



# **Whistleblowing Procedure**

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## ***Definitions***

**ANAC:** the National Anti-Corruption Authority.

**CODE OF CONDUCT OR CODE OF ETHICS:** Code of Conduct adopted by the Society

**COLLABORATORS:** those who carry out their work on the basis of a collaborative relationship that does not constitute a subordinate employment relationship (for example and not limited to: interns, workers with project contracts, temporary workers).

**CONSULTANTS:** those who act in the interest of the Company on the basis of a specific mandate or other consultancy or collaboration relationship.

**RECIPIENTS:** all subjects, natural and legal persons, who have or have had contractual relationships with the Company.

**DECREE 231:** Legislative Decree 231/2001 and subsequent amendments and additions

**WHISTLEBLOWING DECREE:** Decree containing "Implementation of Directive (EU) 2019/137 of the European Parliament and of the Council of 23 October 2019 on the protection of persons reporting breaches of Union law and containing provisions concerning the protection of persons reporting breaches of national legislative provisions".

**EMPLOYEES:** all subordinate workers of the Company

**PUBLIC DISCLOSURE:** act by which information on violations is made public through the press or electronic means or in any case through means of diffusion capable of reaching a large number of people.

**FACILITATOR:** a natural person who assists the reporting individual in the reporting process, operating within the same work context and whose assistance must be kept confidential.

**SUPERVISORY BODY (OdV):** Collegial body established within the Company pursuant to art. 6, paragraph 1 of Legislative Decree 231/2001, with the task of supervising the functioning and observance of the Model, as well as ensuring its updating, and endowed with autonomous powers of initiative and control.

**PROCEDURE OR WHISTLEBLOWING PROCEDURE:** this procedure

**RESPONSE** communication to the reporting entity of information relating to the follow-up that is given or that is intended to be given to the report

**RETALIATION:** any behavior, act or omission, even if only attempted or threatened, carried out as a result of the reporting of the complaint to the judicial or accounting authority or of the public disclosure which causes or may cause unjust damage to the Reporting Subject or to the person who filed the complaint, directly or indirectly.

**REPORTING:** the act in written or oral form, with which the Reporting Subject reports to the Responsible for the procedure a behavior that violates national or European Union regulations that harm the public interest or the integrity of the public administration or private entity, of which he has become aware in his work context .

**REPORT EXTERNAL VIOLATION:** the act, in written or oral form, by which the whistleblower reports to ANAC a behavior that violates national regulatory provisions or of the European Union which harm the public interest or the integrity of the administration public or private entity, which he or she has become aware of in his or her work context

**COMPANY:** ANTORAF

**REPORTING SUBJECT OR REPORTING PERSON:** the person who, in accordance with the provisions of this Procedure, is authorised to submit a Report

**PERSON INVOLVED:** natural or legal person mentioned in the internal report or

external or in public disclosure as the person to whom the violation is attributed or as a person in any way implicated in the violation reported or publicly disclosed **VIOLATIONS**: an “unlawful conduct” through any act and/or fact or omission, occurring in the performance or in any case in the context of the Company's work activity, which may be detrimental to the integrity of the Company pursuant to the regulations referred to in the Whistleblowing Decree.

## **1 Purpose of the Procedure**

This Procedure, in compliance with the provisions of Legislative Decree 24/2023 published in the Official Journal of 15/03/2023 implementing Directive (EU) 2019/1937 on the protection of persons reporting violations of Union law (so-called Whistleblowing discipline), aims to regulate the process of transmission, reception, analysis and management of Reports and describes the methods with which to report, safely and with full confidentiality, behaviors, acts or omissions capable of harming the interest or integrity of the Company of which one is aware in the performance/or by reason of one's work activity or position held.

## **2 Regulatory references**

The main reference legislation is the following:

- Legislative Decree 8 June 2001 n. 231 containing the “Regulations on the Administrative Responsibility of companies and legal persons, companies and associations even without legal responsibility pursuant to Article 11 of Law 29 September 2000, n. 300”
- Legislative Decree 10 March 2023, n. 24 “Implementation of Directive (2019 1937 of the European Parliament and of the Council, of 23 October 2019 on the protection of persons reporting breaches of Union law and laying down provisions on the protection of persons reporting breaches of national legislative provisions”
- European Regulation n. 679/2016 (“Regulation” “GDPR”)

## **3 Entities authorised to report**

The reporting entities are as follows:

1. subordinate workers (including workers with fixed-term contracts, part-time employment contracts, temporary agency workers, apprenticeship workers, pursuant to Legislative Decree 81/2015 and workers with occasional work contracts);
2. freelancers, consultants and, in general, the Company's suppliers: subjects who provide services, whether consultancy or not, and who, in the context of or in relation to the performance of their activity, may find themselves having to report illicit behaviour;
3. shareholders and persons with administrative, control, supervisory or representative functions.

It should be noted that the regulation is also applicable to:

- to) to reporting persons if they report or disclose information on violations acquired in the context of an employment relationship which has since ended;
- b) to reporting persons whose employment relationship has not yet begun (e.g. information regarding a violation acquired during the selection process or at other stages of pre-contractual negotiations).

