

Privacy Information for Customers

Information on data protection regarding our processing of customer and prospective-customer data pursuant to Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

Dear Customers,

In accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR), we hereby inform you about the processing of your personal data and your related data-protection rights. The specific data processed and the way in which it is used depend largely on the services requested or agreed. To ensure that you are fully informed about the processing of your personal data in connection with the performance of a contract or the implementation of pre-contractual measures, please take note of the following information.

Contact details of the controller:

EKL AG
Nadlerstrasse 8-10 88299 Leutkirch

Managing Director:
Hans-Jürgen Möchel
Nadlerstrasse 8-10 88299 Leutkirch
Email: info@ekl-ag.de
Tel.: +49 (0) 75 61 9837-0

Managing Director:
Helmar Schulze
Nadlerstrasse 8-10 88299 Leutkirch
Email: info@ekl-ag.de
Tel.: +49 (0) 75 61 9837-0

Contact details of the Data Protection Officer:

dsgvoschutzteam.com - Lukmann Consulting GmbH
Packerstraße 131a A-8561 Söding
Email: service@dsgvoschutzteam.com
Tel.: +49 7223 95 666 77

Definitions of data categories

Data category	Description
Personal identification data	Name, title, private and business address, previous addresses, private and business telephone number, identification numbers assigned by the controller.
Work organisation	Current responsibilities, projects, calculated hourly rate, working hours, hours worked.

Financial identification data	Bank identification and bank account number, credit and debit card numbers, secret codes.
Debts and expenses	Total expenditure, rental expenditure, loans, mortgages and other types of credit.
Personal details	Age, gender, date of birth, place of birth, marital status and nationality.
Insurance data	Type of insurance, details of risks covered, insured amounts, coverage period, due date, payments made or received and outstanding payments, status of the contract.
Financial transactions	Amounts owed and paid by the data subject, credit granted, guarantees, payment methods, overview of payments, deposits and other securities.
Customer management	Complaints, withdrawal/cancellation, reminder data, user behaviour.
Image recordings	Films, photographs, video recordings, digital photographs.
Electronic identification data	IP addresses, cookies, connection times, electronic signature, browser used, end device used, times of visits to or use of a web service, time of consent or approval, operating system, referrer URL.

General information on the purpose and legal basis of processing

We process your personal data in accordance with the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG), insofar as this is necessary for entering into, carrying out or performing a contract or for taking pre-contractual measures. Where personal data is required to initiate or carry out a contractual relationship or in connection with pre-contractual measures, processing is lawful pursuant to Art. 6(1)(b) GDPR.

If you give us explicit consent to process personal data for specific purposes (e.g. disclosure to third parties, analysis for marketing purposes or promotional contact by email), the processing is lawful on the basis of your consent pursuant to Art. 6(1)(a) GDPR. Consent may be withdrawn at any time with effect for the future (see also section 4.b.).

Where necessary and legally permissible, we process your data beyond the actual contractual purposes in order to comply with legal obligations pursuant to Art. 6(1)(c) GDPR. In addition, processing may take place to safeguard our legitimate interests or those of third parties and to defend against or assert legal claims pursuant to Art. 6(1)(f) GDPR. Where required by law, we will inform you separately and state the legitimate interest concerned.

05.01 Internal Meeting Minutes

Purpose:	Minutes are taken at every meeting so that discussed topics are retained and not forgotten.
Data categories:	Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	External participants Internal department

05.06 Internal Project Management

Purpose:	Creation of project plans for internal and external projects, including resource planning and deployment planning for our own employees, suppliers and customers.
Data categories:	Work organisation Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

05.07 Internal Quality Management

Purpose:	Documentation of process owners, document versioning, document approval and test results in order to demonstrate the quality of our services and products to customers and certification bodies.
Data categories:	Work organisation Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR) 4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department

07.04 Maintaining an Open-Items List

Purpose:	Administration of outstanding payments.
Data categories:	Financial identification data Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR) 4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department Tax adviser

07.07 Checking the Customer's Ability to Pay

Purpose:	Securing payment by the customer for orders placed, particularly where advance performance is required.
Data categories:	• Personal details • Personal identification data • Debts and expenses
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

07.08 Sending Invoices

Purpose:	Issuing invoices to customers for products or services. Electronic filing of invoices and filing of invoices in the invoice folder.
Data categories:	• Financial identification data • Personal details • Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR) 4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department Tax adviser

07.09 Administration of All Company Insurance Policies

Purpose:	Administration of all insurance contracts within the company.
Data categories:	• Personal details • Personal identification data • Insurance data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department Insurance companies

07.12 Transfer of Accounting Records to Tax Advisers / Auditors

Purpose:	Statutory bookkeeping, double-entry bookkeeping, income/expense accounting.
Data categories:	Financial transactions Personal identification data
Legal basis:	1. Compliance with a legal obligation (Art. 6(1)(c) GDPR)
Categories of recipients:	• Tax office • Internal department • Tax adviser

08.06 Newsletter Distribution to Existing Customers

Purpose:	Information on the company's products or offers and advertising text is sent by newsletter. In addition, customers receive information relating to purchased products, such as invoices and payment reminders.
Data categories:	Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

