



PRIVACY NOTICE FOR THE PROCESSING OF PERSONAL DATA IN “WHISTLEBLOWING” REPORTS PURSUANT TO ART. 13 OF EU REGULATION No. 2016/679 (“GDPR”)

1. Data Controller and Joint Controllers

The Data Controller for the processing of personal data is Ustec S.r.l., with registered office at via L. da Vinci, 80 – 47021, San Piero in Bagno (FC), VAT No. 04650900402, email privacy@ustecgroup.com. The Data Controller has signed a joint controllership agreement pursuant to Art. 26 of the GDPR with Servizi Industriali - Società consortile a responsabilità limitata, with registered office at via Segre 16 - 47122 Forlì (FC), VAT No. 04410190401, email DPO whistleblowing@servizi-industria.it (hereinafter also referred to as the “Joint Controllers”). The Joint Controllers jointly participate in the processing activities related to the receipt and management of whistleblowing reports. It is possible to request an extract of the joint controllership agreement by sending an email to: privacy@ustecgroup.com.

2. Categories of personal data processed

Within the whistleblowing reporting process pursuant to Leg. Decree no. 24/2023 (the so-called “Whistleblowing” Decree), the Joint Controllers can process personal data relating to whistleblowers, reported individuals, individuals mentioned in or otherwise involved in the report, and any individuals entitled to protection under Leg. Decree no. 24/2023, as further detailed in the Whistleblowing Procedure published on the Ustec S.r.l. website.

The processing in question involves the voluntary provision of data by filling in a form on the dedicated IT platform or via a direct meeting with the Whistleblowing Function designated by the Joint Controllers and described in the “Whistleblowing Reporting Procedure”. The processing can therefore concern: ordinary personal data, such as identification data and employment-related information and, where strictly necessary, personal data belonging to special categories, pursuant to Art. 9 of EU Regulation 2016/679 (hereinafter referred to as Regulation or GDPR), including data relating to health, trade union membership, racial or ethnic origin, political opinions, religious or philosophical beliefs, or data relating to criminal convictions and offences pursuant to Art. 10 of the GDPR.

3. Purposes and legal bases of processing

Personal data may be processed for the following purposes:

- management of the report during all phases, including verification of the reported facts and the adoption of any consequent measures, in accordance with what is described in the Whistleblowing Reporting Procedure.
- compliance with legal obligations relating to whistleblowing applicable to the Joint Controllers.

For the above purposes, the legal basis for processing is the need to comply with a legal obligation to which the Joint Controllers are subject, i.e. Leg. Decree no. 24/2023, and to implement the procedures required under such Decree, pursuant to Art 6, para. 1, lett. c), 9 para. 2, lett. g) and 10 of the GDPR, as well as Art. 88 of the same Regulation.

The legal basis for the processing activities indicated below, however, is consent, pursuant to Art. 6 para. 1, lett. a) of the GDPR:

- the disclosure of the whistleblower’s identity and any other information from which such identity may be inferred, directly or indirectly, to people other than those authorised to receive or follow up on reports, in the cases provided for by applicable law;
- the disclosure of the whistleblower’s identity within the context of disciplinary proceedings, where the allegation is based, in whole or in part, on the report, and knowledge of such identity is essential for the defence of the accused;

the recording of the report in minutes or by means of a device suitable for storage, where the report is made by the whistleblower during an in-person meeting arranged with the Whistleblowing Function.

In the above cases, the Joint Controllers, or those appointed by them for this purpose, will obtain the whistleblower's consent by means of a dedicated form.

4. Provision of data

The provision of personal data is voluntary. However, failure to provide such data may compromise the proper handling of the report: in fact, anonymous reports will only be considered where they are sufficiently detailed and substantiated, in order to allow the identification of facts and circumstances relating to specific situations, in accordance with what is specified in the Whistleblowing Procedure.

5. Methods of processing personal data

Processing will be carried out using an IT platform equipped with encryption tools to ensure the confidentiality of the whistleblower's identity and of the content of the reports and relative documentation, by implementing appropriate technical and organisational measures to protect them against unauthorised or unlawful access, as well as against destruction, loss of integrity and confidentiality, even accidental. Personal data may also be processed using paper-based means, in such a way as to guarantee its security and confidentiality, in accordance with Leg. Decree no. 24/2023.

6. Recipients of personal data

In addition to the individuals specifically authorised by the Joint Controllers, personal data may also be processed by parties carrying out outsourced activities, acting as Data Processors. Moreover, in the cases provided for by law, personal data may be disclosed to the National Anti-Corruption Authority (ANAC), to the ordinary judicial authorities, or to the Court of Auditors.

7. Transfers outside the EU

At present, the transfer of personal data to countries outside the European Economic Area (EEA) is not envisaged.

8. Retention period of personal data

Personal data will be kept for a maximum of 5 years from the date of communication of the final outcome of the reporting procedure and, in any case, until the conclusion of any proceedings initiated by the competent authorities or bodies. In any case, personal data provided by the whistleblower that is not relevant to the handling of the report will be deleted immediately.

9. Data subjects' rights

Whistleblowers have the right, in the cases provided for by the GDPR, to access their personal data, and also to rectify, complete or erase it or restrict processing, or object to such processing (Art. 15 and following of the GDPR). The request can be submitted by contacting the reporting management function via the IT platform used for whistleblowing reports. Data subjects who believe that the processing of their personal data does not comply with the GDPR also have the right to lodge a complaint with the Italian Data Protection Authority, using the forms available at the following link: <https://www.garanteprivacy.it/i-miei-diritti>.

Moreover, for processing based on consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of processing carried out prior to such withdrawal.