#### **4 Prohibition of discrimination against the reporting party**

Pursuant to Article 17 of the Whistleblowing Decree, no form of retaliation or discriminatory measure, direct or indirect, having an effect on working conditions for reasons directly or indirectly connected to the Report, is permitted or tolerated against the Reporting Subject who makes an internal Report pursuant to this Procedure.

Discriminatory measures include unjustified dismissal and disciplinary action, workplace harassment and/or any other form of retaliation that results in intolerable working conditions or an objective worsening of such conditions.

The protection of the Reporting Subject also applies when the Reporting, internal or external, the complaint to the Judicial Authority or the public disclosure of information occurs in the following cases:

- to) when the relationship with the Company has not yet begun, if the information on the violations was acquired during the selection process or in other pre-contractual phases;
- b) during the probationary period;
- c) following the termination of the relationship with the Company if the information on the violations was acquired during the relationship itself.

Furthermore, the protective measures also extend to:

- d) to the Facilitator, if any;
- e) to persons who operate in the same work context as the Reporting Subject or the person who filed a complaint with the judicial or accounting authority or the person who made a public disclosure and who are linked to them by a stable emotional or kinship bond within the fourth degree;
- f) to the work colleagues of the Reporting Subject or of the person who filed a complaint with the judicial or accounting authority or made a public disclosure, who work in the same work context as the same person and who have a habitual and ongoing relationship with that person;
- g) to entities owned by the Reporting Subject or by the person who filed a complaint with the judicial or accounting authority or who made a public disclosure or for which the same persons work, as well as to entities operating in the same work context as the aforementioned persons.

The cases considered as “retaliation” are in any case listed in art. 17, paragraph 4, of the Whistleblowing Decree to which reference is made.

#### **5 Subject of the Report**

The violations that can be reported pursuant to the Whistleblowing Decree (art. 2 paragraph 1 letter a. Legislative Decree 24/2023) must concern behaviors, acts or omissions that harm the interests

public or the integrity of the public administration or private entity of which the Reporter has become aware in the work context and which consist of:

– **violations of national regulatory provisions**, such as administrative, civil, criminal and accounting offences;

ii. **unlawful conduct relevant pursuant to Legislative Decree 231/2001 and violations of the Model;**

iii. **offences committed in violation of European Union law and all national provisions implementing it<sup>1</sup>**

The following may also be subject to reporting:

- ☐ well-founded suspicions, regarding violations committed or which on the basis of concrete elements could be committed
- ☐ conduct aimed at concealing the Violations

The following are excluded from the scope of application of the Procedure:

- disputes, claims or requests related to a personal interest of the Reporting Person, which pertain exclusively to the regulation of the employment relationship or to the relationships with hierarchically superior figures, unless they are connected or referable to the violation of internal rules or regulations/procedures;
- breaches of national security, as well as procurement relating to defence or national security aspects, unless such aspects fall within secondary legislation of the European Union;
- violations mandatorily regulated by European Union or national acts, as indicated in art. 1, paragraph 2, letter b), of Legislative Decree no. 24/2023 (concerning financial services, products and markets and prevention of money laundering and terrorist financing, transport safety and environmental protection);
- facts or circumstances falling within the application of national or European Union provisions on classified information, legal or medical secrecy and the confidentiality of decisions of judicial bodies, or falling within the application of national provisions on criminal procedure, the autonomy and independence of the judiciary, the provisions on the functions and powers of the Superior Council of the Judiciary, on national defence and public order and security, as well as on the exercise and protection of the right of workers to consult their representatives or trade unions, protection against unlawful conduct or acts carried out as a result of such consultations, the autonomy of the social partners and their right to enter into collective agreements, as well as the repression of anti-union conduct.

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1 Such offences concern:

- ☐ offences committed in breach of EU law in the areas of public procurement; financial services, products and markets and prevention of money laundering and terrorist financing; product safety and compliance; transport safety; environmental protection; radiation protection and nuclear safety; food and feed safety and animal health and welfare; public health; consumer protection; protection of privacy and personal data and security of networks and information systems;
- ☐ acts or omissions that harm the financial interests of the EU as identified in EU regulations, directives, decisions, recommendations and opinions;
- ☐ acts or omissions affecting the internal market which undermine the free movement of goods, persons, services and capital, including infringements of EU rules on competition and state aid, corporate tax and arrangements aimed at obtaining a tax advantage which defeats the object and purpose of the applicable corporate tax legislation;
- ☐ acts or behaviours which defeat the object and purpose of EU provisions in the above-mentioned areas.

## **6 The content of the Reports**

The person making the report must provide all the information useful to enable the investigations to be carried out to verify the validity of the facts which are the subject of the Report.

To this end, the Report should preferably contain the following information:

- a) a clear and complete description of the facts which are the subject of the Report;
- b) if known, the date and place where the reported facts were committed;
- c) if known, the name and role (qualification, professional position, etc.) that allow the identification of the individual(s) who carried out the reported facts;
- d) the indication of any other persons who can report on the facts being reported
- e) the indication of any documents that can confirm the validity of such facts;
- f) any other useful information that may provide confirmation of the existence of the facts reported.

Anonymous reports will be taken into consideration only if they are adequately detailed and capable of bringing to light well-defined facts and situations. They will be taken into consideration only if they do not appear irrelevant or unfounded.

