



Privacy policy according to the GDPR for the use of Microsoft 365 applications (M365) (e.g. Microsoft Teams, Microsoft Forms)

Responsible in the sense of the Data Protection Act:

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I. participation in Microsoft Teams online meetings

1. description and scope of data processing

We use Microsoft Teams (hereinafter referred to as „Teams“) to conduct web meetings, webinars and telephone conferences (hereinafter referred to as „Online Meeting“) – with employees of the D&TS GmbH, employees of other companies or other persons.

Teams is collaborative software from Microsoft Corporation (One Microsoft Way Redmond, WA 98052–6399 USA) and part of Microsoft Office 365. To join an online meeting, you need either the Teams app or a web browser.

You can participate in online meetings either as a guest or you can use your existing Microsoft 365 account to participate. Participation with an existing account requires a login with your Microsoft credentials.

The following data is processed as part of the use of Teams:

5. Logon data: IP address, Microsoft 365 access data if applicable, telephone number (e.g. when using multifactor identification), user name if applicable.

6. User data: Display name, email address (if provided), profile photo (if provided), phone number (if dialed in by phone or provided via profile).



7. Online meeting data: date and time, unique meeting ID, dial-in phone number if provided, attendee list (display name, email address (if provided), profile photo (if provided), phone number (if dialed in by phone or provided via profile) of attendees).

8. Online meeting content: audio, image and text contributions from users in the form of microphone/camera shares/uploads/shared screen content/end device keystrokes.

This data (2, 3 and 4) can be viewed by all participants of the online meeting, if necessary also after the meeting. Likewise, service providers used by us may also be recipients of personal data as part of order processing. For the use of the service, we rely on the order processor Microsoft, which necessarily obtains knowledge of the above-mentioned data insofar as this is necessary for the fulfillment of the order processing contract. We have chosen the storage location for Teams in the European Union (EU) and have entered into contractual agreements with the processor regarding data transfer. Data processing does not take place in a third country, although it is possible that data packets may also be routed in encrypted form via third countries if, for example, people from these countries participate in the online meeting.

Information on data protection at Microsoft can be found at <https://privacy.microsoft.com/de-de/privacystatement> and at <https://www.microsoft.com/de-de/trust-center>.

2. legal basis for data processing

- Basically, we are interested in the effective implementation of online meetings. The legal basis therefore results from Art. 6 para. 1 lit. f DSGVO.
- For communication with employees or applicants of the D&TS GmbH, § 26 BDSG in conjunction with Art. 88 DSGVO is the legal basis for data processing.
- For communication with other companies with which a contractual relationship exists, Art. 6 para. 1 lit. b DSGVO is the legal basis for data processing.
- If online meetings are to be recorded or screenshots taken, the legal basis for this is Art. 6 (1) lit. a DSGVO. In this case, consent is obtained prior to recording.

3. purpose of the data processing

The responsible party uses teams to conduct online meetings.

4. duration of storage

The responsible party has created a retention policy. This defines how long data in Microsoft Teams (chat message content with name, date, time, file(s) provided, if any) is retained within the chat. The retention period for data collected from you is 90 days. In principle, however, personal data is only stored until there is no longer a need for it.

5. possibility of objection and elimination

You can revoke your consent at any time for the future. Your consent remains valid until you object.

If you participate in online meetings with your existing Microsoft 365 account, you have the option to delete chat messages (text, provided file(s)) that you have entered.

III. participation in Microsoft Forms



1. description and scope of data processing

We use Microsoft Forms (hereinafter: „Forms“) to conduct surveys, polls, registrations, etc. (hereinafter: „online survey“) – with employees of the D&TS GmbH, employees of other companies or other persons.

Forms is collaborative software from Microsoft Corporation (One Microsoft Way Redmond, WA 98052–6399 USA) and is a part of Microsoft Office 365. To participate in an online survey, you need a web browser.

You can participate in online surveys either as a guest or you can use your existing Microsoft 365 account to participate. Participation with an existing account requires a login with your Microsoft credentials.

In the course of using Forms, the following data is processed:

4. Logon data: IP address, Microsoft 365 access data if applicable, telephone number (e.g. when using multifactor identification), user name if applicable.
5. User data: display name, e mail address (if provided), profile photo (if provided).
6. Online survey data: unique survey ID, date and time, and responses of surveyed participants. Depending on the survey, data may also be collected which, apart from the IP address, do not allow any direct conclusions to be drawn about you personally (e.g. if no Microsoft 365 account is required to participate in the survey and the provision of personal data is voluntary). However, indirect conclusions about your person may be drawn from your entries.

