

EBERSPÄCHER DATA PROTECTION NOTICES

REPORTING AND CHECKING COMPLIANCE NOTIFICATIONS

Status June 2023

The introduction of the whistleblower system "Halo" (Eberspächer Speak Up) is intended to create internal and external communication channels through which violations of applicable law and/or violations of the Eberspächer Code of Conduct, the Eberspächer Business Partner Code of Conduct and the Eberspächer Guidelines can be reported and appropriate measures can be taken on the basis of these reports. In the following, we would like to inform you why and how your data is processed.

I. Who is responsible for data processing (controller)?

Responsible for the platform "Halo" (Eberspächer Speak Up) is *Deloitte GmbH Wirtschaftsprüfungsgesellschaft, Rosenheimer Platz 4, 81669 Munich, Germany* ([Deloitte privacy policy](#)).

Eberspächer Gruppe GmbH & Co. KG, Eberspächerstraße 24, 73730 Esslingen, Germany, is responsible for reviewing the reports and for the further procedure including follow-up measures.

II. For what purposes are the data processed?

The data processing is carried out for the following purposes:

- Compliance with EU Directive 2019/1937 and local implementing legislation (such as the "Hinweisgeberschutzgesetz" in Germany);
- Fulfilment of requirements from § 8 LkSG (Germany) or comparable supply chain due diligence laws;
- Creation of the possibility - also anonymously - to provide compliance information;
- Management of compliance notices for the Eberspächer Group of Companies.

III. What data are processed?

The following data can be processed during the reporting and verification of compliance incidents:

- Reporting person (anonymous/non-anonymous): Disclosure ID, password and facts
- Reporting person (non-anonymous): Name, department, email address, contact number
- Defendant: Information on the person and the specific accusation
- Compliance caseworker: email address, first and last name, date and time of login and logs of actions on the platform (case access, case actions, etc.)

IV. What are the legal bases for data processing?

- Art. 6 para. 1 lit. c GDPR in conjunction with EU Directive 2019/1937 in conjunction with implementation laws (such as the Hinweisgeberschutzgesetz in Germany)
- Art. 6 para. 1 lit. c GDPR in conjunction with. § 8 LkSG (Germany) or comparable supply chain due diligence laws
- Art. 6 para. 1 lit. a GDPR for whistleblowers who voluntarily disclose their identity
- Art. 6 para. 1 lit. b GDPR for Germany in conjunction with § 26 BDSG for compliance case handlers

V. Where is the data stored?

Your data is stored on servers in France.

VI. How long will the data be stored?

As a rule, the stored data of closed cases will be deleted in Eberspächer Speak up after 3 years at the end of the year, unless mandatory legal requirements dictate otherwise. Documentation may be kept longer if this is necessary and proportionate to meet legal requirements. PDF documents with personal data downloaded via the export function are also deleted. In all other respects, the data will be retained for as long as is necessary in view of the further procedure, including follow-up measures.

VII. To whom is the data transmitted?

External: Deloitte / Responsible platform

Internally: designated compliance case handlers of the Eberspächer Group for the purpose of checking the process for compliance violations.

VIII. What rights do data subjects have?

You have the rights to which you are entitled under Art. 15 et seq. and Art. 77 GDPR:

- Right of access to your data processed by us (Art. 15 GDPR);
- Right to rectification of inaccurate data (Art. 16 GDPR);
- Right to erasure of your data in certain cases (Art. 17 GDPR);
- Right to restrict the processing of your data in certain cases (Art. 18 GDPR);
- Right to data portability in certain cases (Art. 20 GDPR);
- Right to complain to a supervisory authority (Art. 77 GDPR).

If you wish to exercise your rights, please contact us at the following email address and we will check whether the conditions for fulfilling your data subject request are met: datenschutz@eberspaecher.com