## **7 Sending methods and recipients of reports**

Reports may be delivered through internal and external reporting channels in accordance with the conditions set out in the Whistleblowing Decree.

### **7.1 Internal reporting**

Article 4 of the Whistleblowing Decree provides:

- that the Company, after consulting the representatives or trade unions referred to in art. 51 of Legislative Decree no. 81/2015, activates "its own reporting channels which also guarantee, through the use of encryption tools, the confidentiality of the identity of the reporting person, of the person involved and of the person mentioned in the report, as well as of the content of the Report and the related documentation";
- that the "management of the reporting channel is entrusted to a person or to an autonomous internal office dedicated and with personnel specifically trained for the management of the reporting channel, or is entrusted to an external entity which is also autonomous and with personnel specifically trained";
- that the "Reports are made in written form, including electronic means, or in oral form. Internal reports in oral form are made through telephone lines or voice messaging systems or at the request of the Reporting Party, through a direct meeting set within a reasonable time".

The management of the Reports is entrusted to the Supervisory Body of the Company.

Internal reports may be made through one of the following channels:

1. by email by writing a written Report to the following address: odv@antoraf.it
2. by letter to be sent to the following address: Supervisory Body 231 – At Antoraf srl Via Spineto 14/o/ p 63837 Falerone.

The reporter is invited to insert the report in two closed envelopes: the first with his/her personal data

identification, the second with the subject of the report. Both envelopes must then be placed in a third closed envelope, without indication of the sender, which bears on the outside the wording "Reserved for the Supervisory Body". The envelope will be opened and managed exclusively by the members of the Supervisory Body, in compliance with the confidentiality obligations set forth in the Whistleblowing Decree.

3. The Reporting Person may also request to make an oral Report through a direct meeting with the Supervisory Body.

As stated, the management and verification of the validity of the Violations contained in the Reports are entrusted to the Supervisory Body which undertakes to provide the acknowledgement of receipt to the Reporting Subject within 7 days.

Internal reports submitted to a party other than the Supervisory Body must be forwarded to the Supervisory Body itself within 7 days.

The investigations into the validity of the circumstances represented in the Report will be carried out in compliance with the principles of impartiality and confidentiality by carrying out the appropriate checks and involving the competent company functions when their involvement is necessary due to the nature and complexity of the checks, as well as external consultants.

If the Supervisory Body decides to avail itself of the support of other corporate functions or external consultants to carry out the necessary in-depth analyses and investigations related to the content of the Report, both the corporate functions and the consultants will be required to respect the utmost confidentiality regarding the content of the Report itself.

During the investigation, the Supervisory Body may request additions or clarifications from the Reporting Party.

Furthermore, where deemed useful for further investigation, it can acquire information from the People involved in the Report, who also have the right to ask to be heard or to produce written observations or documents.

In such cases, also in order to guarantee the right of defence, the Person involved is notified of the existence of the Report, while guaranteeing the confidentiality of the identity of the Reporter and of the other Persons involved and/or mentioned in the Report.

At the conclusion of the investigation or at another stage of the procedure, the Supervisory Body takes the decisions of the case, stating the reasons for them, archiving, where appropriate, the Report if it deems that the same is not admissible due to the groundlessness due to the absence of elements attributable to the violations provided for by the Decree or requesting the Company to proceed with the evaluation for sanctioning purposes of what has been ascertained and/or of the appropriate interventions on the Model.

If the outcome of the analysis and evaluation shows the validity of the Report, the Board of Directors (or the subjects delegated by the administrative body) will adopt the measures necessary to definitively remedy the violation and will implement any disciplinary measures.

The reporting procedure must be completed within 3 months of receipt of the Report or acknowledgement of receipt.

## **7.2 External reporting**

The external reporting channel is entrusted to ANAC. Reporting to ANAC, pursuant to art. 6 of Legislative Decree 24/2023, can only occur if one of the following conditions applies at the time of reporting:

- a) the mandatory activation of the internal reporting channel is not foreseen within his/her work context, or this, even if mandatory, is not active or, even if activated, does not comply with the provisions of art. 4 of Legislative Decree 24/2023;



- b) the Reporting Subject has already made an internal Report and it has not been followed up;
- c) the Reporting Subject has reasonable grounds to believe that, if he or she were to make an internal Report, it would not be followed up effectively or that it could lead to the risk of retaliation;
- d) the Reporting Party has reasonable grounds to believe that the violation may constitute an imminent or manifest danger to the public interest.

Reports may be sent to ANAC either in written form (via the IT platform) or orally via telephone lines or voice messaging systems or upon request by the Reporting Party through a direct meeting set within a reasonable time.

ANAC publishes its contact details and instructions for using the channel in a dedicated section of its website on its website <https://whistleblowing.anticorruzione.it/#/>

### **7.3 Management of external reports**

The management of external reports is substantially similar to that of internal reports, with the difference that, in this case, the burden for ANAC to communicate to the Reporting Party the final outcome of the procedure is expressly provided, which may also consist in archiving the report, in a recommendation or in an administrative sanction, or in transmitting it to the competent authorities (administrative or judicial, including institutions, bodies or organisms of the European Union), which will have to manage the report according to the methods set out in art. 8 paragraph 1 of Legislative Decree 24/2023, a hypothesis that occurs in cases in which the Report concerns violations that do not fall within the competence of ANAC.

