

Privacy notice

The topic of data protection has the highest priority at Surventis (“we”, “our”). Therefore, we would like to inform you in detail about the processing of your personal data when you use our whistleblower portal (“website”):

- A. Who is responsible for data processing and who is our data protection officer?
- B. What data do we process, for what purposes, for how long and on what legal basis?
- C. Are you obliged to provide us with this data?
- D. To whom do we pass on your personal data?
- E. How do we safeguard your personal data?
- F. What rights do you have?
- G. Where can you complain?

A. Who is responsible for data processing and who is our data protection officer?

Responsible for data processing:

Surventis GmbH („Surventis“)
Glasuritstraße 1
48165 Muenster
Germany
phone: +49 2501 14-0
email: info-coatings@basf.com

Our external Group Data Protection Officer can be contacted via:

Thomas Rosin
Klaus-Groth-Str. 4
23611 Bad Schwartau
Germany
email: datenschutz@thomasrosin.de

B. What data do we process, for what purposes, for how long and on what legal basis?

In the following, we inform you about the data processing on our site (a), its purposes and legal basis (b) as well as the respective storage period and, if applicable, specific objection and removal options (c).

Use of our whistleblower reporting system

a. Data processing

When submitting a report, you may optionally provide personal data (name, contact details, the reported matter, etc.). We use this data to process the report. This includes the initial assessment of the case, the subsequent investigation and, where necessary, notification of the relevant authorities.

b. Purpose and legal basis

The reporting portal provides a secure, confidential and – if desired – anonymous channel for reporting legal violations and misconduct. It enables the receipt, documentation and structured handling of reports within the meaning of the EU Whistleblowing Directive (Directive (EU) 2019/1937) and its respective national transpositions. The legal basis is Art. 6(1)(c) GDPR in conjunction with the applicable national whistleblower protection laws. Furthermore, to the extent the processing serves to assert and defend our legal claims, the legal basis for this is Art. 6(1)(f) GDPR.

The information provided is processed solely to assess the validity of a report, to initiate and carry out any necessary follow-up measures, and to comply with related legal obligations. The aim is to detect and remedy violations at an early stage, to effectively protect reporting persons from retaliation, and to safeguard the confidentiality of their identity as well as that of the persons affected by a report.

c. Storage period

We initially store the information provided in a report for as long as necessary to determine whether an investigation of the matter must be carried out. If it is determined that no investigation is required, we retain the information for as long as necessary to comply with our legal obligations. If it is determined that an investigation is required, we retain the information for as long as necessary to conduct the investigation, implement any measures and, where applicable, support consistent law enforcement.

C. Are you obliged to provide us with this data?

You are under no legal or contractual obligation to provide us with your personal data. However, if you wish to use our website to submit reports, we must, for technical reasons, process a small amount of data – such as your IP address – in order to grant you access to this website. Furthermore, you can submit reports here anonymously, i.e. without providing your name or any other data that would allow your identity to be established.

D. To whom do we pass on your personal data?

Your report is received by the compliance departments and, where applicable, the human resources departments of those companies within the Surventis Group that you have named as controllers in your report. The company to which your report is addressed acts as a joint controller together with us.

If the legal entity you have named (a company within the Surventis Group) is located outside the EU or the EEA, your personal data will be transferred to the relevant third country in which that legal entity is based. The legal basis for such a transfer is Art. 49(1)(e) GDPR, i.e. the establishment, exercise or defence of legal claims. As a result of the transfer, the requirements set out in the applicable local data protection provisions may apply.

Nevertheless, we have put in place appropriate safeguards to ensure compliance with the GDPR throughout the entire Surventis Group. This ensures that the level of protection for natural persons required by the GDPR is never undercut, regardless of where the individual legal entities belonging to the Surventis Group are located.

Within our company, only persons and departments are granted access to your personal data as far as they need it to fulfil the abovementioned purposes.

In addition, the relevant law enforcement agencies, courts, supervisory authorities or law firms may be recipients of your data.

We also involve service providers. These service providers will only act on our instructions and are contractually obliged to comply with the applicable data protection requirements.

A transfer of your personal data to a third country will only take place if the special requirements of Art. 44 ff. GDPR are fulfilled.

If you have any further questions regarding the transfer to the relevant third country, please contact us, for example by e-mail or by post. You will find the contact details in section A.

E. How do we secure your personal data?

We use technical and organizational security measures to protect your personal data from accidental or intentional manipulation, loss, destruction or access by unauthorized persons. Our security measures are continuously revised in line with technological developments.

If you have any further questions regarding the used technical and organizational measures, please contact us, for example by e-mail or by post. You will find the contact details in section A.

F. What rights do you have?

You have certain rights under the General Data Protection Regulation including the right to request a copy of the personal information we hold about you, if you request it from us in writing:

Right to access: the right to obtain access to your information (if we're processing it), and certain other information (like that provided in this Privacy Policy);

Right to correct: if your personal information is inaccurate or incomplete you have the right to have your personal information rectified;

Right to erasure: this is also known as ‘the right to be forgotten’ and, in simple terms, enables you to request the deletion or removal of your information where there’s no compelling reason for us to keep using it. This is not a general right to erasure; there are exceptions. For example, we have the right to continue using your personal data if such use is necessary for compliance with our legal obligations or for the establishment, exercise or defense of legal claims;

Right to restriction of processing: the right to suspend the usage of your personal information or limit the way in which we can process it. Please note that this right is limited in certain situations: When we are processing your personal information that we collected from you with your consent you can only request restriction on the basis of: (a) inaccuracy of data; (b) where our processing is unlawful and you don’t want your personal information erased; (c) you need it for a legal claim; or (d) if we no longer need to use the data for the purposes for which we hold it. When processing is restricted, we can still store your information, but may not use it further. We keep lists of people who have asked for restriction of the use of their personal information to make sure the restriction is respected in future;

Right to data portability: the right to request that we move, copy or transfer (where technically feasible) your personal information in a structured, commonly used and machine-readable format, for your own purposes across different services;

Right to object: the right to object to our processing of your personal data, even if we are processing it to safeguard overriding legitimate interests;

Right to withdraw consent: if you have given your consent to anything we do with your personal information, you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your personal information with your consent up to that point is unlawful).

Exercising these rights is free of charge. However, you are required to prove your identity by means of a two-factor-authentication. We will engage reasonable efforts consistent with our legal duty to supply, correct or delete personal information about you.

To exercise your rights, please contact us, for example by e-mail or by post. You will find the contact details in section A.

G. Where can you complain?

You also have the right to lodge a complaint with a data protection supervisory authority regarding our processing of your personal data.

Our Lead Data Protection Authority:

State Commissioner for Data Protection and Freedom of Information, North Rhine-Westphalia (Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen)

Kavalleriestr. 2-4
40213 Düsseldorf
Germany

Should you really have a reason to make a complaint, you are welcome to contact our Group Data Protection Officer, as mentioned above, at any time (contact data see Section A).