












**PRIVACY - REPORTING PERSON/ WHISTLEBLOWER (WHISTLEBLOWING – Italian Legislative Decree No. 24/2023)**





This policy is drafted pursuant to and for the purposes of art. 13 of EU General Data Protection Regulation 2016/679 (GDPR)


	<p><b>WHY ARE WE PROVIDING YOU WITH THIS INFORMATION?</b></p> <p><b>1. WHO IS THE DATA CONTROLLER? HOW TO CONTACT THE DATA CONTROLLER?</b></p> <p>Data Controller is <b>CONSORZIO DEI NAVIGLI S.p.A.</b>, with registered office in Via Cesare Battisti, 2, 20080 Albairate (MI), represented by its pro tempore legal representative, who can be contacted for any information by email at the following e-mail address <a href="mailto:privacy@consorzionavigli.it">privacy@consorzionavigli.it</a></p>
	<p><b>HAS A DATA PROTECTION OFFICER BEEN APPOINTED? WHAT ARE THE DPO'S CONTACT DETAILS?</b></p> <p>Data Controller has appointed its Data Protection Officer (DPO) pursuant to Articles 37, 38 and 39 of the GDPR. The DPO can be contacted at the Data Controller's premises indicated above and by email at the following e-mail address <a href="mailto:dpo.consorzionavigli@dpoprofessionalservice.it">dpo.consorzionavigli@dpoprofessionalservice.it</a></p>
	<p><b>2. TYPE OF DATA THAT CAN BE PROCESSED AND DATA SUBJECTS</b></p> <p><b>Personal data:</b> means any information relating to an identified or identifiable natural person ('Data Subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person; (Recitals No. 26, 27, 30 GDPR).</p> <p>The data processed will be those related to the reports made by the reporting persons (the so-called Whistleblowers) which may include data relating to third parties namely to the reported subjects and data processing is carried out in full compliance with and in the manner defined in the Whistleblowing Procedure adopted by the Data Controller.</p> <p>Data relating to reporting subjects/whistleblowers, which may be provided by these latter:</p> <ul style="list-style-type: none"> <li>- Name, surname;</li> <li>- Position in the company;</li> <li>- the voice of the whistleblower, in case of a request for a face-to-face meeting and prior consent for registration;</li> <li>- Any additional information provided by the whistleblower;</li> <li>- Special data (see Art. 9 GDPR): any personal data that can reveal the racial or ethnic origin, political opinions, religious or philosophical convictions, or union membership, as well as any genetic data, biometric data intended to uniquely identify a physical person, data related to the health or sexual life or sexual orientation of the person concerned;</li> <li>- Any data on criminal records and offences or related security measures (see Art. 10 GDPR): personal data revealing measures referred to in Article 3(1) from (a) to (o) and from (r) to (u) of Italian Presidential Decree No. 313 of 14 November 2002 with regard to criminal records, registry of administrative sanctions inflicted for a criminal offence and related pending charges, or the status of accused or suspected person pursuant to Articles 60 and 61 of the Italian Code of Criminal Procedure.</li> </ul> <p>The data subjects of this processing are: - the employees of Consorzio dei Navigli S.p.A.; - the self-employed workers, including those indicated in Chapter I of Law No. 81 of May 22, 2017, as well as the persons holding a collaboration relationship referred to in Article 409 of the Code of Civil Procedure and Article 2 of Legislative Decree No. 81 of 2015, who perform their work activities for Consorzio dei Navigli S.p.A. ; - workers and collaborators who perform their work activities for economic operators who provide goods or services or carry out works in favor of the Company; - freelancers and consultants who perform their activities for the Company; - volunteers and trainees, paid and unpaid, who perform their activities for the Company; - shareholders and persons with administrative, management, control, supervisory or representative functions of Consorzio dei Navigli S.p.A.</p>

### 3. PURPOSE OF PROCESSING, LAWFULNESS OF PROCESSING, DATA RETENTION PERIOD, NATURE OF DATA PROVISION

 <b>PURPOSE OF DATA PROCESSING</b>	 <b>LAWFULNESS OF PROCESSING</b>	 <b>DATA RETENTION PERIOD</b>	 <b>NATURE OF DATA PROVISION</b>
<p>A) Management of whistleblowing reports. In particular, collection of data to pass on information concerning wrongdoing, which has come to one's knowledge in the context of a legal relationship (privacy) pursuant to Art. 3 of Italian Legislative Decree No. 24/2023.</p>	<p>Data processing is necessary for compliance with a legal obligation (pursuant to Italian Legislative Decree No. 24/2023) to which the Data Controller is subject (Recital 45 GDPR) Art. 6 (1)(c) GDPR</p> <p>The processing of 'special' data is based on the fulfilment of obligations and the exercise of specific rights of the Data Controller and the Data Subject with regard to Labour law Art. 9 (2)(b) GDPR.</p> <p>The processing of personal data relating to criminal records and offences, in accordance with Art. 10 GDPR, is based on a legal obligation to which the Data Controller is subject Art. 6 (1)(c)</p>	<p>For the time strictly necessary to process the whistleblowing report and, in any case, no longer than 5 years from the date of the communication of the final outcome of the whistleblowing procedure (Art. 14 of Italian Legislative Decree No. 24/2023).</p> <p>In the event of a lawsuit, the above-mentioned time limit is extended until conclusion of the stages of legal proceedings. Personal data that are clearly not useful for processing a specific whistleblowing report are not collected or, if accidentally collected, are deleted immediately.</p>	<p>The provision of the whistleblower's personal data is necessary, without prejudice to the right of the whistleblower to remain anonymous.</p>

