

Policy Group – Whistleblowing reports

Document release:

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1 – Purpose and applicability

This Policy Group (also the “Policy”) provides a systematic framework about whistleblowing reporting management process, from receiving, to analyzing and treatment of reports sent by employees or third parties identified by name or also anonymous, in compliance with the provision of the Law 179/2017, pursuant to art. 6 of Legislative Decree. n. 231 of 2001.

The main purposes of the Policy are:

1. prevention and contrast of corruption, with the provision of systems that allow employees and/or third parties to report in fair conditions any unlawfulness of which they become aware;
2. encourage employees and/or third parties to report:
 - i. violations of the Code of Ethics (for example mobbing, discriminations events etc.);
 - ii. violations of Tesmec Model 231;
 - iii. violations of Personal Data (Privacy);
 - iv. violations of any laws, internal procedures or in any case those that may cause damage or prejudice the public image of Tesmec (i.e. possible cases of illegal, corruptive activities on the corporate reporting).

Tesmec guarantees the protection of whistleblowers in order to secure them from any kind of retaliation, the disclosure of identity facilitates Tesmec to protect information, while for anonymous reports there is a limited possibility to safeguard the whistleblower.

The confidentiality or the anonymity is also guaranteed by a dedicated whistleblowing email at exclusively access of the Supervisory Body, that enables the safeguarding of the identity and the integrity of the people mentioned in the reports.

The Policy is addressed to all subsidiaries of Tesmec Group in Italy and abroad (also “Tesmec” or the “Group”), it is approved by Tesmec S.p.A. Board and it is immediately effective after the release by email and/or publication on the intranet and internet website.

The Policy is also delivered to each new employee to be accepted and it shall be distributed to all those concerned.

2 – Definitions

- **Supervisory Body (Organismo di Vigilanza):** Tesmec S.p.A.'s body who is in charge of monitoring the compliance with the Model 231.
- **Whistleblower:** person who reports about any violations observed, in anonymous or non-anonymous way through the communication channels described in the present Policy.
- **Stakeholder:** everyone who is in a business relationship with Tesmec (e.g. employees, customers, suppliers, consultants, etc.).
- **Anonymous whistleblowing reports:** any whistleblowing report from an individual who does not provide personal details (i.e. name, surname, phone number, etc.) due to remain not identifiable.
- **Good faith reports:** any detailed whistleblowing report which describes illicit conduct basing on precise factual elements.

- **Bad faith reports:** any whistleblowing report that is unfounded with the aim of causing damages to the individual and/or entity reported.

3 – Operating Methods

3.1 Whistleblowing report process

Whistleblowing reports are managed through the following three steps:

- i. Receipt;
- ii. Report Analysis;
- iii. Dismissal.

i. Receipt:

Tesmec makes available to its Stakeholders the following communication channels due to send:

- non-anonymous whistleblowing reports through:
 - oral communication to the Supervisory Body;
 - ordinary email direct to Tesmec S.p.A. and Tesmec Service S.r.l. Supervisory Bodies (Odv@tesmec.com);
 - ordinary mail (to Tesmec S.p.a. or Tesmec Service S.r.l. c/o Via Zanica 17/O 24050 Grassobbio – Bergamo – Italy or Piazza Sant'Ambrogio, 16 20123 – Milano - Italy);
 - fax number (+ 39 035 4522444);
 - voicemail (national number – voice mail: +39 035 4232911).
- anonymous or non-anonymous whistleblowing reports through:
 - for Tesmec S.p.A.: access to TSPAwhistleblower@gmail.com with the following password **TesmecSPA_violations**, and addressing the email to TSPAwarning@gmail.com. The whistleblower could cancel the email from “sent-items” folder and from “delated-items folder” in order to maintain privacy.
The inbox of TSPAwarning@gmail.com is read only by the Supervisory Body of the Company.
 - for Tesmec Service S.r.l.: access to TSERVICEwhistleblower@gmail.com with the following password **TesmecSERVICE_violations**, and addressing the email to TSERVICEwarning1@gmail.com. The whistleblower could cancel the email from “sent-items” folder and from “delated-items folder” in order to maintain privacy.
The inbox of TSERVICEwarning1@gmail.com is read only by the Supervisory Body of the Company.

