

## **Data protection information for the internal reporting channels offered by Sesotec GmbH in accordance with the Whistleblower Protection Act**

### **Subject of the data protection information**

Sesotec GmbH is obliged under the German Whistleblower Protection Act (HinSchG) to set up reporting channels for receiving confidential information and complaints (hereinafter referred to as "information") regarding possible misconduct.

The submission, management and tracking of reports generally involves the processing of personal data. Personal data is all information from which conclusions can be drawn about the person providing the information or about third parties. For information on the processing of your personal data and your rights under the General Data Protection Regulation, please refer to the following explanations.

### **Legal entity responsible for data processing:**

Sesotec GmbH  
Regener Straße 130  
94513 Schönberg  
Tel. +49 (0)8554 3080  
E-Mail [webcontact@sesotec.com](mailto:webcontact@sesotec.com)

### **Data Protection Officer**

We have appointed a data protection officer who acts in accordance with Art. 37 ff GDPR and whom you can reach using the contact details below:

Carolin Bauer  
[datenschutz@sesotec.com](mailto:datenschutz@sesotec.com)  
Tel. +49 (0)8505 919270

### **Explanation of the contact or reporting office**

The reporting system should function as follows in future:

The person who wishes to submit a report calls up the digital reporting channel via the internet or intranet. A corresponding link is easily accessible on the company homepage, you will find it in the footer of the website, where you can also access the legal notice and the data protection information. Alternatively, you can access the channel via the intranet. The system then guides the reporting person through a clearly structured questionnaire in which all relevant information is dealt with. The whistleblower can choose whether to reveal their identity or submit the report anonymously. In addition, photos or any documents can be uploaded directly. If the whistleblower chooses to submit the report anonymously, further communication is also anonymous via a chat function in the system. The incident is then processed and investigated. A separate channel via telephone can also be accessed there.

### **Confidentiality**

According to the above-mentioned laws, those responsible are obliged to treat incoming information confidentially. In addition, it is generally possible to submit information anonymously. The information about the Whistleblower and other personal data contained in the report will only be disclosed to a strictly limited group of people for the necessary processing of the report. In some cases, however, those responsible may be legally obliged to disclose personal data.

**Therefore, please only provide us with the information about yourself that is essential for processing the report. In most cases, it will not be necessary to provide your name. Likewise, even if you submit a report without giving your name, you must be aware that your personal data and other information from your report may make it possible to identify the person submitting the report, even if you comply with the statutory confidentiality obligation.**

#### **Legal obligations to disclose personal data under the GDPR**

A legal obligation to disclose the data contained in the notification to third parties may exist in cases in which the person affected by a notification asserts their right to information in accordance with Art. 15 GDPR and the controller is legally obliged to disclose the data. Regarding the information contained in the disclosure, a balance must be struck between the rights of the data subject under the GDPR and the rights of the whistleblower, so that a legal obligation of the controller to disclose the identity of the whistleblower cannot be ruled out.

On the other hand, those responsible are generally obliged to under Art. 14 (3) (1) (a) GDPR to inform the accused person about the report. Under certain circumstances, this may also include naming the identity of the reporting person or information that suggests their identity.

In the event of grossly negligent or intentional submission of information containing false information, the statutory protective provisions for those reporting do not apply. This in particular includes, , the obligation to maintain confidentiality and the protection against reprisal.

#### **Disclosure of your data**

If this is necessary for the above-mentioned purposes and we are legally entitled to do so, your personal data may be passed on to external bodies (legal advisors, authorities, other state bodies, etc.). The data will only be passed on if we are legally entitled or obliged to do so.

#### **Persons affected by the processing**

On the one hand, the whistleblower is affected by the processing of personal data within the framework of the reporting channels. On the other hand, third parties may also be affected by the data processing if their personal data is processed via said channels.

#### **Categories of data affected by the processing**

Which data is processed depends largely on what information is communicated to us via the whistleblower system.

The following data may be affected:

- Information about yourself and your relationship to the company/-ies (employee, business partner, etc.)
- Information about your whereabouts at a specific time
- Information about your activity
- Any other information that is disclosed to us as part of the submission of the report or during subsequent communication with the whistleblower and that constitutes personal data.

