

## Annex 2 - WHISTLEBLOWING PRIVACY POLICY pursuant to Articles 13 and 14 of Regulation (EU) No. 679/2016 – GDPR

### Data Controller

**Mozzanica & Mozzanica Srl** with registered office in 23875 Osnago (LC), in Via Martiri Della Liberazione 12, tel. +390392254700 e-mail: [privacy@mozzanica.eu](mailto:privacy@mozzanica.eu)

### Personal data treaties

- Personal data **included in the report and/or in the acts and/or documents relating to the report** (e.g.: name, surname, contact details, address, job position held, etc.) that may refer to you or, also, to the persons indicated in the report or to other parties involved, as possible perpetrators of the unlawful conduct
- "Special" **data** (formerly "Sensitive Data") that you may provide us **in the report and/or in the acts and/or documents relating to the report** (e.g.: any belonging to a protected category, data relating to your health) that may refer to you or, also, to the persons indicated in the report or to other parties involved, as possible responsible for the unlawful conduct

### Purpose and legal basis of the processing

#### Activities of receiving and managing the report as well as activities of investigation and ascertainment of the facts covered by the report



**Legal basis:** *Necessity to comply with a legal obligation pursuant to Art. 6.1 (c) GDPR*



**Legal basis:** *with regard to "special" data, it is necessary to comply with legal obligations or to exercise our specific rights in the field of labour law, social security and social protection pursuant to Article 9.2 lit. b) GDPR.*

#### Where necessary, adoption of the measures resulting from the report and, in general, protection of our rights and/or exercise or defense of our right in court



**Legal basis:** *our legitimate interest, pursuant to Article 6.1 lit. f) of the GDPR, which we believe does not override any of your rights, interests, or fundamental freedoms*

### How long we keep your personal data

We will process your data **for the entire duration of the process of managing and concluding the report** and we will keep it **for a maximum period of 5 years** from the date of communication of the final outcome of the reporting procedure, unless judicial or disciplinary proceedings are instituted as a result of the report itself. In this case, your data will be stored for the duration of the procedure

**In the event that a dispute arises**, we will process your data for the period that is necessary in relation to such dispute

After the above time periods, your data will be **deleted** or anonymized

Personal data that **is manifestly not useful** for the management of a specific report is not collected, or if collected accidentally, is deleted immediately

Your data is not transferred outside the European Economic Area (EEA). However, if this is essential for the pursuit of the purposes described above, such transfer will take place subject to the adoption of adequate guarantee and protection measures as provided for by mandatory legislation

### Recipients of personal data

The data may be communicated or made accessible to certain **categories of third-party recipients** such as consultants, law firms, auditing/auditing firms, investigative agencies, judicial authorities, public authorities, police bodies, providers of the Whistleblowing software platform, ANAC. Where necessary, we will appoint these third parties as our **data processors** (pursuant to Art. 28 GDPR)

Within our **corporate organisation**, the Person in Charge specifically identified for the management of Whistleblowing reports and the employees of the other functions involved from time to time in the investigation and assessment of reports may have access to your data. All the aforementioned subjects are bound by a duty of confidentiality and will be authorized and instructed by us to process, pursuant to art. 29 of the GDPR

Personal data will **not** be communicated to subjects other than those identified nor will they be disseminated or disclosed, without the **consent** of the whistleblower, unless there is a legal obligation to disclose

### Nature of the provision of data

The provision of your data for the purposes indicated in this policy is **optional**. In the event of non-delivery, partial or incorrect provision, **we will not** be able to manage the report. Any **anonymous** reports will be taken into account only if adequately substantiated and evidence-based

If the recorded telephone line or other recorded voice messaging system is used for the report, the report, **subject to the consent** of the person reported, will be documented by the staff in charge by recording on a device suitable for storage and listening or by means of a report

### Your rights

You may exercise your rights under the GDPR at any time, including your right to request:

- **access** to your data, together with information on the purpose of the processing, the category of data processed, the recipients of the data, where possible the retention period or the criteria used to determine it, the existence of the following additional rights

- the **rectification** of your data, if they are inaccurate or incomplete
- the **deletion** of your data, if one of the conditions set out in Article 17 of the GDPR applies.
- the **restriction** of the processing of data concerning you
- your data in a structured, commonly used and machine-readable format, also in order to transmit them to another controller, if the processing is based on consent or on a contract and is carried out by automated means (so-called "data processing"). **right to data portability**)

You also have the right to:

- **object** to the processing of your data, unless there are compelling legitimate reasons of the Data Controller to proceed with the processing
- lodge a **complaint** with the Guarantor for the protection of personal data, following the procedures and indications published on the official website of this authority ([www.garanteprivacy.it](http://www.garanteprivacy.it))

We will notify each of the recipients of the data of any rectification or erasure or restriction of processing, unless this proves impossible or involves a disproportionate effort.

The exercise of the foregoing rights is not subject to any formal constraint and is free of charge. We can only require you to **verify your identity** before taking any further action as a result of your request.

**To exercise your rights**, you can write an e-mail or send a request to the contact details indicated in the [Data Controller section](#).

The aforementioned rights cannot be exercised by the person involved or by the person mentioned in the report for the necessary time and to the extent that this constitutes a necessary and proportionate measure, pursuant to art. 2-undecies of the Privacy Code as the exercise of these rights could result in an actual and concrete prejudice to the protection of the confidentiality of the identity of the reporting person.

Ed. January 2024

I declare that I have received and read the **Whistleblowing privacy policy** issued to me by Mozzanica & Mozzanica S.r.l. (January 2024 Edition)