Data protection information pursuant to Articles 12–19 and 21 of the GDPR to data subjects (All)

With this document, you receive information on the collection and processing of your personal data and on your rights under data protection law.

Data-processing entity
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Processing framework
Categories of personal data that are processed

- **Applicants / unsolicited applicants:**
  Master data, e.g. CV content, contact details, family circumstances, health, knowledge, skills
- **Employees:**
  Master data, e.g. CV content, contact details, family circumstances, health, knowledge, skills; contract and payroll data; log data from IT systems, e.g. firewall, server logs; personal image/video data in company presentations; data for salary accounting; health data; other data in the context of an employment relationship, e.g. working conditions, working hours
- **Customers:**
  Contract data, master data, invoice data, ordered services or products
- **Prospective customers:**
  Contact details, communication content, contents of a business card
- **Suppliers:**
  Contract data, contact details, communication content
- **Participants in a video conference, e.g. “MS Teams”:**
  First name, last name, e-mail address, where applicable topic, participant IP addresses, MP4 file of video, audio and presentation recordings in the case of optional recordings, information on incoming and outgoing phone numbers in the case of dial-in by telephone, contents of chat histories
- **Remote support users:**
  Contact details, image data from the mobile device, content data from the mobile device
- **Participants in FagusWerk events:**
  Contact details, bank details

Purposes for which the personal data is to be processed

- **Applicants / unsolicited applicants:**
  Review of the application
- **Employees:**
  Handling of all necessary and required measures in an employment relationship; ensuring operation that is as disruption-free as possible; in the case of image data: advertising, marketing and publication
- **Customers:**
  Performance of a contract
- **Prospective customers:**
  Exchange of information
- **Suppliers:**
  Services, orders
- **Participants in a video conference, e.g. “MS Teams”:**
  Online meetings, telephone conferences, video conferences
- **Remote support users:**
  Support in the context of a support case
- **Participants in FagusWerk events:**
  Participation in an event

Legal basis for processing pursuant to Art. 6 para. 1 GDPR
Depending on the type of data processing, different legal bases apply to the respective groups.

- **Applicants / unsolicited applicants:**
  - Implementation of pre-contractual measures
  - Where applicable, consent, e.g. disclosure of the respective data
- **Employees:**
  - Performance of a contract or implementation of pre-contractual measures
  - Where applicable, consent, e.g. photos on websites
  - Compliance with a legal obligation, e.g. requirements imposed by tax legislation
  - Protection of legitimate interests, e.g. logging in the context of defence against cyber risks
- **Customers:**
  - Performance of a contract or implementation of pre-contractual measures
  - Compliance with a legal obligation, e.g. requirements imposed by tax legislation
  - Protection of legitimate interests, e.g. logging in the context of defence against cyber risks
- **Prospective customers:**
  - Performance of a contract or implementation of pre-contractual measures
  - Protection of legitimate interests, e.g. logging in the context of defence against cyber risks
- **Suppliers:**
  - Performance of a contract or implementation of pre-contractual measures
  - Compliance with a legal obligation, e.g. requirements imposed by tax legislation
- **Participants in a video conference, e.g. “MS Teams”:**
  - Protection of legitimate interests, e.g. logging in the context of defence against cyber risks
  - Consent to processing, further information can be found below under “Participation in an online meeting”

- **Remote support users:**
  - Consent to processing
- **Participants in FagusWerk events:**
  - Performance of a contract
  - Consent to processing

Duration for which the personal data is stored
Depending on the purpose and target group:
- Contract duration
- Statutory retention periods
- Withdrawal of consent
- Objection to data processing
- Duration of the online meeting

There is no automated decision-making, including profiling, pursuant to Art. 22 para. 1 and 4 GDPR.

Disclosure, source and international reference
Recipients or categories of recipients of the personal data
Depending on the target group:
- **General recipients:**
  Tax advisers, internal use, e.g. HR department, IT; authorities, e.g. tax authorities; banks; insurance companies, e.g. in the context of accidents or insurance claims; external service providers, support as processors; providers
- **Further recipients, depending on the target group:**
  - **Own employees, only in the case of image data:**
    Marketing agency, photographer, recipients of advertising, marketing and publication measures
  - **Customers and, where applicable, employees of customers:**
    Subcontractors and cooperation partners, provided this is contractually regulated or clarified
  - **Participants in a video conference:**
    Participants, providers

Source of collection
Directly / through the client

Data processing outside the European Union
Data processing outside the European Union (EU) does not generally take place, as we have restricted our primary storage location to data centres within the European Union. However, we cannot exclude the possibility that the routing of data from some applications takes place via internet servers located outside the EU. This may be the case in particular if, for example, participants in “online meetings” are located in a country outside the EU.
There is also a possible risk that, due to foreign jurisdiction, authorities may access and process your data for control or monitoring purposes. This may also take place without any further legal remedies.

