

Data Protection Information on the Activities of the Central Reporting Point (Whistleblowing System)

General information

Scope of application

This data protection information relates to the activities of the Central Reporting Point (Whistleblowing System).

Responsible party

We take the protection of your personal data and the legal obligations serving this protection very seriously. The legal requirements demand comprehensive transparency regarding the processing of personal data. Only if you are sufficiently informed about the purpose, nature and scope of the processing, the processing is comprehensible for you as a data subject.

The responsible party in terms of the General Data Protection Regulation (GDPR = DSGVO) is:

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hereinafter referred to as the "**responsible party**" or "**we**".

General information on data processing

We process personal data provided to us only to the extent permitted by law and within the scope of our role as the Central Reporting Point. Personal data is only disclosed in the cases described below. Personal data is protected by appropriate technical and organizational measures.

You have the option of submitting reports to the Central Reporting Point regarding violations of the requirements for proper management of the association concerned, violations of the statutes of the association concerned and violations of facts that are subject to fines or penalties. (Only) with your consent, the Central Reporting Point will forward your report to the Good Governance Officer or the Ethics Committee of the association concerned for investigation and clarification.

The confidentiality of the reporter's identity, of the person who is the subject of the report and of the other persons named in the report will be maintained by the Central Reporting Point in accordance with the law.

Purposes of processing the data

The Central Reporting Point processes personal data provided to it for the following purposes:

- Reception of the report and examination of the Central Reporting Point's authorization to deal with it
- Verification of the plausibility of a report
- Accompanying the reporter during the investigation of the reported issue
- Documentation of the activities (esp. keeping a case file)
- Forwarding the report to the Good Governance Officer or the Ethics Committee of the association concerned

Data categories

While reviewing a report, the following personal data relating to you may be processed:

- Master data (e.g. name, address, date of birth; association/club; professional qualification);
- Contact data (e.g. email addresses, telephone numbers)
- Content data (e.g. content of documents/files, photographs, videos)
- Usage data (e.g. access times, use of certain content, contact history)
- Connection data (e.g. device information, IP addresses, URL referrers)
- Location data (e.g. IP geolocation, access points)
- Employee data (e.g. employment history, working hours, vacation periods, periods of incapacity to work, appraisals, education and training, social data, bank details, social security number, health insurance/health insurance number, salary expectations and salary data as well as the tax identification number, proofs and documents, working hours, public posts held by you, social security data, data on professional integration management)
- Data on criminal convictions and criminal offenses under the conditions of Art. 10 of the GDPR
- Special categories of personal data within the meaning of Art. 9 para .1 GDPR (such as health data, data on possible trade union membership, biometric data or data on political or religious beliefs)

Legal basis for the processing of your data

The legal basis for the processing of your personal data is Art. 6 para. 1 sentence 1 letter a GDPR (consent), Art. 6 para. 1 sentence 1 letter c GDPR (fulfillment of legal obligations) and Art. 6 para. 1 sentence 1 letter f GDPR (legitimate interest).

Disclosure of data

- (1) Your personal data will be disclosed to the association concerned by the matter only to the extent that you have previously agreed to it.
- (2) Otherwise, your data will only be passed on as far as this is necessary for the proper processing of the report or if there is a legal obligation to do so. The latter applies in particular to the disclosure of data and information to courts, law enforcement agencies and/or other public bodies in connection with the matter under investigation.

- (3) Those employees of our law firm who have access to your data are, like ourselves, subject to a strict duty of confidentiality the compliance with which we monitor.
- (4) Other persons with whom we cooperate and who come or could come into contact with your data (e.g. sworn translators) have been or will be sworn to secrecy by us in writing and – as has also been or will be expressly pointed out to them – will themselves be liable to prosecution in the event of a violation.
- (5) Your personal data will only be transferred to third parties for purposes other than those listed here on the basis of a separate agreement with you.
- (6) The lawyer's duty of confidentiality remains unaffected.

In addition, service providers (order processors according to Art. 28 DSGVO) used by the Central Reporting Point in accordance with orders and instructions receive personal data, in particular IT service providers.

