



## PRIVACY NOTICE - WHISTLEBLOWING



### *Who decide how and why your personal data is processed?*

AG Digital Media S.p.A. ("Freeda Italia")	Freeda Media S.L. ("Freeda Spain")	Freeda UK Limited ("Freeda UK")
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(jointly "**Freeda**" or "**Parties**"), with reference to:

- the processing activities connected with the whistleblowing channel, act as **joint controllers**, given that the purposes and means are joint;
- the other processing activities connected with the whistleblowing process, act as **autonomous controllers**.



### *Data Protection Officer (DPO)*

Freeda Italia appointed a Data Protection Officer (DPO) who can be contacted (if the breach refers to Freeda Italia only) by writing to the e-mail address: [dpo@freedamedia.com](mailto:dpo@freedamedia.com)



### *Source of your data*

Your personal data is collected through the report or from other parties that may be involved in the reporting (e.g., witnesses), including as a result of activities aimed at verifying the validity of the report.



### *What personal data do we process?*

- identification and contact data of the **whistleblower**, such as first name, last name, e-mail, corporate role, and telephone number, where the report has been submitted in a non-anonymous form;
- identification and contact data of the **reported person**, such as name, surname, corporate role, e-mail and telephone number, where contained in the report;
- identification and contact data of any **additional individuals involved** (e.g., witnesses, facilitators, etc.), such as first name, last name, e-mail and telephone number, where contained in the report;
- additional personal data **included in the report** and/or in acts or documents attached to the report;
- additional data that may become **available to Freeda**, including as a result of activities aimed at verifying the validity of the report itself.

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Where included in the report, Freeda may possibly process **special categories of personal data** (e.g. data related to sexual orientation, ethnicity, health data) and data related to criminal convictions and offenses (so-called “**judicial data**”).

**Personal data that are clearly not useful for processing a specific report** or that cannot be processed (in the absence of an adequate legal basis for processing) are not collected or, if accidentally collected, are immediately deleted.



## *Why we process your personal data and under what legal bases we are entitled to do so?*

- A) Enable the whistleblower to make a report through the reporting channel, as well as verify the facts of the report and manage the report received and carry out the necessary preliminary/investigative activities aimed at verifying the fact-foundation of the report itself.**

The legal basis that grounds the related processing is the need to fulfill a **legal obligation** to which Freeda is subject, to receive and investigate reports of violations that harm the public interest or the integrity of Freeda, in accordance with the local provisions regarding the whistleblowing matter.

Providing personal data for the aforementioned purpose is optional, and without it, there will be no consequences. However, the reporter has the option to remain anonymous. In this case, no personal data of the reporter are collected; however, Freeda will proceed with the necessary investigation activities, protecting the anonymity.

Any refusal to provide data on reported individuals will result in Freeda’s inability to properly handle the report.

- B) Take, where necessary, the relevant measures, such as disciplinary measures, as well as defend and exercise rights in the course of judicial, administrative or extrajudicial proceedings in the context of disputes arising in connection with, or as a result of, the reporting.**

The legal basis that grounds the related processing is the **legitimate interest** of Freeda in repressing unlawful conducts that - according to the relevant applicable local laws - can be reported or in repressing conducts contrary to the ethical principles set by Freeda.

The legal basis for the processing is the **consent** of the whistleblower in the event that it is necessary to use the report - where the report is not anonymous - in the context of any disciplinary proceedings against the reported person, if the charge is based (in whole or in part) on the report and knowledge of the identity of the whistleblower is indispensable for the defense of the reported person.

Any processing of **special category personal data** and **judicial data** will take place only where:

- necessary to establish, exercise or defend a right in court;
- authorized by law, such as to fulfill the obligations and exercise the rights of the data controller or the data subject in the field of employment, social security and social protection law, where there are appropriate safeguards for the fundamental rights and interests of the data subject.



## *How long do we keep your personal data?*

Freeda retains personal data only as long as necessary to fulfill the purposes for which it was collected or for any other legitimate related purposes. Therefore, if the data is processed for different purposes, Freeda will keep that data until the purpose with the longest period ends. In any case, Freeda will no longer process data for that purpose whose retention period has expired. Data that is no longer needed, or for which there is no longer a legal basis for its retention, will be deleted.

The personal data processed for the **purpose a)** of above (i.e. to enable the whistleblower to make a report through the implemented channels, as well as to verify the plausibility of the report and to manage the report received and carry out the necessary investigative/investigative activities), will be retained for as long as necessary for the processing of the report and in any case no longer than five years from the date of the communication of the final outcome of the reporting procedure.