The activities conducted by ANAC upon receipt of an external Report are described in detail in articles 7 to 11 of the Whistleblowing Decree to which reference is made.

## **8 Advertising obligations**

Pursuant to art. 5, paragraph 1, letter e) of the Whistleblowing Decree, the Procedure Manager must provide clear information on the channel, procedures and prerequisites for making internal Reports, as well as on the channel, procedures and prerequisites for making external Reports.

It is also mandatory to publish the information in a dedicated section of the Company's website.

This procedure will be displayed in places visible and accessible to all employees and brought to the attention of people who, although not attending the workplace, have a legal relationship with the Company such that they fall within the scope of the Reporting Parties.

## **9 Document storage and personal data processing**

The Supervisory Body is required to document, through the conservation of electronic and/or paper documents, the Reports received in order to guarantee the traceability of the interventions undertaken for the fulfillment of its activities.

Documents in electronic format are stored in a computer archive protected by credentials.

authentication known only to the Supervisory Body.

Paper documents are stored in an archive to which access is permitted only to the Supervisory Body.

The data thus collected and archived will be retained by the Supervisory Body - Data Controller - for a period of 5 years in compliance with the provisions of EU Regulation 2016/679 (General Data Protection Regulation - "GDPR").

The protection of personal data is ensured not only by the Reporter (for non-anonymous reports), but also by the Facilitator and the Person involved or mentioned in the report.

## **10 Sanctions**

Pursuant to art. 21 of the Whistleblowing Decree, without prejudice to other liability profiles, ANAC applies the following administrative pecuniary sanctions to the responsible party:

- a) from 10,000 to 50,000 euros when it ascertains that retaliation has been committed or when it ascertains that the report has been hindered or that an attempt has been made to hinder it or that the confidentiality obligation pursuant to art. 12 of the Whistleblowing Decree has been violated;
- b) from 10,000 to 50,000 euros when it ascertains that reporting channels have not been established, that procedures for the submission and management of reports have not been adopted or that the adoption of such procedures does not comply with those referred to in Articles 4 and 5, as well as when it ascertains that the verification and analysis activity of the reports received has not been carried out;
- c) from 500 to 2,500 euros, in the case referred to in art. 16, paragraph 3 of the Whistleblowing Decree, unless the reporting person has been convicted, even in the first instance, for the crimes of defamation or slander or in any case for the same crimes committed with the complaint to the judicial or accounting authority.

The Company's disciplinary system also provides for sanctions against those who the Company itself has ascertained to be responsible for the offences reported above in letters a), b) and c).

Finally, this Procedure leaves unprejudiced the disciplinary, civil and criminal liability of the person making the Report, in the event of a slanderous or defamatory report pursuant to the Criminal Code and art. 2043 of the Civil Code.

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




This Procedure shall enter into force on .....

## ATTACHMENT 1 - Privacy Notice to the whistleblower

### INFORMATION ON THE PROCESSING OF PERSONAL DATA

#### WHISTLEBLOWING – REPORTING

##### Summary information

	Owner of the treatment	Antoraf srl Via Spineto 14/O/P, Falerone (FM) Tel 0734 759088  email info@antoraf.it
	Privacy Office	administration@antoraf.it
	Processed data (optional treatment)	<ul style="list-style-type: none"><li>• personal data contained in the report (identification, contact, professional, etc.)</li><li>• any categories of personal data that can be classified as special</li></ul>
	Primary purpose of the processing	acquisition and management of reports of potentially illicit facts and for the management of any investigation for subsequent proceedings
	Legal basis for processing	<ul style="list-style-type: none"><li>• fulfillment of a legal obligation to which the data controller is subject treatment</li><li>• legitimate interest of the data controller</li><li>• consent to processing in the event of any disciplinary proceedings or registration or transcription of reports</li></ul>
	Recipients of personal data	<ul style="list-style-type: none"><li>• public or private entities in the presence of violations of the regulations applicable •</li><li>any consultants and professionals</li><li>• Supervisory Body</li></ul>
	Data retention period	<ul style="list-style-type: none"><li>• processing of the report and possible adoption of the consequent disciplinary measures</li><li>• 5 years from the date of communication of the final outcome of the reporting procedure</li></ul>

# INFORMATION ON THE PROCESSING OF PERSONAL DATA

## WHISTLEBLOWING – REPORTING

### Extended information

Antoraf srl informs interested parties about the processing of their personal data in the context of the activity of acquiring and managing reports of illicit activities (so-called “whistleblowing”).

This information is provided pursuant to articles 13 and 14 of EU Regulation 2016/679 on the protection of personal data (“GDPR”) and Legislative Decree no. 24 of 10 March 2023, in accordance with the principles of transparency and fairness and in compliance with the rights of interested parties.

### DATA CONTROLLER

*Who processes personal data and who the interested party can contact to obtain information and exercise their rights*

The data controller is Antoraf srl, Via Spineto 14/O/P, Falerone (FM), established in the European Union, which can be contacted at the following numbers: telephone 0734 759088, email [info@antoraf.it](mailto:info@antoraf.it), PEC [antoraf srl@certificata.mailbook.it](mailto:antoraf srl@certificata.mailbook.it)

### PRIVACY CONTACT

Antoraf srl has identified a privacy representative who works in close collaboration with the Data Controller. It is possible to contact the privacy representative for any information regarding the processing of personal data, the exercise of the rights of the interested parties, the policies and security measures adopted, the list of managers who carry out processing operations on personal data.

