

# **Policy of Whistleblowing of G3 spa**

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## 1 DEFINITION

The Whistleblowing (from now on WB) is an Anglo-Saxon instrument through which the employees of an organization report to specific person or organism (including the police and the Public authority) a possible fraud, a crime, a crime or whatever irregular behavior, committed by other subjects of the organization.

Usually the employees are the first person that discover possible situations of risk and, therefore, they are the first people able to report to the organization without delay situation, which can realize damages.

The aim of the wb is to allow the organizations to face the problem as soon as possible, in order to making known situations of risk or damage and contributing to the prevention and the fight against possible crimes.

The management of Wb contributes to individualize, to oppose possible crimes, and to spread the culture of the ethics and the legality inside the organizations. It also helps create a climate of transparency and a sense of share and participation created by the overcoming of the fear of the employees to suffer retaliations from the social organs or of the colleagues

## 2 THE AIM

The aim of the present document is:

- to introduce the procedure to follow;
- to introduce the form of guardianship of employees that introduce a reports
- to remove the doubtful and /or the uncertainties around the fears of retaliations or discriminations.

## 3 THE AREA OF APPLICATION

The G3 S.p.A directs its activities in a legal and ethics way. This commitment is underlined in the code of ethics and in the policies anti-corruption.

The G3 S.p.A undertakes to ensure that every stakeholders respect what our code of ethics says.

The direction of the company, in order to reach the goals, has established a procedure for the confidential file of the complaints which concerns illegal and or illicit activities.

This policy – shall be applied to the interested parts- was established in order to allow managers, employees, vendors, clients and to all the interested parts to raise doubts in a confidential and independent way, free from any discriminations, retaliations or harassment.

## 4 WHAT TO REPORT

First of all, the personal complaint can't be a subject of the reporting.

The reports concern all the situations in which the reporter doesn't act in order to protect his own interest because, usually, the reported fact follows the dangers or the risks of the company, of other employees, of third parts, of the shareholder or, in a more general way, of all the community.

There are several cases and the irregularities that can be the subject of the reporting, therefore they can't be enclosed within a list.

The report shall concerns actions and omissions:

- with criminal offence
- in breach of the ethics code, of the anti-corruption's policy and/or other society's rules
- able to prejudice the company's assets
- Able to cause a damage to the health or to the security of the employees, of the citizens or of the environment

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Furthermore, the whistleblowing does not only concern the personal reports which fall within the work relationship.

It is clarified that:

- Reports must not concern false accuses made by reporters or, in general, the report must not be used as an instrument to solve personal issues.
- Reports do not guarantee any protections to the reporter in case he has contributed to realize the unlawful behavior.
- The company is committed to protecting the reporter from possible retaliations or discriminations put in place as the result of the report. However, some disciplinary actions could be applied to the reporter for past behaviors

It is without prejudices the penal and civil responsibility of the reporters in case of slanderous or defamatory reports, of false reports or of reports made in order to damage the reporter, as well as, in all every other hypothesis of abuse or international exploitation of the WB's policy that are submitted to disciplinary sanctions.

## 5 WAY OF REPORT

The reporting could be forwarded to the authority in charge with one of the following mode :

1. Sending an e mail to the e-mail address [WB@spa.it](mailto:WB@spa.it)
2. With a written report addressed to the responsible person identified by the direction- from now on responsible – doct. Stefano Gualtieri ( fair decision of the management board on 25 January 2018); In this case the report must be submitted in a sealed double envelope, the inside envelope marked “ confidential-Whistleblowing”

The addresser of the present communication has the task of receiving and filing the report to the direction.

If the reported event concerns some activities in which the responsible is involved , it is possible to directly file the report to the direction leaving a letter inside the box letter situated to the entry of the building N.15 The letter must have as subject “ confidential to the direction – Whistleblowing”

## 6 THE CONTENT OF THE REPORT

The report must concern all the useful elements in order to star the verification and investigation actions which are aimed to verify the subject of the complaint. The aspects that would be introduced:

- Description of the facts of the report
- Circumstance ( time and place) under which episode has been verified
- Generality that allow to identifies the subject who has produced the behaviour object of whistleblowing;
- Indication of other subjects that could eventually report on the facts object of the reports;
- Indication of possible documents or every kind of information that could provide an overview of the reported facts
- Optional: generality of the subject that make the report

The anonymous reporters must be mindful of the fact that:

Their reports could cause difficulties of check to the organisation, because it could be difficult for the company to stay in touch with the anonymous reporter or to ask his collaboration as well as provide a feedback concerning the review of the progress of the report; it is not possible for the organizations, without data that can help to determine the

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identity of the reporter, put in place all the guardianship laid down for the cases of confidential reports.