08.12 Documentation of Appointments, Conversation Notes, Emails and Calls with Customers or Prospective Customers

Purpose:	Better understanding of the needs of customers and prospective customers. Optimum tailoring of the offer to the customer. Better assessment of the likelihood of an order being placed.
Data categories:	Customer management Personal identification data
Legal basis:	4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department

08.14 Collection and Management of Contact Data of Customers and Prospective Customers

Purpose:	Documentation of contact details of customers and prospective customers in order to facilitate contact.
Data categories:	Customer management Personal identification data
Legal basis:	4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department

08.17 Customer Satisfaction Survey

Purpose:	Review and evaluation of whether customers are satisfied with our services and our support. Evaluation of opportunities for improvement.
Data categories:	Personal identification data
Legal basis:	3. Consent (Art. 6(1)(a) GDPR)
Categories of recipients:	Internal department

08.18 Sales Planning

Purpose:	Preparation of budgets and sales plans.
Data categories:	Customer management Personal identification data
Legal basis:	4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department

08.19 Sales Statistics by Customer

Purpose:	Granting discounts or other special terms.
Data categories:	Customer management Personal identification data
Legal basis:	4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department

08.21 Administration and Documentation of Customer Quotations and Orders

Purpose:	Documentation of quotations submitted and orders commissioned.
Data categories:	Customer management Personal identification data
Legal basis:	4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	Internal department

08.23 Video and Audio Conferences

Purpose:	Video conferences are held to conduct online meetings and presentations.
Data categories:	• Image recordings • Electronic identification data • Personal identification data
Legal basis:	4. Balancing of legitimate interests (Art. 6(1), sentence 1, point (f) GDPR)
Categories of recipients:	External participants Internal department

09.01 Quotations

Purpose:	Creation, administration and transmission of quotations for our services to customers.
Data categories:	Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

09.02 Meeting Minutes with Customers and Suppliers

Purpose:	Minutes are taken at every meeting so that discussed topics are retained and not forgotten.
Data categories:	Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	External participants Internal department

09.03 Documents and/or Plans

Purpose:	Administration of documents or plans created or handed over as part of customer orders.
Data categories:	Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

09.04 Delivery Notes

Purpose:	Handing over and signing delivery notes to record the transfer of goods to the customer.
Data categories:	Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

09.08 Contracts and Signed Quotations

Purpose:	Filing contracts and signed quotations with customers.
Data categories:	Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

09.09 Administration and Assignment of Work Tasks in Cooperation with Customers and Suppliers

Purpose:	Administration of tasks and task lists for efficient cooperation with customers and suppliers.
Data categories:	Work organisation Personal identification data
Legal basis:	2. Performance of a contract (Art. 6(1)(b) GDPR)
Categories of recipients:	Internal department

Transfer to a third country

No transfer to a third country is intended.

Duration of data storage

Where necessary, we process and store your personal data for the duration of our business relationship or for the fulfilment of contractual purposes. This also includes, among other things, the initiation and processing of a contract.

In addition, we are subject to various retention and documentation obligations arising, among other things, from the German Commercial Code (HGB) and the German Fiscal Code (AO). The prescribed retention and documentation periods range from two to ten years.

Finally, the storage period also depends on statutory limitation periods, which, for example, under sections 195 et seq. of the German Civil Code (BGB) are generally three years but may in certain cases be up to thirty years.

Your rights

Every data subject has the right of access under Art. 15 GDPR, the right to rectification under Art. 16 GDPR, the right to erasure under Art. 17 GDPR, the right to restriction of processing under Art. 18 GDPR, the right to notification under Art. 19 GDPR and the right to data portability under Art. 20 GDPR.

In addition, you have the right to lodge a complaint with a data-protection supervisory authority under Art. 77 GDPR if you believe that the processing of your personal data is unlawful. This right is without prejudice to any other administrative or judicial remedy.

Where data is processed on the basis of your consent, you are entitled under Art. 7 GDPR to withdraw your consent to the use of your personal data at any time. Please note that withdrawal only takes effect for the future; processing carried out before withdrawal is not affected. Please also note that we may have to retain certain data for a specified period in order to comply with legal requirements (see also section 4.a.).

To exercise your rights, you may contact us using the contact details given in section 1.a.

Right to object

Where your personal data is processed pursuant to Art. 6(1)(f) GDPR for the purposes of legitimate interests, you have the right under Art. 21 GDPR to object at any time, on grounds relating to your particular situation, to the processing of this data. We will then no longer process this personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is necessary for the establishment, exercise or defence of legal claims.

In individual cases, we process your personal data for direct marketing. You have the right to object at any time to processing for such marketing purposes. This also applies to profiling insofar as it is related to such direct marketing. If you object to processing for direct marketing, we will no longer process your personal data for these purposes.

Requirement to provide personal data

The provision of personal data for a decision on entering into a contract, for performance of the contract or for pre-contractual measures is voluntary. However, we can make a decision in the context of contractual measures only if you provide the personal data required for entering into the contract, performing the contract or taking pre-contractual measures.

Automated decision-making

As a rule, we do not use fully automated decision-making within the meaning of Art. 22 GDPR to establish, perform or conduct the business relationship or for pre-contractual measures. If we use such procedures in individual cases, we will inform you separately or obtain your consent where required by law.