The privacy representative can be contacted at the following address: [amministrazione@antoraf.it](mailto:amministrazione@antoraf.it)

### INTERESTED IN THE TREATMENT

*The subjects whose data are processed and whose rights are recognised*

The data subjects are those who interact with the Data Controller: the reporting subject, the person involved (reported), the facilitator, and any other persons mentioned in the report.

### DATA SOURCE

*Where does personal data come from?*

The data of the reporting person are acquired from the interested party at the time of receiving and managing the report. The personal data of the reported person and/or third parties are provided by the reporting person.

### CATEGORIES OF PERSONAL DATA

*What data is processed*

The processing concerns personal data of the reporting person and of the persons involved, collected through the report, such as name, surname, email address, postal address, professional qualification.

In relation to the reporting management needs, telephone number, tax code, copy of identity document may also be acquired if necessary for the identification of the reporting person.

The data received on the occasion of the report may be added to those that may already be available to the Data Controller or acquired in the context of the activities aimed at verifying the validity of the report and of what is described therein, always in compliance with the provisions of the law.

In relation to the subject of the report, personal data that can be classified as special (i.e. data that reveal racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, data relating to health) may be processed.

Except for specific provisions of law, including processing aimed at preventing the company's criminal liability in accordance with the provisions of Legislative Decree 231/2001 and in compliance with the provisions of art. 10 of the GDPR, personal data relating to criminal convictions and crimes will not be processed and Antoraf srl will process this data only if freely provided by the reporting party as characterising elements of the report.

If there is a need to acquire and process particular types of data or data relating to criminal convictions and offences, the Data Controller will be responsible for informing the interested parties accordingly.

## **PURPOSE AND LEGAL BASIS OF THE PROCESSING**

*Why is the data processed?*

The processing of personal data occurs for the purposes of acquiring and managing reports of potentially illicit facts and for managing any investigation for subsequent proceedings.

The legal basis for such processing is represented by art. 6, c. 1, lett. c) of the GDPR (fulfilment of a legal obligation to which the data controller is subject).

The report may be used for any disciplinary proceedings only in the event of the express consent of the reporting person to reveal his/her identity (art. 6 par. 1 lett. a) of the GDPR), where this is necessary for the conduct of the proceedings.

The telephone or messaging report may be recorded or transcribed only with the express consent of the reporting person (art. 6 par. 1 lett. a) of the GDPR).

The data, including those of a sensitive nature, may be processed in relation to the need to ascertain, exercise or defend a right in court, if it is necessary based on the evidence collected during the investigation (art. 9 par. 2 lett. f) of the GDPR), to fulfill the obligations and exercise the specific rights of the data controller or the data subject in the field of labor law and social security and social protection (art. 9, par. 2, lett. b) GDPR).

The data may be processed on the basis of the legitimate interest of the Data Controller for the purpose of protecting the company assets, in relation to the evidence contained in the report (art. 6 par. 1 lett. f) of the GDPR).

The data may also be processed for purposes relating to further legal obligations to which our organization may be subject, namely:

- fulfill the general obligations established by law, regulations, community legislation or by orders given by the Authorities and other competent Institutions
- follow up on requests from the competent administrative or judicial authority and, more generally, from public bodies in compliance with legal formalities

## **TREATMENT METHODS**

*How data is processed*

Reports are received exclusively by functions dedicated to managing reports which manage them according to a pre-established procedure.

Reports are acquired in the manner indicated in the reporting procedure.

The processing is carried out using procedures and tools, including computerised ones, suitable for guaranteeing the integrity and availability of the data, as well as the confidentiality of the identity of the reporting person, of the person involved and of the person mentioned in the report, as well as of the content of the report and the related documentation.

The identity of the reporting person is protected except in cases where liability for slander and defamation may arise and in cases where anonymity is not enforceable by law.

Personal data are processed exclusively by authorized and trained personnel, competent to receive or follow up on reports, obliged to maintain confidentiality and who are permitted access to personal data to the extent and within the limits in which it is necessary for the performance of processing activities.

The transmission of data and information via electronic mail, personal or institutional, or PEC cannot be considered secure and some external digital information (including metadata, LOG, IP addresses and message sources) may allow the identification of the sender: it is therefore recommended to use the other methods made available for this purpose.

## **AUTOMATED DECISION MAKING AND PROFILING**

In the processing of personal data, no automated decision-making process is adopted, including profiling, as per art. 22, paragraphs 1 and 4, of the GDPR.

## **DURATION OF TREATMENT**

*How long is the data processed?*

The reports and the related documentation are retained for the time necessary to process the report and, if applicable, to adopt the consequent disciplinary measures and/or to resolve any disputes initiated following the report.

The processing will not last longer than 5 years from the date of communication of the final outcome of the reporting procedure.

Subsequently, such data may be processed anonymously for statistical or historicization purposes.