All whistleblowing reports received through the channels above mentioned shall be directed to the Supervisory Body.

ii. Report analysis:

The aim of report analysis is to understand the reliability of the facts reported due to formulate recommendations and to adopt corrective measures for the processes involved.

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The Supervisory Body receives all whistleblowing reports (except for the privacy which could also be sent to privacy@tesmec.com) and analyses each case for its competences classifying the communications received due to:

- reject rumors and all warnings which are not properly detailed and not supported by factual elements;
- identify reports which are pertinent to this Policy's purposes and sufficiently detailed;
- transmit to the business unit in charge through the support of the Internal Audit function other relevant reports not coherent to this Policy (complaints, invoices, administrative information, etc.).

Reports shall at least contain the following specifications:

- qualification of whistleblower: customer, supplier, employee, shareholder, etc.;
- description of the fact with reference to place and date, involved people, etc. All additional information (photos, contact details, etc.) are useful to detail the report.

In order to ask for more clarifications and further details, in the event the report is not fully explained, the Supervisory Body may contact the whistleblower when it is possible.

In the event reports pertain Tesmec Model 231 and/or the Code of Ethics the Supervisory Body is in charge of the report analysis, otherwise it will be supported by:

- Internal Audit function, due to realize "spot" audits to deepen and verify the received reports concerning internal control system violations (i.e. violations of internal procedures);
- public authorities (such as judicial authorities) in case of crimes.

In case of bad faith reports refer to the following paragraph "Disciplinary and other measures".

iii. Dismissal:

At the end of each report analysis the Supervisory Body prepares a dismissal proposal to describe the notification reported, the realized checks/investigations, the recommendations and the suggested follow up activities.

In case of Internal Audit function or external parties' involvement during the report analysis, the final reports shall be discussed with the Supervisory Body before including the documents in the dismissal proposal.

At the end of the process the Supervisory Body sends the final complete dismissal proposal to Tesmec S.p.A. Control and Risk Committee, which may submit the file to Tesmec S.p.A. Board of Statutory Auditors and to the Internal Audit function, if not involved in the previous step.

4 – Disciplinary and other measures

In case of good faith reports, the aim of the Policy is to protect Tesmec's employees from fire, demoting, suspension, threatening, bullying or discriminations in the workplace.

On the contrary, Tesmec will sanction any illegal conduct also with the support of the Human Resource Department.

In case of:

- "bad faith reports" sent by Tesmec employees, the Supervisory Body shall suggest how to proceed (eventually sanctioning such behaviors). The Supervisory Body shall also monitor the decision taken and ensure that who reported the bad faith report is promptly informed for further consequences that may arise;
- evidence of proved violations, all results of the investigations/audits must be managed by the Supervisory Body in order to suggest the proper sanctions to apply or any legal consequences.

Disciplinary measures shall be proportionate to the gravity of the issue and in accordance with the provisions of Tesmec Model 231 and the collective labour agreement or other applicable national laws.

The Control and Risk Committee may also activate the involved functions or the Internal Audit function to implement appropriate control measures to remove critical issues (i.e. implementation of preventive measures, mitigation, etc.).

5 – Document monitoring, storage and traceability

All the individuals involved in the management process of whistleblowing reports are responsible for confidential and secure storage of all documents produced and received regarding whistleblowing reports on paper or in electronic, for each part of their competence, due to ensure the traceability of the information.

Personal data included in whistleblowing reports are treated in compliance with current indications provided by the specific European Regulation 679/2016 (GDPR) applicable in relation to personal data protection.

Due to avoid retaliation, threatening, violence, etc. the identity of the whistleblower shall never be disclosed, except on cases provided by the law.

Worksheets relative to investigations and audits referenced in the reports shall be filed by the Supervisory Body.

6-References

- Italian Legislative Decree n. 231/2001;
- Tesmec Model 231;
- Italian Law 179/2017;

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- Tesmec Code of Ethics;
- European Regulation 679/2016 (GDPR);
- Operative Instruction Data Breach Notification.