These data (2 and 3) can be viewed by the responsible person after the survey has been submitted. Likewise, service providers used by us may also be recipients of personal data as part of order processing. For the use of the service, we rely on the processor Microsoft, which necessarily obtains knowledge of the above data to the extent necessary for the performance of the order processing contract. We have chosen the storage location for Teams in the European Union (EU) and have entered into contractual agreements with the processor regarding data transfer. Data processing does not take place in a third country, although it is possible that data packets may also be routed in encrypted form via third countries if, for example, people from these countries participate in the online survey.

Information on data protection at Microsoft can be found at <https://privacy.microsoft.com/de-de/privacystatement> and at <https://www.microsoft.com/de-de/trust-center>.

2. legal basis for data processing

- Basically, we are interested in the effective implementation of online surveys. The legal basis therefore results from Art. 6 para. 1 lit. f DSGVO.
- For the survey of employees or applicants of the D&TS GmbH, § 26 BDSG in conjunction with Art. 88 DSGVO is the legal basis for the data processing.
- For the survey of employees of other companies with whom a contractual relationship exists, Art. 6 (1) lit. b DSGVO is the legal basis for data processing.

3. purpose of the data processing

The responsible party uses Forms to conduct online surveys.



4. duration of storage

In principle, personal data is only stored until there is no longer a need for it. If we wish to retain survey results, all data that allows conclusions to be drawn about your person will be anonymized or deleted.

5. possibility of objection and elimination

You can revoke your consent at any time for the future. Your consent remains valid until you object.

IV. Rights of the data subject

If your personal data is processed, you are a data subject within the meaning of the GDPR and you have the following rights vis-à-vis the responsible party:

1. right to information

You may request confirmation from the responsible party as to whether personal data concerning you is being processed by us.

If there is such processing, you may request information from the responsible party about the following:

- (1) the purposes for which the personal data are processed;
- (2) the categories of personal data which are processed;
- (3) the recipients or categories of recipients to whom the personal data concerning you have been or will be disclosed;
- (4) the planned duration of the storage of the personal data concerning you or, if concrete information on this is not possible, criteria for determining the storage duration;
- (5) the existence of a right to rectify or erase the personal data concerning you, a right to have the responsible party restrict the processing, or a right to object to such processing;
- (6) the existence of a right of appeal to a supervisory authority;
- (7) any available information on the origin of the data, if the personal data are not collected from the data subject;
- (8) the existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and, at least in these cases, meaningful information about the logic involved and the scope and intended effects of such processing for the data subject.

You have the right to request information about whether the personal data concerning you is transferred to a third country or to an international organization. In this context, you may request to be informed about the appropriate safeguards pursuant to Art. 46 DSGVO in connection with the transfer.

2. right to rectification

You have a right to rectification and/or completion vis-à-vis the responsible party, insofar as the processed personal data concerning you are inaccurate or incomplete. The responsible party shall carry out the rectification without undue delay.



3. right to restriction of processing

Under the following conditions, you may request the restriction of the processing of personal data concerning you:

- (1) if you contest the accuracy of the personal data concerning you for a period enabling the responsible party to verify the accuracy of the personal data;
- (2) the processing is unlawful and you object to the erasure of the personal data and request instead the restriction of the use of the personal data;
- (3) the responsible party no longer needs the personal data for the purposes of processing, but you need them for the assertion, exercise or defense of legal claims; or
- (4) if you have objected to the processing pursuant to Art. 21 (1) DSGVO and it has not yet been determined whether the responsible party's legitimate grounds override your grounds.

Where the processing of personal data concerning you has been restricted, such data may be processed, with the exception of their storage, only with your consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or a Member State.

If the restriction of processing has been restricted in accordance with the above conditions, you will be informed by the responsible party before the restriction is lifted.