The personal data processed for the **purpose b)** of above (i.e. to take, if necessary, related measures, such as disciplinary measures, as well as to defend and exercise rights in the course of judicial, administrative or extrajudicial proceedings in the context of disputes arising in connection with, or as a result of, the report) will be processed for as long as necessary for the conclusion of any judicial and/or disciplinary action taken.



## *With whom do we share your personal data?*

In order to carry out some processing activities, your data may be disclosed to third parties who act as data controllers (where there is a suitable legal basis) or who process personal data on behalf of Freeda as data processors. In the event that personal data are processed by the parties acting on behalf of Freeda, the latter regulates such processing by means of a contract, by which it gives the data controller special instructions on the processing of personal data.

Personal data may be disclosed to the following categories of recipients:

- a) law firms and external consultants that should provide specific consulting services, possibly to provide support in the investigation activities, depending on the subject of the report;
- b) the company that provides the technological platform used for the management of the reports - Audit People S.r.l. (as processor);
- c) the Judicial Authority and other public authorities that may be involved (as controllers).

You can request a list of data controllers and further information regarding the recipients of your data by writing to [privacy@freedamedia.com](mailto:privacy@freedamedia.com) or by contacting the Data Protection Officer at the aforementioned e-mail address.



## *Will your data be transferred outside the EU?*

Freeda stores personal data on servers located within the European Union but may transfer your data outside the EU only if the third country has been deemed adequate by the European Commission, or, in the absence of an adequacy decision, if Freeda has entered into Standard Contractual Clauses approved by the European Commission with the non-EU data importer, possibly supplemented by additional technical/organizational/legal measures necessary to ensure that the level of protection of

personal data is equivalent to that of the European Union.

You can contact Freeda anytime by sending an e-mail to [privacy@freedamedia.com](mailto:privacy@freedamedia.com) asking which parties are being transferred personal data as well as to receive a copy of the safeguards adopted for the transfer.



## *What are your rights in relation to your personal data?*

You may exercise, in relation to the processing of your personal data, the following rights:

- obtain confirmation of the existence of your personal data and access to its content (right of access);
- update, modify and/or correct your personal data (right of rectification);
- request the deletion of your personal data (right to be forgotten);
- request the restriction of the processing of your personal data (right to restriction of processing);
- withdraw the consent provided (in cases where the processing is carried out on the basis of consent), without prejudice to the lawfulness of the processing based on the consent given before the withdrawal;
- in the cases provided for, receive a copy of the data concerning you, in electronic format, provided in the context of the contract and request that such data be transmitted to another data controller (right to data portability).

You have the right to object in whole or in part to the processing of your personal data (right to object), subject to the conditions set forth in the data protection law.

In the event that you exercise any of the above rights, it will be the responsibility of Freeda to verify if you are entitled to exercise them and you will be acknowledged, as a rule, within one month.

To exercise these rights and obtain further information about the processing of your personal data, you may send an e-mail to [privacy@freedamedia.com](mailto:privacy@freedamedia.com)



## *Further rights?*

If you believe that the processing of the personal data referred to you takes place in breach of the provisions of the applicable data protection law, you have the right to lodge a complaint with the local Supervisory Authority for the Protection of Personal Data, using the references available on the official websites.

## *Essence of the Joint Controllership Agreement:*

The Parties with reference to:

- a. the processing activities connected with the whistleblowing channel, act as **joint controllers**, given that the purposes and means are joint;
- b. the other processing activities connected with the whistleblowing process, act as **autonomous controllers**.

Freeda Italia, also on behalf of Freeda Spain and Freeda UK, will provide data subjects with **information** concerning the processing of personal data through the upload of the relevant privacy notices on the platform. Each entity will remain autonomously responsible for the provision of the relevant information concerning the processing of personal data provided for under the applicable national privacy laws.

Freeda Italia, in cooperation with Freeda Spain and Freeda UK, will process the **requests** coming from the

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whistleblowers. The responsibility arising from the processing of the requests coming from whistleblowers will remain of the relevant entity involved in the process.

Each entity will remain autonomously responsible of the fulfilments necessary to comply with any relevant law concerning the whistleblowing matter.

A Data Protection Impact Assessment (**DPIA**) has been carried out on the reporting channel.

*Last update: December 2023*

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