

## **WHISTLEBLOWING INFORMATION ON THE PROTECTION OF PERSONAL DATA PURSUANT TO ART. 13 AND 14 OF EU REGULATION 2016/679 ("GDPR") AND LEGISLATIVE DECREE NO. 196/2003 AND SUBSEQUENT AMENDMENTS**

In compliance with the provisions of art. 13 and 14 of EU Regulation 2016/679 and Legislative Decree 196/2003, **SIRIO SOLUTIONS ENGINEERING S.P.A.** abbreviated to **SSE**, C.F. 02013980483 and VAT number 00278460977, in the person of its *pro tempore legal representative*, with registered office in Prato, Via Del Lazzaretto n. 92, as Data Controller, without prejudice to the information already provided during the course of the relationships between the parties, wants to inform about the characteristics and methods of processing (the "Processing"), on our part, of the data released as part of the reporting procedures introduced by Legislative Decree 24/2023 (the so-called "Whistleblowing Regulations").

### **1. Data Controller (the "Data Controller").**

The Data Controller is the company **SIRIO SOLUTIONS ENGINEERING S.P.A.** (C.F. 02013980483 e P.IVA 00278460977), with registered office in Prato (PO), Via del Lazzaretto n. 92, in the person of its legal representative Ing. Michelangelo Guarducci, tel. 0574 52941; fax 0574 529451; PEC: [sse\\_accountingfinance@pec.it](mailto:sse_accountingfinance@pec.it); e-mail: [info@sse.cc](mailto:info@sse.cc); Website: [www.sse.cc](http://www.sse.cc).

### **2. Type of personal data (the "Personal Data").**

Whistleblowing Regulations provide for the possibility of reporting illegal phenomena and prejudicial conduct committed to the detriment of the Company (the "Reports").

The Reports may contain Personal Data relating to all natural persons – identified or identifiable – that in various ways are involved in the reported events (the "Interested Party").

In particular, the Personal Data of the Interested Party may fall into the following categories:

- (1) common personal data in accordance with Art. 4, point 1, of the GDPR, such as: personal data (e.g. name, surname, date and place of birth), contact data (e.g. landline and/or mobile telephone number, postal address/e-mail), relationship with the Data Controller, professional classification, role qualification/relationship;
- (2) "special categories" pursuant to Art. 9 GDPR (i.e. those "revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as processing genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation");
- (3) judicial data relating to "criminal convictions and offenses or related security measures" pursuant to Art. 10 GDPR.

The receipt and management of Reports shall determine the Company's Processing of Personal Data for the Purposes set out *below*.

Personal Data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (see below). Data that is manifestly not useful for the processing of a specific report cannot be collected and, in the event of accidental collection, will be promptly deleted (Article 13, paragraph 2 of the Decree), provided that the absolute irrelevance of parts of the Report that contain Personal Data with respect to the reported event is clear, without prejudice to the rules on the retention of records.

### **3. Purposes of the Processing (the "Purposes") and legal basis.**

The Personal Data collected for such Reports and/or for acts and documents attached to it, are strictly functional and necessary for the pursuit of the following Purposes:

- (1) implementation of the legal obligations provided for by the Whistleblowing Regulations and EU legislation;
- (2) receiving, analyzing, and managing alleged misconduct that is the subject of the Reports;
- (3) carrying out preliminary activities aimed at verifying the validity and adoption of any consequent corrective measures pursuant to Article 12, paragraph 1, D.lgs. 24/2023;
- (4) internal control and monitoring of risks for the Company;
- (5) defending and/or asserting a claim in court or for other legitimate interests of the Data Controller.

The legal basis for the Processing are contained in the following provisions:

• the processing of "common" data is based on the legal obligation to which the data controller is subject (Article 6(1)(c) of the GDPR), on the Whistleblower's consent, if given, pursuant to Article 6(1)(a) of the GDPR and on the legitimate interest of the Data Controller pursuant to Article 6(f) of the GDPR;

- the processing of "special" data is based on the fulfillment of obligations and the exercise of specific rights of the Data Controller and the Interested Party, in the field of labour law (Article 9(2)(b), GDPR);
- the processing of data relating to criminal convictions and offenses, taking into account the provisions of art. 10 GDPR, is based on the legal obligation to which the Data Controller is subject (Art. 6, par. 1, lett. c), GDPR).

#### **4. Processing methods.**

The processing is carried out with the aid of electronic and/or paper tools and, in any case, by adopting organizational and/or IT procedures and measures, in written and oral form, suitable for protecting security, confidentiality, relevance and non-excess.

#### **5. Disclosure of personal data.**

Personal Data is made accessible only to those within the Company who are competent to receive or follow up on the Purposes.

In particular, Personal Data may be transmitted to the following parties:

- (1) external consultants and third parties with technical functions (e.g., the provider of the IT platform and investigative agencies), who act as processors/sub-processors, pursuant to and for the purposes of art. 28 GDPR;
- (2) institutions and/or Public Authorities, Judicial Authorities, Police Bodies;
- (3) Supervisory Body.

Personal Data is not in any way disseminated or disclosed to subjects other than those identified above.

These parties are appropriately instructed in order to avoid the loss, access to data by unauthorized parties or unauthorized processing of the data and, more generally, in relation to the obligations regarding the protection of personal data.

