



Privacy Notice

We appreciate your assistance in complying with laws, regulations and internal corporate rules, standards, and instructions.

When you report incidents through LegalTegrity, we protect your personal information so that you are not harmed as a result of the report.

Here is how we use your personal information during your use of this website unless you choose to report an incident to us anonymously.

1. What does this privacy policy apply to?

The Privacy Policy applies to the website www.frosta-ag.com - in addition to the data protection notices published there at <https://www.frosta.de/datenschutz/> - as well as to the platform for the reporting of incidents of unethical, illegal, and irresponsible actions ("**Platform**") offered at this URL, insofar as we collect, process, or use your personal data therein ("**Use**").

2. Who is responsible for data processing?

The responsible for data processing on website is FROSTA AG, Am Lunedeich 116, D-27572 Bremerhaven. The operational business is carried out by the company LegalTegrity GmbH, Platz der Einheit 2, D-60323 Frankfurt, which as a contractor is bound by the instructions to FROSTA AG, Am Lunedeich 116, D-27572 Bremerhaven within the framework of a commissioned processing contract.

3. How can the data protection officer be reached?

You can reach our company data protection officer as follows:

Sabine Lemke, Am Lunedeich 116, D-27572 Bremerhaven, Tel.: +49 471 / 9736402, sabine.lemke@frosta.com.

4. What are personal and anonymous data?

We use personal and anonymous data on our website and the platform.

- **Personal data** is any information about an identified or identifiable natural person. You are identifiable as a person if you can be identified directly or indirectly with this information, such as by a telephone or credit card number.
- **Anonymous data** is data that is not personally identifiable (i.e., data that does not directly or indirectly identify you as a person) or that can be used to identify a person only with disproportionate effort.

5. What rights do I have regarding my personal data?

You have the right to **information, correction, deletion or restriction, data portability** as well as the **right to object** to the processing of personal data concerning you.

If you have given us consent to process your personal data, you have the **right to revoke your consent**. Data processing that has taken place up to the time of the revocation - including the disclosure of information to law enforcement authorities - remains unaffected by the revocation. For the of revocation of your declaration of consent, please contact our data protection officer (item 3.).

You also have a **right of appeal** to a data protection authority. However, we ask you to first contact our company data protection officer (item 3.) if you have any questions or complaints.

6. What is the purpose for processing my personal data and on what legal basis will it be used?

You can use our website anonymously and without providing your personal data.

If you voluntarily choose to provide personal data, we will use it within the framework of our website and the platform exclusively for the investigation of the reported incident, if there is a legal basis for this use. This is the case if the applicable data protection laws permit the use of the data you have provided or if you have given us your consent to use the data.

Based on the table below, you can see the reasons for which we process the data we collect from you and the legal basis for each. You can find the text of the General Data Protection Regulation (GDPR) [here](#).

Purpose of processing

Your name, e-mail address, telephone number and contact details to be able to contact you for queries following your

Legal Ground

Art. 6 para. 1 lit. a GDPR (Consent)

Art. 6 para. 1 lit. f GDPR (processing for the

report.	purpose of a legitimate interest; the legitimate interest is the efficient investigation of the incident reported by you)
Details about the incident you reported (e.g., subject of your concern, time and duration of the incident, business unit, circumstances of becoming aware of the incident, documents uploaded).	Art. 6 para. 1 lit. a GDPR (consent) Art. 6 (1) (f) GDPR (processing for the purpose of a legitimate interest; the legitimate interest is the efficient investigation of the incident reported by you)
Any other personal data that you provide to us during individual communications (e.g., by e-mail, fax, telephone, or via provided online forms) using the contact options we provide, for the purpose of responding to general inquiries or other concerns you may have.	Art. Art. 6 para. 1 lit. a GDPR (consent)
Disclosure to professional secrecy holders (lawyers, auditors) or other third parties with a separate contractual obligation to maintain secrecy (e.g. detective agencies) for further clarification of the reported incident and, if necessary, to assert civil claims against the reported individuals.	Art. 6 para. 1 lit. c GDPR (fulfillment of legal obligation) Art. 6 para. 1 lit. f GDPR (legitimate interest; the legitimate interest consists in the enforcement of legal interests and the use of professional and legal support in the establishment of a lawful condition)
Disclosure to law enforcement authorities for prosecution purposes in the event of criminally relevant actions of the reported individuals.	Art. 6 para. 1 lit. c GDPR (fulfillment of legal obligation) Art. 6 (1) lit. f GDPR (legitimate interest; the legitimate interest is to assist law enforcement authorities in investigating and prosecuting the incident).
Operation of the platform (processing) by LegalTegrity GmbH under a commissioned processing contract.	commissioned processing contract pursuant to Art. 28 GDPR. Art. 6 para. 1 lit. f GDPR (legitimate interest;

the legitimate interest consists in the provision of the operation of the website by a specialized provider).

