

Privacy policy pursuant to Articles 13 and 14 of EU Regulation No. 679/2016

Whistleblowing reports

Dear Sir/Madam,

The company FOPE S.p.A. – VAT No.: 00163880248 – with registered office in Vicenza (VI) at Via Zampieri Giuseppe 31, in its capacity as data controller (hereinafter also referred to as the "Data Controller"), hereby intends to provide adequate information regarding the nature and methods of processing the personal data of individuals who report violations of national or European Union regulatory provisions that harm the interest or integrity of the Company, of which they have become aware in the context of their work, as part of the process implemented by FOPE S.p.A. for the collection and management of such internal reports, in compliance with the applicable legislation on *whistleblowing*, with particular reference to Italian Legislative Decree 24/2023 transposing EU Directive 1937/2019 (hereinafter also referred to as the "Decree" for the sake of brevity).

Reports are handled in accordance with the *whistleblowing procedure* adopted by FOPE S.p.A. and made available in the relevant section of the company website. The data subjects covered by this policy are the intended recipients of the aforementioned procedure, which they are advised to read carefully, or the data subjects otherwise referred to in the report,

The personal data provided by you as a reporting party (hereinafter also referred to as the "Whistleblower" for the sake of brevity) and the information contained in the reports and in any documents attached thereto, shall be processed in accordance with the principles of fairness, lawfulness, transparency, and the protection of confidentiality and the rights of the data subjects, in compliance with the obligations imposed by the data protection legislation (Italian Legislative Decree No. 196/2003 and subsequent amendments, EU Regulation No. 679/2016 <hereinafter referred to as the "GDPR" for brevity>), by Italian Legislative Decree No. 24 of 10 March 2023, by the ANAC guidelines on whistleblowing and by Italian Legislative Decree No. 231/01 where applicable.

Since suspected violations can also be reported anonymously, you are not necessarily required to provide your personal data when submitting the report. Should you decide to provide your personal data, this information will be processed in accordance with the legal bases mentioned above and, in any case, managed in accordance with the provisions of Italian Legislative Decree No. 24 of 10 March 2023.

However, even in relation to anonymous reports, it cannot be ruled out that, in the course of examining these, the Data Controller – where applicable through their data processors – may come into possession of personal information concerning other categories of data subjects (e.g. persons other than the whistleblower, third parties, etc.), which will therefore be processed in accordance with this privacy policy.

Therefore, as part of the process of acquiring and managing reports, the Company FOPE S.p.A. will process any personal data provided by the reporting party, and the data relating to other categories of data subjects, such as individuals involved in and/or connected to the reporting process, ensuring the utmost confidentiality.

1. Purpose of the Processing and categories of data processed

The personal data processed by the Data Controller in accordance with the provisions of the *whistleblowing procedure* include, by way of example and without limitation, common personal data such as:

- identification data of the whistleblower (for example: first name, surname, email address, any other contact details provided by the whistleblower, etc.), where these have been communicated at the time of the report;
- personal data contained in the reports submitted, where applicable also those submitted verbally through the appropriate platform (for example: personal data – including identifying and professional data – and any other personal information relating to the whistleblower, the subject of the report, and/or any third parties involved in the report).

It should be noted that personal data will be collected directly from the data subject or from third parties, as further specified in the *whistleblowing procedure*, either in written form (via an online platform) or in oral form (for example, in the event of a meeting requested by the whistleblower with the persons in charge of handling the report) and processed in accordance with the aforementioned regulations

In any case, the Data Controller shall take all the measures required by law in order to protect the confidentiality of the whistleblower's identity, so that it is not disclosed to third parties without the whistleblower's express consent.

Reports must contain only the information necessary to substantiate the subject matter of the report. Should the reports contain personal data that is not necessary for the purposes set out above, the Company shall destroy this data or, if this is not possible, redact this data, except in cases authorised by law or by a provision of the Data Protection Authority.

2. Purpose, legal basis for processing, and consequences of failure to provide Data

Data is processed lawfully and fairly for the purposes described below.

A. The need to comply with legal obligations

This need constitutes the legal basis that legitimises the resulting processing, as the Data Controller is required, when collecting and managing reports, to comply with legal obligations, in particular those set out in Italian Legislative Decree 24/2023 and Italian Legislative Decree 231/01.

The provision of Data for these purposes is optional. You can therefore choose not to provide any data: in this case, the Data Controller may be unable to follow up on the report.

In any case, it is advisable to provide only the data necessary to describe the facts being reported, avoiding any personal data that is not necessary for this purpose. The identity of the whistleblower will in any case be protected from the moment the report is received and at every subsequent stage.

B. Consent

In the event that it is necessary to disclose the identity of the whistleblower to parties other than those responsible for receiving and handling the report in accordance with the *whistleblowing procedure* and the provisions of the Decree, the whistleblower will be asked for express and specific consent (Article 12 of Italian Legislative Decree 24/2023 and Article 6 of EU Regulation 679/2016).

Consent is optional and may be freely withdrawn at any time in accordance with the procedures set out at the time of the request, subject to the proviso that the withdrawal of consent does not affect the lawfulness of the processing carried out prior to such withdrawal.

3. Processing methods

Personal data is processed at the time the report is received, using a dedicated IT platform, as set out in detail in the aforementioned *whistleblowing procedure*.

