

## PRIVACY POLICY of the Lehler Group

Focus: whistleblowing

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Pursuant to Article 13 of Regulation (EU) 2016/679 of 27 April 2016 \* on the protection of natural persons with regard to the processing of personal data\*\* and on the free movement of such data (hereinafter "Privacy Regulation"), the following information is provided to data subjects regarding the processing of personal data carried out in connection with whistleblowing.

### **1. Who processes personal data?**

The Data Controller \*\*\* is the Lehler Group company receiving the whistleblowing report.

### **2. Who can be contacted?**

The Privacy Department, Data Processor\*\*\*\*, may be contacted at the following e-mail address [dipartimentoprivacy@lechler.it](mailto:dipartimentoprivacy@lechler.it) for all matters relating to the processing of personal data and the exercise of the reporting person's rights.

### **3. Who are the data subjects?**

For the purposes of whistleblowing reports, the data subjects whose confidentiality must be protected, with regard to both their identity and the content of their reports, are the reporting person, the reported person, the facilitator, the persons concerned and the persons mentioned in the report.

### **4. Why are personal data processed?**

#### *Purposes of processing*

To receive, analyse and handle, through specific communication channels, all reports - including anonymous reports - concerning alleged irregularities and/or unlawful conduct (so-called whistleblowing reports) committed by persons who, in various capacities, interact with the Controller and of which the reporting person has become aware.

To fulfil legal obligations arising from Legislative Decree no. 231/2001, Law no. 179/2017 and Legislative Decree no. 24/2023 on the protection of persons reporting offences, irregularities or violations of national laws.

To carry out all further activities connected with report handling and deriving from the need to ensure their thorough management (e.g. conducting interviews, collecting information useful for the investigation of the case, etc.) by the competent persons authorised to process data. To respond to any requests from competent authorities and bodies, etc.

Legal Basis for Processing

To fulfil legal obligations arising from Legislative Decree no. 231/2001, Law no. 179/2017 and Legislative Decree no. 24/2023 on the protection of persons reporting offences, irregularities or violations of national laws.

**5. What personal data are processed?**

Reports can be made either by disclosing one's identity or anonymously. In the latter case, no data concerning the reporting person will be processed, except where required by law and/or with the reporting person's prior consent.

For the proper handling of reports and the performance of related activities, the data contained in reports and in the relevant supporting documentation may be processed, also with reference to other identified or identifiable persons concerned.

By way of example, the following categories of personal data may be processed:

- personal data (e.g. first name, surname, tax code, address, date and place of birth);
- contact details (e.g. landline and/or mobile phone numbers, e-mail address);
- professional data;
- image data and/or voice data;
- any information concerning the reported person, or other data subjects, which the reporting person includes in the report in order to better substantiate it;
- information that the reported person, or other data subjects, share with the Controller in the course of report handling;
- special data (e.g. data concerning political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identify a natural person, data concerning a natural person's health or sex life or sexual orientation);
- judicial data;
- any other data concerning the report that may or may not fall into the above categories.

## **6. To whom are personal data communicated?**

The personal data of the reporting person, or of other data subjects, may be made available:

- ✓ to the Whistleblowing Committee (described in more detail in the Lechler Group Guideline)
- ✓ to the legal entity within the Group to which the report refers, as well as to its Supervisory Body, if present and competent in the matter, and/or to the internal departments that are professionally best placed to deal with the matter.
- ✓ to public authorities and other entities to fulfil legal obligations (e.g. Judicial Authorities, Court of Auditors, ANAC [Italian Anti-Corruption Authority]) - as Data Controllers.

The data of the reporting person will not be disclosed (made available to unspecified persons).

## **7. Are data transferred to third countries?**

The Controller may transfer the personal data of the reporting person to European Economic Area (EEA) countries or to third countries outside the EEA which guarantee an adequate level of protection, equivalent to that guaranteed within the European Union, on the basis of an adequacy decision of the European Commission and/or to which the Privacy Authority has authorised the transfer of personal data.

## **8. How long are data stored?**

Reports and related documentation are stored for as long as necessary to handle the report and in any case for no more than five years from the date of notification of the final outcome of the whistleblowing procedure. Personal data, if already processed in the course of a current employment relationship with the Controller (employer), will be stored under the terms indicated in the general privacy policy for employees available on the company intranet.

## **9. How are data processed?**

Pursuant to Article 29 GDPR, data will be processed by authorised and specially instructed personnel (with regard to the need to ensure the protection of the personal data of the persons concerned) on a need-to-know basis, with or without electronic instruments, in accordance with the principles of lawfulness and fairness, so as to protect the confidentiality and rights of the data subject at all times, in compliance with the provisions of the law in force.

In fact, the Controller endorses application of Article 6 of Legislative Decree no. 231/2001 “Protection of employees or collaborators reporting offences in the private sector”, which requires the protection of the confidentiality of the reporting person's identity during report handling and prohibits direct or indirect retaliatory or discriminatory acts against the reporting person for reasons directly or indirectly related to his or her report.

#### **10. What rights can be exercised?**

Data subjects have the right to obtain from the Data Controller:

- confirmation as to whether or not personal data concerning them are being processed and, where that is the case, access to such personal data (Article 15 - right of access);
- the rectification of inaccurate personal data or the completion of incomplete personal (Article 16 - right to rectification);
- the erasure of personal data where one of the grounds provided for by the Privacy Regulation applies (Article 17 - right to be forgotten);
- restriction of processing where one of the cases provided for by the Privacy Regulation applies (Article 18 - right to restriction of processing);
- they have the right to receive the personal data provided to the Controller in a structured, commonly used and machine-readable format and to transmit such data to another Data Controller (Article 19 - right to portability).

Right to object (Article 21). Data subjects shall have the right to object to processing of personal data based on the Controller's legitimate interest. In this case, the Data Controller shall no longer process the personal data of the data subjects unless there are compelling legitimate grounds for the processing or for the establishment, exercise or defence of legal claims.

To exercise their rights, data subjects may send a message to the email box [dipartimentoprivacy@lechler.it](mailto:dipartimentoprivacy@lechler.it). Without prejudice to any other administrative or jurisdictional remedy, data subjects shall have the right to lodge a complaint with the Privacy Authority if they consider that the processing of personal data relating to them infringes the Privacy Regulation (Article 77).

#### **11. What is the source of personal data?**

The whistleblowing platform can be used without providing personal data. However, in the course of the whistleblowing procedure, personal data may be voluntarily communicated,

in particular information on one's identity, first name and surname, country of residence, telephone number or e-mail address.

**12. Are data subject to automated decision-making?**

Data will not be subject to decisions based solely on automated processing, including profiling, which produce legal effects concerning or significantly affecting the reporting person.

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\* General Data Protection Regulation (GDPR).

\*\* Processing: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

\*\*\* Data Controller: the natural or legal person or public authority which determines the purposes and means of the processing of personal data.

\*\*\*\*Data Processor: the natural or legal person who processes personal data on behalf of the controller.