Participation in an online meeting

Participation in such an event is voluntary. By registering, consent is given to data processing, including US data transfer. At any time, participants can decide whether they wish to transmit their image and/or sound during the event.
If and insofar as they actively decide to do so, this consent also includes the possibility that special categories of personal data, e.g. wearer of glasses, stiff limbs, speech impediments, wearer of religious symbols, may also be transmitted and processed.
By participating, consent is also given to a possible recording and, where applicable, distribution of the event. Both will, of course, be communicated in advance.

Microsoft Teams
We use Microsoft Teams. The provider is Microsoft Ireland Operations Limited, One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, Ireland.
Details on data processing can be found in the Microsoft Teams privacy statement:
https://privacy.microsoft.com/de-de/privacystatement
The company is certified under the “EU-US Data Privacy Framework” (DPF). The DPF is an agreement between the European Union and the USA intended to ensure compliance with European data protection standards in data processing operations in the USA.
Every company certified under the DPF undertakes to comply with these data protection standards. Further information on this can be obtained from the provider at the following link:
https://www.dataprivacyframework.gov/s/participant-search/participantetail?contact=true&id=a2zt0000000KzNaAAK&status=Active

Processing on behalf of the controller
Use of tools in the context of online meetings
We have concluded a data processing agreement (DPA) for the use of the above-mentioned service. This is a contract required under data protection law, which ensures that the service processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

Legal bases for data processing in the context of online meetings
- Where personal data of employees of the company is processed, Section 26 BDSG is the legal basis for the data processing.
- If, in connection with the use of the video conferencing software, personal data is not required for the establishment, performance or termination of the employment relationship, but is nevertheless an essential component when using the video conferencing software, Art. 6 para. 1 lit. f) GDPR is the legal basis for the data processing. In these cases, our interest lies in the effective conduct of “online meetings”.
- In all other respects, the legal basis for data processing when conducting “online meetings” is Art. 6 para. 1 lit. b) GDPR, insofar as the meetings are conducted within the framework of contractual relationships.
- If no contractual relationship exists, the legal basis is Art. 6 para. 1 lit. f) GDPR. Here, too, our interest lies in the effective conduct of “online meetings”.

Rights of data subjects
- Pursuant to Art. 7 para. 3 GDPR, you have the right to withdraw consent granted to us at any time. As a consequence, we may no longer continue in the future the data processing that was based on this consent.
- Pursuant to Art. 15 GDPR, you have the right to request information about your personal data processed by us.

- Pursuant to Art. 16 GDPR, you have the right to request without undue delay the rectification of inaccurate personal data stored by us or the completion of your personal data stored by us.
- Pursuant to Art. 17 GDPR, you have the right to request the deletion of your personal data stored by us, unless other reasons, such as compliance with a legal obligation or defence against legal claims, prevent this.
- Pursuant to Art. 18 GDPR, you have the right to request the restriction of processing of your personal data.
- If your personal data is processed on the basis of Art. 6 para. 1 lit. e or f GDPR, you have the right, pursuant to Art. 21 GDPR, to object to the processing of your personal data, provided that there are grounds relating to your particular situation.
- Pursuant to Art. 19 GDPR, the controller shall notify all recipients to whom personal data has been disclosed of any rectification or deletion of the personal data or restriction of processing.
- Pursuant to Art. 20 GDPR, you have the right to receive your personal data that you have provided to us in a structured, commonly used and machine-readable format or to request transmission to another controller.
- Pursuant to Art. 22 GDPR, you have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.
- Pursuant to Art. 77 GDPR, you have the right to lodge a complaint with a supervisory authority.

Lower Saxony supervisory authority
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Homepage: http://www.lfd.niedersachsen.de

Supervisory authorities of all German federal states
https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html