

Data protection information for the use of the whistleblower system

Compliance with data protection regulations is very important to us. In the following we would like to inform you about the collection and processing of your personal data, which you inform us of in the context of a notification, or notification of possible violations of legal requirements or internal regulations ("rule violations").

The data submitted to the whistleblower system is forwarded via an encrypted transport route to a very small group of expressly authorized employees (internal ombudsman) for a validity check. They examine the reported facts and, if necessary, carry out further case-related clarification of the facts; the data is always treated confidentially.

If individual information proves to be grossly negligent or intentionally provided incorrect information, your identity cannot be treated confidentially.

In certain cases, we have a data protection obligation to inform the accused person of the allegations against them in accordance with the legal transparency requirement. This is usually the case, provided that the provision of information to the accused person(s) can no longer affect the specific information provided. Unless there are legal exceptions, your identity as the person providing the information will not be disclosed and it will be ensured that no other conclusions can be drawn about your identity.

Responsible for the data processing mentioned below is

OBO-Werke GmbH

Am Bahnhof 5

31655 Stadthagen

Germany

telephone: 0049 (0)5721 78010

e-mail: info@obo-werke.de

Processing of your personal data

The use of the whistleblower system is on a voluntary basis.

In addition to the content of your note, the following personal data will be processed:

- Name, if you disclose your identity,
- Position in the company (if you are working for OBO-Werke)
- Contact details, if you provide them to us,
- Confirmation of receipt of your notice and further communication with you,
- If applicable, names of people and other personal data of the people named in your notice.

Purpose and legal basis of data processing

Your data will be processed within the framework of applicable laws, in particular for the following specific compliance and educational purposes:

- Examination of the plausibility of information provided: Before we initiate educational measures, we check, among other things, whether the information you provide appears plausible and suggests that one of our employees has violated the rules.
- Clarification of misconduct: If there is a plausible indication, educational measures can be carried out to clarify the facts and possible violations or criminal offenses. For this purpose, the information contained in your note and other available information will be used and processed. This applies, for example, to the detection and punishment of fraud, corruption, tax crimes, antitrust violations, money laundering or other economic crimes or violations of our internal code of conduct.
- Preventing future misconduct: If a violation is discovered during the investigation, follow-up measures (sanctions) can be taken against the accused person. Furthermore, the results of the educational measures - to the extent that they are suitable - also flow into general, preventive compliance measures (e.g. training) and thus contribute to preventing or making future breaches of contractual obligations or criminal offenses by employees more difficult.
- Asserting or defending legal claims: If a violation has been identified, the information collected in the course of clarifying the facts can be used to assert or defend legal claims or to avert imminent economic or other damage to the company or person concerned.
- Relief for employees: In coordination with the person(s) concerned, appropriate educational measures may also be taken so that possible allegations against those affected who have been falsely suspected can be clarified and the burden on them can be exonerated.
- Implementation of obligations to cooperate: If necessary, due to legal obligations to cooperate, we may have to forward the data collected as part of the educational measures to law enforcement authorities or other authorities. This can be the case, for example, if a law enforcement authority initiates criminal investigations against a person affected as a result of an educational measure.

Data processing is generally carried out on the basis of Article 6 Paragraph 1 Letter c of General Data Protection Regulation (GDPR) in conjunction with Section 10 Sentence 1 of the Whistleblower Protection Act (German: Hinweisgeberschutzgesetz). Depending on the purpose of the processing, the data processing mentioned above can also be carried out on the basis of other regulations. In particular in accordance with Article 6 Paragraph 1 Letter c GDPR in conjunction with:

- SS 16 and following of the Whistleblower Protection Act for the purposes of setting up and designing the internal reporting office, carrying out an internal procedure or taking follow-up measures.

- Section 11 of the Whistleblower Protection Act on fulfillment of documentation obligations. We need your consent to record or verbatim log your information given by telephone or voice message. In this case we will collect and document this separately. If the processing of special categories of personal data is absolutely necessary to fulfill the tasks of the internal reporting office, this is carried out in accordance with Article 9 Paragraph 2 Letter g GDPR in conjunction with Section 10 Sentence 2 of the Whistleblower Protection Act.

In individual cases, data processing is carried out on the basis of our legitimate interest in accordance with Article 6 Paragraph 1 Letter f of the GDPR, provided that no legitimate interests of the data subjects worthy of protection outweigh them. This can be the case in particular in connection with asserting or defending legal claims, relieving employees, checking relevance for other companies and improving compliance structures.

Recipient of your data

In principle, your data will not be transmitted to third parties. If it is necessary to transmit your data to initiate follow-up measures, the data will only be passed on if you consent to this or if this is legitimated in accordance with Section 9 Paragraph 1 and Paragraph 4 of the Whistleblower Protection Act.

If there is a corresponding legal obligation or data protection requirement to clarify the information, in individual cases your data may be passed on to law enforcement authorities, antitrust authorities, other administrative authorities, courts and our external legal counsel. Any person who gains access to the data is contractually or legally obliged to maintain confidentiality.

In connection with the receipt, organization and documentation of information, we are supported by an instruction-bound service provider (contract processor), MKM + PARTNER Rechtsanwälte PartmbB. An order processing contract has been agreed.

In this context, your data will not be transferred to locations outside the European Union or the European Economic Area.

Storage period / criteria for determining the storage period

After completion of the procedure, your personal data will be stored for documentation purposes for three years (Section 11 Paragraph 5 of the Whistleblower Protection Act). In exceptional cases, longer storage may occur if other legal provisions require longer storage.

Your privacy rights

In accordance with Article 15 GDPR, you have the right to information from the person responsible about the personal data concerning you as well as to correct incorrect data in accordance with Article 16 GDPR or to delete it if one of the reasons stated in Article 17

GDPR applies, for example if the data are no longer needed for the purposes pursued. You also have the right to restrict processing if one of the conditions specified in Article 18 GDPR is met and in the cases of Article 20 GDPR you have the right to data portability.

In cases in which we process your personal data on the legal basis of Article 6 Paragraph 1 Letter f GDPR, you also have the right to object at any time for reasons arising from your particular situation. We will then no longer process the personal data unless there are demonstrably compelling legitimate reasons for the processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

To exercise your rights, you can contact our internal data protection coordinator:
Mr. Samuel BUSCH
e-mail: s.busch@obo-werke.de

You also have the right to lodge a complaint with a supervisory authority if you believe that the processing of your data violates data protection regulations. In particular, the right to lodge a complaint can be asserted with a supervisory authority in the Member State where the data subject resides or where the alleged violation occurred.

Contact details of the data protection officer

We are supported by our data protection officer in fulfilling our data protection obligations. If you make an inquiry, please name the company in question. The contact details of our data protection officer are:

FIRST PRIVACY GmbH
Konsul-Smidt-Straße 88
28217 Bremen
Germany

e-mail: office@first-privacy.com
homepage: <https://www.dsn-group.de/>