#### DATA BREACH MANAGEMENT

The data will be retained starting from the detection of the danger event or data breach, for the time necessary to proceed with the notification to the Authority of the violation of the detected data and to adopt the relative recovery and security measures.

#### OBLIGATION OR Option to Provide Data

The provision of personal data by the reporting person is optional, although the form of “anonymous reporting” is possible. Failure to provide such data could, however, jeopardize the investigation, if the data is necessary for its execution.

In the event that the Report leads to the initiation of disciplinary proceedings against the person responsible for the illicit conduct, the identity of the Reporter will never be revealed. If knowledge of the identity of the Reporter is essential for the defense of the person alleged to have committed the illicit conduct, the Reporter will be asked whether he or she intends to give specific, free consent for the purpose of revealing his or her identity.

Please remember that reports made anonymously can only be taken into consideration if adequately detailed and provided with a wealth of details or with all the information useful for verifying them.

#### DATA RECIPIENTS

*To which subjects are the data communicated?*

##### SCOPE OF KNOWLEDGE WITHIN THE ORGANIZATION

The autonomous functions dedicated to the management of reports and any investigation for subsequent proceedings, Supervisory Body (ODV), become aware of the personal data.

If, following the verification, no elements of manifest groundlessness are found in the reported fact, the function will forward the outcome of the investigation for further investigation or for the adoption of the relevant measures: • to the Human Resources Manager function as well as to the

Manager of the organizational unit to which the perpetrator of the violation belongs, so that disciplinary action can be carried out, where the conditions exist;

- to the competent bodies and structures of the organisation so that they adopt any further measures and/or actions deemed necessary, including for the protection of the organisation itself;

##### COMMUNICATION OF DATA OUTSIDE

The communication of personal data occurs for the performance of activities related to the management of the report, as well as to respond to certain legal obligations. In particular, the communication may occur to:

- public or private entities in the presence of violations of the applicable regulations or who can access them by virtue of provisions of law, regulations or community legislation, within the limits set by such regulations (Institutions, Public Authorities, Judicial Authorities, Police Bodies)
- consultants and professionals (e.g. law firms) possibly involved in the investigation phase of the report, to the extent necessary to carry out their duties within our organisation, following their designation as data controllers which requires compliance with instructions and duties of confidentiality and security in order to guarantee the confidentiality and protection of the data.

The list of data controllers is available from the Data Controller.

The communication of your personal data is limited exclusively to the data necessary to achieve the specific purposes for which they are intended.

Personal data will not be disclosed (for example through publication).

## **TRANSFER OF PERSONAL DATA OUTSIDE THE EU**

Your personal data will not be transferred to third countries outside the European Union.

## **THE RIGHTS OF THE INTERESTED PARTY**

The interested party has the right to exercise the rights recognized to him, pursuant to articles 15 to 22 of EU Regulation 2016/679, namely:

1. ask for confirmation of whether or not your personal data is being processed;
2. obtain information on the purposes of the processing, the categories of personal data processed, the recipients or categories of recipients to whom the personal data have been or will be communicated, the data retention period or the criteria used to determine it;
3. update, rectify, integrate personal data, so that they are always accurate and complete;
4. delete personal data when no longer necessary for the purposes of the processing, if the legal conditions exist and the processing is not justified by another legitimate reason;
5. limit the processing of personal data, if the conditions exist, including inaccuracy, opposition to processing, unlawful processing.
6. object to the processing at any time
7. revoke consent, if provided for specific processing activities. The revocation of consent does not affect the lawfulness of the processing based on the consent carried out before the revocation itself;
8. the right to lodge a complaint with a Supervisory Authority (National Authority: Garante Per la Protezione dei Dati Personali, email: [garante@gpdp.it](mailto:garante@gpdp.it)): without prejudice to any other administrative or judicial action, the complaint may be submitted to the Garante Per la Protezione dei Dati Personali.  
Or, if the conditions exist, including your different residence or the different Member State in which the violation of the law occurred, to the supervisory authorities established in another EU country.

To exercise these rights, you may contact, with a request made without formalities, the Data Controller, Antoraf srl, whose contact details are indicated at the beginning of this information, which will proceed in this sense without delay. If the exercise of the rights could result in a prejudice to the protection of the confidentiality of the identity of the whistleblower, the person involved or the person mentioned in the report is precluded from contacting the Data Controller. In this case, the rights may be exercised through the Personal Data Protection Authority (in the manner set out in Article 160 of the Privacy Code). In this case, the Authority informs the interested party that it has carried out all the necessary checks or that it has carried out a review, as well as the right of the interested party to file a judicial appeal.

If Antoraf srl intends to start processing data for purposes other than those referred to in this information, it will inform you before proceeding and obtain, if necessary, the relevant consent.

## **UPDATES**

Antoraf srl updates the internal policies and practices adopted in the protection of personal data whenever necessary and in the event of regulatory and organizational changes that have relevance to the processing of personal data.








Any updates to this information will be made available promptly and through appropriate means.