#### **Processing of your personal data by Sesotec GmbH**

The data processing includes the processing of the report on the basis of and, if necessary, with the help of the compliance consultants of aigner business solutions GmbH, any subsequent communication with you and measures that are necessary to process the report within the scope of the purpose of the whistleblower system.

Data processing may also include the merging of the information with information from other sources, insofar as this is necessary for the intended processing of the information.

The purpose of data processing is, on the one hand, to comply with legal obligations. On the other hand, the purpose of data processing is to uncover misconduct and grievances within the company.

The legal basis for the processing of your personal data may be the following in particular:

- the processing of personal data takes place based on your consent in the context of notification, Art. 6 (1) (1) (a) GDPR;
- the processing is necessary for the performance of the employment contract, Art. 6 (1) (1) (b) GDPR in conjunction with Art. 88 GDPR;
- the processing is necessary for compliance with a legal obligation pursuant to Sections 10, 13 HinSchG, Art. 6 (1) (1) (c) GDPR;
- the processing is necessary to safeguard predominant legitimate interests of Sesotec GmbH or a third party, Art. 6 (1) (1) (f) GDPR;
- The interests of Sesotec GmbH are the detection and internal clarification of grievances as well as the prevention of damage and liability cases for Sesotec GmbH. This includes both matters within the company and in connection with the entire supply chain.
- the processing is necessary because there is factual evidence to suspect that an employee has committed a criminal offense in the employment relationship, the processing is necessary for clarification and the interest in the processing outweighs the interest of the employee in excluding the processing, Section 26 (1) (2) of the German Federal Data Protection Act .

### **Data security**

We also use appropriate technical and organizational security measures within the meaning of Art. 32 GDPR to protect personal data, particularly against accidental or intentional manipulation, loss, destruction or against attacks by unauthorized individuals. These security measures are continuously adapted in line with technical developments.

### **Deletion of personal data**

Those responsible will process your personal data for as long as is necessary for the purpose of clarifying and processing the reported facts. The data will be deleted in accordance with the statutory provisions 3 years after the end of processing in compliance with data protection regulations. An exception only exists if your data is either required in accordance with Art. 17 (3) (e) GDPR for the assertion of legal claims or for the defence against legal claims of third parties or if further processing is permissible in accordance with Art. 6 para. 1 lit. f, para. 4 GDPR.

### **Order processing**

Our digital whistleblower system is provided by an external partner. We are also supported by external compliance consultants in processing incoming reports.

This company works for us as a data processor and is obliged by a contract within the meaning of Art. 28 (3) GDPR to process data strictly in accordance with instructions and to maintain the strictest confidentiality.

## **Rights of data subjects**

In the following, we would like to inform you about your rights under the GDPR:

### **Right to information**

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to said personal data.

For this purpose, the controller provides an overview of the processing purposes, the categories of personal data processed and the respective recipients or categories of recipients in accordance with Art. 15 GDPR.

### **Rights to rectification, erasure and restriction of processing**

In accordance with Art. 16 GDPR, the data subject has the right to obtain without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject also has the right to request the completion of incomplete personal data.

Pursuant to Art. 17 GDPR, the data subject has the right to obtain from the controller the erasure of personal data concerning him or her without undue delay, provided that no other legal requirement precludes such erasure.

In accordance with Art. 18 GDPR, the data subject has the right to request the restriction of processing if

- the accuracy of the personal data is contested,
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead,
- the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims
- the data subject objects to the processing pursuant to Art. 21 GDPR.

### **Right of withdrawal**

The data subject has the right to withdraw their consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

### **Right of objection**

**You have the right to object at any time to the processing of your personal data based on Art. 6 (1) (e) and (f) GDPR. The controller will then no longer process the personal data unless they can demonstrate predominant legitimate interests, which outweigh the rights and freedoms of the data subject.**

### **Right of appeal**

You also have the right to appeal the processing of your data by the controller to the competent supervisory authority about data processing. For Sesotec GmbH, the Bavarian State Data Protection Supervisory Authority is the competent data protection supervisory authority in accordance with Art. 54-59 GDPR.

### **Status of the data protection information**

Constant development makes it necessary to adapt our data protection principles from time to time. We therefore reserve the right to adapt the data protection information.

Status: 01/2024