



Privacy Notice pursuant to Articles 13-14  
of Regulation (EU) 2016/679 within the  
Whistleblowing Procedure

Metal Work S.p.A., acting as the Data Controller, in accordance with and for the purposes of Article 13 of EU Regulation 2016/679 (hereinafter 'GDPR'), intends to provide its employees, partner clients, suppliers, consultants, collaborators, and, more generally, anyone with an interest relationship with Metal Work S.p.A., with appropriate information regarding the processing of personal data submitted in the context of the Whistleblowing procedure.

If the report comes from an individual bound by an employment or collaboration relationship with the Data Controller, this information should be considered supplementary and not a substitute for the Privacy / Data Protection information provided to the data subject.

Metal Work S.p.A. informs that the mentioned processing will be based on the principles of fairness, lawfulness, transparency, and the protection of privacy and the rights of the data subjects.

## PERSONAL DATA SUBJECT TO PROCESSING

The receipt of reports and the management of Whistleblowing activities involve the processing of the following so-called "common" personal data:

- personal details (name and surname) and position of the reporter;
- personal details (name and surname) of the reported party;
- personal and professional details of third parties who may be mentioned in the appropriate field containing information about individuals who can report the facts and/or the description of the report, and in any attached documents.

In addition to this, so-called "special" personal data and personal data relating to criminal convictions and offenses (so-called "judicial" data) may be processed. These are not specifically requested in the designated fields for reporting but may be freely entered by the reporter in the description field of the report and in any attached documents as distinctive elements of the report.

## PURPOSES OF THE PROCESSING

Personal data is collected and processed to ensure:

- the correct and complete management of the reporting procedure for crimes or irregularities, or Whistleblowing;
  - the conduct of necessary investigative activities aimed at verifying the validity of the reported facts and the adoption of any related measures;
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- the potential legal protection of a right of the Data Controller;
- The response to a request from the Judicial Authority and/or other competent Authority.

As mentioned above, reports can be made, even anonymously, by filling in the fields on the Whistleblowing platform or through a voice mailbox provided on the same platform at the designated link on the Data Controller's website.

If the reporter does not make an anonymous report, their identity will still be protected from the receipt of the report and in every subsequent phase in accordance with GDPR. It may be disclosed to the disciplinary authority and the reported party only:

- When the explicit consent of the reporter is obtained;
- When the contestation of the disciplinary charge depends on the verification of its validity from the report, and/or the knowledge of the reporter's identity is absolutely essential for the defense of the reported party.

## LEGAL BASIS OF THE PROCESSING

The Data Controller carries out the processing based on the need to fulfill legal obligations, in particular:

- Managing the Whistleblowing procedure as provided by the Law of November 30, 2017, No. 179, containing "Provisions for the protection of whistleblowers who report crimes or misconduct of which they become aware in the context of private or public employment." as well as Legislative Decree No. 24 of March 10, 2023, and subsequent amendments;
- Article 6, paragraph 1, letter f) of GDPR, according to which all personal data collected in the context of this processing are strictly functional and necessary for the pursuit of the legitimate interests of the Data Controller.

## METHODS AND DURATION OF THE PROCESSING

The Data Controller commits to processing only the data necessary for achieving the essential purposes related to the activities subject to the report in a lawful, fair, and transparent manner.

Data will also be processed using electronic tools, including automated tools made available to individuals authorized by the Data Controller, to whom adequate instructions have

been expressly provided by the Data Controller regarding the need to ensure the protection of personal data of the individuals involved in the reports.

The collected personal data will be retained for the time necessary for processing the report, but not exceeding 5 years from the date of communication of the final outcome of the reporting procedure, in compliance with confidentiality obligations as required by law.

Retention for a longer period is subject to preservation requests from public authorities or related to defense rights exercised in the event of disputes.

## RECIPIENTS OF PERSONAL DATA

Personal data will not be disclosed unless disclosure is required by law by public entities for defense, security, or crime prevention, investigation, or suppression purposes.

The communication of the collected personal data will mainly be directed to:

- individuals authorized by the Data Controller who need them based on hierarchical position or role. In particular, personal data may be communicated to the team responsible for the Whistleblowing procedure as the recipient of the report and to the Oversight Board;
- suppliers and consultants to whom certain activities are outsourced, acting as data processors;
- competent authorities (e.g., institutions and/or public authorities; judiciary and law enforcement agencies) formally requesting them; in this case, data communication is necessary to fulfill a legal obligation.

Personal data will not be transferred to third countries, neither within the European Union nor outside the European Union.

## RIGHTS OF THE DATA SUBJECT

In accordance with Articles 15 to 22 of GDPR, data subjects have the following rights:

- obtain confirmation from the Data Controller as to whether or not personal data concerning them is being processed, and if so, access to their data. If the data is not collected from the data subject, they have the right to receive all available information about its origin;
  - know the purposes of the processing, the categories of data involved, the recipients or
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categories of recipients to whom the data has been or will be communicated, the envisaged retention period of the data, or the criteria used to determine that period;

- request the Data Controller to erase or restrict the processing of their data;
- object to the processing of data, except where the Data Controller has compelling legitimate grounds for the processing that override the data subject's interests, rights, and freedoms;
- request data portability in cases provided by law;
- lodge a complaint with the supervisory authority (Privacy Guarantor).

Please note that these rights cannot be exercised by data subjects if the exercise of such rights could result in an actual and concrete harm to the confidentiality of the reporter's identity.

To exercise the aforementioned rights and for any further information, individuals can directly contact the Data Controller at the email address: [metalworkspa-bs@legalmail.it](mailto:metalworkspa-bs@legalmail.it).