

# DATA PROTECTION INFORMATION REGARDING THE WHISTLEBLOWER SYSTEM OF MONTANUNIVERSITÄT LEOBEN

The whistleblower system of Montanuniversität Leoben fulfils the legal obligation for whistleblowers to set up reporting channels for the confidential reporting of legal violations or suspicions of violations. The submission of a whistleblower report takes place via the whistleblower portal provided by the provider, Vispato GmbH. Reports can be submitted via the channels provided. The protection of personal data is also very important for Montanuniversität Leoben in this context.

Therefore, we would like to inform you about the data processing in the frame of the processing of a whistleblower report.

## Purpose

When you submit a report through the whistleblowing system, your data will be processed for the purpose of receiving your report securely and confidentially and for the organisation and administration of the whistleblowing system. This is to encourage lawful conduct in areas of life of particular public interest and to protect whistleblowers from personal harm and to prevent unfounded or unjustified suspicion.

## Type of data collected directly from the data subject (Art. 13 DSGVO)

The use of the whistleblowing system is on a voluntary basis. When a whistleblower reports, the following personal data of the whistleblower is processed:

- names, if the whistleblower discloses their identity,
- e-mail address or postal address, if applicable,
- the relationship of the whistleblower to the person responsible,

other personal data relating to the whistleblower which are mentioned in the notification or disclosed through attached documents.

The following data is additionally collected when using the whistleblower portal:

- language
- scope of rights
- assigned subject categories

### Type of data not collected directly from the data subject (Art. 14 DSGVO)

When a report is received from a whistleblower, personal data of persons involved in the reported infringement may be collected in addition to the whistleblower's data:

- Names,
- other personal data relating to the person named in the report or disclosed through attached documents.

### Legal basis

The data processing is justified by the fulfilment of a legal obligation pursuant to Art. 6 (1) lit. c DSGVO from the HSchG.

In addition, the processing in the context of operating a whistleblower protection system is in the public interest and is thus also based on Art. 6 (1) (g) DSGVO.

The legal basis is consent pursuant to Art. 6 (1) (a) DSGVO, where such consent must be obtained pursuant to § 9 HSchG.

### Recipient

Personal data and information entered into the whistleblower system are processed in a database operated by Vispato GmbH, Hansaallee 299, 40549 Düsseldorf/Germany in an ISO 27001 certified data centre of DATEV eG, Paumgartnerstraße 6-14, 90429 Nuremberg, Germany. Vispato GmbH and DATEV eG have no access to the data. This is ensured in the process by comprehensive technical and organisational measures.

All data are encrypted and subject to an authorisation concept, so that access is limited to a very narrow circle of recipients of expressly authorised persons at the University of Leoben.

Within the framework of the requirements of § 8 para. 2-6 HSchG, data may be transmitted to authorities, the competent public prosecutor's office or courts.

### Storage of Data

Personal data must be stored for five years from the last time it was processed or transmitted, and beyond that for as long as is necessary to conduct administrative or judicial proceedings that have already been initiated or investigative proceedings in accordance with the Code of Criminal Procedure. After the obligation to retain the data has lapsed, the data shall be deleted.

## Necessity of the provision

If personal data is processed within the framework of the use of the whistleblower system, this is necessary in order to guarantee sufficient processing of the whistleblowing.

## Data subject rights

Whistleblowers and the natural or legal persons named in the report have the right to exercise their rights as data subjects. However, it must be weighed up whether the interest in clarifying the information does not conflict with these listed rights and whether the rights and freedoms of other persons could be impaired as a result.

If the assessment shows that one of the above-mentioned reasons applies, the following data subject rights do not apply:

- Right to information
- Right to information
- Right to rectification
- Right to erasure
- Right to restriction of processing
- Right to object
- Right to notification of a personal data breach

For further information on your data subject rights, please refer to the section Data Subject Rights in the Privacy Policy of Montanuniversität Leoben