

INFORMATION ON THE PROCESSING OF PERSONAL DATA

WHISTLEBLOWING

Summary information



Data controller

L.M. dei F.lli Monticelli S.p.A.

Via Giuggioli, 30, Osimo (AN)

Tel. +39 071 7230252 | email info@monticelli.it



Privacy contact
point

sturari.s@monticelli.it



Processed data
(optional
processing)

- personal data contained in the report (identification, contact, professional, etc.)
- any personal data categories that qualify as special



Primary purpose
of processing

acquisition and management of reports of wrongdoing and for the management of any preliminary investigation for subsequent proceedings



Legal basis of
processing:

- fulfilment of a legal obligation to which the data controller is subject
- legitimate interest of the data controller
- consent to processing in case of possible disciplinary proceedings or recording or transcribing of reports



Recipients of
personal data

- public or private entities in the event of violations of applicable regulations
- possible consultants and professionals
- **Supervisory Body**



Data retention
period

- processing of the report and possible adoption of consequent disciplinary measures
- 5 years from the date of communication of the final outcome of the reporting procedure

INFORMATION ON THE PROCESSING OF PERSONAL DATA

WHISTLEBLOWING

L.M. dei F.lli Monticelli S.p.A. informs data subjects about the processing of their personal data as part of the activity of acquiring and managing reports of unlawful acts (so-called 'whistleblowing').

This information is provided in accordance with Articles 13 and 14 of Regulation (EU) 2016/679 on the protection of personal data ("GDPR") and Legislative Decree No. 24 of 10 March 2023, in accordance with the principles of transparency and fairness and in compliance with the rights of the persons concerned.

DATA CONTROLLER

Which processes personal data and which the data subject can contact to obtain information and exercise their rights

The Data Controller is L.M. dei F.lli Monticelli S.p.A., Via Giuggioli, 30, Osimo (AN), established in the European Union, which can be contacted at the following addresses: telephone +39 071 7230252, email info@monticelli.it, PEC Im.monticelli@pec.it

PRIVACY CONTACT POINT

L.M. dei F.lli Monticelli S.p.A. has a privacy contact point, which can be contacted for any information concerning the processing of personal data, the exercise of the data subjects' rights, the security policies and the measures adopted, and the list of persons in charge of processing personal data.

The contact point can be reached at: privacy@monticelli.it

DATA SUBJECTS

The subjects whose data are processed and whose rights are recognised

Data subjects are those who interact with the data controller: the reporting party, the person involved (reported), the facilitator, any other persons mentioned in the report.

SOURCE OF DATA

The origin of the personal data

The data of the reporter are acquired from the person concerned when the report is received and processed. Personal data of the reported person and/or third parties are provided by the reporting person.

CATEGORIES OF PERSONAL DATA

What data are processed?

The processing concerns the personal data of the reporter and of the persons involved, collected through the report, such as first and last names, email address, postal address, professional qualification.

With regard to the need to manage the report, telephone, tax identification code, copy of an identity document may also be acquired if necessary for the identification of the reporter.

The data received in connection with the report may be supplemented by data that may already be available to the data controller or acquired as part of the activities aimed at verifying the merits of the report and what is described therein, always in compliance with the provisions of the law.

In relation to the subject of the report, personal data that can be qualified as special (i.e., data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, health data) may be processed.

With the exception of specific legal provisions, including processing for the purpose of preventing corporate criminal liability in accordance with the provisions of Legislative Decree 231/2001 and with the provisions of Article 10 of the GDPR, no personal data relating to criminal convictions and offences will be processed, and L.M. dei F.lli Monticelli S.p.A. will process such data only if they are freely provided by the person reporting the offence as characteristic elements of the report.

If there is a need to acquire and process data of a specific nature or relating to criminal convictions and offences, it will be the responsibility of the data controller to inform the persons concerned accordingly.

PURPOSE AND LEGAL BASIS OF PROCESSING

Why are data processed

Personal data are processed for the purposes of acquiring and managing reports of unlawful acts and for the management of any preliminary investigation for subsequent proceedings.

