



BRIGHT MINDS,  
BRIGHT LIGHTS.

## **DATA PRIVACY STATEMENT WEBSITE (INCL. SOCIAL MEDIA, WHISTLEBLOWING) AND COOKIE REGULATIONS**

As at: February 2020

**ZKW Group GmbH**, Rottenhauser Strasse 8, 3250 Wieselburg, [office@zkw-group.com](mailto:office@zkw-group.com) (“ZKW”, “we”, “us”), is a controller within the meaning of the Federal Law On Protection Of Personal Data Held By Private Parties with a view to the processing of personal data within the scope of the online offer on this website of which we hereby inform you.

Protecting our personal data is of special importance to us. We process your data exclusively on the basis of applicable legal provisions, in particular the Federal Law On Protection Of Personal Data Held By Private Parties.

### **1) Getting in touch with us**

If you get in touch with us by e-mail, we will process personal data provided by you to respond to your request to carry out pre-contractual measures. If no contractual relationship with us is intended, processing will take place on the basis of our legitimate interest in processing your enquiry.

### **2) Social media activities**

If you get in touch with us via our social media pages on Facebook, Twitter, LinkedIn, Xununu, YouTube or GoogleMyBusiness, we will process the data provided by you to answer your enquiry for carrying out pre-contractual measures or within the scope of our legitimate interests. We may equally process your data, to the extent it is available on these platforms, for the purpose of internal analyses or for marketing purposes to serve our legitimate interest.

For this purpose, we will transmit your personal data to the respective operator of the social media platform.

In that context, your data will also be transmitted to a third country outside the EEA. Facebook and Google dispose of a Privacy Shield certification; within that scope an adequate level of data protection was confirmed by the EU Commission for the USA. Detailed information in this respect is available through the following link: <https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX%3A32016D1250&from=DE>.

### **3) Whistleblowing portal**

Through the whistleblowing portal implemented on our website, we may receive your personal data on the basis of our legitimate interest in solving and preventing criminal offences within our company. The data transmitted to us may include the description of any incident punishable under criminal law, the location where said incident has occurred, the persons or department involved, and other information relating thereto, as well as any data relating to the whistleblower. The data entered will (only) be received by the company concerned (= selected) within the ZKW Group as well as by ZKW Group GmbH (data processing). The unit entrusted with processing any reports is strictly separate from the other corporate units and will exclusively be staffed with employees specifically trained and explicitly responsible for the confidentiality of the data reported.



## BRIGHT MINDS, BRIGHT LIGHTS.

Our ZKW companies are also located in third countries outside the European Economic Area (China, Mexico, USA, South Korea), the same applies to LGE and LGC (South Korea). EU standard contractual clauses have been agreed with LGE as well as with ZKW companies and processors outside the EEA. You may request a copy of the appropriate (transmission) guarantees at [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com).

### **4) IT security**

Within the scope of our legitimate interest, we will process data relating to the use of our website to ensure IT security and the operation of our IT systems. For this purpose, we will transmit your personal data to our IT service providers.

### **5) Cookies**

Like most websites, we use cookies for a number of purposes, in order to improve usage of our website by you, provided that you have given your consent in this respect.

To this end, we use Google Analytics, a web analysis service provided by Google Inc. ("Google"). Google Analytics uses so-called cookies, text files that are stored on your computer, enabling your use of the website to be analysed. As a rule, the information generated by cookies regarding your use of the website is transferred to and stored on a server in the USA that is operated by Google.

Google disposes of a Privacy Shield certification; within that scope an adequate level of data protection was confirmed by the EU Commission for the USA. Detailed information in this respect is available through the following link: <https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:32016D1250&from=EN>.

The following information will be collected by Google Analytics: source (country and city), language, operating system, device (PC, tablet PC or smartphone), browser and all add-ons used, screen resolution (on mobile device), source of visitor (Facebook, search engine or referring website), which files were downloaded, which videos were viewed, were any banners clicked on, where did the visitor go to, pages visited on the website, duration of visit on the website.