Data transfer to a third country or an international organization

Data transfers to third countries outside the European Union (EU) and the European Economic Area (EEA) are only intended in connection with the optional use of the "Zoom" application (see information under "Applications used").

Storage period

The personal data will be deleted or destroyed in accordance with data protection law after expiry of the legal obligation to retain the data, which for lawyers results from Section 50 of the German Federal Lawyers' Act (BRAO) (6 years after expiry of the calendar year in which the processing of the report was completed), so that it cannot be recovered by third parties.

A different/longer storage period only applies if requested by other legal provisions (e.g. the German Tax Code, the German Money Laundering Act, etc.), Art. 6 Para. 1 lit. c GDPR, and/or if you have consented to or requested us to store/keep your data for the respective period ,Art. 6 Para. 1 lit. a GDPR.

Automated decisions in individual cases including profiling

Automated decisions in individual cases including profiling do not take place.

Rights of data subjects

As a data subject, you have the right to information under Art. 15 GDPR, the right to rectification under Art. 16 GDPR, the right to erasure under Art. 17 GDPR, the right to restriction of processing under Art. 18 GDPR and the right to data portability under Art. 20 GDPR. Furthermore, you have the right to complain to a data protection supervisory authority (Art. 77 GDPR).

The data protection supervisory authority responsible for us is:

State Commissioner for Data Protection and Freedom of Information of North Rhine-Westphalia
Kavalleriestr. 2-4
40213 Düsseldorf

fon: 0211/38 42 4-0
fax: 0211/38 42 4-10
email: poststelle@ldi.nrw.de

You are free to complain to another data protection supervisory authority.

Notification obligations of the responsible party

As the responsible party, we will notify all recipients to whom we have disclosed your personal data of any rectification or erasure of your personal data or any restriction of processing pursuant to Art. 16, 17 (1) and 18 GDPR, unless such notification is impossible or would involve a disproportionate effort. We will inform you of the recipients if you request this.

No obligation to provide personal data

Unless otherwise explained in the information on the legal basis, you are not obliged to provide personal data. Reports can also be made anonymously. Please note that the processing of personal data is usually required for a comprehensive examination of your report. The absence of this information may make investigations into the reported facts more difficult or even impossible.

Interviews may also be conducted by video conferencing with your consent. In this case, access rights to the following interfaces, device functions and data of your terminal device are required: camera, microphone. You are not obliged to grant these authorizations. If you do not grant them, the use of the services and functions might not be possible or only possible to a limited extent.

Right of objection

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data relating to you which is carried out on the basis of Art. 6 (1) (f) GDPR.

The objection can be made informally and should be addressed to our contact details above.

Revocation of consent

In accordance with Art. 7 (3) sentence 1 GDPR, you have the right to revoke your consent to the collection, storage and use of your data at any time with effect for the future. The lawfulness of the processing carried out on the basis of the consent until the revocation is not affected by this. Upon your revocation, we will delete the personal data processed on the basis of the consent if there is no other legal basis for its processing. The revocation can be made informally and should be directed to the contact details mentioned above.

Applications used

Zoom

- (1) Purpose of data processing: Registration and implementation of online meetings
- (2) Legal basis: Art. 6 para. 1 sentence 1 letter f GDPR

- (3) Data categories: Master data, contact data, connection data
- (4) Data recipient: Zoom Video Communications, Inc.; 55 Almaden Boulevard, Suite 400, 500, 600 San Jose, CA 95113, USA
- (5) Intended third country transfer: USA (based on standard data protection clauses, Art. 46 para. 2 lit. c GDPR)

Whistleblower system Trusty

- (1) Purpose of data processing: Provision of the Trusty digital whistleblowing system; receipt of information about suspected violations
- (2) Legal basis: Art. 6 (1) sentence 1 letter f GDPR
- (3) Data categories: Master data, contact data, content data, employee data, data on criminal convictions and offences, Special Categories of Personal Data (depending on the content of the notification)
- (4) Data recipient: Trusty AG, Riedstr. 7, 6300 Zug, Switzerland
- (5) Intended third country transfer: Switzerland (in particular cases and based on a decision of appropriateness by the EU Commission, Art. 45 GDPR)