The legal basis for such processing is Article 6(1)(c) of the GDPR (fulfilment of a legal obligation to which the Data Controller is subject).

The report may only be used for possible disciplinary proceedings in the event of the reporter's express consent to disclose his or her identity (Article 6(1)(a) of the GDPR), where it is necessary for the proceedings to be conducted.

A report by telephone or text message may only be recorded or transcribed with the express consent of the person making said report (Art. 6(1)(a) GDPR).

Data, including those of a sensitive nature, may be processed with regard to the need to establish, exercise or defend legal claims., should it be necessary, based on the evidence during the preliminary investigation (art 9 (2) (f) of the GDPR), to perform the obligations and specific rights of the Data Controller or Data Subject with regard to employment rights and social security and protection (Art. 9 (2) (b) GDPR).

The data may be processed on the basis of the legitimate interest of the Data Controller for the purpose of protecting the company's assets, in connection with the evidence contained in the report (Art. 6 (1) (f) GDPR).

Data may also be processed for purposes relating to further legal obligations to which our organisation may be subject, namely:

- to fulfil general obligations laid down by law, regulations, EU legislation, or orders issued by the authorities and other competent institutions
- comply with requests from the competent administrative or judicial authorities and, more generally, from public bodies in compliance with legal formalities

PROCESSING METHODS

How are data processed?

Reports are received exclusively by the dedicated functions, which handle them according to a pre-established procedure.

Reports are acquired in the manner indicated in the reporting procedure.

Data are processed using procedures and tools, including computer means, suitable for guaranteeing their integrity and availability, as well as the confidentiality of the identity of the whistleblower, the person involved and the person in any case mentioned in the report, as well as the content of the report and relevant documentation. The identity of the whistleblower is protected except in cases of liability for slander and defamation and in cases where anonymity cannot be enforced by law.

Personal data are processed exclusively by authorised and instructed personnel who are competent to receive or follow up reports, who are bound to confidentiality, and who are allowed access to personal data to the extent and within the limits necessary for the performance of processing activities.

SIGNALLING PLATFORM

The digital signalling channel, in particular, adopts specific encryption systems to protect data in transit and storage stages.

The transmission of data and information by email, whether personal or corporate, or PEC cannot be considered secure and some external digital information (including metadata, LOGs, IP addresses and message sources) may allow the identification of the sender: it is therefore recommended to use the other methods made available for this purpose.

AUTOMATED DECISION-MAKING AND PROFILING

No automated decision-making, including profiling, as referred to in Article 22(1) and (4) of the GDPR is used in the processing of personal data.

DURATION OF TREATMENT

How long are data retained?

Reports and related documentation are retained for as long as necessary for the processing of the report and, where appropriate, for the adoption of the ensuing disciplinary measures and/or the exhaustion of any litigation initiated as a result of the report.

Data will not be retained beyond five years from the date of the communication of the final outcome of the reporting procedure.

Subsequently, this data may be processed anonymously for statistical or historical purposes.

DATA BREACH MANAGEMENT

Data will be retained as from the detection of the dangerous event or data breach, for the time necessary to notify the Authority of the data breach detected and to take the relevant remedial and security measures.

OBLIGATION OR OPTION TO PROVIDE DATA

The provision of personal data by the whistleblower is optional, the form of 'anonymous reporting' being possible. Failure to provide the data may, however, jeopardise the preliminary investigation, if the data are necessary for its execution.

Should the Report lead to the initiation of disciplinary proceedings against the person responsible for the unlawful conduct, the identity of the Whistleblower will never be disclosed. If knowledge of the identity of the Whistleblower were indispensable for the defence of the person alleged to have committed the offence, the Whistleblower shall be asked whether he/she intends to give his/her free consent to the disclosure of his/her identity.

Please note that reports made anonymously can only be taken into account if they are adequately substantiated and provided with a wealth of details, i.e. with all the information needed to verify them.

DATA RECIPIENTS

To whom are the data disclosed?