In the subsequent stages (handling the report), the processing shall be carried out using the same platform and/or by means of other paper-based, computerised, or electronic means.

The Data collected is, in all cases, processed in full compliance with the law and the principles of lawfulness, fairness, transparency, data minimisation, and the protection of the privacy and the rights of the data subject, through the necessary technical and organisational security measures designed to ensure security and confidentiality and prevent unauthorised parties from tracing the identity of the Whistleblower.

The Data collected via the platform referred to in the *whistleblowing procedure* is processed using cryptographic techniques. To ensure greater confidentiality for the whistleblower, it should be noted that, if a report is made using a computer provided by the Company, there is a risk that the web pages visited – including the one relating to the *whistleblowing* platform – may be saved in the Company's browser history. It is therefore advisable not to use a company device to make the report.

4. Data retention period

Personal data relating to reports are stored and retained for the period of time strictly necessary to manage the report at all stages (receiving and handling of the report), to take any resulting action, and to comply with the relevant legal obligations, and in any case no longer than five years from the date on which the outcome of the report handling process is communicated.

Once this period has elapsed, the data will be deleted or anonymised.

For more information on the document retention policy, please refer to the aforementioned *whistleblowing procedure*.

5. Categories of recipients of personal data

In accordance with the *whistleblowing procedure*, any personal data contained in the report shall be processed exclusively:

- by the persons appointed by FOPE S.p.A. to handle the report and authorised by the data controller to process the data and/or identified as persons having specific roles and responsibilities;
- by the platform provider and/or the service provider for handling the report, who shall act as a data processor in accordance with Article 28 of the GDPR;

- by any external professionals (for example, lawyers or experts in the field of internal audit or forensic investigation) who may be entrusted with conducting, on behalf of the Data Controller, of in-depth investigations or verifications regarding the report, and who shall also act as data processors *in accordance with* Article 28 of the GDPR;
- by the judicial authorities;
- by any other party identified by current legislation in relation to the reporting of offences.

The details of these parties may be provided upon receipt of a justified request sent to the contact details set out below.

6. Transfer of Data

Data is stored on servers and storage devices located within the European Union.

Personal data shall not be transferred to countries outside the European Economic Area.

In any case, it is understood that the Data Controller, if necessary, has the right to transfer data to countries outside the European Union or the European Economic Area that are recognised by the European Commission as providing an adequate level of protection for personal data or, otherwise, only if a level of protection of personal data equivalent to that of the European Union is contractually guaranteed and the exercise of the rights of the data subjects is ensured. In such cases, the Data Controller hereby guarantees that the transfer of Data outside the EU will take place in accordance with the applicable legal provisions, applying all the necessary safeguards to the aforementioned transfers.

The Data Controller shall apply all the necessary safeguards to the aforementioned transfers in accordance with current privacy legislation.

7. Rights of the data subject

In accordance with any existing regulatory obligations, the data subject may exercise the rights set out in Articles 15/22 of the GDPR:

- the right of access to personal data;
- the right to obtain the rectification or erasure of the data by accessing the reporting platform;
- the right to withdraw consent, where applicable: the withdrawal of consent shall not affect the lawfulness of processing based on consent given prior to the withdrawal; upon withdrawal of consent, it will no longer be possible to access your profile; however, you will still be able to view the reports using their codes; the right to withdraw consent does not, however, apply in the event that the processing is necessary to comply with a regulatory obligation to which the data controller is subject;
- the right to lodge a complaint with the Data Protection Authority pursuant to Article 77 of the GDPR or to appeal to the competent judicial authority pursuant to Article 79 of the GDPR, in accordance with the procedures and within the limits provided for by current national legislation (Italian Legislative Decree 196/2003).

Data subjects are informed that these rights may not be exercised when doing so could result in an actual and concrete prejudice to the confidentiality of the Whistleblower's identity, in accordance with the provisions of the Decree.

In such cases, the rights may be exercised in accordance with the applicable legal provisions.

Therefore, for obvious reasons relating to the protection of the confidentiality of the whistleblower, whistleblowers are invited to exercise their rights, in particular those relating to the rectification or erasure of their personal data, the withdrawal of consent, etc., by using the same platform specified in the *whistleblowing procedure* for submitting the report, and by submitting a request to that effect via the platform.

With regard to the rights of any person other than the whistleblower, the Data Controller hereby declares that the exercise of these rights, and in particular the right of access, may be delayed, limited or excluded for as long as this constitutes a necessary and proportionate measure, taking into account the fundamental rights of the whistleblower, and compliance with legal obligations by the Data Controller or the Data Processors, including for the purpose of safeguarding the confidentiality and protecting the identity of the whistleblower and to ensure that the investigation into the matter reported is not at risk of being compromised.

8. Data Controllers and categories of Data Processors

The Data Controller is FOPE S.p.A. – VAT No.: 00163880248 – with registered office in Vicenza (VI), at Via Zampieri Giuseppe 31.

The Data Controller can be contacted, including in relation to requests from data subjects to exercise their rights, at the following address: privacy@fope.com

The list of categories of Data Processors is kept at the Data Controller's registered office.

For any matters not covered herein, please refer to the provisions of Legislative Decree 24/2023.