











PRIVACY - WHISTLEBLOWING (WHISTLEBLOWING – D.LGS.n. 24/2023)





Information document pursuant to and for the purposes of Article 13 Regulation (EU) 2016/679 (GDPR)


	<p>WHY THIS INFORMATION</p> <p>1. WHO IS THE DATA CONTROLLER? HOW TO CONTACT HIM?</p> <p>The Data Controller is Battaglia srl, with registered office in Via Turati, 16 - Misinto 20826 (MB), in the person of its pro-tempore Legal Representative, who can be contacted for any information through the number: 0296328971 or the e-mail address: mail@battagliacontract.com</p>
	<p>2. TYPE OF DATA THAT CAN BE PROCESSED AND DATA SUBJECTS</p> <p>Personal data: any information concerning an identified or identifiable natural person (“data subject”); an identifiable person is any natural person who can be identified, directly or indirectly, with particular reference to an identifier such as a name, an identification number, location data, an online identifier, or one or more characteristic elements of his or her physical, physiological, genetic, mental, economic, cultural or social identity (C26, C27, C30).</p> <p>The data processed will be those related to reports made by reporting subjects (so-called Whistleblowers), which may include data related to third parties, i.e., reported subjects.</p> <p>Data related to the reporting subjects, which may be provided by the reporting subjects:</p> <ul style="list-style-type: none"> - - First name, last name; - - Business function; - - The voice of the reporter, in case of a request for a face-to-face meeting and prior consent for registration; - - Other information provided by the reporter; - - Any Special Data (see Art. 9 GDPR): personal data capable of revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, as well as genetic data, biometric data intended to uniquely identify a natural person, data relating to a person’s health or sex life or sexual orientation; - - Possible Data on Criminal Convictions and Offenses or Related Security Measures (see Article 10 GDPR): personal data suitable for revealing measures referred to in Article 3, paragraph 1, letters a) to o) and r) to u), of Presidential Decree No. 313 of November 14, 2002, on criminal records, registry of administrative sanctions dependent on crime and related pending charges, or the quality of defendant or suspect under Articles 60 and 61 of the Code of Criminal Procedure; <p>Subjects covered by this processing are: i) employees of private sector entities; ii) self-employed workers; iii) workers or collaborators who provide goods or services or perform works for third parties; iv) freelancers and consultants; v) trainees; vi) persons with administrative, management, control, supervisory or representative functions; vii) candidates for employment; and viii) terminated workers.</p>

3. PURPOSE OF PROCESSING, LEGAL BASIS, STORAGE PERIOD, NATURE OF CONFERMENT

 <p>PURPOSE OF PROCESSING</p>	 <p>LEGAL BASIS.</p>	 <p>DATA RETENTION PERIOD</p>	 <p>NATURE OF THE CONTRIBUTION</p>
<p>A) Management of whistleblowing reports. Specifically, collection of data for sending whistleblowing reports, which became known in the context of a legal relationship, pursuant to Article 3 of Legislative Decree No. 24/2023.</p>	<p>The processing is necessary to fulfill a legal obligation (pursuant to Legislative Decree No. 24/2023) to which the data controller is subject (C45),</p> <p>Art. 6(1)(c), GDPR. Art. 6(1)(c), GDPR.</p> <p>The processing of “special” data is based on the fulfillment of obligations and the exercise of specific rights of the Data Controller and the Data Subject in the field</p>	<p>For the time strictly necessary for the processing of the report and, in any case, no longer than 5 years from the date of the communication of the final outcome of the reporting procedure (Article 14 of Legislative Decree No. 24/2023).</p> <p>In the event that a lawsuit is instituted, the aforementioned period shall be extended until</p>	<p>Providing the reporter’s personal data is necessary, without prejudice to the right to report anonymously.</p>