## ANNEX 2 - Privacy information for the people involved

### INFORMATION ON THE PROCESSING OF PERSONAL DATA

#### WHISTLEBLOWING – PEOPLE INVOLVED

##### Summary information

	Owner of the treatment	Antoraf srl Via Spineto 14/O/P, Falerone (FM) Tel 0734 759088  email info@antoraf.it
	Privacy Office	administration@antoraf.it
	Processed data (optional treatment)	<ul style="list-style-type: none"><li>• personal data contained in the report (identification, contact, professional, etc.)</li><li>• any categories of personal data that can be classified as special</li></ul>
	Primary purpose of the processing	acquisition and management of reports of potentially illicit facts and for the management of any investigation for subsequent proceedings
	Legal basis for processing	<ul style="list-style-type: none"><li>• fulfillment of a legal obligation to which the data controller is subject treatment</li><li>• legitimate interest of the data controller</li><li>• the performance of a task carried out in the public interest or in connection with the exercise of public powers</li></ul>
	Recipients of personal data	<ul style="list-style-type: none"><li>• public or private entities in the presence of violations of the regulations applicable •</li><li>any consultants and professionals</li><li>• Supervisory Body</li></ul>
	Data retention period	<ul style="list-style-type: none"><li>• processing of the report and possible adoption of the consequent disciplinary measures</li><li>• 5 years from the date of communication of the final outcome of the reporting procedure</li></ul>



# INFORMATION ON THE PROCESSING OF PERSONAL DATA

## WHISTLEBLOWING – PEOPLE INVOLVED

### Summary information

Antoraf srl informs the reported subjects (“involved persons”) regarding the processing of their personal data in the context of the activity of acquiring and managing reports of illicit activities (so-called “whistleblowing”).

It is specified that such subjects have the right to be informed of the report concerning them exclusively within the scope of the proceedings possibly initiated against them following the conclusion of the investigative activity of verification and analysis of the report and in the event that such proceedings are based in whole or in part on the report. This limitation of the right to information is intended to protect the performance

of the investigative activity, with particular reference to any subsequent investigations, including criminal investigations (art. 14 par. 5 lett. b) and d) of the GDPR).

This information integrates *the information on the processing of personal data whistleblowing* and is provided pursuant to art. 14 of EU Regulation 2016/679 on the protection of personal data (“GDPR”) and Legislative Decree no. 24 of 10 March 2023, in accordance with the principles of transparency and fairness and in compliance with the rights of the interested parties.

### DATA CONTROLLER

*Who processes personal data and who the interested party can contact to obtain information and exercise their rights*

The data controller is Antoraf srl, Via Spineto 14/O/P, Falerone (FM), established in the European Union, which can be contacted at the following numbers: telephone 0734 759088, email [info@antoraf.it](mailto:info@antoraf.it), PEC [antorafsril@certificata.mailbook.it](mailto:antorafsril@certificata.mailbook.it)

### PRIVACY CONTACT

Antoraf srl has identified a privacy representative who works in close collaboration with the Data Controller. It is possible to contact the privacy representative for any information regarding the processing of personal data, the exercise of the rights of the interested parties, the policies and security measures adopted, the list of managers who carry out processing operations on personal data.

The privacy representative can be contacted at the following address: [amministrazione@antoraf.it](mailto:amministrazione@antoraf.it)

### INTERESTED IN THE TREATMENT

*The subjects whose data are processed and whose rights are recognised*

The data subjects are the people involved (reported subjects).

### DATA SOURCE

*Where does personal data come from?*

Personal data relating to the persons reported are acquired upon receipt of the report and the related information provided by the reporting person.

### CATEGORIES OF PERSONAL DATA

*What data is processed*

The processing concerns personal data collected through the report and may concern personal data (e.g. name, surname, place of birth), contact data (e.g. email address, telephone number, postal address), professional data (e.g. qualification, area of membership, company role, type of relationship with the organization, profession) and any other information relating to the reported persons that the reporter deems to provide to substantiate the report.

In relation to the needs of managing the report, written observations and documents may be acquired, also upon request of the reported persons.

The data received upon reporting may be added to those that may already be available to the Data Controller or acquired as part of the activities aimed at verifying the validity of the complaint and what is described therein, always in compliance with the provisions of the law.

In relation to the subject of the report, personal data that can be classified as special could be processed.

(i.e. data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data intended to uniquely identify a natural person, data concerning health or data concerning a person's sex life or sexual orientation)

Except for specific provisions of law, including processing aimed at preventing the company's criminal liability in accordance with the provisions of Legislative Decree 231/2001 and in compliance with the provisions of art. 10 of the GDPR, personal data relating to criminal convictions and crimes will not be processed and Antoraf srl will process this data only if freely provided by the reporting party as characterising elements of the report.

If there is a need to acquire and process particular types of data or data relating to criminal convictions and offences, the Data Controller will be responsible for informing the interested parties accordingly.

## **PURPOSE AND LEGAL BASIS OF THE PROCESSING**

*Why is the data processed?*

The processing of personal data occurs for the purposes of acquiring and managing reports of potentially illicit facts and for managing any investigation for subsequent proceedings.

The legal basis for such processing is represented by art. 6, c. 1, lett. c) of the GDPR (fulfilment of a legal obligation to which the data controller is subject).

The data, including those of a sensitive nature, may be processed in relation to the need to ascertain, exercise or defend a right in court, if it is necessary based on the evidence collected during the investigation (art. 9 par. 2 lett. f) of the GDPR), to fulfill the obligations and exercise the specific rights of the data controller or the data subject in the field of labor law and social security and social protection (art. 9, par. 2, lett. b) GDPR).

