

Information pursuant to Articles 13 and 14 of the European Regulation 2016/679 on the Processing of Personal Data within the framework of the system for the reporting of alleged wrongdoings ("Whistleblowing")

SRT S.r.l. has introduced the 'Whistleblowing' tool as a system to report alleged offences committed in the context of the employment relationship by its own employees and third parties (collaborators/suppliers/partners) and more generally persons holding professional positions provided for by Legislative Decree No. 24 of 10 March 2023, in compliance with the applicable legislation.

Pursuant to Articles 13 and 14 of European Regulation 2016/679 (hereinafter 'GDPR'), Legislative Decree No. 196 of 30 June 2003 (hereinafter 'Privacy Code') and Legislative Decree No. 51 of 18 May 2018, SRT S.r.l. hereby provides the information on the processing of personal data of the persons subject to Whistleblowing Reports (hereinafter also 'Whistleblowing').

1. DATA CONTROLLER

The data controller is SRT S.r.l. with registered office at Via Flaminia, 56 - 00196 Rome (RM) and can be contacted at the e-mail address privacy@srt-rail.com.

2. TYPES OF DATA PROCESSED

In the context of the 'Whistleblowing' procedure, the personal data to be processed are the data of the 'Whistleblower', the 'Reported' person and the persons involved and/or connected to the facts alleged in the Report (hereinafter, the 'Data Subjects').

Personal data collected and processed by SRT S.r.l. include:

- the 'common' personal data of data subjects (personal details, company department, contact details such as e-mail address, postal address, telephone number),
- where necessary, data belonging to special categories pursuant to Article 9 of the GDPR,
- data relating to the location of the data subject.

Data may be collected either directly from the Data Subject or through other parties involved in the Report, using the platform and/or the communication channels indicated in Section 3 below.

The data are provided voluntarily by the data subject or a third party, to SRT S.r.l. which will refrain from processing data that are not deemed to be strictly necessary for the purposes set out in point 3 below.

3. PURPOSE AND LEGAL BASIS OF DATA PROCESSING

Within the context of the 'Whistleblowing' procedure, personal data shall be processed exclusively to investigate and verify the facts alleged in the Report and to adopt any appropriate measures.

Specifically, the personal data collected are only those that are deemed to be necessary and relevant for the achievement of the above-mentioned purposes, based upon the 'principle of minimisation', in accordance with Article 5.1, letter c) of the GDPR.

The above data shall be voluntarily provided, and the Data Subject is kindly requested to provide only the data necessary to describe the facts alleged in the Report, without disclosing redundant and additional personal data to those required for the purposes stated above. Should redundant and/or additional data be provided, SRT S.r.l. will refrain from using such data; should such data be accidentally collected, they will be immediately deleted.

Personal data shall be processed on the legal basis of the legitimate interest of the Data Controller, pursuant to Article 6, para. 1, lett. f) of the GDPR, to handle Reports alleging wrongdoing, of which the Whistleblower has become aware while performing their professional duties and/or within the scope of the employment relationship, as well as to protect the internal and external Data Subjects involved in the 'Whistleblowing' procedure.

Personal data pursuant to Article 9 of the GDPR, may be processed, where necessary, on the legal basis of the legitimate interest of the Data Controller, pursuant to Article 6, para. 1, lett. f) of the GDPR, for the establishment, exercise or defence of a right in court, as well as on the legal basis pursuant to Article 6, para. 1, lett. b) of the GDPR ('performance of a contract') for specific aspects of the employment relationship.

4. METHODS OF DATA PROCESSING

In compliance with the regulations in force, data shall be collected using electronic, telematic and manual tools, in paper and/or electronic and/or verbal form, by adopting procedures strictly related to the above-mentioned purposes, so as to guarantee the security and confidentiality of the data.

Specifically, data shall be collected through the following channels:

- online 'Whistleblowing' platform available on SRT S.r.l. webpage
- electronic mail
- ordinary mail, to the address: Via Flaminia, 56 - 00196 Roma (RM);
- voicemail

The data collected as above will not be subject to fully automated processing as specified in Article 22 of the GDPR.

Specific security measures are ensured to prevent loss of data, unlawful or improper use and unauthorised access.

Moreover, in compliance with Article 32 of the GDPR, specific technical and organisational measures shall be adopted to ensure the protection of the identity of the Data Subjects as well as the anonymity of the Whistleblower and anonymous access to the platform (no log).

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5. DATA RETENTION PERIOD

Personal data shall be kept only for the time necessary for the purposes for which they are collected and, in any case, no longer than five years from the date of notification of the final outcome of the reporting procedure. Data shall be retained in compliance with confidentiality obligations and the principle of minimisation pursuant to Article 5.1.c) of the GDPR and for the purposes of managing the preliminary investigation, concluding the definition of the Report and adopting the relevant measures, should an investigation be initiated.

6. DATA RECIPIENTS

At SRT S.r.l. the personal data provided may only be disclosed to the persons appointed to process them by the Data Controller and authorised to carry out data processing operations within the scope of the above activities.

Personal data may be disclosed to third parties (subsidiaries or third party companies, such as IT service providers) who enable the operation and maintenance of the IT tools on which the Report can be entered, and who are required to process the data for the same purposes as those set out in point 3 above, and who are, for this purpose, appointed as 'Data Processors', pursuant to Article 28 of the GDPR.

The full list of persons appointed as Data Processors is available from the Data Controller.

Under no circumstances will personal data be disseminated.

7. RIGHTS OF DATA SUBJECTS

Articles 15-22 of the GDPR allow data subjects to exercise specific rights, such as, for instance, the right of access, rectification, erasure, and restriction of processing.

The above rights may be exercised by submitting a request to the Data Controller without formalities at the following e-mail address: privacy@srt-rail.com.

Data Subjects may lodge a complaint pursuant to Article 57, letter f) of the GDPR with the Data Protection Authority.

Should the exercise of the above rights by the reported person entail an actual and concrete prejudice to the protection and confidentiality of the Whistleblower's personal data, the Data Controller may restrict, delay or deny such exercise, pursuant to Article 2-undecies, par. 1), letter f) of the Privacy Code, and reject the request.

In such cases, pursuant to Article 2-undecies, para. 3 of the Privacy Code, Data Subjects may exercise their rights through the Data Protection Authority in the manner set out in Article 160 of the Privacy Code.

8. TRANSFER OF PERSONAL DATA ABROAD

Data are handled and stored on company servers located in Italy and within the European Union.

Personal data may not be transferred outside the European Union.

Should it become necessary, the Data Controller shall be entitled to move the location of the archives and servers to Italy and/or the European Union and/or non-EU countries. In the latter case, data will be transferred outside the EU in compliance with the applicable legal provisions, by entering, where necessary, into agreements that ensure an adequate level of protection and/or adopting the Standard Contractual Clauses provided for by the European Commission.