the European Economic Area (EEA). However, should your personal data be transferred to countries outside the European Economic Area (EEA), in the absence of adequacy decisions by the European Union Commission, our Company will ensure that appropriate safeguards are in place to protect your personal data in these countries. Therefore, "*Standard Contractual Clauses*" (SCCs) established by the European Commission under Article 46(1) of the GDPR will also be included in this case.

If a transfer of personal data to a court or an authority in a non-European state without an adequate level of data protection is necessary and permitted by law for the assertion, exercise, or defense of legal rights of our Company, this may be carried out on the basis of Article 49 Paragraph 1 (e) of the GDPR, without the need for additional measures to ensure an adequate level of data protection.

10 RIGHTS OF INTERESTED PARTIES

Regarding our processing of your personal data, you may contact us using the information provided in paragraph 2 of this document to exercise your rights. In particular, always in accordance with the respective legal provisions:

- You have the right to request access to information about yourself. In this context, you also have the right to obtain a copy of the personal data subject to processing (Art. 15 GDPR).
- They have the right to request, without undue delay, the rectification of inaccurate personal data or the completion of incomplete data concerning them (Art. 16 GDPR).
- They also have the right to request the immediate deletion of personal data about them, provided that it is no longer necessary to fulfill the purpose for which it was collected or there is another reason to delete it and deletion is not prevented by obstacles, such as statutory retention periods. (Art. 17 GDPR).
- You have the right to request the restriction of the processing of your personal data (Art. 18 GDPR).
- You have the right to be informed all recipients to whom your data have been disclosed about a possible correction or deletion of the data or a restriction on their processing. This does not apply only if it is impossible or involves a disproportionate effort. You have the right to be informed by us about the recipients (Art. 19 GDPR).
- You have the right to object to the processing of your personal data at any time, for reasons attributable to your particular situation, if your personal data are processed on the basis of our legitimate interest within the meaning of Art. 6(1)(f) GDPR, (Art. 21(1) GDPR). On this point, it is clarified that an objection can be made without any formality and that if you object, we will no longer process personal data about you unless we can demonstrate serious legitimate reasons whose weight outweighs that of your interests and rights or your freedoms, or that the processing is intended to vindicate, exercise or defend legal rights.
- Finally, if you believe that our processing of personal data violates the law, you have the right to file a complaint with a supervisory authority of your choice, particularly in the member state where you reside, work, or where the alleged violation occurs. This is without prejudice to any administrative or judicial remedy on his part. (Art. 77 GDPR).



Rights of reported subjects:

Pursuant to Article 2-undecies of Legislative Decree No. 196/2003, as amended, (hereinafter, Privacy Code in implementation of Article 23 of the Regulations), we inform you that the aforementioned rights may not be exercised by some interested parties involved in the report (reported and/or other persons involved in the report), if the exercise of such rights may result in actual and concrete prejudice to the confidentiality of the identity of the reporter.

In particular, the exercise of these rights:

- will be carried out in accordance with the legal or regulatory provisions governing the sector (including Legislative Decree 231/2001, as amended);
- may be delayed, limited or excluded by reasoned communication made without delay to the data subject, unless the communication would undermine the purpose of the limitation, for such time and to the extent that this constitutes a necessary and proportionate measure, taking into account the fundamental rights and legitimate interests of the data subject, in order to safeguard the confidentiality of the identity of the reporter;
- in such cases, the data subject's rights may also be exercised through the Guarantor in the manner set forth in Article 160 of the Privacy Code, in which case the Guarantor shall inform the data subject that it has carried out all necessary verifications or has conducted a review, as well as the data subject's right to seek judicial redress.

11 INFORMATIONAL CHANGES

This policy named "**Whistleblowing Privacy Policy**" identified as **INF-DPMS.07** Rev. 0 is effective as of December 17, 2023. The owner reserves the right, at its discretion, to change, modify, add or remove any part of this privacy policy at any time. In order to facilitate verification of any changes, the notice will contain an indication of the revision and date the notice was updated.