## 7 RECEPTION AND INVESTIGATIONS

Every case of whistleblowing must be taken into account and they must be evaluated by the company.

When it is necessary, it will be taken corrective actions

The responsible must keep the records of every report, tracking of the investigation activities and of the achievements, in accordance with the privacy law.

At the moment of the reimbursement of the complaint, the responsible will advise the reporter on the opening of the verification dossier.

In every moment the not-anonymous whistle-blower can:

- Ask for a feedback on the verifications
- Contact the responsible in order to provide more details

The responsible commits himself to communicate to the reporter the conclusion of the investigation and the reporter must:

- Fill put a final report on the investigation
- Store all the relevant documentations, including the report, in order to avoid the access of third parts to the information and to the documents

## 8 DUTIES AND POWERS OF WHOM RECEIVES THE REPORT

Once the report has been received, the responsible must conduct a first screening on the admissibility of the report because it is really important to distinguish between a report and a personal complaint. It must be evaluated:

- If the report is made in order to draw the attentions of the directions on a behaviour that put at risk the company activities or third parties. It is not a pure complaint
- When the risk of the society or of third parties is serious and urgent
- If the subject of the report has already been valued in by the organization or by the authority in force
- If the report concerns enough elements to be verified or , on the contrary, if it results too much generic and devoid of necessary elements for the future investigations

The responsible, after the evaluation of the report such as a simply personal complaint, or verified that the fact has already been found from the organization or from the competent authority, he will go ahead with the store of the report, by informing the reporter

In the same way the responsible will contact the reporter, if he is well-known, whenever the report is too generic , with the aim of asking for useful elements for the investigation.

The recipient proceed to store the reports in in which further elements are not provided or when elements are insufficient.

In the case in which the addresser of the reporter required the verification, the responsible must start a deep investigations of the facts, with the purpose to verity its validity.

The person designed by the organisation to carry out the investigations can count on the collaboration with other business functions, for instance through the request of sharing specific information and\ or documents.

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## 9 THE SAFEGUARD OF WHISTLEBLOWER

The responsible will treat with confidentiality the identity of the reporter, during the hours of inspection of the possible responsibilities. Therefore, the name of the reporter, it will not be revealed without his consent in order to protect such subjects from possible speculations and retaliations from the colleagues or from the superior.

The protection could cover exclusively the retaliations that take place in the work place. For this reason it is not allow every, direct or indirect, form of retaliations or discriminatory actions which has effects on the work conditions of the reporter. If necessary these behaviours will be submitted to disciplinary sanctions.

Similar protection measures are applied only for those who report in good faith, that means for the reporters who has reported the problem, considering highly probable that an illegitimate fact or an irregularity has been verified.

If a retaliation will be verified, it must be immediately reported.

Whoever efforts a retaliation against a whistle-blower who has reported a violation, he will be subjects of disciplinary sanctions, that can also include the dismissal.

## 10 THE SAFEGUARD OF THE REPORTED

The direction will treat with confidentiality the identity of the reported, during the hours of inspection of the possible responsibilities. Therefore, the name of the reported, it will not be revealed without his consent .

It is not allow to proceed with disciplinary sanctions based on what the reporter said. There must be objective reports and investigations on the facts object of report.

It is clarified that the feedback to the reporter won't include the possible specific disciplinary measure delivered against the reported

## 11 SANCTIONS AGAINST EMPLOYEES\ MANAGERS

The sanctions could be provide:

- In case in which the reported is believed responsible after di investigation activity made by the responsible body.
- in case of unauthorized behaviours of the reporter
- in case of discriminatory behaviours from the workers, managers and subordinates, towards the reporter
- in case in which the responsible, received the report, does not verify what the reported has report
- in case of violation of obligations of reservation to the management of the report

The sanctions are based on workers' statute (law n. 300/1970) and on national collective agreements, making a difference between employees and managers.

For example, the could be provided:

- the oral call, the written admonition, the monetary sanction, the suspension from the service, the revocation of the charge for the managers,
- e oral call, the written call, the fine, the suspension from the service, the dismissal with or without warning for the employees.

It stay still the right of the administration to appeal the competent authorities, civil and criminal , in the case in which the illegitimate fact lifted by the reported presents all the characteristics of a crime or of a civil crime.

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