



[Privacy Notice for the Processing of Personal Data  
pursuant to Article 13 of EU Regulation 2016/679 \("GDPR"\)  
IN RELATION TO "WHISTLEBLOWING" REPORTS](#)

Dear Data Subject,

In compliance with the provisions of Legislative Decree 24/2023 and pursuant to Legislative Decree 231/2021 (hereinafter Model 231 adopted by the Company), WSense S.r.l. has established dedicated channels, for use in reporting any alleged wrongdoing that may occur in the context of the employment relationship, by employees, third parties (collaborators/suppliers), volunteers, interns, and shareholders.

Reports can be made/transmitted through the following dedicated channels, alternatively:

- Completion of the form on the reporting management portal, through the dedicated IT platform accessible via the web at the address <https://wsense.it> named Whistlelink;
- Voice recording on the reporting management portal, through the dedicated IT platform accessible via the web at the address <https://wsense.it> named Whistlelink.

Please be informed that the information and personal data provided within the scope of the aforementioned procedure, according to the channel chosen by you, will be processed in compliance with the obligations provided for in Article 13 of the European Regulation 2016/679 (GDPR).

#### **DATA CONTROLLER**

The Data Controller is the Company WSense S.r.l., represented by its legal representative pro tempore, with registered office in Rome (RM) via XX Settembre 98/E 00187 Email [amministrazione@wsense.it](mailto:amministrazione@wsense.it);

#### **DATA PROTECTION OFFICER** (to be included in case of appointment)

The company has appointed a Data Protection Officer who can be contacted for issues related to the processing of your data, at the following address: [privacydpo@wsense.it](mailto:privacydpo@wsense.it)

#### **TYPES OF DATA PROCESSED**

The receipt and management of reports give rise to the processing of:

- "common" personal data (personal details of the person making the report, indicating their qualification or professional position);
- "special" data (data relating to health conditions, sexual orientation, or trade union membership, referred to in Article 9(1) of the GDPR) that may be provided by the reporting party;
- personal data related to the report, namely the clear and complete description of the reported facts and the methods by which they were learned (the date and place where the fact occurred; indication of the names and roles of any other subjects who can report on the reported facts; information regarding any documents that may confirm the validity of the reported facts)
- personal data of the reported subject(s) or otherwise mentioned/involved in the report, such as, for example, name and surname, role, level, gender, age.

Reporting can be done anonymously or nominatively.

In case of **anonymous** reporting, as it is not possible to trace the identity of the reporter, no processing of the reporter's personal data will occur. The report containing personal data referring to other categories of data subjects, its receipt, and management constitute the processing of personal data. The reporter is invited not to provide personal data belonging to the so-called "special" categories pursuant to Article 9(1) of the GDPR unless strictly necessary.

Even through the oral reporting channel, you can choose to remain anonymous. The platform includes a voice masking mechanism that will prevent recognition.

In the case of **nominative** reporting, the personal data collected and processed by the Controller within the scope of managing the reports received through the aforementioned reporting channels, following the principle of data minimization, will only be visible if necessary for the investigation.

In any case, if you decide to make a named report, WSense undertakes to protect the identity of the reporting party and the confidentiality of the content and any individuals identified by the report.

#### **PURPOSES OF PROCESSING**

The processing of the collected data is aimed at:

- a) complying with legal obligations, regulations, or legislation, national and/or community, including that provided for by Legislative Decree no. 24/2023 (the so-called "Whistleblowing Decree") implementing

Directive (EU) 2019/1937 concerning the protection of persons who report breaches of Union law and containing provisions concerning the protection of persons who report breaches of national legal provisions;

- b) the correct and complete management of investigative activities aimed at verifying the validity of the reported fact and the adoption of consequent measures;
- c) fulfilling obligations and exercising specific rights in the field of labor law and social security and social protection;
- d) establishing, exercising, or defending a right in court.

## LEGAL BASIS OF PROCESSING

The processing of your personal data

- for the purposes referred to in points a) and b), arises from the fulfillment of a legal obligation to which the Data Controller is subject (Article 6(1)(c) of the GDPR);
- for reports sent via voice messaging systems or otherwise orally, arises from the consent of the Reporter (Article 6(1)(a) of the GDPR);
- for the purposes referred to in points c) and d), to fulfill obligations and exercise specific rights in the field of labor law and social security and social protection, and to establish, exercise, or defend a right in court, when necessary (Article 9(2)(b) and f) of the GDPR).

## NATURE OF DATA PROVISION

The provision of data is necessary for the achievement of the aforementioned purposes; their failure, partial, or inaccurate provision may result in the impossibility of managing the report.

## PROCESSING METHODS

Your personal data will be processed electronically in the Whistlelink software application of Whistleblowing Solutions AB in compliance with applicable regulations, including security and confidentiality profiles, and inspired by the principles of fairness and lawfulness of processing.

In the case of reports made via voice recording, it will be recorded within the dedicated IT platform accessible at the link <https://wsense.whistlelink.it/>, subject to your consent.

