

**Supplemental privacy policy according to the General Data Protection Regulation (GDPR)
(Information about the protection of the data we process after we have received a report via the Ombudsman's office)
(Version: June 2021)**

We take data protection seriously and hereby inform you how we process your data and what your rights and claims are according to the data protection regulations. These regulations supplement the RAG-Stiftung's general privacy policy in accordance with the GDPR. We process personal data in line with the stipulations of the General Data Protection Regulation (GDPR), Germany's Federal Data Protection Act (BDSG) and other applicable data protection regulations.

1. Data Controller and contact details

RAG-Stiftung
Im Welterbe 10
45141 Essen
Germany
Tel. +49 201 378-3333
e-mail: info@rag-stiftung.de

2. Data protection officer and contact details

RAG-Stiftung
Im Welterbe 10
45141 Essen
Germany
e-mail: datenschutz@rag.de

3. The data and sources we process

We process data, including personal data, insofar as it is provided to us by our Ombudsman's office. Such data can, for example, include the following data:

- Title, first name and surname of the whistleblower or a pseudonym
- Contact details of the whistleblower
- First name, surname and position of the accused
- The subject matter of the information as well as additional information that is collected during the handling of the matter or the investigation

(hereinafter: "data").

It should be noted that the data is processed anonymously and not with reference to any specific person.

4. Purpose of and legal basis for our processing of data

The purpose of the processing is to receive reports from our Ombudsman's office and to further process them. This encompasses as appropriate the examination of follow-up measures, their documentation, the forwarding of information to prosecutorial authorities etc. Every report is treated confidentially and in accordance with the applicable data protection laws. In particular, it is ensured that the confidentiality of the identity of the affected persons is maintained and only people who are authorised to do so may access this data. Any personal data collected concerning the individual subject of information received by our Ombudsman's office is kept separate from the subject's other data held by the RAG-Stiftung. Corresponding authorisation systems and appropriate technical and organisational measures ensure that only those respective persons responsible may access this data.

The data is always processed on the basis of Article 6 (1) (f) GDPR for the protection of the RAG-Stiftung's legitimate interests that override the legitimate interests of the affected person. Legitimate interests are ensuring compliance at the RAG-Stiftung—this includes the uncovering and investigation of organisational abuses, activities that are damaging to our operations, white-collar crimes and similar offenses—and the protection of the employees, business partners, customers etc.

If data is kept beyond the usual retention period, this processing is carried out on the basis of Article 6 (1) (f) GDPR for the preservation of our legitimate interests that override the legitimate interests of the affected person. In this context, legitimate interests are our assertion, exercise or defence of legal claims. The length of the retention period has to be specified in each individual case.

5. Recipients or categories of recipients of your data

Initially, only our authorised employees receive knowledge of the personal data that is forwarded by the Ombudsman's office. During the further investigation of the matter, this data may as appropriate be forwarded to third parties who have been entrusted with it and are sworn to secrecy (e.g. auditors). Depending on the case in question, this information may as appropriate also be forwarded to prosecutorial authorities.

6. Transfer to third countries

Data is only transmitted to countries outside the EU or the EEA (so-called third countries) to the extent that this is necessary for the investigation of the matters that have been communicated to us by the Ombudsman's office (e.g. commissioning of a foreign

auditing firm).

Apart from that, we will not forward your personal data to countries outside the EU or the EEA or to international organisations.

7. Duration of the storage of your data

Data that has been transferred in the context of information received is always stored in the active database for the duration of the respective investigation or until any follow-up measures or proceedings have been concluded, but no longer than two months after the conclusion of the investigation. This retention period can be extended if the data is needed for our assertion, exercise or defence of legal claims. The necessity of the retention period is specified in each individual case.

8. Your data protection rights

You can assert your data protection rights against us under certain conditions

- **Right of access:** Art. 15 GDPR gives you the right to require us to confirm at any time whether we are processing your personal data. If this is the case, Art. 15 GDPR also gives you the right of access to this personal data as well as certain additional information (e.g. processing purposes, categories of personal data, categories of recipients, planned retention period, your rights, the source of the data, the use of automated decision-making systems and suitable guarantees if data is transmitted to third countries).
- **Right to rectification:** In accordance with Art. 16 GDPR you have the right to request us to rectify your personal data that we have stored if this data is faulty or incorrect. Please notify us if your data changes.
- **Right to erasure:** In accordance with Art. 17 GDPR you have the right to request us to immediately erase your personal data. You do not have such a right of erasure if, for example, the processing of personal data is necessary (i) for exercising the right to the free expression of opinion and information, (ii) for the fulfilment of a legal obligation that we are subject to (e.g. statutory retention obligations) or (iii) for the establishment, exercise or defence of legal claims.
- **Right to restriction of processing:** In accordance with Art. 18 GDPR you have the right to request us to restrict the processing of your personal data.
- **Right to data portability:** In accordance with Art. 20 GDPR you have the right to receive from us in a structured, commonly used and machine-readable format the personal data that you provided to us.
- **Right to object:** In accordance with Art. 21 GDPR you have the right to object to the processing of your personal data so that we have to cease processing this data. This right to object exists only within the limits specified by Art. 21 GDPR. Moreover, our interests may be opposed to the cessation of such processing so that we still have the right to process your personal data in spite of your objection.
- **Right of withdrawal:** You have the right to withdraw your consent to the processing of your personal data at any time with effect for the future.
- **The right to lodge a complaint with a supervisory authority:** In accordance with Art. 77 GDPR you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of your personal data infringes the GDPR. This right to lodge a complaint exists without prejudice to any other administrative or judicial remedy. In our case, the responsible supervisory authority is:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen
Kavalleriestr. 2-4
40213 Düsseldorf, Germany
Telephone: +49 211/38424-0
Fax: +49 211/38424-10
e-mail: poststelle@ldi.nrw.de

However, we recommend that you always first lodge a complaint with our data protection officer.

Your applications for the exercise of your rights should, if possible, be submitted in writing to the address in section 1 above or directly to our data protection officer.

9. The existence of automated individual decision-making, including profiling

We do not use purely automated decision-making processes as defined in Article 22 GDPR and do not carry out profiling.