

Casale sul Sile, 13/12/2023

Doc. No. D03458022 -

### **Policy pursuant to the Personal Data Protection legislation in relation to reports of “Whistleblowing”**

Pursuant to article 13 of Regulation (EU) no. 2016/679 (General Data Protection Regulation, hereinafter GDPR) and Legislative Decree 24/2023, PM FORMING S.r.l. (Data Controller) hereby provides information on the processing of personal data carried out in relation to the management of the Whistleblowing Reports governed by the Whistleblowing Procedure.

#### **1) Categories of personal data**

- a) Common personal data referred to in art. 4, point 1, of the GDPR of the Reporter (in the case of non-anonymous Reports) as well as of any Persons involved or mentioned in the Report and Facilitators, as defined by the Whistleblowing Procedure (hereinafter "Data Subjects"), such as: personal data (e.g. name, surname, date and place of birth), contact details (e.g. landline and/or mobile telephone number, postal/e-mail address).
- b) Special categories of data referred to in art. 9) of the GDPR, if included in the report.

#### **2) Purpose of processing and related legal basis**

The aforementioned personal data is processed by the Data Controller for the following purposes:

- a) management of the Report pursuant to Legislative Decree no. 24/2023;
- b) fulfilment of obligations established by law or by EU regulation;
- c) defence or verification of a right in civil, administrative or criminal litigation.

The legal basis of the processing consists of:

- for the purpose referred to in letter a), by the fulfilment of a legal obligation to which the Data Controller is subject (Art. 6, par. 1, letter c) of the GDPR); furthermore, for recorded reports collected by telephone or via voice messaging systems or in any case in oral form, by the consent of the Reporter (art. 6, par. 1, letter a) of the GDPR);
- for the purposes referred to in letter b), by the fulfilment of a legal obligation to which the Data Controller is subject (art. 6, par. 1, letter c) of the GDPR);

- for the purposes referred to in letter c), by the legitimate interest of the owner (art. 6, par. 1, letter f) of the GDPR).

The provision of data is necessary to achieve the above-mentioned purposes; failure to provide data, partial or inaccurate provision could result in the impossibility of processing the report.

### **3) Personal data storage**

PM FORMING Srl stores personal data according to the terms set out in the art. 14 of Legislative Decree no. 24/2023, i.e. for the time necessary to process the Report and in any case for no more than 5 years from the date of communication of the final outcome of the Report.

Personal data not clearly useful for processing a specific report are not collected or, if accidentally collected, are promptly deleted.

### **4) Method and logic of treatment**

The data processing is carried out manually and/or by means of automated IT and telematic tools with logic related to the aforementioned purposes and, in any case, in such a way as to guarantee its security and confidentiality.

The Report management system guarantees, at every stage, the confidentiality of the identity of the Reporter, of the Persons involved and/or otherwise mentioned in the Report, of the content of the Report and of the related documentation, without prejudice to the provisions of the art. 12 of Legislative Decree no. 24/2023.

### **5) Owner, Data Protection Officer and categories of persons authorized to process data**

The Data Controller of personal data is PM FORMING Srl, with registered office in Casale Sul Sile (TV) Via Valli n. 15, pec vemek@pec.pm-eng.info.

PM FORMING Srl has entrusted the management of the information system of the Whistleblowing procedure to the external company DATA SERVICE SRL, designated as Data Processor pursuant to art. 28 of Regulation (EU) 2016/679.

PM FORMING Srl has appointed Lawyer Stefania Chinellato as External Consultant entrusted with the management of the reporting channel pursuant to art. 4 paragraph 2 Legislative Decree. n. 24/2023, and Person authorized to process personal data pursuant to art. 12 Legislative Decree. n. 24/2023.

In compliance with the provisions of the current legislation on the subject and the whistleblowing management procedure adopted by PM FORMING Srl, the Data Processor and the Person authorized to process and manage the reports are required to guarantee the confidentiality of the identity of the reporter and of the persons involved.

In the phase of ascertaining the validity of the report, where it is necessary for requirements related to the preliminary investigation activities, the personal data may be forwarded to other offices and/or bodies of the Company. In this case, the aforementioned behavioural duties aimed at ensuring the confidentiality of the identity of the reporter will be borne by those involved in supporting the External Consultant appointed by PM FORMING S.r.l.

Personal data may only be disclosed to the Head of Disciplinary Proceedings and/or to the person accused in cases where there is the express consent of Reporter, or the contestation of the disciplinary charge is based solely on the report and knowledge of the identity of the Reporter is absolutely indispensable for the defence of the accused.

Notice shall be given to the Reporter by written communication of the reasons for the disclosure of the confidential data, in the case referred to in the art. 12 paragraph 5, second sentence, of Legislative Decree no. 24/2023 and in internal and external reporting procedures when the disclosure of the identity of the Reporter is revealed and the information referred to in the art. 12 paragraph 2 of Legislative Decree no. 24/2023 also is essential for the defence of the person involved.

Where applicable, personal data may also be communicated to third parties in the following categories: a) Consultants, Law Firms, etc.; b) Companies entrusted with the administration and management of personnel, the storage of employees' personal data, the development and/or operation of dedicated information systems; c) Institutions and/or Public Authorities, Judicial Authorities, Police Agencies, Investigative Agencies.

This Privacy Policy is also applicable in the case of transfer of data to third countries where the level of data protection is different from that of the European Union: any transfer of personal data to third parties will be made only after having informed you and, where required, after having received your consent. Any transfer of data to countries other than those for which the European Commission has made an adequacy decision shall take place on the basis of agreements using standard contractual clauses adopted by the European Commission or other appropriate guarantees in compliance with applicable laws.

## 6) Rights of the Data Subjects

EU Regulation 2016/679 (articles 15 to 23) grants data subjects the exercise of specific rights, such as:

- The right of access to personal data, which also includes the right to obtain a copy of the personal data being processed;
- The right to obtain the updating, rectification or integration of data;
- Right to obtain the cancellation, limitation, transformation into anonymous form or blocking of data processed in breach of the law, including data whose storage is not necessary in relation to the purposes for which the data were collected or subsequently processed;
- the right to object, in whole or in part, for legitimate reasons, to the processing of personal data concerning you, even if pertinent to the purpose of the collection and to the processing carried out for the purposes established by current legislation;
- the right to lodge a complaint with the Personal Data Guarantor, according to the procedure available on the Guarantor's website ([www.garanteprivacy.it](http://www.garanteprivacy.it)) to complain about a violation of the regulations regarding the protection of personal data and request a verification by the Authority.

For all questions relating to the processing of personal data and the exercise of rights, the interested party can contact the following contact details: e-mail: [WHISTLEBLOWING@PMPROFILES.EU](mailto:WHISTLEBLOWING@PMPROFILES.EU)