

Data protection notice for the whistleblower system

Information according to Article 13 GDPR

Every employee in our company has the possibility of reporting a grievance or the misconduct of another employee. We comply with the provisions of the German Whistleblower Protection Act (HinSchG).

Before submitting a report, please read the following data protection guidelines for our whistleblower system.

These guidelines are to advise you how personal data is collected, processed and used in connection with the established system. Data is collected when you submit a report to Biohealth International GmbH. You can submit a report in person, by letter or by email.

The controller

The body responsible for processing your data according to Article 4 No. 7 GDPR is:

BHI Biohealth International GmbH
Heinrich-Wirth-Straße 13
95213 Münchberg/Germany

datenschutz@biohealth-int.com

The Ombudsman's office is:

Shared IT Professional GmbH & Co. KG
Saebyst. 17a
24576 Bad Bramstedt

hinweis@shared-it.de

Our data protection officer is:

Thilo Noack
SBS DATA PROTECT GmbH
Hans-Henny-Jahnn-Weg 49
22085 Hamburg

thilo.noack@sbs-data.de

An arrangement has been made between the two parties in accordance with Article 26 GDPR as regards their respective responsibilities as joint controllers. Both bodies have a duty to provide information to the data subjects. If you have any questions about data protection or exercising your rights, you can contact the above contact addresses at any time.

Purpose of data processing

The purpose of data processing within the whistleblower system is to receive and clarify rule violations at Biohealth International GmbH. In addition, the purpose of processing is also to clarify misconduct, prevent future misconduct, exercise legal rights and remedies, to discharge staff in the event of unlawful accusation, to implement compliance duties, resolve conflicts of interest, uncover sexual violence, breaches of competition law and to investigate economic crime and possible corruption.

Categories of data subjects

The reported circumstances may include information concerning other people included in the report. The following people are subject to data processing when a report is submitted: The reporting person – the whistleblower in this context – and employee of our company whose behaviour is the subject of the report. If applicable, the report may also concern other people. In this case, the data of these additional people will also be subject to data processing.

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Categories of processed data

The following data of the person(s) involved will be processed as part of a report being submitted in the whistleblower system: Surname, first name, email address, position in the company, and further details if applicable regarding employment such as the specific field of work. Another category is content data, which relates to information about the conduct of the person(s) involved.

Recipient of personal data

The data collected within the context described above is only made available to people who are responsible for recording and handling the report and implementing follow-up actions. No one else has access to the data. There is strictly no communication of data to third parties. The exception to this, however, would be an obligation to cooperate in the event of an investigation into criminal offences. In this case, we are obliged to pass on data to law enforcement or other authorities.

All individuals involved who have access to data in the whistleblower system, are bound to maintain confidentiality and privacy.

Data retention period

The data retention period is based on the retention period necessary to investigate and then evaluate the circumstances of the report. Once data is no longer needed for the above-specified purposes, we delete the data. Article 17 GDPR is applicable in this case. The data is deleted unless there are any overriding statutory retention periods, legitimate interests of the company or if the interests of the data subject merit protection.

Legal basis for data processing

Article 6 (1c) GDPR, in conjunction with Article 13 of the German Whistleblower Protection Act, serves as the legal basis – we as a company thereby fulfil our compliance and supervisory duties. As a further legal basis, Article 6 (1f) GDPR applies – data is processed on the basis of legitimate interest of the company. Article 6 (1a) GDPR also serves as a legal basis for data processing. This legal basis applies to the processing of the whistleblower's data. The whistleblower gives their consent for data processing when submitting the report.

Automated decision making

There are no automated case-by-case decisions or measures taken for the purposes of profiling according to Article 22 GDPR within the scope of the German Whistleblower Protection Act

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Technical and organisational data security measures according to Article 32

At Biohealth International GmbH, the applicable technical and organisational measures have been taken in connection with the whistleblower system to ensure data security according to Article 32 GDPR.

Rights of the data subjects

Data subjects have the following rights regarding the processing of their data in connection with the whistleblower system:

- Right of access (Article 15 GDPR)
- Right to rectification (Article 16 GDPR)
- Right to erasure (Article 17 GDPR)
- Right to restrict processing (Article 18 GDPR)
- Right to data portability (in specific cases)
- Right to object to a data protection supervisory authority;

You can also object to the processing of your personal data on grounds relating to your particular situation if this data is being processed for reasons of public interest or on the basis of balancing interests. Your objection can be addressed to the contact person named above at any time.

If the data processing is performed on the basis of your consent, you can revoke this at any time. Any processing that has been performed previously is exempt from this revocation.