

PRIVACY NOTICE

Pursuant to Articles 13-14 of Regulation (EU) 2016/679,
on the protection of natural persons with regard to the processing of personal data and Legislative Decree n. 24 of March 10th 2023 (Whistleblowing)

Eurac Research, as Data Controller, wishes to inform you that the personal data provided will be processed in accordance with the principles of lawfulness, fairness and transparency set out in Regulation (EU) 2016/679 (hereinafter also "GDPR"), as well as the sector-specific legislation applicable to the relevant processing.

1. Purposes of Processing and Legal Basis

The personal data you provide through the internal channels chosen by Eurac Research are collected and processed for purposes strictly connected to the management of reports of unlawful conduct, relating to activities and/or behaviours that deviate from the procedures implemented by Eurac Research. These include violations of professional conduct rules and/or ethical principles referred to in applicable internal and external regulations, and/or unlawful or fraudulent conduct attributable to the persons identified by the relevant legislation. Specifically:

- 1.1. Receipt and management of reports;
- 1.2. Management and preliminary verification of the merits of the circumstances set out in the report;
- 1.3. Investigative activities aimed at verifying the merits of the reported facts and the potential adoption of measures;
- 1.4. Contacting the whistleblower following the receipt of the report;
- 1.5. (where applicable) Personal hearing of the whistleblower and any other individuals capable of reporting on the reported facts;
- 1.6. (where applicable) Minute-taking of the oral interview;
- 1.7. Compliance with legal obligations;
- 1.8. Protection of rights in out-of-court and judicial proceedings.

The legal basis for such processing (1.1 – 1.8) is provided by Article 6(1)(c) of Regulation (EU) 2016/679 (processing is necessary for compliance with a legal obligation to which the controller is subject), particularly concerning the legal obligation deriving from the provisions of Legislative Decree No. 24 of 10 March 2023 and further current legislation applicable to the Data Controller.

- 1.9. (where authorised by the whistleblower) Disclosure of the whistleblower's identity to persons other than those competent to receive or follow up on the report. This option is guaranteed to the whistleblower during the processing of the report. Should the whistleblower decide not to consent to such processing, the report shall be shared (where applicable) solely with Eurac Research's internal designated Whistleblowing officer.

The legal basis for such processing (1.9) is provided by Article 6(1)(a) of Regulation (EU) 2016/679 (the data subject has given consent to the processing of his or her personal data for one or more specific purposes), particularly concerning the legal obligation deriving from the provisions of Legislative Decree No. 24 of 10 March 2023 and further current legislation applicable to the Data Controller.

2. Categories of Data Processed

Personal data provided by you in order to present alleged unlawful conduct of which you have become aware in a work-related context are processed for the purpose of carrying out the necessary investigative activities aimed at verifying the merits of the reported facts. Specifically:

- identifying data, address and other contact details, fiscal code (tax identification number), role;
- special categories of personal data;
- personal data relating to criminal convictions and offences;
- any other information relating to the reported person that the whistleblower decides to share with the Data Controller to better substantiate their report.

The personal data and information provided by the whistleblower in order to present alleged unlawful conduct of which they have become aware in a work-related context with the Data Controller are processed for the purpose of carrying out the necessary investigative activities aimed at verifying the merits of the reported facts and adopting the consequent measures, in compliance with current legislation. The persons competent for the preliminary verification and management of the report shall undertake such tasks in compliance with the principles of impartiality and confidentiality, carrying out any activity deemed appropriate, including the personal hearing of the whistleblower and of any other individuals capable of reporting on the reported facts.

3. Mandatory or Optional Nature of Data Provision

For the stated purposes (1.1. – 1.8), the provision of data is optional, as reports may be submitted anonymously. However, it is specified that anonymous reports shall only be taken into consideration if the subject matter of the report is sufficiently detailed to allow for the initiation of an investigation. The whistleblower is hereby informed that any failure to communicate information for the aforementioned purposes shall result in the impossibility of following up on the management of the report pursuant to the current Whistleblowing legislation.

4. Automated Decision-Making

Personal data shall not be subject to any fully automated decision-making process capable of influencing your choices without the involvement of a human operator. Eurac Research specifies that, acting as the Data Controller, solely in relation to the data processed for its own purposes, it does not employ artificial intelligence systems pursuant to Law No. 132 of 23 September 2025.

5. Methods of Personal Data Processing

- using manual and electronic systems;
- through the online platform (internal reporting channel) "Whistleblowing IT" (by Whistleblowing Solutions Impresa Sociale and Transparency International Italia), developed by GlobalLeaks as the main provider of the internal channel, appointed as Data Processor pursuant to Article 28 GDPR;
- by duly authorised internal personnel (pursuant to Article 29 of Regulation (EU) 2016/679);
- by subjects authorised by law to carry out such tasks;
- by implementing appropriate technical and organisational measures to ensure data confidentiality and prevent unauthorised access, pursuant to Article 32 of Regulation (EU) 2016/679. Further information regarding technical and organisational security measures is contained in the internal organisational act adopted by Eurac Research ("FAQ – Whistleblowing").

