

## Information on Personal Data Processing – Whistle-Blowing

Medici Senza Frontiere ONLUS ('MSF' for brevity), in accordance with Article 13 of EU Regulation no. 2016/679 (General Data Protection Regulation, hereinafter GDPR) and Italian Legislative Decree 24/2023, hereby provides the following information on the processing of personal data carried out in connection with the management of whistle-blowing, governed by the Medici Senza Frontiere ONLUS Whistle-Blowing Procedure.

### Definitions

The term 'personal data' within the meaning of Article 4, point 1 of the Regulation means: *any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person ('data' for brevity);*

The term 'processing' within the meaning of Article 4, point 2 of the Regulation means: *any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;*

A 'data subject' within the meaning of Article 4, point 1 of the Regulation means: *a natural person who can be identified, directly or indirectly, in particular by reference to an identifier ('data subject(s)' for brevity);*

'Privacy guarantor' means: *the competent data protection authority ('guarantor' for brevity);*

'Persons authorised to process data' means: *individuals who are qualified as processors pursuant to current legislation and, in the light of the Regulation, 'persons authorised to process personal data', meaning those persons who 'process personal data under the direct authority of the controller or processor according to the instructions given'.*

### Data Controller

Medici Senza Frontiere ONLUS, with headquarters in Rome, Via Magenta 5 (00185) Tax ID 97096120585, email [privacy@msf.it](mailto:privacy@msf.it) telephone 0688806000, is the data controller (also the 'controller' for brevity) pursuant to Articles 4, 7 and 24 of the Regulation.

### Data Processors

Personal data may be processed manually, electronically or online by third parties who process personal data on behalf of MSF after having been designated by MSF serving as data controller. MSF contractually defines the operational limits of the designated data processors with regard to the data they may process. The complete and updated list

of personal data processors may be requested by writing to [privacy@msf.it](mailto:privacy@msf.it).

## Purpose of Processing

Processing purposes whose legal basis lies in fulfilling a legal obligation (Italian Legislative Decree 231/2001, Italian Law 179/2017, Italian Legislative Decree 24/2023, EU Directive 2019/1937). Your personal data will be processed for purposes related to handling and verification of the whistle-blowing report and to ensure proper enforcement of the whistle-blowing procedure, specifically:

- a) Management of reports made pursuant to Italian Legislative Decree no. 24/2023 received through the channels provided by MSF and concerning alleged conduct, acts or omissions detrimental to the public interest or the integrity of the data controller, as well as any further activities related to the reports.
- b) Management of replies to any requests from the competent administrative or judicial authorities and, more in general, from public bodies in compliance with legal formalities.

The above-mentioned personal data are also processed by the data controller for the following purposes:

**b.1)** defence or establishment of one's rights in civil, administrative or criminal litigation. The legal basis for the processing is: the purposes referred to in Italian Legislative decree no. 24/2023, to fulfil a legal obligation which the data controller is subject to (Article 6, Sect. 1 of the GDPR); for recorded reports collected by telephone, voice messaging systems or other oral forms for which the consent of the reporting person is required (Article 6, Sect. 1 del GDPR); for the purposes mentioned above, to fulfil a legal obligation which the data controller is subject to (Article 6, Sect. 1 of the GDPR);

**b.2)** legitimate interests of the data controller (Article 6, Sect. 1 of the GDPR).

Data must be provided for the above-mentioned purposes. A failure to provide such data, in part or inexactly, may make it possible to handle the report.

Provision of your personal data as a whistle-blower is optional. Indeed, according to the Whistle-Blowing Procedure adopted by MSF, you have the option to remain anonymous.

## Categories of Data

- Common personal data referred to in Article 4, point 1 of the GDPR regarding the whistle-blower (in the case of non-anonymous reports), any people involved or named in the report and facilitators as defined in the Whistle-Blowing Procedure (hereafter 'data subjects'), such as: personal data (e.g. name, surname, date and place of birth), contact data (e.g. fixed and/or mobile telephone number, home/email address).
- Special categories of data referred to in Article 9 of the GDPR, if included in the report.

