



AZIENDA PUBBLICA  
SERVIZI ALLA PERSONA

## **INFORMATION PURSUANT TO ARTICLE 13 OF REGULATION (EU) 2016/679 ON THE PROCESSING OF PERSONAL DATA OF INDIVIDUALS REPORTING UNLAWFUL ACTS AT ISMA (WHISTLEBLOWING) UNDER THE PROVISIONS OF LEGISLATIVE DECREE NO. 24/2023**

The personal data provided for the purpose of reporting alleged unlawful conduct, including those falling within special categories or judicial data, will be processed in compliance with the principles of minimization, relevance, and non-excessiveness, in order to carry out the necessary investigative activities aimed at verifying the validity of the reported facts and adopting the consequent measures by the Istituti di Santa Maria in Aquiro or, where applicable, by the competent authorities indicated in Article 11 of Legislative Decree No. 24/2023.

### **Data Controller**

The "**Istituti di Santa Maria in Aquiro**" with legal seat in Rome, Via della Guglia, 69/b, CF/P.IVA 80018890584, Tel.: 06.6788894 - 06.6792533 – 06.6792227, Fax: 06.6789497, Email: [info@ismaroma.it](mailto:info@ismaroma.it), Certified Email (PEC): [isma.roma@pec.it](mailto:isma.roma@pec.it)—hereinafter referred to as the "**Data Controller**," "**Company**," or "**ISMA**"—is the Data Controller of the personal data provided by you.

### **Types of Personal Data Collected**

During the whistleblowing procedure, the following types of personal data may be collected:

- Name, surname, and contact information (e.g., email address or phone number), if disclosed by the whistleblower;
- Information regarding the facts and circumstances of the whistleblowing report.

Personal data are provided by the whistleblower through the IVR voice channel integrated with the **OpenBlow** platform or may be acquired from third parties (e.g., witnesses) or publicly accessible sources as part of ISMA's preliminary verification activities.

### **Purposes of Processing**

The processing of personal data is carried out for the following purposes:

1. To enable the receipt and management of whistleblowing reports when using reporting channels such as telephone, messaging, or in-person meetings;
2. To manage the technical operations of the whistleblowing reporting platform when this reporting method is chosen;
3. To allow access to the whistleblowing reporting platform;
4. To assess and investigate elements related to the submitted whistleblowing report;
5. To maintain anonymity;
6. To provide updates on the report or request additional information;
7. To comply with legal and regulatory obligations to which ISMA is subject;
8. To fulfill any other obligation strictly related to current whistleblowing regulations and anti-corruption measures.

### **Legal Basis for Processing**

The processing of personal data related to whistleblowing reports concerning alleged unlawful acts, as provided for in Legislative Decree No. 24 of March 10, 2023, specifically detailed in Article 2, paragraph 1, letter a) of the same decree, is carried out in compliance with ISMA's legal obligations and public interest duties, particularly:

- To collect elements necessary for verifying potential unlawful acts reported in the interest of the integrity of the Company, as per Legislative Decree No. 24/2023;
- To identify violations of laws or internal administrative procedures;



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- To initiate internal or external procedures to verify the validity of whistleblowing reports and take appropriate actions;
- To promptly identify and prevent risk situations or potential damages;
- To demonstrate ISMA's compliance with transparency and accountability regulations.

### **Sharing of Personal Data**

The personal data collected during the whistleblowing procedure may be shared with the following categories of recipients:

- Trained, authorized, and designated ISMA employees responsible for evaluating and gathering further elements related to the report;
- A.N.A.C. (Italian National Anti-Corruption Authority) and other competent authorities, as required by applicable laws;
- Other third parties, if necessary to protect ISMA's rights and legitimate interests.

Personal data may also be processed using online software or cloud services located within the European Union, in compliance with the rights and guarantees provided by the General Data Protection Regulation (EU) 2016/679 (GDPR). All reports, regardless of the submission method, are stored in a dedicated digital platform.

As a technical partner and Data Processor, ISMA has appointed:

**LASER ROMAE S.r.l.**

**Address:** Via Barzanò, 61 - 00119 Rome, Italy

**Phone:** +39-06-56559245

**Email:** [info@laserromae.it](mailto:info@laserromae.it)

A complete and updated list of additional Data Processors is available upon request at: [dpo@ismaroma.it](mailto:dpo@ismaroma.it).

### **Transfer of Data Outside the European Economic Area (EEA)**

Personal data are processed exclusively within the European Economic Area.

### **Data Retention Period**

As stipulated in Article 14 of Legislative Decree No. 24/2023, personal data are processed and stored for the time necessary to handle the report and, in any case, for no more than five years from the date of final communication of the report's outcome.

### **Data Subject Rights**

Generally, data subjects have the right to obtain from ISMA, where applicable, access to their personal data, as well as the right to rectification, erasure, restriction of processing, or to object to processing.

However, pursuant to Article 13, paragraph 3, of Legislative Decree No. 24/2023, the rights under Articles 15 to 22 of the GDPR may be exercised only within the limits established by Article 2-undecies, letter f) of the Italian Data Protection Code. This provision, as amended by Article 24, paragraph 4, of Legislative Decree No. 24/2023, states that such rights "cannot be exercised by requesting the Data Controller or lodging a complaint under Article 77 of the GDPR if the exercise of such rights could cause an actual and concrete prejudice to the confidentiality of the identity of the person reporting violations that they have become aware of due to their work relationship or role, under the legislative decree implementing Directive (EU) 2019/1937 concerning the protection of persons reporting breaches of Union law."

Requests related to these rights must be submitted to ISMA's Data Protection Officer (DPO) at [dpo@ismaroma.it](mailto:dpo@ismaroma.it). In case of refusal or restrictions, individuals may always lodge a complaint with the Italian Data Protection Authority (**Garante per la Protezione dei Dati Personali**), located at Piazza Venezia, 11 - 00187 Rome.

***This privacy notice may be subject to modifications or updates if regulatory frameworks or A.N.A.C. guidelines change in the future. We encourage you to review this notice periodically to stay informed of any updates.***