Personal Data is processed in strict compliance with the utmost confidentiality and is treated solely for the management and evaluation of the Reports to which this information refers.

The identity of the reporting person and any other information from which such identity can be inferred, directly or indirectly, may be revealed to persons other than those competent to receive or follow up on the Reports only with the express consent of the reporting person in accordance with the provisions of Legislative Decree no. 24/2023.

Some processing may be carried out by other third parties, to whom the Data Controller entrusts certain activities (or part of them) for the purposes referred to in point 3); these subjects will operate as independent Data Controllers or will be designated as Data Processors.

#### **6. Disclosure of personal data.**

The Personal Data subject to the Processing will never be published, exposed or made available/consulted by unspecified parties.

Personal Data is processed within the territory of the European Union and no transfers outside the European Economic Area are envisaged. If, for technical and/or operational reasons, it is necessary to make use of parties located outside this territory, external data processors will be appointed and the transfer of Personal Data will be limited to the performance of specific Processing activities, in accordance with the provisions of the GDPR, adopting all the necessary precautions in order to ensure the total protection of Personal Data and basing this transfer on the assessment of appropriate guarantees.

In any case, the Interested Party may request further details from the Data Controller if the Personal Data has been processed outside the European Union, requesting evidence of the specific safeguards adopted.

#### **7. Data Retention**

The Personal Data contained in the Reports, internal and external, and the related documentation are kept strictly for the time necessary to pursue the Purposes and, in any case, no longer than five years from the date of communication of the final outcome of the reporting procedure (pursuant to Article 14 of Legislative Decree 24/2023), in compliance with the confidentiality obligations referred to in Article 12 of Legislative Decree 24/2023 and the principle referred to in Articles 5, point (e) of paragraph 1 of Regulation (EU) 2016/679.

In order to manage any complaints or disputes, and in any case for the establishment, exercise or defense of a right in court, Personal Data may be stored for a further period, equal to that of the statute of limitations of the right itself.

#### **8. Rights of the Interested Party**

EU Regulation 2016/679 (Articles 15-22) allows the whistleblower and/or the Interested Party (parties) involved in the report the possibility to exercise the rights granted to them by the GDPR (the "Rights"), and in particular:

- **right of access:** the Interested Party has the right to access his/her data and related Processing. This right consists in the possibility of obtaining confirmation as to whether or not a Processing of one's Personal Data is in progress, or in the possibility of requesting and receiving a copy of the data subject to Processing and any necessary clarification regarding the information referred to in this policy;
- **right to rectification:** the Interested Party has the right to obtain from the Data Controller the rectification of inaccurate Personal Data concerning him/her without undue delay. Taking into account the Purposes, the Interested Party has the right to obtain the integration of incomplete Personal Data, also by providing a supplementary statement;
- **right to Deletion ("the right to oblivion"):** the Interested Party has the right to request from the Data Controller that the Personal Data concerning him/her be deleted and no longer be subject to Processing and in some cases, where there are justified reasons, to obtain cancellation without undue delay when the purpose of the Processing has ceased, consent has been withdrawn, opposition to the Processing has been made or when the Processing of Personal Data does not otherwise comply with the GDPR;
- **right to restriction of Processing:** the Interested Party has the right to restrict the Processing of his/her Personal Data in the event of inaccuracies, objections or as an alternative measure to deletion;
- **right to object:** the Interested Party has the right to object at any time, for reasons related to his or her particular situation, to the Processing of Personal Data concerning him/her, unless there are legitimate reasons for proceeding with the Processing that prevail over his/her own (for example: the exercise or defense of legal proceedings);
- **right to data portability:** the Interested Party, except in the case where the data is stored by means of non-automated processing (e.g. in paper format), has the right to receive Personal Data concerning him or her in a structured, commonly used and machine-readable format, where reference is made to data provided directly by the Interested Party, with express consent or on the basis of a contract, and to request that the same be transmitted to another data controller, if technically feasible.

In cases where the Processing must take place only following the consent of the Interested Party and the latter has provided it, the Interested Party has the right to revoke the consent given at any time by sending a written request to the Data Controller at the addresses indicated above. The withdrawal of consent does not affect the lawfulness of the processing based on the consent given before the withdrawal.

The deadline for replying to the Interested Party is, for all Rights (including the right of access) and also in case of refusal, 1 month, extendable up to 3 months in cases of particular complexity.

In addition, the Interested Party has the right to lodge a complaint, if he/she believes that his/her Rights have been violated, against the Supervisory Authority, which in Italy is the Guarantor for the Protection of Personal Data. Pursuant to Article 2-undecies of Legislative Decree No. 196/2003 and subsequent amendments and additions, and in implementation of Article 23 of the Regulation and Art. 13, paragraph 2, of Legislative Decree 24/2023, the Rights may be limited if the exercise of the same may result in an actual and concrete prejudice to the confidentiality of the identity of the reporting person.

In particular, the possibility to exercise the Rights can only be carried out in accordance with the provisions of the law governing the sector (Legislative Decree 24/2023) and may be delayed, limited or excluded with a reasoned communication made without delay to the Interested Party, in order to safeguard the confidentiality of the identity of the reporting person.

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## BY RECEIPT.

I declare that I have read and understood, and therefore accept, this Information on the Processing of Personal Data as part of the procedures introduced by the Whistleblowing Regulations.

Place \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Signature (legible)\_\_\_\_\_