

INFORMATION ON THE PROTECTION OF PERSONAL DATA UNDER ART. 13 OF THE (EU) REGULATION 2016/679 (GDPR)

FOR INDIVIDUALS WHO REPORT WRONGDOINGS (WHISTLEBLOWER) AND FOR PERSONS INVOLVED IN THE REPORTS

This information document describes the processing of personal data pursuant to and for the effects of Legislative Decree no. 24/2023, as well as by the parties, under Law 179/2017, regarding the protection of authors of reports of violations of national or European Union normative provisions that harm the public interest or the integrity of the entity, as well as violations of the Organizational Model 231 (so-called "whistleblowing").

1. DATA CONTROLLER

The Data Controller is SCANDOLA MOBILI S.R.L., in the person of the President and Legal Representative, with legal headquarters in Bosco Chiesanuova (VR), Via del Lavoro n.7. The list of persons responsible for processing is kept at the company's legal headquarters.

2. TYPES OF PERSONAL DATA PROCESSED

Whenever a report is made, and the whistleblower does not request to keep their anonymity, SCANDOLA MOBILI S.R.L. will collect and process the following information that includes personal data of the reporting subject and the information contained in the report itself, in particular:

- the personal data and identification details of the whistleblower;
- if the case, the names and other personal data of the individuals indicated and/or involved in the report.

The reports can contain data relevant to the same, of different categories, including personal data of particular categories (as per Article 9 of the GDPR) such as those from which racial and ethnic origin, religious or philosophical beliefs, trade union membership, genetic data, biometric data aimed to uniquely identify a natural person, data concerning health or sex life or sexual orientation, which require, unless a legal basis is necessary, the consent of the data subject.

The Personal data indicated may be integrated and/or updated based on information publicly available, collected by third parties, or directly from the whistleblower, or already available to the Data Controller, in order to verify the veracity of the report.

3. PURPOSE AND LEGAL BASIS OF THE PROCESSING

The personal data, under Legislative Decree 24/2023 (so-called "Whistleblowing report"), introduced by POSTAL ELECTRONIC CERTIFIED (PEC), contain the documentation attached to the same report or in the form that will be collected during the procedure for its management, and subsequent checks carried out by SCANDOLA MOBILI S.R.L.:

A. Purposes connected to the management and verification of the Report and to ensure an adequate application of the Whistleblowing Procedure adopted.

The presuppose for data treatment is the implementation of a legal obligation to which the Data Controller is subject, as per Art. 6, par. 1, lett. c) of the GDPR as provided by the aforementioned Decree, which imposes on the Data Controller to have an internal channel for receiving reports.

The provision of the whistleblower's personal data is optional: based on the Whistleblowing Procedure adopted by SCANDOLA MOBILI S.R.L., the whistleblower is acknowledged the option to remain anonymous, on condition that they explicitly request it in their report.

B. Purposes related to the defense of one's own rights during judicial proceedings, administrative or out-of-court disputes, or in the context of a dispute arising from the report made. In this case, the whistleblower's personal data can be processed by SCANDOLA MOBILI S.R.L. to assert or defend claims against the individuals involved in the report or other subjects at trial.

The presupposition for the treatment is the legitimate interest of SCANDOLA MOBILI S.R.L. ex art. 6, par. 1, lett. f) of the GDPR also tied to third-party interests. In such cases, no further consent is required, since SCANDOLA MOBILI S.R.L. will pursue such further purpose, treating personal data collected for the aforementioned purpose, where necessary, also for informative activities (in the context in which personal data are collected, the relation to the whistleblower and the nature of the data itself, and the appropriate guarantees for their treatment).

As specified in the preceding paragraph, the report should not contain Categories of personal data not relevant, such as those which could reveal racial and ethnic origin, religious or philosophical beliefs, union membership, genetic data, biometric data intended to uniquely identify a natural person, data related to health or sexual life or sexual orientation. In this case, the presupposition of the consent to the treatment of such data is grounded on art.9, second paragraph, lett. b) and f) of the GDPR when their treatment is necessary to fulfill specific obligations and exercise specific rights of the data controller or the data subject in the field of labor law, social security, and social protection law, and where the processing is necessary to ascertain, exercise or defend a right in court or whenever courts are acting in their judicial capacity.

The whistleblower is expressly asked to provide only the data necessary to describe the facts subject of the report, avoiding any personal data not necessary for this purpose.

4. DATA COMMUNICATION

Except for legal proceedings possibly initiated following the report and the fulfillment of obligations deriving from the law, the personal data provided by the whistleblower will not be subject to dissemination.