Should the Anti-Corruption and Transparency Officer need to rely on Eurac Research personnel for the purpose of managing reporting files, such personnel is expressly authorised to process personal data for this activity and, consequently, said personnel must comply with the instructions given, as well as with the more specific instructions connected to particular processing operations that may be provided from time to time by the Anti-Corruption and Transparency Officer. This is without prejudice, in any event, to the fulfilment, by the Anti-Corruption and Transparency Officer and/or the persons who for service reasons need to know the identity of the whistleblower, of legal obligations against which the whistleblower's right to anonymity cannot be invoked. This shall be done in a manner that nevertheless guarantees the confidentiality of the whistleblower's identity.

6. Recipients of Personal Data

The data provided may be disclosed to other entities, of a public or private nature, where required by current legislation (e.g., for workplace safety purposes or other purposes connected to the verification, maintenance, and management activities of the services provided and/or managed by Eurac Research).

7. Disclosure of Personal Data

Personal data will not be publicly disclosed.

8. Transfers outside the EEA

Personal data are stored within the EU and the Controller does not intend to transfer them to third countries or international organisations. Some personal data may be transferred to recipients located outside the EEA solely for purposes related to Eurac Research's institutional activities. Where data are transferred to a third country, this will take place on the basis of an adequacy decision or the European Commission's Standard Contractual Clauses (SCCs), with additional safeguards and in compliance with applicable law.

9. Retention Period

Personal data collected for the above purposes will be retained for 5 years, or for the time necessary to ascertain the validity of the report and, where applicable, to adopt consequent disciplinary measures and/or until any disputes arising from the report are concluded. Data entered into the internal whistleblowing channel selected by Eurac Research will be retained by the platform provider for 18 months, with secure automatic deletion of completed and expired reports.

10. Communication of Data

Without prejudice to communications required by law, all collected and processed data may be communicated, exclusively for the above purposes, where applicable, to Judicial Authorities, the Court of Auditors, ANAC, Law firms and labour law consultants and/or consultants specialised in transparency and anti-corruption matters, in accordance with ANAC Guidelines.

If, following the investigation, there are grounds to believe that the reported matter is not manifestly unfounded, the designated internal whistleblowing officer shall forward the findings of the investigation to the appropriate person identified from among the following, as required by the specific circumstances, for further investigation or for the adoption of the necessary measures:

- the Anti-Corruption and Transparency Officer;
- the Head of Human Resources and the Head of Institute/Service of the alleged offender, for the possible initiation of disciplinary action;
- the competent bodies and structures of the Entity for the adoption of any further necessary measures and/or actions, including measures to protect the Entity itself;
- to the Judicial Authority, the Court of Auditors, and the ANAC. In such events, within the scope of criminal proceedings, the identity of the whistleblower is covered by secrecy in the manner and within the limits provided for by Article 329 of the Code of Criminal Procedure. Within the scope of proceedings before the Court of Auditors, the identity of the whistleblower cannot be revealed until the closure of the investigative phase. Within the scope of disciplinary proceedings, the identity of the whistleblower cannot be revealed where the disciplinary charge is founded on distinct and further assessments separate from the report, even if consequent thereto. Should the charge be founded, in whole or in part, upon the report and the knowledge of the whistleblower's identity is indispensable for the defence of the accused, the report shall be usable for the purposes of the disciplinary proceedings only in the presence of the whistleblower's consent to the disclosure of their identity;
- any other subject provided for by applicable legislation.

The Anti-Corruption and Transparency Officer reports internally, in fully anonymous form, on the number of reports received and their status in the annual report pursuant to Article 1(14) of Law n. 190/2012. No reference will be made to the identity of the facilitator.

11. Exercise of Data Subject Rights (Artt. 15-22 GDPR)

The rights under Articles 15–22 of Regulation (EU) 2016/679 may be exercised within the limits set out in Article 2-undecies, letter f), of Legislative Decree n. 196 of June 30th 2003. Article 2 undecies, entitled 'Limitations on the rights of the data subject', establishes that the rights provided for in Articles 15–22 of Regulation (EU) 2016/679 cannot be exercised by requesting the data controller if the exercise of such rights could result in actual and concrete prejudice to "confidentiality of the identity of the person who reports breaches of which they have become aware by reason of their employment relationship or the functions performed, pursuant to the legislative decree implementing Directive (EU) 2019/1937 of the European Parliament and of the Council of 23

October 2019 on the protection of persons who report breaches of Union law, or who report breaches pursuant to Articles 52-bis and 52-ter of Legislative Decree No. 385 of 1 September 1993, or Articles 4-undecies and 4-duodecies of Legislative Decree No. 58 of 24 February 1998." (provision introduced into the Privacy Code by the same Decree 24/2023 and which will take effect from 15 July 2023).

If you believe your rights have been infringed, you have the right to lodge a complaint with the Italian Data Protection Authority: www.garanteprivacy.it

Data Controller

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Data Protection Officer (DPO)

The Controller has appointed a Data Protection Officer (DPO) pursuant to Article 37 GDPR. The DPO can be contacted at: privacy@eurac.edu