

## POLICY STATEMENT ON THE PROCESSING OF PERSONAL DATA

### WHISTLEBLOWING

#### Summary information



Data controller

Elisabet Srl  
Via I Maggio, 35, Monte Urano (FM)  
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/ [customerservice@elisabet.it](mailto:customerservice@elisabet.it)



Data processed (optional processing)

- personal data contained in the report (identification, contact, professional, etc.)  
- any personal data categories that qualify as special



Primary purpose of processing

acquisition and management of reports of unlawful acts and for the management of any preliminary investigations for subsequent proceedings



Legal basis for processing

- fulfilment of a legal obligation to which the data controller is subject  
- data controller's legitimate interest  
- consent to processing in case of possible disciplinary proceedings or recording or transcribing of reports



Recipients of personal data

- public or private entities in the event of violations of applicable regulations  
- possible consultants and professionals - Supervisory Board



Data retention period

- processing of the report and possible adoption of consequent disciplinary measures  
- 5 years from the date of communication of the final outcome of the reporting procedure

## POLICY STATEMENT ON THE PROCESSING OF PERSONAL DATA

### WHISTLEBLOWING

Elisabet Srl informs those concerned about the processing of their personal data as part of the activity of acquiring and managing reports of wrongdoing (so-called 'whistleblowing').

This information is provided pursuant to Art. 13 and 14 EU Data Protection Regulation 2016/679 ("GDPR") and of L.D. of 10 March 2023, no. 24, in accordance with the principles of transparency and fairness and respecting the rights of the persons concerned.

#### **DATA CONTROLLER**

*Who processes personal data and who the data subject can contact to obtain information and exercise their rights*

The data controller is Elisabet Srl, Via I Maggio, 35, Monte Urano (FM), established in the European Union, who can be contacted at the following addresses: telephone +39 0734.840019, email [info@elisabet.it](mailto:info@elisabet.it) / [customerservice@elisabet.it](mailto:customerservice@elisabet.it).

#### **DATA SUBJECTS**

*The subjects whose data are processed and whose rights are recognised*

Data subjects are those who interact with the data controller: the reporting party, the person involved (reported party), the facilitator, any other persons mentioned in the report.

#### **SOURCE OF DATA**

*Where personal data come from*

The data of the reporter are acquired from the person concerned when the report is received and processed. Personal data of the reported person and/or third parties are provided by the reporting person.

#### **CATEGORIES OF PERSONAL**

**DATA** *Which data are processed*

The processing concerns the personal data of the reporter and of the persons involved, collected through the report, such as name, surname, email address, postal address, professional qualification.

With regard to the need to manage the report, telephone no., tax code, and a copy of the identity document may also be acquired if necessary for the identification of the reporter.

The data received in connection with the report may be supplemented by data that may already be available to the data controller or acquired as part of the activities aimed at verifying the merits of the report and what is described therein, always in compliance with the provisions of the law.

In relation to the subject of the report, personal data that can be qualified as special (i.e., data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or health data) may be processed.

Unless specifically provided for by law, including processing for the purpose of preventing criminal liability of the company in accordance with the provisions of Legislative Decree No. 231/2001 and in compliance with the provisions of Art. 10 of the GDPR, there will be no processing of personal data relating to criminal convictions and offences or

Elisabet Srl will only process this data if it is freely provided by the whistleblower as a characteristic element of the report.

If there is a need to acquire and process data of a particular kind or relating to criminal convictions and offences, it will be the responsibility of the Data Controller to inform the persons concerned accordingly.

**PURPOSE AND LEGAL BASIS OF PROCESSING** *The purpose of processing the data*

Personal data are processed for the purposes of acquiring and managing reports of unlawful acts and for the management of any preliminary investigation for subsequent proceedings.

The legal basis for such processing is Art. 6 (1). (c) of the GDPR (fulfilment of a legal obligation to which the data controller is subject).