 PURPOSE OF PROCESSING	 LEGAL BASIS.	 DATA RETENTION PERIOD	 NATURE OF THE CONTRIBUTION
	<p>of labor law (Art. 9(2)(b), GDPR.</p> <p>The processing of data relating to criminal convictions and offenses, taking into account the provisions of Article 10 GDPR, is based on the legal obligation to which the Data Controller is subject (Art. 6(1)(c)).</p>	<p>the exhaustion of the levels of judgment.</p> <p>Personal data that are manifestly not useful for the processing of a specific report shall not be collected or, if accidentally collected, shall be deleted immediately.</p>	
<p>B) Disclosure of the identity of the reporter and/or any other information from which such identity may be inferred, directly or indirectly, to persons other than those competent to receive and act upon the report, pursuant to Article 12, Paragraph 2, of Legislative Decree No. 24/2023.</p>	<p>Processing is based on the data subject's express consent to the processing of his or her personal data (C42, C43).</p> <p>Consent for the possible disclosure of the data subject's identity will be requested by the Reporting Manager at a time after receiving the report, if necessary.</p> <p>Art. 6(1)(a), GDPR.</p>	<p>Until consent is revoked and unless the identity had already been disclosed to a third party</p>	<p>The provision of the reporter's personal data is optional.</p> <p>In the event of failure to provide it, the Holder may not disclose the identity of the reporter and/or any other information from which such identity may be inferred to persons other than those responsible for receiving and following up the reports, except for the situations expressly provided for by Legislative Decree No. 24/2023 and subject to written notice of the reasons for disclosure</p>

	<p>4. TO WHOM WILL PERSONAL DATA BE DISCLOSED? RECIPIENTS OF THE DATA.</p> <p>Personal data will be communicated to parties who will process the data as autonomous Data Controllers or Data Processors (Art. 28 GDPR) and will be processed by individuals (Art. 29 GDPR and/or Art. 2-quaterdecies Legislative Decree No. 196/2003) acting under the authority of the Data Controller and Data Processors on the basis of specific instructions provided regarding the purposes and methods of processing. The data will be communicated to recipients belonging to the following categories:</p> <ul style="list-style-type: none"> -the person or internal office or the external party entrusted with the management of the internal whistleblowing channel; -third parties for the provision of the whistleblowing platform adopted by the Data Controller; -Court and public authorities (including ANAC).
	<p>5. IS THERE A DATA TRANSFER TO A NON-EEA COUNTRY?</p> <p>Personal data will not be transferred to Extra EEA countries.</p>
	<p>6. IS THERE AN AUTOMATED PROCESS?</p> <p>Personal data will undergo traditional manual, electronic and automated processing. It should be noted that fully automated decision-making processes are not carried out.</p>
	<p>7. RIGHTS OF INTERESTED PARTIES</p> <p>You may assert your rights as expressed in Art. 15 et seq. GDPR, using this whistleblowing reporting channel. You have the right, at any time, to request access to your personal data (Art. 15), rectification (Art. 16), deletion (Art. 17), and restriction of processing (Art. 18). The data controller shall notify (Art. 19) each of the recipients to whom the personal data have been transmitted of any rectification or erasure or restriction of processing carried out. The data controller shall inform the data subject of such recipients if the data subject so requests. In the cases provided for, you have the right to the portability of your data (Art. 20) and, in that case, it will be provided to you in a structured, commonly used and machine-readable format. In cases where the legal basis is consent, you have</p>

	<p>the right to revoke the consent given without affecting the lawfulness of the processing based on the consent before revocation.</p> <p>In the event that the data subject considers that the processing of personal data carried out by the Data Controller is in violation of the provisions of Regulation (EU) 2016/679, the data subject has the right to file a complaint with the Supervisory Authority, in particular in the Member State where he or she usually resides or works or in the place where the alleged violation of the regulation occurred (Privacy Guarantor https://www.garanteprivacy.it/), or to take appropriate legal action.</p> <p>It should be noted that, pursuant to Legislative Decree No. 24/2023, the Data Controller is required to ensure the confidentiality of the reporter: the identity of the reporting person and any other information from which such identity may be inferred, directly or indirectly, will not be disclosed, without the express consent of the reporting person, to persons other than those competent to receive or act upon the report without prejudice to the right of defense of the reported person and where required by law.</p>
	<p>8. CHANGES POLICY</p> <p>The Data controller may change, modify, add or remove any part of this Notice. In order to facilitate verification of any changes, the Disclosure will contain an indication of the date the Disclosure was updated.</p>

Updated Date: 05.12.2023

The Data Controller
Battaglia srl