 <b>PURPOSE OF DATA PROCESSING</b>	 <b>LAWFULNESS OF PROCESSING</b>	 <b>DATA RETENTION PERIOD</b>	 <b>NATURE OF DATA PROVISION</b>
<p><b>B) Disclosure of the identity of the whistleblower</b> and/or any other information from which that identity may be inferred, directly or indirectly, to persons other than those competent to receive and follow up the report pursuant to Art. 12(2) of Italian Legislative Decree No. 24/2023.</p>	<p>The processing is based on the data subject's express consent to the processing of his/her personal data (Recitals 42 and 43 GDPR)</p> <p><i>Consent for any disclosure of the data subject's identity will be requested by the Whistleblowing Prescribed Person at a later stage after receipt of the Whistleblowing report, if need be.</i> Art. 6 (1)(a) GDPR</p>	<p>Until withdrawal of consent and unless the identity has already been disclosed to a third party</p>	<p>The provision of the whistleblower's personal data is optional.</p> <p>In the event that the whistleblower does not provide his/her data, the Data Controller shall not reveal the identity of the whistleblower and/or any other information from which such identity may be inferred to persons other than those competent to receive and follow up the whistleblowing reports, except for the cases expressly provided for in Italian Legislative Decree No. 24/2023 and subject to prior written notification of the reasons for disclosure.</p>

	<p><b>4. TO WHICH RECIPIENTS OR CATEGORIES OF RECIPIENTS WILL PERSONAL DATA BE DISCLOSED? DATA RECIPIENTS</b></p> <p>The personal data provided may be disclosed to recipients, who shall process them in their capacity as Autonomous Data Controllers or Data Processors (Art. 28 GDPR), and processed by natural persons operating under the authority of the Data Controller and Data Processors (Art. 29 GDPR and/or Art. 2-<i>quaterdecies</i> of Italian Legislative Decree No. 196/2003) on the basis of specific instructions given on the purposes and methods of processing. More specifically, data may be transferred to recipients in the following categories:</p> <ul style="list-style-type: none"> <li>- the person who holds the position of the Head of Prevention of Corruption (RPCT), as stipulated in the Consortium's WHISTLEBLOWING REGULATION, or the external party (including the Supervisory Board), who are entrusted with the management of the internal reporting channel;</li> <li>- Judicial authorities and public authorities (including the Italian National Anti-Corruption Authority);</li> <li>- DPO / Data Protection Representative for handling requests from Data Subjects.</li> </ul>
	<p><b>5. IS THERE A TRANSFER OF PERSONAL DATA TO A COUNTRY OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)?</b></p> <p>Personal data will not be transferred to countries outside the EEA. Please note that the data will be stored in Italy and that the recipients of the data are based in Italy.</p> <p>For information on guarantees regarding the transfer of personal data outside the EEA please write to <a href="mailto:privacy@consorzionavigli.it">privacy@consorzionavigli.it</a></p>
	<p><b>6. IS THERE ANY AUTOMATED DATA PROCESSING?</b></p> <p>Personal data will be subject to traditional manual, electronic and automated processing. Please note that no fully automated decision-making processes are carried out.</p>
	<p><b>7. RIGHTS OF THE DATA SUBJECTS</b></p> <p>Data subjects shall be able to exercise their rights under Articles 15 et seq. GDPR by email at the following e-mail address <a href="mailto:privacy@consorzionavigli.it">privacy@consorzionavigli.it</a> or at the above-mentioned contact details. Data subjects shall have the right to obtain from the Data Controller, at any moment, access to their personal data (Art. 15), their rectification (Art. 16) or erasure (Art. 17), as well as the restriction of their processing (Art. 18). The Data Controller shall inform (Art. 19) each of the recipients to whom the personal data have been transferred of any rectification or erasure or restriction of processing carried out. The Data Controller shall inform the Data Subject of these recipients if the Data Subject so requests. Where envisaged, Data subjects shall have the right to the portability of their personal data (Art. 20), and if they so wish, the Data Controller shall provide them with the Personal Data concerning them in a structured, commonly used and machine-readable format. In cases where legal basis for processing is consent, Data subjects shall have the</p>

	<p>right to withdraw consent at any time without affecting the lawfulness of processing based on consent before its withdrawal.</p> <p>In the event that Data Subjects consider that the processing of their personal data carried out by the Data Controller is in breach of the provisions of Regulation (EU) 2016/679, they shall have the right to lodge a complaint with the Data Protection Authority (*) of the Member State in which they are habitually resident or work or of the place where the alleged violation took place [(*) the Italian Data Protection Authority is called <i>Garante Privacy</i> and it can be contacted at <a href="https://www.garanteprivacy.it/">https://www.garanteprivacy.it/</a>]. Moreover, they shall have the right to take appropriate legal action.</p> <p>Please note that, pursuant to Italian Legislative Decree No. 24/2023, the Data Controller shall guarantee the confidentiality of the whistleblower: the identity of the whistleblower and any other information from which that identity may be inferred, directly or indirectly, shall not be disclosed, without the express consent of the whistleblower, to persons other than those competent to receive or follow up the report, without prejudice to the right of defence of the reported person and where required by law.</p>
	<p><b>8. AMENDMENTS TO THIS WHISTLEBLOWING POLICY AND PROCEDURE</b></p> <p>The Data Controller reserves the right to amend, update, add or remove parts of this Whistleblowing Policy and Procedure. In order to facilitate this review, the policy will contain an indication of the date on which it was updated.</p>

Updated on: August 29, 2024

The Data Controller



CONSORZIO DEI NAVIGLI S.p.A.