

Information on the processing of data within the framework of the whistleblower system

General information

Brief description	Information for whistleblowers and processors on the processing of personal data in the context of whistleblower management
Destination	Fulfilment of the data protection requirements regarding information duties according to Art. 13, 14 GDPR
Notes	GDPR = General Data Protection Regulation

Data protection information pursuant to Art. 13, 14 GDPR

According to Art. 4 No. 1 GDPR, your personal data includes all information that relates or can be related to your person.

The following information informs you about the processing of your data within the framework of whistleblower management.

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1 Name and contact details of the controller

The responsible party within the meaning of data protection law is

infoteam Software AG

Am Bauhof 9
91088 Bubenreuth

You will find further information on our company, details of the persons authorised to represent it and also further contact options in our imprint on our website:

<https://www.infoteam.de/impressum>

2 Our data protection officer

We have appointed a data protection officer in our company. You can reach her under the following contact options:

Dr Marion Herrmann
Datenschutz Symbiose GmbH, Hundingstr. 12, 95445 Bayreuth, Germany
E-mail: datenschutz@infoteam.de

3 Collection and storage of personal data; type, purpose and use

3.1 Category of personal data

In principle, the whistleblower system can be used - as far as legally permissible - without providing personal data. However, you can voluntarily disclose personal data within the framework of the whistleblowing process, in particular

- Identity details
- First and last name
- Residence
- Contact details such as telephone number or email address
- Content data
- Meta/communication data
- any other data that is provided

As a matter of principle, we do not ask for or process any special categories of personal data, e.g. information on racial and/or ethnic origin, religious and/or ideological convictions, trade union membership or sexual orientation. However, due to free text fields in the registration form, such special categories of personal data can be disclosed voluntarily by you.

The notice you provide may also contain personal data of third parties to which you refer in your notice. Data subjects will be given the opportunity to comment on the notice. In this case, we will inform the data subjects about the notice. In this case, too, your confidentiality is protected, as the person concerned - as far as legally possible - will not be given any information about your identity and your tip will be used in such a way that your anonymity is not endangered.

3.2 Source of the personal data

We collect the personal data directly from the whistleblower (by providing it) and from the accused person. The data is provided via an online form, using the whistleblower system.

3.3 Purpose and legal basis

The whistleblower system allows you to contact us and report compliance and legal violations. We process your personal data in order to check the report you have made via the whistleblower system and to investigate the alleged compliance and legal violations. In doing so, we may have queries for you. For this purpose, we exclusively use communication via the whistleblower system. The confidentiality of the information you provide is our top priority.

The corresponding processing of your personal data is based on your consent given when reporting via the whistleblower system (Art. 6 para. 1a European Data Protection Regulation, GDPR).

Furthermore, we process your personal data insofar as this is necessary for the fulfilment of legal obligations. This includes, in particular, notifications of facts relevant under criminal, competition and labour law (Art. 6 para. 1c GDPR).

Finally, your personal data is processed if this is necessary to protect the legitimate interests of the company or a third party (Art. 6 para. 1f GDPR). We have a legitimate interest in processing the personal data for the prevention and detection of violations within the company, for checking the legality of internal processes and for maintaining the integrity of the company.

If you disclose special categories of personal data to us, we process these on the basis of your consent (Art. 9 para. 2 lit. a GDPR).

We also use your personal data in anonymised form for statistical purposes.

We do not intend to use your personal data for purposes other than those listed above. Otherwise, we will obtain your consent in advance.

3.4 Technical implementation and security of your data

The whistleblower system contains an option for anonymous communication via an encrypted connection. After sending a tip, you will receive access data to the mailbox of the whistleblower system so that you can continue to communicate with us in a protected and, if desired, anonymous manner.

We take appropriate technical measures to ensure data protection and confidentiality. The data you provide will be stored on a specially secured database by the provider of the whistleblowing system. All data stored on the database is encrypted according to the current state of the art.

3.5 Duration of storage

The collected data will be stored for as long as necessary in compliance with the legal retention periods (according to § 11 HinSchG-E: the documentation will be deleted two years after the conclusion of the procedure).

4 Disclosure of personal data

Inspection of the stored data is only possible by persons within the company who are specifically authorised to do so. Insofar as this is necessary to fulfil the aforementioned purpose, specially authorised persons from our affiliated companies may also be entitled to inspect the data. This is particularly the case if the investigation of your report is carried out in the country concerned. All persons authorised to inspect the data are expressly obliged to maintain confidentiality.

We transmit your personal data only for the purposes described above. In particular, your data will be disclosed to the following entities:

- Authorities: e.g. courts, law enforcement agencies
- External reporting points
- Service providers we use within the framework of order processing relationships
- Joint Controllers

5 Your rights as a data subject

As a person affected by data processing, you have various rights:

- **Right of withdrawal:** You can withdraw your consent at any time. The data processing based on the revoked consent may then no longer be continued for the future.
- **Right to information:** You can request information about your personal data processed by us. This applies in particular to the purposes of the data processing, the categories of personal data, the categories of recipients, if applicable, the storage period, the origin of your data, if applicable, and the existence of automated decision-making, including profiling, if applicable, and meaningful information on its details.
- **Right of rectification:** You can request the correction of incorrect or the completion of your personal data stored by us.
- **Right of erasure:** You may request the erasure of your personal data stored by us, unless its processing is **necessary for** the exercise of the right to freedom of expression and information, for the fulfilment of a legal obligation, for reasons of public interest or for the **assertion, exercise or defence of legal claims**.
- **Right to restriction of processing:** You can demand the restriction of the processing of your personal data if you dispute the accuracy of the data or if the processing of the data is unlawful but you refuse to delete it. You also have this right if we no longer need the data but you need it to assert, exercise or defend legal claims. Furthermore, you have this right if you have objected to the processing of your personal data.
- **Right to data portability:** You can request that we transfer the personal data you have provided to us in a structured, common and machine-readable format. Alternatively, you may request the direct transfer of the personal data you have provided to us to another controller, where this is possible.
- **Right to lodge a complaint (complaints body):** You have the right to complain about our processing of personal data to a data protection supervisory authority, for example, if you believe that we are processing your personal data in an unlawful manner.

Our competent data protection supervisory authority is:

Bavarian State Office for Data Protection Supervision (BayLDA)
Promenade 18, 91522 Ansbach
Phone: +49 (0) 981 180093-0
E-mail: poststelle@lda.bayern.de

6 Your right to object

If we process your personal data on the basis of a legitimate interest, you have the right to object to this processing. If you wish to exercise your right to object, a notification in text form is sufficient. You are therefore welcome to write to us, send a fax or contact us by e-mail. You can find our contact details under point 1 of this data protection notice.

7 Data processing online

Certain personal data, including the IP address of website visitors, is also processed via our website at www.infoteam.de. Supplementary data protection information can therefore be found online at www.infoteam.de/datenschutz.

Contact

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