

WHISTLEBLOWING POLICY

This Policy describes how we process personal data provided by the Whistleblower as part of the report and explains the rights of the persons concerned pursuant to articles 13 and 14 of (EU) Regulation 2016/676 (GDPR). Therefore, the document is addressed to: whistleblowers, persons concerned, facilitators and persons involved/mentioned in the report (other than the person concerned and/or the person in any case involved in the breach) whose data is acquired through reports of offense pursuant to Legislative Decree 24/2023 as part of the Fairmat Whistleblowing system.

It is specified that the Whistleblower's personal data, provided by him/her by mutual consent while drawing up the report as well as the personal data of the other above-mentioned persons concerned shall be used with utmost confidentiality.

The identity of the Whistleblower as well as that of the other above-mentioned persons concerned or the information that permits his/her direct or indirect identification shall in no way be disclosed to third parties and shall be shared exclusively by the competent persons assigned with managing the reports in accordance with the provisions of Legislative Decree No. 24/2023.

1. Identity of the Data Controller

The Data Controller is Fairmat S.r.l. (hereinafter "the Data Controller") with head office in Verona, Piazza Bra No. 28 - 37121; contact email: privacy@fairmat.com.

2. Purpose of processing

Personal data is processed for the following purposes:

- (1) Receive and record the reports, check their prosecution/admissibility, manage and process them, providing feedback and updates to the Whistleblower in accordance with the regulations and with internal procedures.
- (2) Follow up any requests from Authorities and collaborate during any investigations.
- (3) Start internal control, assessment and management of corporate risks as well as defense of the rights of the Data Controller in whatever location.

3. Source of data

Personal data being processed is provided by the Whistleblower. Personal Data, in particular, may be procured by the Data Controller:

1) by means of the Whistleblower Software platform:

- by written report (by filling out the predefined fields) or verbally (by voice messages voluntarily recorded by the Whistleblower according to the provisions of Legislative Decree 24/2003, activating the specific function on the platform) allowing the Whistleblower to be identified;

- by written report (by filling out the predefined fields for anonymous reporting) or verbally (recorded by the Whistleblower by voluntarily activating the voice recording function on the platform with an altered voice) by an anonymous Whistleblower;

2) by a direct interview of the Whistleblower with the Ethics Committee, duly recorded and signed following explicit consent by the Whistleblower according to the provisions of Legislative Decree 24/2003.

4. Data Categories

It is specified that Fairmat is unable to establish a priori the personal data covered by the report that the Whistleblower expresses to represent the facts. Given this the personal data that we can process relates to the Whistleblower (in case of non-anonymous reports), to the person concerned, to the facilitator, to the persons involved/mentioned in the report (other than the person concerned and/or in any case involved in the breach) and belonging to the following categories:

So-called “common” data: first and last name, email, telephone number, job role and/or relationship with the Company (e.g. candidate, former employee, etc.);

Special data (such as, for example, data related to health, sexual orientation or union membership) pursuant to article 9 GDPR and **data related to criminal convictions and crimes** pursuant to article 10 GDPR - if the data is included in the text of the report and/or in the documentation attached thereto. These categories of data are processed exclusively for the purposes and according to the provisions set down by Legislative Decree 24/2023.

5. Legal basis for processing

The Whistleblower’s personal data or data communicated by him regarding the persons concerned, facilitators and persons involved/mentioned in the report (other than the person concerned and/or the person in any case involved in the breach) is lawfully processed owing:

- Legal obligations of the Data Processor (Purposes 1, 2).
With reference to purpose 2 it is clarified that, whenever the claim is well-grounded, as a whole or in part, and the knowledge of the identity of the Whistleblower is essential for the defense of the accused the report shall be used for the ends of the disciplinary procedure only if the Whistleblower has given his/her consent to reveal his/her identity exclusively in writing in accordance with Legislative Decree 24/2023.
- Legitimate interest (Purpose 3). Fairmat strives to prevent any possible form of fraud and to maintain its integrity and efficiency, intervening promptly with corrective actions and/or measures to mitigate any business risks as well as to defend its own rights in any venue in order to permit its own staff and, more generally, its stakeholders to continue to work with confidence and to communicate with an organization that is in full compliance with current law and in accordance with internal policies and procedures.

6. Processing methods

Management of reports of offenses pursuant to Legislative Decree 24/2023 as part of the Whistleblowing system adopted by Fairmat gives rise to processing of personal data that is primarily performed on electronic media. In some limited cases it may even be done on hardcopy (limited to the minimum necessary) and the related documents shall be filed and stored in locked cabinets in premises equipped with alarm systems.

Processing of personal data is carried out in accordance with the principles and provisions of the GDPR, by an Ethics Committee composed of specifically trained and formally authorized persons.

7. Recipients and addressees of the data

The Data Controller shall not disclose personal data nor give knowledge thereof to indeterminate subjects in no possible form, including making it available or for simple consultation.

To pursue the above-mentioned purposes the personal data provided can be communicated to the Supervisory Body, it being an authorized subject, and to the following Recipients: appointed and contracted data processors pursuant to article 28 of the GDPR; subjects entitled to have access to the data pursuant to legal provisions, regulations, EU regulations, Law Firms, investigation Agencies.

8. Transfer of data

In no case shall the Data Controller transfer personal data to third countries or to international organizations.

The Data Controller may employ cloud services, selecting suppliers able to provide suitable guarantees as envisaged by article 46 of the GDPR.

9. Retention of data

The Data Controller retains and processes the personal data for the time required to pursue the specified purposes. Specifically, the personal data in the report or related documentation is retained for the time required to process the report and in any case for no more than 5 years after the data of communication of the final outcome of the reporting procedure.

10. Rights of the person concerned

The natural persons whose personal data is subject to processing, being “persons concerned”, may exercise their own rights as set down in the following articles of the GDPR:

15 - right of access to the data,

16 - right to rectification,

17 - right to erasure (right to be forgotten),

18 - right to restriction of processing,

20 - right to data portability,

21 - right to object

22 - right to object to the automated decision-making process

by writing to the Data Controller at the above-mentioned address, specifying the subject of his request, the right he intends to exercise and by sending the Data Controller all that is required to allow him to check his identity and ascertain the legitimacy of the request. Lawful exercise of his rights does not entail any cost to him. The Data Controller ensures a reply within one month.

11. Proposal of complaint

The “persons concerned” also have the right to lodge a complaint with the Supervisory Authority of their country of residence.

12. Limitations

Pursuant to article 23 of the GDPR it is specified that the persons concerned and the persons involved/mentioned in the report cannot exercise the above-mentioned rights for a time and within the limits of which this constitutes a necessary and proportionate measure pursuant to article 2 - undecies of the Privacy Code because following up the requests to exercise these rights could ensue an effective and concrete prejudice to safeguarding the confidentiality of the identity of the whistleblower. In any case should similar requests arrive the persons concerned shall receive a feedback from Fairmat regarding the impossibility of meeting this request within the established deadlines.

13. Automated decision-making procedures

In no case shall the Data Controller perform processing of personal data that requires automated decision-making processes capable of generating legal effects or in any case significantly affecting his person.

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