The personal data may be processed for the purposes above by companies and/or professionals and/or third party suppliers to whom the personal data must be communicated for the purposes related, inherent and/or instrumental to the processing.

## Period of Data Retention

Your data will be kept in accordance with the principle of proportionality — unless you revoke them or they are specifically required to fulfil a legal obligation — until the purpose of the processing has been fulfilled. The data will therefore be stored for the relevant purposes according to the terms set out in Article 14 of Italian Legislative Decree no. 24/2023, i.e. for the time necessary to process the report and no longer than five years from the date the final outcome of the report is submitted to the 231 Surveillance Body. Personal data that are clearly not useful for processing a specific report are not collected or, if accidentally collected, are deleted promptly.

## Means of Treatment

In relation to the above-mentioned purposes, the processing of personal data will be carried out both via computer/telecommunication tools and on paper, or using tools suitable to guarantee the security, availability, integrity, confidentiality and possible anonymity of the data, through the adoption of appropriate security measures as prescribed by the Regulation.

## Rights of the Data Subject

Pursuant to Article 13, clause 2, letters (b) and (d) and Articles 15, 18, 19, 20 and 21 of the Regulation, we inform you that:

- Data subjects have the right to request from the data controller access to and the portability of personal data and their rectification or erasure or to restrict the processing of their personal data or object to its processing;
- Data subjects have the right to lodge a complaint with a supervisory authority, namely the personal data protection guarantor, by following the procedures and indications published on the authority's official website at [www.garanteprivacy.it](http://www.garanteprivacy.it)

Data subjects have the right to obtain from the data controller confirmation as to whether or not their personal data is being processed and to obtain access to the data and the following information:

- a) The purposes of the processing;
- b) The categories of personal data in question;
- c) The recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular if the recipients are from third countries or international organisations;
- d) When possible, the intended period of retention of personal data or, if this is not possible, the criteria used to determine the period;
- e) The right to request from the data controller the rectification or erasure of their personal or to object to the processing of their personal data;
- f) The right to lodge a complaint with a supervisory authority;
- g) If the data are not collected from the data subject, all available information on their origin;
- h) The data controller informs each of the recipients to whom the personal data have been transmitted of any rectification (within the terms and according to the provisions of Article 16 of the Regulation), deletion (within the terms and according to the provisions of Article 17 of the Regulation) or restriction of

the provisions of Article 18), unless this proves impossible or involves a disproportionate effort. The data controller shall inform data subjects of these recipients if requested to do so by a data subject.

Pursuant to Article 20 of the Regulation, data subjects have the right to receive the personal data provided to the data controller in a structured, commonly used and machine-readable format and has the right to transmit the data to another data controller without hindrance from the data controller to whom the personal data was provided.

- Pursuant to EU Regulation 679/2016, data subjects have the right to access their own data, in particular to obtain confirmation of the existence or non-existence of such data at any time, know its content, origin, geographical location and request a copy. Data subjects also have the right to verify the accuracy of the data or request that it be supplemented, updated, corrected, restricted, deleted, transformed into an anonymous form or blocked if processed in breach of the law, as well as to oppose its processing. In addition, data subjects have the right to request data portability and to lodge a complaint with the supervisory authority.
- The data controller shall refrain from further processing the personal data unless it can prove the existence of compelling legitimate grounds and interests for processing that override the interests, rights and freedoms of the data subjects or to establish, exercise or defend legal claims.

*Data subjects may exercise their rights by writing to the data controller. The Data Protection Officer, on the other hand, can be contacted by certified email at [dpo@pec.msf.it](mailto:dpo@pec.msf.it).*

Ordinary mail: DPO c/o Medici Senza Frontiere ONLUS, Via Magenta, 5 – 00185 Rome.