Prosecution of abusive reports; in case of honest use, you do not have to fear any disadvantages. In the event of improper use of the platform for the purpose of causing disadvantages to reported individuals, we reserve the right to take action against the whistleblower.

Art. 6 para. 1 lit. f GDPR (legitimate interest; the legitimate interest consists in the protection of bona fide whistleblowers and the of protection of the platform from misuse).

We process your personal data only within the scope of the stated purposes and insofar as this is necessary for these purposes.

7. Consent

By submitting your report via the LegalTegrity platform and voluntarily providing personal data (see also section 8), you agree that FRoSTA AG, Am Lunedeich 116, 27572 Bremerhaven, Germany, may process and, in particular, store the personal data you provide for the purposes stated in this data protection declaration. You also agree that FRoSTA AG may process the personal data beyond the conclusion of an investigation for as long as is necessary for a proper assessment of the incident with regard to further action.

You will receive a corresponding notice before sending your message via the LegalTegrity GmbH system .

You can revoke your consent at any time with effect for the future. Please address the revocation to our data protection officer (see section 3).

8. Is the provision of personal data required?

Whistleblowers who report unethical, illegal, and irresponsible conduct are not denouncers. However, please be aware that the information you provide about yourself, your colleagues or any other aspect of Company operations may result in decisions that affect others.

Therefore, please only provide information that you believe to be accurate to the best of your knowledge. Although you will not face sanctions for submitting information in good faith, even

if it is subsequently found to be incorrect, the intentional submission of false or misleading information will not be tolerated.

While using our website, you are under no legal or contractual obligation to provide your personal data. However, providing us with your personal information will enable us to make inquiries and investigate the reported incident more quickly. If you do not provide us with personal information, we may have to stop investigating the incident due to incomplete or incorrect information.

9. To which recipients or categories of recipients will the personal data be disclosed?

Unless otherwise required by law, the processed personal data may only be read and used by persons who need to have access to the data to perform their professional duties in connection with the investigation of the incident. These persons may be responsible employees of the compliance department, human resources, audit, legal, data protection or security departments or the management of FROSTA AG, Am Lunedeich 116, D-27572 Bremerhaven and their members or technical employees of LegalTegrity GmbH.

As a matter of principle, we do not disclose your data to third parties and will only disclose it to third parties without your consent if we are obliged to do so by law or based on a court or official decision. In addition, we will pass on your personal data to the following recipients in individual cases:

- Law firms or tax or auditors commissioned by us.
- detective agencies
- Law enforcement authorities

10. Is personal data transferred to third countries outside the European Union / European Economic Area?

All information stored in the database of the LegalTegrity GmbH platform is hosted by a subcontractor (Telekom Deutschland GmbH, Landgraben 151, D-53227 Bonn) of LegalTegrity GmbH.

As a matter of principle, no data is transferred to third countries (countries outside the European Union and the European Economic Area). As an exception to this

- we transfer personal data in the event of a report from a third country to the location in the third country where the incident took place to be able to investigate the incident on site.

- a few selected employees of FRoSTA AG, Am Lunedeich 116, D-27572 Bremerhaven are given access to the personal data.

To protect the personal data within FRoSTA AG, Am Lunedeich 116, D-27572 Bremerhaven in the event of a transfer to a third country, we have adopted binding internal data protection regulations as appropriate measures to protect your personal data in the third country.

11. How long is the personal data being kept?

FRoSTA AG, Am Lunedeich 116, D-27572 Bremerhaven processes personal data as long as it is necessary for the fulfillment of legal obligations. It should be noted that reported incidents may need to be retained for a reasonable period for documentation and audit purposes. We process your personal data only for as long as is necessary for the purposes of the investigation and any subsequent implementation of civil or criminal measures against parties involved. In this regard, we are guided by the statutory periods of limitation under civil and criminal law as part of a case-by-case review.

In addition, we store your personal data insofar as statutory retention periods exist in connection with a report. This can play a role in the case of facts relevant under tax law, for which Section 147 of the German Fiscal Code (AO) stipulates a retention period for business letters, including e-mails, of ten years.

Thank you for reading our privacy policy.

As of: November 2021