The data may be processed on the basis of the legitimate interest of the Data Controller for the purpose of protecting the company's assets, in relation to the evidence contained in the report (art. 9 par. 2 lett. f) of the GDPR).

The data may also be processed for purposes relating to further legal obligations to which our organization may be subject, namely:

- fulfill the general obligations established by law, regulations, community legislation or by orders given by the Authorities and other competent Institutions
- follow up on requests from the competent administrative or judicial authority and, more generally, from public bodies in compliance with legal formalities

## **TREATMENT METHODS**

*How data is processed*

Reports are received exclusively by functions dedicated to managing reports which manage them according to a pre-established procedure.

The processing takes place through the use of procedures and tools, including IT, suitable for guaranteeing the integrity and availability of the data, as well as the confidentiality of the identity of the persons involved and of the person mentioned in the report, as well as of the content of the report and the related documentation.

An exception to this duty of confidentiality of the persons involved or mentioned in the report is the case in which the reports are the subject of a complaint to the judicial authorities.

Personal data are processed exclusively by authorized and trained personnel, competent to receive or follow up on reports, obliged to maintain confidentiality and who are permitted access to personal data to the extent and within the limits in which it is necessary for the performance of processing activities.

### **AUTOMATED DECISION MAKING AND PROFILING**

In the processing of personal data, no automated decision-making process is adopted, including profiling, as per art. 22, paragraphs 1 and 4, of the GDPR.

## **DURATION OF TREATMENT**

*How long is the data processed?*

The reports and the related documentation are kept for the time necessary to process the report and, if necessary, to adopt the consequent disciplinary measures and/or to exhaust the

any disputes initiated following the report.

The processing will not last longer than 5 years from the date of communication of the final outcome of the reporting procedure.

Subsequently, such data may be processed anonymously for statistical or historicization purposes.

#### **DATA BREACH MANAGEMENT**

The data will be retained starting from the detection of the danger event or data breach, for the time necessary to proceed with the notification to the Authority of the violation of the detected data and to adopt the relative recovery and security measures.

#### **DATA RECIPIENTS**

*To which subjects are the data communicated?*

#### **SCOPE OF KNOWLEDGE WITHIN THE ORGANIZATION**

The autonomous functions dedicated to managing reports and any investigation for subsequent proceedings become aware of the personal data.

If, following the verification, no elements of manifest groundlessness are found in the reported fact, the function will forward the outcome of the investigation for further investigation or for the adoption of the relevant measures:

- to the Human

Resources Manager function as well as to the Manager of the organizational unit to which the perpetrator of the violation belongs, so that disciplinary action can be carried out, where the conditions exist;

- to the competent bodies and structures of the organisation so that they adopt any further measures and/or actions deemed necessary, including for the protection of the organisation itself;

#### **COMMUNICATION OF DATA OUTSIDE**

The communication of personal data occurs for the performance of activities related to the management of the report, as well as to respond to certain legal obligations. In particular, the communication may occur to:

- public or private entities in the presence of violations of the applicable regulations or who can access them by virtue of provisions of law, regulations or community legislation, within the limits set by such regulations (Institutions, Public Authorities, Judicial Authorities, Police Bodies)
- consultants and professionals (e.g. law firms) possibly involved in the investigation phase of the report, to the extent necessary to carry out their duties within our organisation, following their designation as data controllers which requires compliance with instructions and duties of confidentiality and security in order to guarantee the confidentiality and protection of the data.

The list of data controllers is available from the Data Controller.

The communication of your personal data is limited exclusively to the data necessary to achieve the specific purposes for which they are intended.

Personal data will not be disclosed (for example through publication).

#### **TRANSFER OF PERSONAL DATA OUTSIDE THE EU**

Your personal data will not be transferred to third parties outside the European Union.

#### **THE RIGHTS OF THE INTERESTED PARTY**

The exercise of the rights referred to in Articles 15 to 22 of the GDPR (access, rectification, erasure, limitation of processing, opposition to processing, portability) are not precluded in absolute terms to the interested party but cannot be exercised, also in relation to the knowledge of the origin of the data, if the exercise of the rights could result in prejudice to the protection of the confidentiality of the identity of the whistleblower or of the person mentioned in the report.

The exercise of the rights may be delayed, limited or excluded with motivated communication and made without delay to the interested party, unless the communication could compromise the purpose of the limitation, for the time and to the extent that this constitutes a necessary and proportionate measure aimed at safeguarding the

confidentiality of the identity of the whistleblower as well as other interests, such as the conduct of defensive investigations or the exercise of the right of defense.

In this case, the rights may be exercised through the Personal Data Protection Authority (in the manner set out in Article 160 of the Privacy Code). In this case, the Authority informs the interested party that it has carried out all the necessary checks or that it has carried out a review, as well as the interested party's right to file a judicial appeal.

To exercise these rights, the interested party may contact, with a request made without formalities, the Data Controller, Antoraf srl, whose contact details are indicated at the beginning of this information, which will proceed in this sense without delay.

## **UPDATES**

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Any updates to this information will be made available promptly and through appropriate means.