

Data processing information for whistleblowers to the internal reporting office for breaches of rules of the riha WeserGold Beverage Group

1) For what purposes and on what legal basis is the data collected?

The processing of your personal data in connection with your report to the internal reporting office of the riha WeserGold Beverage Group is carried out in order to be able to examine the facts reported by you and, if necessary, to contact you. There may also be a legal obligation to process your data. In addition, there may be an overriding legitimate interest on the part of our company or third parties in processing your data, e.g. to enforce or defend against legal claims.

If you have consented to the processing of your personal data, the legal basis for data processing is Art. 6 para. 1 lit. a DSGVO. If there is a legal obligation to process your data, the legal basis is Art. 6 para. 1 lit. c DSGVO. Data processing in which we or third parties have a legitimate interest is based on Art. 6 para. 1 lit. f DSGVO. If you are an employee of our company and the processing of your data is based on a works agreement concluded with the works council of our company, § 26 (4) sentence 1 BDSG in conjunction with Art. 88 (1) DSGVO may also be the legal basis.

2) What categories of data do we process?

Your name; your contact details; information about your relationship with our company; the content of your message.

3) Who do we share your personal data with?

Information received via our online reporting portal is first received by lawyers from the VON RUEDEN law firm, the operator of the WhistlePort online reporting portal used by us, examined confidentially and then forwarded to our internal reporting office with their recommendations for action.

In the course of further investigative actions, it may be possible that the information on the tip-off is passed on to other employees in the company, to other employees of VON RUEDEN - Partnerschaft von Rechtsanwälten or to consulting companies and/or law firms for further clarification of the facts and/or legal assessment. In this case, too, the relevant legal framework conditions will be complied with.

Data will only be passed on to other departments in our company and to third parties if you have given us your written consent to do so.

Data may also be passed on to other group companies of the riha WeserGold Beverage Group, insofar as they are affected by the subject of your report. With the exception of our subsidiaries in Costa Rica and Switzerland, all group companies are based in the EU and are therefore subject to the data protection provisions of the GDPR. For Switzerland, there is an adequacy decision of the EU Commission, which certifies a level of data protection comparable to the GDPR. To ensure the security of any data passed on to our subsidiaries in Costa Rica, we have concluded an agreement with them on the basis of standard data protection clauses of the EU Commission for the export of personal data to third countries.

Insofar as there is a legal obligation to do so, the data may also be passed on to the relevant authorities within the framework of criminal, judicial or administrative proceedings, including administrative fine proceedings.

Insofar as you have given us your consent to the processing of your personal data, we are in principle obliged pursuant to Art. 14 (2) lit. f DSGVO and Art. 15 (1) lit. g DSGVO to inform the accused persons of the origin of the personal data of the accused persons disclosed to us by you in connection with the rule violations reported by you. However, we will refuse to disclose your identity with reference to § 29 (1) BDSG. § 29 (1) BDSG provides for exceptions to the duty to inform pursuant to Article 14 DSGVO or the right to information pursuant to Article 15 DSGVO if this would disclose information that a) must be kept secret pursuant to a legal provision or b) must be kept secret by its nature, in particular due to overriding legitimate interests of a third party. Letter a) applies to reports that fall under the German Whistleblower Protection Act (HinSchG) or the German Supply Chain Secrecy Obligations Act (LkSG). Letter b) concerns the whistleblower's legitimate interest in keeping his identity secret. However, it cannot be ruled out with certainty that defendants will force us to disclose the identity of the whistleblower by legal means. This may be the case in particular if incorrect information about violations is reported intentionally or through gross negligence. In such cases, the identity of the whistleblower is not protected by law.

4) Use of the whistleblower portal

We have concluded a data processing contract to ensure data security with the operator of the online reporting portal WhistlePort used by us for our reporting system, the law firm von Rueden, which processes your data in connection with the submission of your report on our behalf.

The connection between your terminal and the WhistlePort portal is secured by an encrypted connection (SSL or https). Neither the IP address of your computer nor the IP address of your connection are stored during the time of the connection with WhistlePort. In addition, we and the operator of the reporting portal do not know which browser you are using or which operating system your computer is using during access. However, in order to maintain the connection between the WhistlePort server and your terminal device, it is necessary that a cookie is created which only contains the so-called session ID. After the session has expired, the cookie becomes invalid but remains on your end device. We therefore recommend that you delete the cookies on your end device via the respective browser settings after the message.

5) Notes on uploading attachments

When submitting hints, but also in subsequent communication with our reporting office, you have the option of sending files as attachments. If you submit your hint anonymously, please note the following: Many file formats, such as Word, Excel and PDF files, may contain references to persons who were involved in the processing of the file under the metadata. You can check this under File → Properties in the respective file. Remove such data from the files before uploading. If you are unable to remove such data from the files, we recommend that you take screenshots (screen shots) of the relevant files and send them to the reporting office. Alternatively, you can print out the files and send them anonymously to the reporting office by post.

6) How long will your data be stored?

Your personal data will always be deleted after the statutory retention periods have expired. According to the German Whistleblower Protection Act (HinSchG), the documentation of a procedure must be deleted three years after its conclusion. In individual cases, longer deletion periods may be necessary, e.g. to enforce or defend legal claims.

7) What rights do you have?

You have the right to request information about the stored personal data concerning you, the correction and, if the conditions specified in the General Data Protection Regulation (DSGVO) are met, the deletion, the restriction of processing and the transfer of this data.

You have the right to revoke the consent you have given for the processing of your personal data at any time. The lawfulness of the processing carried out on the basis of the consent until the revocation remains unaffected. The above sentence also applies to the disclosure of your identity to the person you have accused, who must in principle be informed within one month of receipt of your notification at the latest.

You have the right to complain to a supervisory authority about the processing of your personal data.

If we process your data to protect legitimate interests, you may object to this processing on grounds relating to your particular situation. We will then no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

8) Who is responsible for collecting your personal data and who can you contact?

The internal reporting system of the riha WeserGold Beverage Group is operated by the following companies of the group in joint responsibility under data protection law:

- a) riha WeserGold Getränke GmbH & Co. KG, Behrenstr. 44-64, 31737 Rinteln,
E-mail: info@riha-wesergold.de,
- b) naturella Getränke GmbH & Co. KG, Behrenstr. 44-64, 31737 Rinteln, Germany,
E-mail: info@riha-wesergold.de,

Contact details of the data protection officer of the aforementioned companies:

riha WeserGold Getränke GmbH & Co. KG, Data Protection Officer, Behrenstr. 44-64, 31737 Rinteln/Germany, e-mail: datenschutz@riha-wesergold.de.

The aforementioned group companies have agreed among themselves that data subjects affected by the data processing carried out under joint responsibility can assert their rights listed above with riha WeserGold Getränke GmbH & Co. KG as the parent company of the group using the contact details given above. The companies will inform each other of the rights you may be entitled to claim and provide each other with the necessary information.