Additionally, your IP address will be captured, but pseudonymised immediately by deleting the last 8 bits. Accordingly, only a rough determination of the locality will be possible. No connection will be established between the IP address sent by your browser within the scope of Google Analytics and any other Google data.

You can prevent the storage of cookies through a corresponding setting in your browser software; please note, however, that in this case you may not be able to use all functions of this website to their full extent. You can also prevent Google from collecting and processing the data relating to your use of the website and generated by the cookie by simply downloading and installing the following browser plug-in by clicking on the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>

### **6) Use of Google reCAPTCHA**

We also use Google's "reCAPTCHA" tool to prevent spam and data abuse and to protect the website from bots. The mode of operation is based on advanced risk analysis technology in order to separate humans from bots. We use this tool in particular to protect forms – in this respect, data is processed based on our legitimate interests to protect our website.



## BRIGHT MINDS, BRIGHT LIGHTS.

The information recorded by cookies with regard to your use of this website (including your IP address) will be transmitted to and stored by Google servers (usually in the USA or in other countries outside the EU). However, the IP address shall be truncated by Google beforehand within the Member States of the European Union or in other countries that are signatories of the treaty on the European Economic Area. Only in exceptional cases shall the full IP address be sent to a Google server in the USA to be truncated there.

In particular the following information is being collected by Google reCAPTCHA: Browser, browser history, type of device, model of device, country, service provider, access date, CSS information, duration of visit, behaviour and clicks on the website, language, operating system, Google cookies already installed, other Google account details, plug-ins, JavaScript objects.

For more information on Google reCAPTCHA, please refer to <https://developers.google.com/recaptcha/>

For more information on the use of data by Google, please refer to <https://policies.google.com/privacy?hl=en-UK>

### **7) Processor**

We use processors in the following areas:

- IT administration, IT service, IT support and IT maintenance
- Contact management and scheduling
- Legal & Compliance (incl. whistleblowing)
- Marketing

### **8) Retention period**

For the purpose of processing enquiries (as well as in case of follow-up questions) received through our website or social media pages, we will store the data provided by you for a period of six months. In individual cases (e.g. in case of complaints), we shall keep the personal data for the period during which claims may be asserted against us (statutory period of limitation of 3 or up to 30 years).

Personal data of business partners will be stored by us on the basis of the retention obligations that we are subject to, for at least seven years after performance of the contract, to the extent that claims may be asserted against us (statutory limitation period of 3 or up to 30 years) or until the resolution of any legal disputes during which the data are needed as evidence.

The user data collected through cookies and for the purpose of IT security that we process will be stored for a period of 2 years.

The data reported via the whistleblowing portal will be deleted 2 months after conclusion of the investigation at the latest; any personal data collected in the course of audits will be stored until preparation of the audit report. However, in both cases the following applies: if such information is still required to conduct any court or administrative proceedings or for any further disciplinary or other official proceedings, the data reported/collected will be stored for as long as and to the extent required for the conduct and conclusion of any such proceedings.



BRIGHT MINDS,  
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## 9) Your rights and contact details

### **Your rights:**

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. If processing is based on your consent, you may revoke such consent, e.g. by e-mail, at any time with effect for the future.

**You also have the right to object at any time, if relevant reasons arise in this respect from your particular situation.**

If you believe that the processing of your personal data is in violation of data protection legislation or that your data protection rights have been infringed in any other way, you may lodge a complaint with our data protection officer or the data protection authority Prior to filing a complaint with the Data Protection Authority or when exercising your rights or in case of any other questions, please get in touch with our data protection officer (available at: [datenschutz@zkw-group.com](mailto:datenschutz@zkw-group.com)).

## 10) Final provisions

As the Internet evolves, we will continuously adjust these data protection provisions as well. Any changes will be announced on the website in good time. Therefore, you should call up these data protection provisions regularly, in order to bring yourself up to date.