














**PRIVACY - WHISTLEBLOWER (WHISTLEBLOWING – Legislative Decree No. 24/2023) AND GRIEVANCE REPORTS**  
Informative document pursuant to and by effect of Article 13 of Regulation (EU) 2016/679 (GDPR)



	<p><b>WHY THIS INFORMATION</b></p> <p><b>1. WHO IS THE DATA CONTROLLER? HOW TO CONTACT IT?</b></p> <p>The Data Controller is <b>ICAM S.p.A.</b>, with its registered office at Via Pescatori, 53 – 23900 Lecco (LC) and its operational headquarters at Via Caio Plinio 5/7, 22030 – Orsenigo (CO), represented by its pro-tempore Legal Representative, who can be contacted for any information via email at <a href="mailto:privacy@icamcioccolato.it">privacy@icamcioccolato.it</a></p>
	<p><b>2. TYPES OF DATA PROCESSED AND DATA SUBJECTS</b></p> <p><b>Personal data:</b> any information relating to an identified or identifiable natural person ("data subject"); a natural person is considered identifiable if he/she can be identified, directly or indirectly, with particular reference to an identifier such as a name, identification number, location data, an online identifier or one or more factors specific to their physical, physiological, genetic, mental, economic, cultural, or social identity; (C26, C27, C30).</p> <p>The data processed shall be those related to reports made by whistleblowers, which may include data relating to third parties, or the individuals reported.</p> <p>Data relating to the whistleblowers, which may be provided by them:</p> <ul style="list-style-type: none"> <li>– First name, last name;</li> <li>– Email address;</li> <li>– Job position;</li> <li>– Other information provided by the whistleblower.</li> </ul> <p>The data subjects of this processing are:</p> <p>i) employees of private sector entities; ii) self-employed workers; iii) workers or collaborators providing goods or services or performing work for third parties; iv) freelancers and consultants; v) volunteers and interns; vi) shareholders and individuals with management, direction, control, supervision or representation functions; vii) job applicants; viii) former employees; ix) employees and stakeholders.</p>

**3. PURPOSE OF THE PROCESSING, LEGAL BASIS, RETENTION PERIOD, SOURCE OF DATA**

 PURPOSE OF THE PROCESSING	 LEGAL BASIS	 RETENTION PERIOD	 NATURE OF THE PROVISION
<p><b>A) Management of whistleblowing reports.</b> In particular, the collection of data for the submission of reports, of which the individual became aware within the scope of a legal relationship, pursuant to Article 3 of Legislative Decree No. 24/2023.</p>	<p><b>For Whistleblowing Reports:</b></p> <p>The processing is necessary to comply with a legal obligation (pursuant to Legislative Decree No. 24/2023) to which the data controller is subject (C45), Article 6, paragraph 1, letter c) of the GDPR.</p>	<p>For the time strictly necessary for the processing of the report and, in any case, no longer than 5 years from the date of communication of the final outcome of the reporting procedure (Article 14 of Legislative Decree No. 24/2023).</p> <p>In the event that a legal proceeding is initiated, the aforementioned period is extended until the conclusion of all levels of judgment. Personal data that are manifestly not useful for the processing of a specific report are not collected or, if accidentally collected, are immediately deleted.</p>	<p>The provision of personal data by the whistleblower is necessary, without prejudice to the right to make an anonymous report.</p>

 PURPOSE OF THE PROCESSING	 LEGAL BASIS	 RETENTION PERIOD	 NATURE OF THE PROVISION
<b>B) Management of Grievance Reports.</b> In particular, the collection of data for the submission of reports related to violations and concerns within the scope of Corporate Social Responsibility (CSR), of which the individual became aware within the context of a legal relationship with the Data Controller.	The processing is necessary for the pursuit of the legitimate interest of the data controller or a third party, provided that such interests do not override the interests, rights and fundamental freedoms of the data subject requesting the personal data protection (C47-C50). Article 6, paragraph 1, letter f) of the GDPR. Also pursuant to the UN Guiding Principles on Business and Human Rights.	For the time strictly necessary for the processing of the Grievance report and, in any case, for a maximum of two years from the date of communication of the final outcome of the Grievance reporting procedure.	The provision of data is necessary to allow the data controller to manage the report.
<b>C) Disclosure of the whistleblower's identity</b> and/or any other information from which such identity can be inferred, directly or indirectly, <b>to individuals other than those competent to receive and follow up on the report</b> , pursuant to Article 12, paragraph 2, of Legislative Decree No. 24/2023, including for Grievance reports.	The processing is based on the explicit consent of the data subject to the processing of his/her personal data (C42, C43).  Article 6, paragraph 1, letter a), GDPR.	Until the consent is revoked, unless the identity has already been disclosed to third parties.	The provision of personal data by the whistleblower is optional. In the event of non-provision, the Data Controller shall not be able to disclose the whistleblower's identity and/or any other information from which such identity may be inferred to individuals other than those competent to receive and follow up on the reports, except in situations expressly provided for by Legislative Decree No. 24/2023 and with prior written communication of the reasons for the disclosure, including in relation to Grievance reports.

