

PROCEDURE FOR REPORTING OFFENCES AND IRREGULARITIES WHISTLEBLOWING

PURPOSE AND SCOPE OF THE PROCEDURE

This procedure gives whistleblowers clear instructions on the subject, content, recipients and method of transmission of reports, as well as information about the forms of protection offered to them.

REGULATORY REFERENCES

Legislative Decree No. 24/2023, is the implementation of EU Directive No. 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 and on the protection of persons who report breaches of national law.

The new legislation sets forth responsibilities for public and private organisations, specifically: all public organisations must set up internal procedures for handling reports; the same obligation is placed on private sector organisations that have implemented an organisational model pursuant to Legislative Decree no. 231/2001 and on all private organisations with at least 50 employees.

DEFINITIONS

Whistleblower: a person who makes a report (whistleblower)

Whistleblowing: a whistleblowing report or procedure aimed at guaranteeing and protecting the whistleblower

Whistleblowing Manager: person in STM appointed to handle whistleblowing reports.

WHO CAN MAKE A REPORT

A whistleblowing report may be made by anyone who, within the framework of their professional activities, comes into possession of information about breaches committed by or on behalf of the organisation.

The following categories of persons may make a report using the procedure:

- Employees
- Collaborators
- Suppliers, subcontractors as well as their employees and collaborators
- Freelancers, consultants, self-employed workers
- Paid or unpaid volunteers and trainees
- Shareholders or persons holding an administrative, management, supervisory, control or representation function
- Former employees, former collaborators or persons who no longer hold one of the aforementioned positions
- Persons in the recruitment process, on a trial period or whose legal relationship with the company has not yet started

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The procedure protects the identity of whistleblowers and facilitators, i.e. the natural persons who assist a whistleblower in the reporting process, operating in the same work context.

WHAT CAN BE REPORTED

Illegal facts which you become aware of in the context of your work activity may be reported. Information may also be reported on conduct aimed at concealing breaches; unlawful activities which have not yet been committed but which the reporter reasonably believes may occur in the presence of concrete, precise and concordant elements; reasonable suspicions.

Reports may concern criminal, civil, administrative or accounting offences, as well as breaches of EU regulations.

Reports of a personal nature or requests concerning the employment relationship or relations with superiors or other colleagues (e.g. related to one's employment contract, which are regulated by other STM procedures) are not included in the whistleblowing procedure.

CONTENT OF WHISTLEBLOWING REPORTS

The whistleblower must provide all useful elements to allow the due and appropriate checks and controls to be carried out to ascertain whether the reported facts are well-founded. To this end, the report should preferably contain the following information:

- General details of the person making the report, indicating the role or function or relationship with STM;
- A clear and complete description of the facts being reported;
- If known, the time and place in which the reported breaches were committed;
- If known, details or other information (such as the position, the department in which the activity is carried out) that allows identification of the person who committed the reported breaches;
- An indication of any other persons who could provide information about the reported breaches;
- An indication of any documents that could confirm the validity of such data;
- Any other information that could be helpful in establishing the facts reported.

Anonymous reports, i.e. those lacking any elements that enable the reporting person to be identified, will be taken into consideration only if they are sufficiently substantiated and detailed, i.e. if they are such as to bring to light facts and situations relating them to specific contexts (e.g. indications of specific names or qualifications, mention of specific offices, actions or events, etc.).

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PROCEDURE FOR SUBMITTING REPORTS

Reports must be sent to STM in writing, by registered mail, as follows.

An envelope marked "confidential" on the outside for the whistleblowing manager, containing two further sealed envelopes, of which:

- the first containing the identification data of the reporting person and a photocopy of their identification document;
- the second containing the actual report.

WHO RECEIVES AND HANDLES THE REPORTS

STM S.p.a. appoints a Whistleblowing Manager who is responsible for receiving and handling reports of breaches.

TIMELINES FOR HANDLING WHISTLEBLOWING REPORTS

The Whistleblowing Manager:

- confirms to the whistleblower that the report has been received within 7 days from the date of receipt and asks the whistleblower to respond to possible requests for clarification or further details.
- provides feedback to the whistleblower within 3 months from the day on which the report was acknowledged (feedback on the investigation activities carried out to verify the information provided in the report)

CONFIDENTIALITY AND ANONYMITY

The Whistleblowing Manager shall treat reports as confidential. Information regarding the identity of the whistleblower, the reported person and any other persons mentioned in the report is treated in accordance with the principles of confidentiality. Likewise, all information contained in the report is also treated as confidential.

The identity of the whistleblower may not be disclosed without his/her consent.

HANDLING PERSONAL DATA

Reports received, investigation activities and communications between the whistleblower and the Whistleblowing Manager are documented and stored in accordance with principles of confidentiality and data protection requirements. Whistleblowing reports contain personal data and may only be handled and retained for as long as necessary for their processing: this period time includes analysis, investigation activities and

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communication of the results, as well as any additional time for possible additional comments. In no case will reports be retained for longer than 5 years after the outcome of the investigation activities has been communicated to the whistleblower. As regards access to personal data, these are known only to the Whistleblowing Manager.

SAFEGUARDS AND PROTECTION

The person referred to in the report as the person responsible for the suspected wrongdoing benefits from identity protection measures similar to those of the whistleblower and of the other persons mentioned in the report.

The whistleblower (like the persons mentioned in the report) benefits from identity protection measures.

The whistleblower will benefit from additional forms of protection against any form of retaliation or discrimination that he/she may suffer as a result of and because of a report.

Retaliation is defined as any direct or indirect act or omission, actual or threatened, related to or resulting from reports of actual or suspected wrongdoing, which causes or is likely to cause physical or psychological harm, damage to the person's reputation, economic loss.

Possible discrimination includes:

- Dismissal, suspension or equivalent measures;
- Downgrading or non-promotion;
- Change of duties, change of workplace, reduction of salary, change of working hours;
- Suspension of training activities or any restriction on access to them;
- Negative merit notes or references;
- Disciplinary measures or any other sanction, including a fine;
- Coercion, intimidation, harassment or ostracism;
- Discrimination or unfavourable treatment;
- Failure to convert a fixed-term employment contract into an open-ended one, where the employee had a legitimate expectation of such conversion;
- Non-renewal or early termination of a fixed-term contract;
- Damage, including to the person's reputation, economic or financial prejudice, including loss of economic opportunities and income;
- Inclusion in improper lists on the basis of a formal or informal sector or industry agreement, which may result in the person being unable to find employment in the sector in the future;
- Early termination or cancellation of a contract for the supply of goods or services; cancellation of a licence or permit; request to undergo psychiatric or medical check-ups.

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Whistleblowers benefit from additional forms of protection against any form of discrimination. Other forms of protection are guaranteed under this procedure in addition to protecting the confidentiality of the identity of the whistleblower and of the persons mentioned in the report, as well as the content of the report.

RESPONSIBILITIES OF THE WHISTLEBLOWER

This procedure is without prejudice to the criminal and disciplinary liability of the whistleblower in the event of a libellous or defamatory report under the Criminal Code and Article 2043 of the Italian Civil Code. Any form of abuse of this policy, such as reports that are manifestly opportunistic and/or made for the sole purpose of harming the Reported Person or other persons, and any other possible misuse or intentional exploitation of whistleblowing as of this Procedure, will also give rise to liability in disciplinary and other relevant matters.

14/12/2023

The Management
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