

In the following, we would like to inform you about the collection, processing and use of personal data within the framework of the whistle-blower system when you submit a whistle-blower report to us by e-mail, telephone call, letter or in the course of a personal conversation.

1. Who is responsible for data processing?

Responsible for data processing within the meaning of data protection law is

QualityMinds GmbH
Muggenhofer Straße 105,
90429 Nürnberg
Germany

You will find further information about our company, details of the persons authorised to represent it and also further contact options in the imprint of our website: <https://qualityminds.com/imprint>.

2. Which of your data are processed by us and for what purpose?

Use of the whistle-blower system is on a voluntary basis. When you submit a report via the whistle-blower system, we collect the following personal data and information:

- Your name, if you disclose your identity,
- Your contact details, if you provide them,
- The fact that you have made a report through the whistleblowing system,
- The company you are employed by (if provided),
- Names of persons, if any, and other personal data of the persons you name in your report,
- Your description of the facts.

3. On what legal basis are the data processed?

The whistle-blower system serves to receive and process information about (suspected) violations of the law or serious internal breaches of rules against our company in a secure and confidential manner.

The processing of personal data within the framework of the whistle-blower system is based on our legitimate interest in the detection and prevention of wrongdoing and the associated prevention of damage and liability risks in accordance with Art. 6 (1) lit. f DSGVO in conjunction with §8 of the German Supply Chain Duty of Care Act (LKSG).

If a report received relates to an employee of our company, the processing also serves to prevent criminal offences or other legal violations related to the employee relationship (Section 26 (1) BDSG).

The processing of the reporting party's identification data is based on consent to be given (Art. 6 para. 1 lit. a DSGVO). The voluntary nature of the consent is given by the fact that the notice can also be given anonymously. However, the consent can usually only be revoked within one month after receipt of the notification, as in certain cases we are obliged under Art. 14 para. 3 lit. a DSGVO to inform the accused person of the allegations made against him or her and the investigations carried out within one month, including the storage, the type of data, the purpose of processing and the identity of the person responsible and the notifier.

It is then no longer possible to stop data processing of the declarant's identification data.

In addition, the processing of the data has already progressed so far after the time that deletion is no longer possible. However, the revocation period may also be shortened, sometimes considerably.

This is the case if the nature of the notification requires the immediate involvement of an authority or a court. As soon as we have disclosed the name to the authority or court, it is in our procedural files as well as with the authority or court and can no longer be deleted.

4. How long will the data be stored?

Personal data is kept for as long as clarification and final assessment require or there is a justified interest of the company or this is required by law. Afterwards, this data is deleted in accordance with the legal requirements. The duration of storage depends in particular on the severity of the suspicion and the reported possible breach of duty.

5. To which recipients is the data passed on?

Incoming information is received by a narrow circle of expressly authorised and specially trained employees and is always treated confidentially. The respective employees examine the facts of the case and, if necessary, carry out further case-related clarification of the facts.

In certain cases, we have an obligation under data protection law to inform the accused person of the allegations made against him or her.

If there is a significant risk that such information would jeopardise the effective investigation of the allegation or the collection of the necessary evidence, the information to be provided to the accused person may be postponed for as long as this risk exists.

In this case, your identity as a whistle-blower will not be disclosed - insofar as this is permissible in accordance with Art. 14(3)(a) of the GDPR.

Confidentiality cannot be guaranteed if false information is knowingly provided with the aim of discrediting a person (denunciation).

In the course of processing a report or in the course of an investigation, it may be necessary to pass on information to other employees of the group of companies (subsidiaries), e.g. if the information relates to processes in subsidiaries.

We always ensure that the relevant data protection regulations are complied with when passing on information.

In the event of a corresponding legal obligation or data protection law necessity for the clarification of the information, further possible categories of recipients are law enforcement authorities, cartel authorities, other administrative authorities, courts and international law firms and auditing firms commissioned by us.

Any person who gains access to the data is obliged to maintain confidentiality.

6. Where are the data processed?

The data is processed exclusively on our in-house IT infrastructure. If the data must be passed on to third parties, then the processing of this data takes place outside of our sphere of influence on their systems.

7. What rights do you have as a "data subject"?

According to European data protection law, you and the persons mentioned in the notice have the right to information, correction, deletion, restriction of processing as well as a right to object to the processing of your personal data and in certain cases the right to data portability.

You have the right to object to the processing of your personal data on grounds relating to your particular situation. The prerequisite for this is that the data processing is carried out in the public interest or based on a balancing of interests. The objection can be made form-free and should, if possible, be sent to the contact details listed in this data protection notice. If the right to object is exercised, we will immediately check the extent to which the stored data is still required; in particular for the processing of a notice. Data that is no longer required will be deleted immediately.

8. Who is the person responsible for data protection?

If you have any questions, you can contact our data protection officer directly. You can reach him at the following e-mail address: privacy@qualityminds.de.

9. Who is the supervisory authority responsible for us?

You have the right to complain about the processing of personal data by us to a data protection supervisory authority. The competent authority for us is:

Bavarian Data Protection Authority (BayLDA)
Promenade 18
91522 Ansbach
Germany

Phone: +49 981 / 180093-0
Fax: +49 981 / 180093-800

E-Mail: poststelle@lda.bayern.de
Homepage: <https://www.lda.bayern.de>