

## POLICY STATEMENT ON THE PROCESSING OF PERSONAL DATA

### WHISTLEBLOWING – PERSONS INVOLVED

#### Summary information



Data controller

Elisabet Srl  
Via I Maggio, 35, Monte Urano (FM)  
Tel +39 0734.840019 | email [info@elisabet.it](mailto:info@elisabet.it)  
/ [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  
- the performance of a task in the public interest or in connection with the exercise of official authority



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 – PERSONS INVOLVED

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

It should be noted that such persons have the right to be informed of the report concerning them exclusively within the framework of the proceedings that may be initiated against them following the conclusion of the preliminary activity of verification and analysis of the report and in the event that such proceedings are based in whole or in part on the report. This limitation of the right to information arises in order to protect the performance of investigative activities, with particular reference to any subsequent investigations, including those of a criminal nature (Article 14(5)(b) and (d) of the GDPR).

This notice complements *the whistleblowing data processing notice* and is provided pursuant to Art 14 of the EU Data Protection Regulation 2016/679 ("GDPR") and Legislative Decree 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, which can be contacted at the following addresses: telephone 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*

The data subjects are the persons concerned (reported persons).

#### **SOURCE OF DATA**

*Where personal data come from*

Personal data on reported persons are acquired upon receipt of the report and the related information provided by the whistleblower.

#### **CATEGORIES OF PERSONAL**

**DATA** *Which data are processed*

The processing relates to personal data collected through the report and may concern personal data (e.g. name, surname, place of birth), contact data (e.g. email address, telephone number, postal address), professional data (e.g. job title, area of responsibility, company role, type of relationship with the organisation, profession) and any other information relating to the reported persons that the reporter deems necessary to substantiate the report.

In connection with the handling of the report, written comments and documents may be obtained, also at the request of the reported persons.

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

In connection with the subject matter 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, genetic data, or biometric data intended to uniquely identify a natural person, data concerning a person's health or sex life or sexual orientation) 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, personal data relating to criminal convictions and offences will not be processed, and Elisabet Srl will only process such data if they are freely provided by the reporting party 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).

Data, including data of a sensitive nature, may be processed in connection with the need to establish, exercise or defend a right in judicial proceedings, 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, social security, and social protection (Art. 9 (2) (b) GDPR).

The 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. 9 (2) (f) 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.

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 persons involved and of the person mentioned in the report, as well as the content of the report and of the relevant documentation.

An exception to this duty of confidentiality of the persons involved or mentioned in the report is the case where reports are made to judicial authorities.

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.

#### **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.

#### **DATA ADDRESSEES**

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

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

The autonomous functions dedicated to the management of reports and the possible preliminary investigation for subsequent proceedings 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.
- providers of services instrumental to the pursuit of the purposes of managing reports, after being appointed 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 parties outside the European Union.

### **RIGHTS OF THE DATA SUBJECT**

The exercise of the rights set out in Articles 15 to 22 of the GDPR (access, rectification, erasure, restriction of processing, objection to processing, portability) are not precluded in absolute terms to the data subject but may not be exercised, including in relation to the knowledge of the origin of the data, if the exercise of the rights may prejudice the confidentiality of the identity of the whistleblower or of the person mentioned in the report.

The exercise of the rights may be delayed, limited or excluded by reasoned communication made without delay to the data subject, unless the communication could jeopardise the purpose of the limitation, for such time and to the extent that this constitutes a necessary and proportionate measure aimed at safeguarding the confidentiality of the identity of the reporting person as well as other interests, such as the conduct of the defensive investigations or the exercise of the right of defence.

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.

In order to exercise these rights, the data subject may contact the Data Controller, Elisabet Srl, whose contact details are indicated at the beginning of this policy statement, by making a request without formalities.

### **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