If you consent to the processing of your data, you can proceed by clicking the button to start the recording and submit your report; otherwise, please exit the application.

Please remember to include the following information in the voice recording to detail your report:

- the company subject of the report;
- period during which the events occurred;
- description of the reported facts;
- the involved parties.

After completing the recorded message submission, click on 'Submit Report' for final submission, and the report will be processed.

## SCOPE OF DATA ACCESSIBILITY AND COMMUNICATION

The personal data contained in the reports received by the Data Controller will not be disclosed. Your data may be shared with the following subjects:

- Personnel authorized to process personal data and duly trained pursuant to Articles 29 of the GDPR, 2-quaterdecies of Legislative Decree no. 196/2003, and the operating procedures that make up the Organization, Management, and Control Model;
- The provider of the IT platform for the management of reports, which acts as the data processor pursuant to Article 28 of the GDPR;
- Authorities and bodies as autonomous data controllers to whom it is mandatory to communicate personal data under legal provisions or orders of the authorities, particularly in relation to investigative activities concerning reported facts on which ongoing investigations by public authorities are known.

The complete and updated list of data recipients can be requested from the Data Controller and/or the DPO, at the above addresses.

The Reporting Management System ensures, at every stage, the confidentiality of the identity of the Reporter, of the Persons involved and/or mentioned in the Report, of the content of the Report, and the related documentation, subject to what is provided for by Article 12 of Legislative Decree no. 24/2023.

The Data Controller has established the Supervisory Body, appointed pursuant to Article 6(1)(b) of Legislative Decree no. 231/2001, endowed with autonomous powers of initiative and control, which is also the Owner of the reporting management process governed by the "Whistleblowing Procedure", based at the Company's

registered office, whose member has been appointed as a person authorized to process personal data and has received adequate operational instructions.

In order to follow up on the Reports, the Supervisory Body also relies on the support of WSense personnel, duly appointed as persons authorized to process personal data and who have received adequate operational instructions.

In particular, in the case of transmission of the report to other structures/bodies/third parties for the conduct of investigative activities, the forwarding of only the content of the report will be privileged where possible, eliminating all references from which it is possible to indirectly trace the identity of the reporter. The Reporter is guaranteed that no form of retaliation or discriminatory measure, direct or indirect, having effects on working conditions for reasons directly or indirectly related to the report, will be taken against them.

### **RETENTION OF PERSONAL DATA**

Personal data will be retained only for the time strictly necessary for the management of the investigation, verification of the validity of the report, and adoption of related measures, respecting the principle of minimization pursuant to Article 5(1)(c) of the GDPR.

Specifically, WSense retains personal data within the terms provided for by Article 14 of Legislative Decree no. 24/2023, i.e., for the time necessary for the processing of the report and in any case for no more than 5 years from the date of communication of the final outcome of the Report to the 231 Supervisory Body with the following exceptions:

- If disciplinary proceedings are initiated following the report, the personal data contained therein will be kept in accordance with the procedural times provided for by the applicable labor law and in any case not beyond six months from the closure of the proceedings;
- If legal proceedings are initiated following the report, the personal data contained therein will be kept until the judgment becomes final. Personal data that are manifestly not useful for the processing of a specific report are not collected or, if collected accidentally, are promptly deleted.

### **TRANSFER OF PERSONAL DATA**

The management and storage of personal data will take place on servers located within the European Union, of the Data Controller and/or third-party companies appointed as Data Processors. The data are currently not transferred outside the European Union.

### **DATA SUBJECT RIGHTS**

We inform you that with reference to the processed data, you can exercise at any time the rights referred to in Articles 15, 16, 17, 18, 20, 21, and 22 of the Regulation; in particular, you have the right to obtain confirmation of the existence or not of data and in this case access to them and to verify their accuracy.

You also have the right to request the rectification, erasure, restriction of processing, portability of your data, as well as to object to processing in whole or in part for legitimate reasons, to revoke your consent, where provided, and to lodge a complaint with a Supervisory Authority or to resort to the appropriate judicial authorities. If you request the deletion of your Personal Data before the conclusion of the investigation, we may not be able to respond to your report or conclude the investigation.

Notwithstanding the above, pursuant to Articles 2-undecies of the Privacy Code and 12 of the Whistleblowing Decree, the aforementioned rights cannot be exercised if the exercise of such rights may result in actual and concrete prejudice to the confidentiality of the data subject's identity who reports a violation of which they became aware in relation to their employment relationship with WSense or in relation to the functions performed for the latter.

Furthermore, if there is a concrete risk that the communication of information regarding the above-mentioned rights may compromise ongoing investigations or, in general, the correct conduct of the Reporting Procedure, the response to the Data Subject will be provided only after the cessation of such risk.

Your rights can be exercised by written request by sending an email to the address: [privacydpo@wsense.it](mailto:privacydpo@wsense.it). Furthermore, we inform you that you have the right to lodge a complaint with the Guarantor for the protection of personal data, as provided for in Article 77 of the GDPR.

The Data Controller  
WSense S.r.l