For the purposes described in the preceding paragraph 3, within the limits of their respective competencies and according to what is described in this informational document for the management of reports of violations (whistleblowing) and the related procedure data revealing the identity of the whistleblower, their personal data, and any other identifiable information will be treated within the company scope by the following subjects, designated and authorized for treatment under art. 29 GDPR:

(*) Reference of the Whistleblowing platform, Responsible for disciplinary proceedings eventually appointed for the reported subject (only upon prior acquisition of consent from the whistleblower);

(*) members of the Vigilance Body of SCANDOLA MOBILI S.R.L., which, always within the limits indicated above;)

(*) provider of the services of operation and maintenance of the information systems of SCANDOLA MOBILI S.R.L. for the information platform for the management of whistleblowing reports, in the quality of Data Processor pursuant to art. 28 of the GDPR.

Furthermore, the personal data and the personal data profile may be transmitted, for the respective competence as provided by law, to A.N.A.C. National Anti-corruption Authority, to the Judicial Authorities, to the Court of Auditors and other possible public authorities involved, acting as independent Data Controllers.

The data will not be transferred to a third country or to an international organization.

5. DATA PROCESSING METHODS

The processing of personal data will be based on the principles of correctness, lawfulness, and transparency and will be carried out through electronic (platform) or telematic means, in a manner that guarantees security and confidentiality, in accordance with the applicable legal provisions and the prescriptions contained in the Resolution n. 311 of 12 July 2023 of A.N.A.C. "Linee guida in materia di protezione della persona che segnala violazioni dello 'whistleblowing' e protezione dei dati personali e gestione delle segnalazioni disposizioni normative nazionali. Procedura per la presentazione e gestione violazioni delle esterni" (c.d. whistleblowing), can include adopting the necessary security, technical and organizational measures, among others, to avoid the risk of unauthorized access, illicit use and distribution, and to prevent unauthorized persons from having access to the data.

6. DATA RETENTION PERIOD

The personal data of the whistleblower and of the persons involved in the report will be processed for the strictly necessary time to the management of the report in all its phases, from the adoption of preliminary assessments until the adoption of the obligations connected thereto, after which it will be destroyed or rendered anonymous. However, the retention will be carried out not exceeding what is necessary to data communication of the final outcome of the report procedure: "limitation of conservation."

After the retention periods indicated above, the reports can be kept only in an anonymized form.

The personal data that are not useful for the treatment of a specific report accidentally provided by the whistleblower will be immediately deleted.

7. RIGHTS OF THE PARTIES (INTERESTED PARTIES INVOLVED IN THE REPORTS)

7.1. RIGHTS OF THE WHISTLEBLOWER (RIGHT OF THE INTERESTED PARTY)

The whistleblower may exercise the rights provided by art. 15 to 22 of the GDPR, which, in summary, include:

- obtaining confirmation whether or not there is ongoing processing of personal data concerning them;
- obtaining access to their personal data and all the information indicated in art. 15 of the GDPR;
- obtaining the rectification of their personal data without unjustified delay;
- obtaining the deletion of personal data concerning them;
- obtaining the cancellation of the personal data concerning them without unjustified delay.

- obtain the restriction of processing of personal data concerning them;
- be informed about any rectifications or cancellations or limitations of processing carried out in relation to data that concerns them;
- receive or transmit to another data controller the personal data concerning them in a structured, commonly used and machine-readable format.

The complete list of these rights is available on the website of the Data Protection Authority at www.garanteprivacy.it.

The whistleblower may exercise these rights at any time by sending:

- a registered letter to SCANDOLA MOBILI S.R.L., with legal headquarters in Bosco Chiesanuova (VR), Via del Lavoro n.7.

Or

- an e-mail to the address: direzione@scandolamobili.it

7.2. RIGHTS OF THE PERSON INVOLVED OR MENTIONED IN THE REPORT (RIGHT OF THE INTERESTED PARTY)

Under and for the effects referred to in art. 2-undecies, paragraph 1, letter f) of Legislative Decree 196/2003 updated by Legislative Decree 101/2018 (Limitations of the rights of the interested party), as amended by art. 24, paragraph 4, of Legislative Decree 24/2023, for the purpose of protecting the confidentiality of the identity of the whistleblower, the reported subject or the person involved in the report cannot exercise the rights that the GDPR normally recognizes for the interested parties, namely those indicated in arts. 15 to 22, as listed in the preceding paragraph 7.1 for the whistleblower. In particular, when the exercise of such rights could result in actual and concrete prejudice to the confidentiality of the identity of the reporting person. Therefore, the reported person or the person involved in the report is also precluded the possibility, should they believe that the processing that concerns them violates the aforementioned rights, to address the Data Controller and, in the absence of a response from the latter, to propose a complaint to the Data Protection Authority concerning their personal data.