

Whistleblowing

Personal data protection policy

(Pursuant to articles 13 and 14 of European Regulation 2016/679)

In relation to the data processed for the purposes of receiving, analysing, investigating and managing reports and any consequent actions, Ferrovie dello Stato Italiane SpA invites you to carefully read the personal data protection policy.



I. Data Controller and Data Protection Officer

This section provides details on our references

- The **Data Controller** is Ferrovie dello Stato Italiane SpA, represented by the *pro tempore* Managing Director who can be contacted at the e-mail address **titolaretrattamento@fsitaliane.it**, with registered office at Piazza della Croce Rossa, 1 - 00161 (Rome).
- The Data Protection Officer can be contacted at the e-mail address **protezionedati@fsitaliane.it**.



II. Types of personal data

This section outlines the types of data we process

The personal data subject to processing fall into the following categories:

Personal data of the whistleblower in case of reports made non-anonymously through the dedicated platform:

- **Common:**
 - Mandatory: name, surname, relationship with the FS Group.
 - Optional: position, job title/relationship, telephone contact, e-mail address.

Personal data of the whistleblower in case of reports made non-anonymously through other channels:

- reports may also be sent through alternative channels, such as ordinary and electronic mail, as well as verbally, by means of a statement made at a special hearing, to the Ethics Committee/Supervisory Body of Ferrovie dello Stato Italiane SpA. In this case, the personal data processed are those voluntarily provided by the whistleblower.

Personal data relating to the reported person(s) and/or other persons involved in the report:

- the data that the whistleblower intends to provide in relation to the facts described in the report. It should be noted that, in this case, Ferrovie dello Stato Italiane SpA is unable to determine in advance the data covered by the report, which may also include particular data or data relating to criminal sentences and offences.

The data referred to above will be processed by IT systems and on paper in a way that guarantees their safety and confidentiality. Paper documents are kept to a minimum and filed and stored in cabinets and rooms with security locks. The data provided by the whistleblower by accessing the platform are transmitted using the HTTPS protocol. Encryption techniques based on the AES algorithm are also applied and all data is fully encrypted, thus guaranteeing the confidentiality of the information transmitted.

Cookies are not used to transmit personal information, and persistent cookies to track users are not used. Only technical cookies are used to the extent strictly necessary for the correct and efficient use of the platform. Session cookies (which are not permanently stored on the user's computer and disappear when the browser is closed) are strictly limited to the transmission of session identifiers (consisting of random numbers generated by the server), which are necessary for the safe and efficient browsing of the platform.



III. Purposes of the Processing and Legal Basis

This section outlines the processing purposes and the legal basis underlying the same

The purpose of processing is to receive, analyse, investigate and manage reports and any consequent actions, and in particular to ascertain the facts reported and to take any necessary measures. Pursuant to Article 6, paragraph 1 letter f) of European Regulation 679/2016, all personal data collected as part of this processing are strictly functional and necessary for the pursuit of the provisions of Law 179/2017, as well as for any internal control requirements, monitoring of business risks, defence of a right in court or further legitimate interests of the Data Controller.

If reports pertaining to another FS Group company are received by Ferrovie dello Stato Italiane SpA, they will be forwarded to the relevant company, which shall act as independent data controller.

Any contact information provided by the whistleblower will be used if direct contact with the reporting party is necessary and for updates regarding the report.



IV. The data recipients

This section outlines who will process the data and to whom they will be communicated

To pursue the purposes set out above, the personal data provided may only be made accessible to individuals within the Company who need them due to their role/function in relation to receiving, analysing, investigating and managing reports and any consequent actions. These subjects are suitably instructed to avoid loss, access to the data by unauthorised persons or unauthorised processing of the data and, more generally, in relation to personal data protection obligations.

The data may also be processed by external Consultants and Third Parties with technical functions (e.g. the IT platform provider), who act as Data Processors/Sub-Processors and have signed a specific contract that punctually regulates the processing entrusted to them and the obligations regarding data protection and security of processing pursuant to Article 28, paragraph 3 of the Regulation.

Finally, your personal data may also be transmitted to other independent data controllers, in accordance with the law or regulations (e.g. Public Authorities, Judicial Authorities, etc.).

The updated list of data recipients can be obtained from the **Data Protection Officer** at the following e-mail address **protezionedati@fsitaliane.it**.



V. Data disclosure

This section assures you that your data will not be disclosed

The personal data processed will never be published, displayed or made available/consulted by unspecified persons.



VI. Data retention

This section indicates the amount of time your data is retained

Personal data shall be kept for a period of time not exceeding the time necessary to achieve the purposes for which they were collected, in accordance with the provisions of the law or in any case to allow FS Italiane to protect its rights and legitimate interests or those of third parties (e.g. defence in court).



VII. Rights of the Data Subjects

This section provides details on your guaranteed rights

EU Regulation 2016/679 (Articles 15 to 22) grants the Data Subjects the exercise of specific rights. In particular, in relation to the processing of your personal data covered by this statement, you have the right to ask Ferrovie dello Stato Italiane SpA for access, rectification, erasure, limitation, opposition and portability; you may also lodge a complaint with the Supervisory Authority, which in Italy is the Garante per la Protezione dei dati personali (Article 77 of EU Regulation 2016/679).

Pursuant to Article 2-undecies of Legislative Decree 196/2003 and subsequent amendments and additions, (hereinafter, the "Privacy Code") (in implementation of Article 23 of the Regulation), we inform you that the above rights may not be exercised by certain data subjects involved in the report (reported persons and/or other persons involved in the report), if the exercise of such rights may result in actual and concrete detriment to the confidentiality of the whistleblower's identity. In particular, the exercise of these rights:

- may be carried out in accordance with the provisions of the law or regulations governing the sector (including Legislative Decree 231/2001 as amended by Law 179/2017);
- may be delayed, restricted or excluded by reasoned notice given without delay to the data subject, unless such notice would undermine the purpose of the limitation, for such time and to the extent that this constitutes a necessary and proportionate measure, having regard to the fundamental rights and legitimate interests of the data subject, in order to safeguard the confidentiality of the whistleblower's identity;
- in such cases, the data subject's rights may also be exercised through the Garante per la Protezione dei dati personali in accordance with the procedures referred to in Article 160 of the Privacy Code, in which case the Garante per la Protezione dei dati personali shall inform the data subject that it has carried out all the necessary checks or has conducted a review, and the data subject's right to lodge a legal complaint.

The Data Subject may ask Ferrovie dello Stato Italiane SpA to exercise his or her **rights** at any time by contacting the **Data Protection Officer** at the e-mail address **protezionedati@fsitaliane.it**