	<b>4. WHO WILL THE PERSONAL DATA BE COMMUNICATED TO? RECIPIENTS OF THE DATA</b> Personal data shall be communicated to entities that will process the data as independent Data Controllers or Data Processors (Article 28 GDPR) and shall be processed by individuals (Article 29 GDPR and/or Article 2-quaterdecies of Legislative Decree No. 196/2003) acting under the authority of the Data Controller and the Processors based on specific instructions provided regarding the purposes and methods of the processing. The data shall be communicated to recipients belonging to the following categories: the individual or internal office or the external entity (including the Supervisory Body), responsible for managing the internal reporting channel; third parties for the provision of the whistleblowing and Grievance reporting platform adopted by the Data Controller; judicial authorities and public authorities (including the ANAC).
	<b>5. IS THERE A DATA TRANSFER TO A NON-EEA COUNTRY?</b> Personal data will not be transferred to non-EEA countries.
	<b>6. IS THERE AN AUTOMATED PROCESS?</b> Personal data shall be processed through traditional manual, electronic and automated methods. It is specified that no fully automated decision-making processes are carried out.

	<p><b>7. RIGHTS OF THE DATA SUBJECTS</b></p> <p>You may exercise your rights as set out in Articles 15 et seq. of the GDPR by contacting the Data Controller through the following link: <a href="https://icamcioccolato.whistleblowing.it/">https://icamcioccolato.whistleblowing.it/</a>. You have the right, at any time, to request access to your personal data (Article 15), amendment (Article 16), erasure of the data (Article 17), restriction of processing (Article 18).</p> <p>The Data Controller shall inform (Article 19) each recipient to whom personal data have been disclosed of any amendments, erasures or restrictions on processing made. The Data Controller shall inform the data subject of these recipients if requested. In the cases provided, you have the right to data portability (Article 20), and in such cases, the data shall be provided in a structured, commonly used, machine-readable format. Where the legal basis for processing is consent, you have the right to withdraw the consent provided, without affecting the lawfulness of processing based on consent before its withdrawal.</p> <p>Data subjects are granted the right to object (Article 21), at any time, to the processing of data based on legitimate interest or the performance of a task in the public interest or related to the exercise of public powers vested in the data controller, by writing to the contact details provided above with the subject “objection.” In the event of exercising the right to object to processing based on legitimate interest, the data controller grants the data subject the possibility to obtain, upon request, information regarding the balancing test carried out.</p> <p>If the data subject believes that the processing of personal data by the Data Controller is in violation of the provisions of Regulation (EU) 2016/679, he/she has the right to file a complaint with the Supervisory Authority, particularly in the Member State where he/she habitually resides or works, or in the place where the alleged violation of the regulation occurred (Privacy Guarantor <a href="https://www.garanteprivacy.it/">https://www.garanteprivacy.it/</a>) or to file appropriate judicial remedies.</p> <p>It is noted that, pursuant to Legislative Decree No. 24/2023, the Data Controller is required to ensure the confidentiality of the whistleblower: the identity of the whistleblower and any other information from which such identity may be inferred, directly or indirectly, shall not be disclosed, without the explicit consent of the whistleblower, to persons other than those competent to receive or follow up on the report, except for the right of defense of the reported party and where required by law.</p>
	<p><b>8. CHANGES TO THE PRIVACY NOTICE</b></p> <p>The Data Controller may change, modify, add or remove any part of this Privacy Notice. To facilitate the verification of any changes, the notice shall include the indication of the date of its most recent update.</p>

Date of update: March 4, **2025**

## The Data Controller

**ICAM S.p.A.**