The report may only be used for possible disciplinary proceedings in the event of the whistleblower's express consent to disclose their identity (Article 6(1)(a) of the GDPR), where it is necessary for the proceedings to be conducted.

Reports by telephone or text message may only be recorded or transcribed with the express consent of the person making the report (Art. 6(1)(a) GDPR).

Data, including data of a sensitive nature, may be processed in connection with the need to establish, exercise or defend a right in a court of law, if this proves necessary on the basis of the evidence found in the course of the investigation (Art. 9 (2) (f) GDPR), to fulfil the obligations and exercise the specific rights of the data controller or of the data subject in the field of labour law and social security and social protection (Art. 9 (2) (b) GDPR).

Data may be processed on the basis of the legitimate interest of the Data Controller for the purpose of protecting the company's assets, in connection with the evidence contained in the report (Art. 6 (1) (f) of the GDPR).

Data may also be processed for purposes relating to further legal obligations to which our organisation may be subject, namely:

- to fulfil general obligations laid down by law, regulations, EU legislation, or orders issued by the authorities and other competent institutions
- to comply with requests from the competent administrative or judicial authorities and, more generally, from public bodies in compliance with legal formalities

**METHODS OF PROCESSING** *How data are processed*

Reports are received exclusively by the dedicated reporting functions, which handle them according to a pre-established procedure.

Reports are acquired in the manner indicated in the reporting procedure.

Processing is carried out through the use of procedures and tools, including computer based, suitable to guarantee the integrity and availability of the data, as well as the confidentiality of the identity of the person making the report, of the person involved and of the person mentioned in the report, as well as the content of the report and of the relevant documentation. The identity of the whistleblower is protected except in cases of liability for slander and defamation and in cases where anonymity cannot be enforced by law.

Personal data are processed exclusively by authorised and instructed personnel who are competent to receive or follow up reports, who are bound by confidentiality, and who are allowed access to personal data to the extent and within the limits necessary for the performance of processing activities.

The transmission of data and information by electronic mail, whether personal or institutional, or certified email [PEC] cannot be considered secure and some external digital information (including metadata, LOGs, IP addresses and message sources) may allow the sender to be identified. It is therefore recommended to use the other methods made available for this purpose.

#### **AUTOMATED DECISION-MAKING AND PROFILING**

When processing personal data, no automated decision-making process, including profiling, as referred to in Art. 22(1) and (4) of the GDPR is used.

#### **DURATION OF PROCESSING**

##### *Duration of data processing*

Reports and related documentation are retained for as long as necessary for the processing of the report and, where appropriate, for the adoption of the ensuing disciplinary measures and/or the exhaustion of any litigation initiated as a result of the report.

Processing will not extend beyond five years from the date of the communication of the final outcome of the reporting procedure.

Subsequently, this data may be processed anonymously for statistical or historical purposes.

#### **DATA BREACH MANAGEMENT**

The data will be retained as from the detection of the event of danger or data breach, for the time necessary to notify the Authority of the data breach detected and to take the relevant remedial and security measures.

#### **OBLIGATION OR OPTION TO PROVIDE DATA**

The provision of personal data by the whistleblower is optional, since the form of "anonymous reporting" is possible. Failure to provide the data may, however, jeopardise the preliminary investigation, if the data are necessary for the execution of same.

Should the Report lead to the initiation of disciplinary proceedings against the person responsible for the unlawful conduct, the identity of the whistleblower will never be disclosed. Should knowledge of the whistleblower's identity be indispensable for the defence of the person alleged to have committed the offence, the whistleblower will be asked whether they intend to give their free consent to the disclosure of their identity.

Please note that reports made anonymously can only be taken into account if they are suitably substantiated and provided with a sufficient details, i.e. with all the information needed to verify them.

#### **DATA ADDRESSEES**

##### *Persons to whom data are disclosed*

#### **SCOPE OF KNOWLEDGE WITHIN THE ORGANISATION**

The autonomous functions dedicated to the management of reports and any preliminary investigation for subsequent proceedings, the Supervisory Board (SB), become aware of the personal data.

