

Data protection

Protection and processing of personal data are an important challenge for Enel in the era of digitalization and market globalization, and also a constant commitment to ensure continuous improvement of the service we supply to our customers. In fact, Enel recognizes that personal data, as an expression of an individual's personality and identity, should be processed with due caution and safeguards whether it concerns customers, employees, or suppliers, as also stated in the Group's Human Rights Policy and the Code of Ethics.

To respond to this challenge in line with the provisions of the General Data Protection Regulation (EU 2016/679) ("**GDPR**"), in 2017 Enel set up a specific unit within the Legal Function (**Data Protection Office**) and appointed the data supervisors ("**Data Protection Officer**" – **DPO**). The DPOs are appointed based on their professional skills and knowledge, and their ability to carry out the assigned tasks in accordance with the principle of independence.

The DPO office is organized into three units, each differentiated by its scope of application and expertise. The units **Data Protection Staff and Services Function**, along with the **Data Protection Global Business Lines** perform the following functions (i) supporting data controllers and processors in conducting data protection risk assessments and implementing related mitigation activities through appropriate technical and organizational measures; (ii) offering legal assistance on data protection matters; (iii) promoting privacy by design from the initial stage of the product and service design phase and (iv) monitoring a coherent deployment of all data protection principles at Country level.

The unit **Data Protection Governance** performs the following functions: i) monitors the evolution of data protection legislation at global level ii) provides legal assistance in data protection matters in countries where the appointment of a dedicated office is not required; iii) defines legal standards, guidelines and digital tools for compliance management.

At last, the team is composed of **Country units**, that monitor the evolution of regulations on a local level and provide support to the local Business Lines with regard to data protection compliance. In 2020 these Country units were set up in Latin America (Argentina, Brazil, Chile, Colombia), in addition to the European area units already in place (Italy, Portugal, Spain).

The Enel Group has developed a global compliance program on personal data protection, founded on the principles of the main privacy regulations, including the GDPR, the Brazilian General Data Protection Law- *Lei Geral de Proteção de Dados Pessoais* ("**LGPD**"), as well as the local legislation of the countries in which the Group operates. This compliance program is translated into a global policy on personal data protection, which defines the privacy principles applicable to all Group companies.

In particular, the Data Protection Office implements processes and activities in compliance with the indications of legislation concerning personal data protection and is committed to drawing up data protection agreements and clauses; planning data governance and corporate policies; providing consulting in line with the principles of privacy by design and by default; ensuring adequate risk management and monitoring the consistency of data protection policies within the organization; as well as performing periodic and regular training and awareness campaigns for personnel on the main Data Protection issues.

Furthermore, the Audit Function includes specific activities in their work programs targeted toward evaluating the Internal Control System on Data Protection Risk Management and in compliance with GDPR: analysis activities are planned in various geographical areas, also those not subject to GDPR, that aim to evaluate the safety measures in systems that contain personal data, commercially-sensitive data and employees data managed in HR processes.

In order to guarantee full and effective protection of personal data, the Group has adopted a digital platform (*Data Protection Platform*), which is able to ensure digital compliance, through the use of tools, based on the size and complexity of Enel. In particular, this includes:

- **Record of processing;**
- **Privacy by Design;**
- **DPIA (“*Data Protection Impact Assessment*”);**
- **DTIA (“*Data Transfer Impact Assessment*”);**
- **Data Breach Management;**
- **Analytics.**

With specific reference to relationships with its suppliers, the Enel Group’s Code of Ethics and Policy on Human Rights expressly require suppliers to have a clear commitment and to respect the main obligations required by the applicable privacy regulations. In particular, a specific clause in the Group’s General Contract Conditions extends the principles of the Enel privacy policies to all suppliers, requiring them to be committed to handling personal data in compliance with the obligations imposed by industry legislation.

Moreover, Enel also undertakes to monitor third-party companies that may be in a position to process personal data on its behalf to ensure that they adopt adequate security standards to better protect the rights and freedoms of the data subjects.

Additionally, in alignment with the Group's business model, Enel undertakes not to process personal data for purposes other than those for which they were originally collected based on a valid legal basis or consent (i.e. general conditions, contracts, privacy notice).

Any unlawful and unauthorized use of personal data, regardless of whether it causes damage or entails direct liability for Enel or its affiliates, constitutes a violation of the employee's contractual and ethical duties and could result in the application of appropriate disciplinary actions and sanctions, up to the termination of the employment contract, in accordance with local laws and applicable contractual provisions. Such conduct may also bring the employee's liability under local applicable law.