SCOPE OF KNOWLEDGE WITHIN THE ORGANISATION

The autonomous functions dedicated to the management of reports and any preliminary investigation for subsequent proceedings, the **Supervisory Body (SB)**, become aware of the personal data.

If, at the end of the verification, no elements of manifest groundlessness are found in the reported fact, the function will forward the result of the process for further investigation or for the adoption of measures within its competence:

- to the Head of Human Resources as well as to the Head of the organisational unit to which the infringer belongs, in order that disciplinary action may be taken, if the conditions are met;
- to the competent organisational bodies and structures to take any further measures and/or actions deemed necessary, also to safeguard the organisation itself;

EXTERNAL COMMUNICATION OF DATA

Personal data is disclosed for the purpose of carrying out activities related to the handling of the report, as well as to comply with certain legal obligations. In particular, communication may be made to:

- public or private parties in the event of breaches of the applicable regulations or who have access to them by virtue of provisions of the law, regulations or Community legislation, within the limits provided for by these rules (Institutions, Public Authorities, Judicial Authorities, Police Bodies)
- consultants and professionals (e.g. law firms) who may be involved in the investigation phase of the report, to the extent necessary to perform their duties in our organisation, subject to their appointment as data processors, which requires compliance with confidentiality and security instructions and duties in order to ensure confidentiality and data protection.
- service providers, including providers of the service for the provision and operational management of the technological platform for whistleblowing reports, instrumental to the pursuit of the purposes of handling reports, subject to their appointment as data processors

A list of data processors is available from the Data Controller.

Communication of your personal data is limited exclusively to the data necessary to achieve the specific purposes for which they are intended.

Personal data will not be circulated (e.g. by publication).

TRANSFER OF PERSONAL DATA OUTSIDE THE EU

Your personal data will not be transferred to third parties outside the European Union.

DATA SUBJECT'S RIGHTS

The data subject is entitled to exercise their rights under Articles 15 to 22 of Regulation (EU) 2016/679, namely:

1. request confirmation of the existence or otherwise of their personal data being processed;
2. obtain information about the purposes of the processing, the categories of personal data processed, the recipients or categories of recipients to whom the personal data have been or will be disclosed, the period of data retention or the criteria for determining it;
3. update, rectify or supplement personal data, so that they are always accurate;

4. delete personal data when no longer necessary for the purposes of the processing, if the conditions of the law are met and the processing is not justified by any other legitimate reason;
5. restricting the processing of personal data if the conditions are met, including inaccuracy, objection to processing, unlawful processing.
6. object to processing at any time
7. withdraw consent, if given for specific processing activities. Withdrawal of consent does not affect the lawfulness of processing based on consent given prior to the withdrawal;
8. the right to lodge a complaint with a Control Authority (National Personal Data Protection Authority, email: garante@gpdp.it): without prejudice to any other administrative or judicial action, a complaint may be lodged with the Personal Data Protection Authority. Or, if the conditions are met, including your different residence or the different Member State where the infringement took place, with the control authorities established in another EU country.

In order to exercise these rights, you may contact the Data Controller, L.M. dei F.Ili Monticelli S.p.A., whose contact details are provided at the beginning of this information notice, which will examine the issue without delay.

If the exercise of the rights may prejudice the protection of the confidentiality of the identity of the whistleblower, the person concerned or the person mentioned in the report is precluded from addressing the Data Controller. In this case, rights may be exercised through the Personal Data Protection Authority (in the manner set out in Article 160 of the Privacy Code). In this case, the Data Protection Authority shall inform the person concerned that it has performed all the necessary verifications or that it has conducted a review, as well as of the right of the person concerned to appeal.

If L.M. dei F.Ili Monticelli S.p.A. intends to process data for purposes other than those set out in this information notice, it will inform you before doing so and obtain your consent if necessary.

UPDATES

L.M. dei F.Ili Monticelli S.p.A. updates the internal policies and practices adopted in the protection of personal data whenever necessary and in the event of regulatory and organisational changes affecting the processing of personal data.

Any updates to this notice shall be made available in a timely manner and by appropriate means.

Last updated 22/07/2025