

INFORMATIVA SUL TRATTAMENTO DEI DATI PERSONALI
nell'ambito del sistema di gestione delle segnalazioni *whistleblowing*
under Articles 13 and 14 of the EU Regulation 2016/679
General Data Protection Regulation

Preamble

The purpose of this document is to provide adequate information on the processing of personal data implemented through the whistleblowing system made available to data subjects by the American Overseas School of Rome in compliance with applicable Italian whistleblowing legislation (hereinafter, the "**Whistleblowing System**" or the "**System**").

"**Violation**" (plural, "**Violations**") means any conduct that can be reported under the whistleblowing legislation (in particular, Italian Legislative Decree 2023/24) as detailed in the policy adopted by the American Overseas School of Rome (hereinafter, the "Whistleblowing Policy").

The System makes it possible to receive reports of violations (hereinafter, the "**Reports**", in the singular the "**Report**") and to manage them in order to prevent such conduct from being carried out and/or repeated to the detriment of the American Overseas School of Rome or any other subject and in order to limit the possible harm caused.

Anyone can access and use the System, regardless of their role or function and even if external to the American Overseas School of Rome. Reports will be handled with the guarantee of the utmost confidentiality and in accordance with the Whistleblowing Procedure made available on the school website. In any case, American Overseas School of Rome will put in place all necessary measures to ensure the prohibition of retaliatory or discriminatory acts, direct or indirect, against the reporter for reasons directly or indirectly related to the Report.

Pursuant to Article 13 of the EU Regulation 2016/679, General Data Protection Regulation (hereinafter, the "**GDPR**"), we provide you with the following information on the processing of your personal data. The processing will take place in compliance with the GDPR, Italian Legislative Decree no. 196 of 30 June 2003 (hereinafter, the "**Italian Privacy Code**") and any other applicable legislation on the protection of personal data.

1. Identity and contact details of the Data Controller:

The Data controller is the American Overseas School of Rome, with registered office in Via Cassia no.811 - 00189 Rome, Italy, fiscal code: 02985010582 and VAT code: 01145571004, e-mail: privacy@aosr.org (hereinafter, the "**Data Controller**", "**AOSR**").

2. Categories of personal data being processed and source of the data:

According to Italian Legislative Decree no. 2023/24 (hereinafter, the "**Whistleblowing Decree**"), in receiving and handling Reports, personal data of the reporting person, the reported person and possibly other categories of data subjects, such as persons involved and/or connected to the reporting process and/or to the facts that are the subject of the Report, will be processed.

Such information may include common personal data (e.g. personal details, contact details, data relating to employment, other data contained in the report and/or documentation attached or collected during the report management process, etc.) and, to the extent strictly necessary, personal data belonging to special categories (e.g. data relating to health, trade union membership, data disclosing racial origin, political opinions, religious or philosophical beliefs of the person concerned, etc.) or data relating to criminal convictions and offences (art. 9 of the GDPR). - Article 9 of the GDPR) or data relating to criminal convictions and offences (Article 10 of the GDPR).

Personal data will be collected directly from the data subject or from third parties: through the Report made according to the Whistleblowing Policy (in written or oral form) or acquired in the course of the Report management procedure.

The provision of data by means of the Report is optional, but without them the Data Controller may not be able to receive and handle the Report. You are asked to provide only the data necessary to describe the facts that are the subject of the Report, avoiding any personal data that is not necessary for this

purpose. The identity of the reporter will be protected as soon as the Report is received and at every stage thereafter.

3. Purposes and legal basis of personal data processing:

The personal data provided through the System or contained in the attached documentation or in the documentation that will be collected during the whistleblowing report management process, will be processed for the management of the whistleblowing report in all its phases, including that of ascertaining the facts that are the subject of the whistleblowing report and the adoption of any consequent measures, also in compliance with the applicable legal or regulatory obligations on whistleblowing.

The legal basis for the processing is represented by the need to fulfil the obligations imposed by the whistleblowing legislation (in particular, the Whistleblowing Decree), pursuant to Art. 6, para. 1, lett. c), Art. 9, para. 2, lett. b) as well as Art. 10 of the GDPR.

If the Report is submitted orally (e.g. by means of the voice messaging system of the IT platform made available by AOSR or during a meeting with the report manager), the Data Controller will proceed to request the reporter's consent to the recording/transcription of the oral Report, pursuant to Article 12, paras. 2 and 4 of the Whistleblowing Decree and Article 6, para. 1, lett. a) and Article 9, para. 2, lett. a) of the GDPR.

