

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.

Facilitator: a natural person who assists the reporting person in the reporting process, operating within the same work context and whose assistance must remain confidential.

"The facilitator may be a colleague who is also a trade union representative if they assist the reporting person in their own name, without invoking the trade union designation. If, instead, they assist the reporting person using the trade union designation, they do not qualify as a facilitator. In such cases, the provisions concerning consultation of trade union representatives and the repression of anti-union conduct pursuant to Law n. 300/1970 shall apply".

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. Possible processing of ordinary personal data for the identification of the facilitator as operational support to the reporting person during the preparation and submission of the report through internal channels;
- 1.2. Compliance with legal obligations;
- 1.3. Protection of rights in out-of-court and judicial proceedings.

The legal basis for such processing is Article 6(1)(c) GDPR (compliance with a legal obligation to which the Controller is subject), in particular with reference to obligations arising from Legislative Decree n. 24 of March 10th 2023 and other applicable legislation.

2. Categories of Data Processed

- Identification data, tax identification code, role/position.

3. Mandatory or Optional Nature of Data Provision

For the purposes indicated, the provision of data is optional, as reports may be submitted anonymously or without the reporting person indicating the identity of the facilitator. The facilitator is informed that any failure by the reporting person to communicate such data and information for the above purposes does not necessarily limit the collection and subsequent handling of the report pursuant to applicable Whistleblowing legislation.

4. Automated Decision-Making

Personal data will not be subject to any fully automated decision-making process capable of influencing your choices without human involvement. Eurac Research specifies that, as Data Controller, and limited to data processed for its own purposes, it does not use artificial intelligence systems pursuant to Law n. 132 of September 23rd 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 GlobaLeaks 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").

Where the Anti-Corruption and Transparency Officer (RPCT) needs to rely on Eurac Research personnel for the management of reports, such personnel are specifically authorised to process personal data and must comply with the instructions provided, including any specific instructions issued from time to time by the RPCT.

6. Recipients of Personal Data

The data provided may be communicated to other public or private entities where required by applicable legislation (e.g. for workplace safety purposes or other purposes connected with verification, maintenance and management of 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 European Union 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.

The content of the report and, where applicable, the facilitator's data may be communicated to:

- the Anti-Corruption and Transparency Officer (RPCT);
- 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;
- any other subject provided for by applicable legislation.

The RPCT 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

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