If, at the end of the verification, no elements of manifest groundlessness are found in the reported fact, the function will forward the result of the verification for further investigation or for the adoption of measures within its competence:

- to the Head of Human Resources as well as to the Head of the organisational unit to which the infringer belongs, so that disciplinary action may be taken, if the conditions are met;
- the competent organisational bodies and structures to take any further measures and/or actions deemed necessary, also for the protection of the organisation itself;

#### COMMUNICATION OF DATA EXTERNALLY

Personal data are disclosed for the purpose of performing activities related to the handling of the report, as well as to comply with certain legal obligations. Specifically, communication may be made to:

- public or private parties in the event of breaches of the applicable regulations or who have access to them by virtue of provisions of the law, regulations or Community legislation, within the limits provided for by these rules (Institutions, Public Authorities, Judicial Authorities, Police Bodies)
- consultants and professionals (e.g. law firms) who may be involved in the investigation phase of the report, to the extent necessary to carry out their duties in our organisation, subject to their designation as data processors, which requires compliance with confidentiality and security instructions and duties in order to ensure confidentiality and data protection.
- service providers, instrumental to the pursuit of the purposes of managing alerts, after designation as data processors

The list of data processors is available from the Data Controller.

The communication of your personal data is limited exclusively to the data necessary to achieve the specific purposes for which they are intended.

Personal data will not be disseminated (e.g. by publication).

#### TRANSFER OF PERSONAL DATA OUTSIDE THE EU

Your personal data will not be transferred to third countries outside the European Union.

#### RIGHTS OF THE DATA SUBJECT

The data subject is entitled to exercise their rights under Articles 15 to 22 of EU Regulation 2016/679, namely:

1. to request confirmation of the existence or otherwise of their personal data being processed;
2. to obtain information about the purposes of processing, the categories of personal data processed, the recipients or categories of recipients to whom the personal data have been or will be disclosed, the data retention period or the criteria for determining it;
3. to update, rectify, or supplement personal data, so that they are always accurate and complete;
4. to delete personal data when they are no longer necessary for the purposes of processing, if the legal conditions are met and the processing is not justified by any other legitimate grounds;
5. to limit the processing of personal data, if the conditions are met, including inaccuracy, objection to processing, unlawful processing.

6. to object to processing at any time
7. to withdraw consent, if given for specific processing activities. Withdrawal of consent does not affect the lawfulness of processing based on the consent given before the withdrawal;
8. the right to lodge a complaint with a Control Authority (National Authority: Garante per la Protezione dei Dati Personali [Authority for the Protection of Personal Data], email: [garante@gpdp.it](mailto:garante@gpdp.it)): without prejudice to any other administrative or judicial action, a complaint may be lodged with the Authority for the Protection of Personal Data. Or, if the conditions are met, including your different residence or the different Member State where the infringement took place, with the control authorities established in another EU country.

If you wish to exercise these rights, you may contact the Data Controller, Elisabet Srl, whose contact details are given at the beginning of this information notice, without delay.

If the exercise of the rights may prejudice the protection of the confidentiality of the identity of the whistleblower, the person concerned or the person mentioned in the report, addressing the Data Controller is precluded. In this case, rights may be exercised through the Authority for the Protection of Personal Data (in the manner set out in Article 160 of the Privacy Code). In this case, the Supervisory Authority will inform the person concerned that it has carried out all the necessary verifications or that it has conducted a review, as well as of the right of the person concerned to appeal.

If Elisabet Srl intends to initiate data processing for purposes other than those set out in this information notice, before proceeding, it will inform you and obtain your consent if necessary.

#### **UPDATES**

Elisabet Srl updates the internal policies and practices adopted in the protection of personal data whenever necessary and in the event of regulatory and organisational changes affecting the processing of personal data.

Any updates to this notice will be made available in a timely manner and by appropriate means.

Last updated 14/12/2023