In the event of the need to disclose to persons other than those competent to receive or follow up Reports the identity of the person making the Report – or any other information from which their identity may be inferred, directly or indirectly – we will require the person making the Report to give his/her express and specific consent. Therefore, such further processing will take place pursuant to Article 6(1)(a) of the GDPR.

The consent will be optional and may be freely revoked at any time according to the modalities that will be indicated in the request.

4. Recipients of the personal data:

The personal data of the reporter and any further personal data contained in the Report, in the documents attached thereto and/or collected in the course of the reporting procedure will not be disseminated.

Within the limits of their respective competences and as described in the Whistleblowing Policy, with particular reference to the limits on the disclosure of the identity of the whistleblower and of other persons whose identity and confidentiality must be protected by law, personal data will be processed by: **(i)** by the Manager of the AOSR internal reporting channel for the purposes of the Whistleblowing Decree and the Whistleblowing policy adopted on the matter; **(ii)** by AOSR staff or bodies whose involvement is necessary for the purposes of handling the report or taking the ensuing measures; **(iii)** by Suppliers of technological infrastructure, applications, management and maintenance services for AOSR's information systems (e.g. supplier of the IT platform adopted by AOSR for the management of whistleblowing reports); **(iv)** by external legal, tax or specialised consultants in the field of the report received. The contact details of external persons appointed as Data Processors pursuant to Article 28 of the GDPR will be communicated upon request to be sent at: privacy@aosr.org.

Persons involved in the reporting process who process personal data will be authorised pursuant to Art. 29 of the GDPR.

Moreover, the report and personal data may be transmitted, for the profiles of their respective competences according to the law, to A.N.A.C., to the Judicial Authority and to any other public authorities involved, who will process the data as independent Data Controllers.

5. Methods of processing personal data:

Personal data will be processed by paper, computer or telematic means, in such a way as to guarantee their security and confidentiality, in compliance with the applicable legal provisions, with the adoption of the necessary security, technical and organisational measures aimed, inter alia, at preventing unauthorised persons from tracing the identity of the reporter.

All data processed through the System are transmitted and stored using cryptographic techniques. No unencrypted information is sent over the open Internet.

Reports can also be made anonymously, but please note that anonymity cannot be protected in the event of a request by the Judicial Authority or other Authorities with coercive powers.

6. Data retention:

Personal data will be processed for the time strictly necessary for the management of the Report in all its phases, for the adoption of the consequent measures and for the fulfilment of the related legal obligations, and in any case no longer than 5 years from the date of communication of the final outcome of the Report management process, which will take place in accordance with the Whistleblowing Policy. At the end of the retention period, the data referring to the reporter and/or contained in the Report and/or in the documents attached thereto and/or collected in the course of the whistleblowing management process shall be deleted or made anonymous, except where their retention is necessary (i) to protect the rights of the Data Controller, in and out of court and/or (ii) to comply with requests by the Judicial Authorities or any other public authorities involved.

7. Extra-EU data transfers:

Personal data will be stored within the territory of the European Union and will not be transferred to third countries outside the European Union.

8. Data subjects' rights:

By means of a communication to be sent via the IT platform for the management of Reports or by writing to privacy@aosr.org, you may exercise your rights under Articles from 15 to 22 of the GDPR, including, in brief, those of:

- obtain confirmation as to whether or not personal data concerning you are being processed;
- obtain access to your personal data and to the information indicated in Article 15 of the GDPR;
- obtain the rectification of inaccurate personal data concerning data subjects without undue delay or the integration of incomplete personal data;
- *obtain the deletion of personal data concerning you without undue delay;*
- *obtain the restriction of the processing of personal data concerning you;*
- *to be informed of any rectification or erasure or restriction of processing of personal data concerning you;*
- *receive or transmit to a different controller in a structured, commonly used and machine-readable format the personal data concerning you.*

You can find the full list of your rights at www.garanteprivacy.it.

Data subjects are informed that the aforementioned rights may not be exercised if the exercise of such rights could result in actual and concrete prejudice to the confidentiality of the identity of the reporting person (Art. 2-undecies of the Italian Privacy Code). The exercise of such rights will therefore be carried out in accordance with the applicable provisions of the law or regulations, including by means of a request for special investigations to the Data Protection Authority (Article 160 of the Italian Privacy Code).

9. Right to lodge a complaint with a Supervisory Authority:

We remind you that, if you consider that the processing that concerns you violates the provisions of the GDPR, you may always lodge a complaint with the Italian Data Protection Supervisory Authority (www.garanteprivacy.it), or with the Data Protection Supervisory Authority of the country in which you habitually reside or work, or of the place where the alleged violation occurred.

American Overseas School of Rome