4. right to deletion

a) Obligation to delete

You may request the responsible party to delete the personal data concerning you without undue delay, and the responsible party is obliged to delete such data without undue delay, if one of the following reasons applies:

- (1) The personal data concerning you are no longer necessary for the purposes for which they were collected or otherwise processed.
- (2) You revoke your consent on which the processing was based according to Art. 6 para. 1 p.1 lit. a or Art. 9 para. 2 p.1 lit. a DSGVO and there is no other legal basis for the processing.
- (3) You object to the processing pursuant to Art. 21 (1) DSGVO and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Art. 21 (2) DSGVO.
- (4) The personal data concerning you have been processed unlawfully.
- (5) The deletion of the personal data concerning you is necessary for compliance with a legal obligation under Union or Member State law to which the responsible party is subject.
- (6) The personal data concerning you was collected in relation to information society services offered pursuant to Art. 8 (1) DSGVO.

b) Information to third parties

If the responsible party has made the personal data concerning you public and is obliged to erase it pursuant to Article 17(1) of the GDPR, it shall take reasonable measures, including technical measures,



having regard to the available technology and the cost of implementation, to inform data responsible parties which process the personal data that you, as the data subject, have requested that they erase all links to or copies or replications of such personal data.

c) Exceptions

The right to erasure does not exist insofar as the processing is necessary to

- (1) to exercise the right to freedom of expression and information;
- (2) for compliance with a legal obligation which requires processing under Union or Member State law to which the responsible party is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the responsible party;
- (3) for reasons of public interest in the area of public health pursuant to Art. 9 (2) S.1 lit. h and i as well as Art. 9 (3) DSGVO;
- (4) for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes pursuant to Article 89(1) of the GDPR, insofar as the right referred to in Section a) is likely to render impossible or seriously prejudice the achievement of the purposes of such processing, or
- (5) to assert, exercise or defend legal claims.

5. right to information

If you have asserted the right to rectification, erasure or restriction of processing against the responsible party, the responsible party is obliged to notify all recipients to whom the personal data concerning you have been disclosed of this rectification or erasure of the data or restriction of processing, unless this proves impossible or involves a disproportionate effort.

You have the right to be informed about these recipients by the data responsible party.

6. right to data portability

You have the right to receive the personal data concerning you that you have provided to the responsible party in a structured, commonly used and machine-readable format. You also have the right to transmit this data to another responsible party without hindrance from the responsible party to whom the personal data has been provided, provided that

- (1) the processing is based on consent pursuant to Art. 6 para. 1 sentence 1 lit. a DSGVO or Art. 9 para. 2 sentence 1 lit. a DSGVO or on a contract pursuant to Art. 6 para. 1 sentence 1 lit. b DSGVO and
- (2) the processing is carried out with the aid of automated procedures.

In exercising this right, you also have the right to have the personal data concerning you transferred directly from one responsible party to another responsible party, insofar as this is technically feasible. The freedoms and rights of other persons must not be affected by this.

The right to data portability does not apply to processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the responsible party.

7. right of objection



You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data relating to you which is carried out on the basis of Article 6 (1) sentence 1 lit. e or f DSGVO; this also applies to profiling based on these provisions.

The responsible party shall no longer process the personal data concerning you unless it can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defense of legal claims.

If the personal data concerning you is processed for the purpose of direct marketing, you have the right to object at any time to the processing of personal data concerning you for the purpose of such marketing; this also applies to profiling, insofar as it is related to such direct marketing.

If you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for these purposes.

You have the possibility, in connection with the use of information society services, notwithstanding Directive 2002/58/EC, to exercise your right to object by means of automated procedures using technical specifications.

8. right to revoke the declaration of consent under data protection law

You have the right to revoke your declaration of consent under data protection law at any time. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.

9. automated decision in individual cases including profiling

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. This does not apply if the decision

(1) is necessary for the conclusion or performance of a contract between you and the responsible party,

(2) is permitted by legislation of the Union or the Member States to which the responsible party is subject and that legislation contains appropriate measures to safeguard your rights and freedoms and your legitimate interests; or

(3) is done with your express consent.

However, these decisions may not be based on special categories of personal data pursuant to Art. 9(1) DSGVO, unless Art. 9(2) p.1 lit. a or g DSGVO applies and appropriate measures have been taken to protect the rights and freedoms and your legitimate interests.

With regard to the cases referred to in (1) and (3), the responsible party shall take reasonable steps to safeguard the rights and freedoms of, and the legitimate interests of, the data subject, which shall include, at least, the right to obtain the intervention of a person on the part of the responsible party, to express his or her point of view and to contest the decision.

10. right to complain to a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your residence, workplace

or the place of the alleged infringement, if you consider that the processing of personal data concerning you infringes the GDPR.

The supervisory authority to which the complaint has been lodged shall inform the complainant of the status and outcome of the complaint, including the possibility of a judicial remedy under Article 78 GDPR.

If you have any further questions about data protection, please contact: datenschutz@dundts.com

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