

# DATA PROTECTION INFORMATION EDAG AKADEMIE LEARNING MANAGEMENT PLATFORM

## I. Department responsible

**EDAG Akademie GmbH**

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Please send any questions, complaints, or requests for information regarding data protection by email to [datenschutz@edag.com](mailto:datenschutz@edag.com).

You can contact our data protection officer at:

**valantic Management Consulting GmbH**

Dreieich Plaza 2A

63303 Dreieich

Email: [datenschutz@edag.com](mailto:datenschutz@edag.com)

## II. General Data Processing Information

### 1. Extent to which and purpose for which personal data is processed

We only ever collect and use personal data of our users to the extent to which this is necessary to provide a fully functional website and our contents and services. The regular collection and use of personal data of our users is only ever made with the user's consent (insofar as legally required). One exception to this rule applies in cases in which, for factual reasons, it is not possible to obtain the user's prior consent, or in which, according to applicable data protection legislation, the processing of this data is permitted on other legal grounds.

### 2. Legal basis for the processing of personal data

Insofar as we obtain the consent of the data subject to process his or her personal data, Art. 6 para. 1 p. 1 point a of the EU General Data Protection Regulation (GDPR) and the analogous provisions pursuant to applicable data protection legislation shall serve as the legal basis for the processing of personal data.

Art. 6 para. 1 p. 1 point b of the GDPR and the analogous provisions pursuant to applicable data protection legislation shall serve as the legal basis for the processing of personal data necessary for the performance of a contract to which the data subject is party. This shall also apply to processing necessary for the performance of pre-contractual measures.

Insofar as the processing of personal data is necessary for compliance with a legal obligation to which our company is subject, Art. 6 para. 1 p. 1 point c of the GDPR and the analogous provisions pursuant to applicable data protection legislation shall serve as the legal basis.

Should it be necessary to process personal data in order to protect the vital interests of the data subject or another natural person, Art. 6 para. 1 p. 1 point d of the GDPR and the analogous provisions pursuant to applicable data protection legislation shall serve as the legal basis.

Should processing be necessary to protect the legitimate interests of our company or a third party and such interests are not overridden by the interests, fundamental rights and freedoms of the data subject, then Art. 6 para. 1 p. 1 point f of the GDPR and the analogous

provisions pursuant to applicable data protection legislation shall serve as the legal basis for processing.

### **3. Data erasure and storage period**

The personal data of the data subject will be deleted or blocked as soon as the purpose for which it has been saved ceases to apply. Further, data may also be stored if provided for by European or national legislators in Union directives, laws or other regulations, to which the data controller is subject. The data will also be deleted or blocked at such time as the storage period prescribed by the designated standards expires, unless it is necessary for the data to be stored for a further period for the conclusion or performance of a contract.

## **III. Website (booking portal)**

### **USE OF COOKIES**

#### **1. Description and extent of data processing**

Our website makes use of cookies. Cookies are data files stored on the user's computer system in or by the Internet browser. If a user accesses a website, a cookie can be stored on the user's operating system. This cookie contains a characteristic character string that enables the browser to be clearly identified the next time the website is accessed.

We use cookies to make our website more user-friendly. Some elements of our website require the accessing browser to be identified if the user changes from one page to another. The following data is stored and transmitted in the cookies:

- (1) The user's IP address
- (2) Date and time of access
- (3) Login information
- (4) Amount of data transferred
- (5) Enquiring domain

When accessing our website, the user is informed that functional cookies are used. Information regarding this data privacy statement is also issued in this context.

#### **2. Legal basis for data processing**

The legal basis for the processing of personal data using technically necessary cookies is Art. 6 para. 1 p. 1 point f of the GDPR.

#### **3. Purpose of data processing**

**Technically necessary cookies** Technically necessary cookies guarantee functions without which our website cannot be put to its intended use. These cookies are used exclusively by us, i.e. they are first party cookies. This means that all information stored in the cookies is returned to our website. Technically necessary cookies are used, for example, to ensure that users who have logged in always remain logged in when accessing various sub-pages of our website, and so do not have to re-enter login data every time they access a new page. It is possible and permissible to use technically necessary cookies on our website without first obtaining consent.

#### **4. Storage duration, right to object and right of elimination**

Individual technically necessary cookies cannot be activated or deactivated. These purposes are also in our legitimate interests in the processing of personal data under Art. 6 para. 1 p. 1 point f of the GDPR. Our interest in ensuring the unobstructed provision of our website and the services it offers prevails.

## **IV. Customer account**

To book a course, you must create a customer account on our booking platform (Learning Management System). Without such a customer account, you can only view information on our training courses.

### **1. Description and extent of data processing**

Data that we process for the creation of your customer account:

1. Email address
2. Username
3. Password
4. Language
5. First name
6. Last name
7. Gender
8. Street
9. Town/city
10. Zip code
11. Date of birth
12. Phone contact
13. Company – for commercial customers

### **2. Legal basis**

We may process the data you provide during registration in accordance with Art. 6 (1) b) GDPR, provided the processing is necessary for the performance of a contract or for taking steps prior to entering into a contract. Furthermore, we may process data that you have voluntarily provided to us during registration in accordance with Art. 6 (1) a) GDPR and Art. 49 (1) a) GDPR if you have consented to this processing.

### **3. Purpose of data processing**

Your customer data will be processed for the purpose of booking courses. After registering, you can log in to the booking portal using your login details. If you log in as a registered customer, your login details will be sent to us for the purpose of verifying your identity. After logging in with your login details, your customer data stored with us will be retrieved for new bookings.

### **4. Storage duration**

Your data will be stored and processed within the scope of the courses. Your data will remain stored in your customer account until you decide to delete it. Please note that your customer account will be deleted if no courses are booked for a period of one year. We will notify you of the status of your customer account with sufficient advance notice.

## **V. Booking**

### **1. Description and extent of data processing**

The data in your customer account will be automatically used for your booking, and we will use this data to fulfill contracts and carry out pre-contractual measures (organization and planning of the course).

### **2. Legal basis for data processing**

We may process the data you provide when booking in accordance with Art. 6 (1) b) GDPR, provided the processing is necessary for the performance of a contract or in order to take

steps prior to entering into a contract (organization and planning of the course). Furthermore, we may process data that you have voluntarily provided to us when booking in accordance with Art. 6 (1) a) GDPR and Art. 49 (1) a) GDPR if you have consented to this processing.

### **3. Purpose of data processing**

We process this data for the purposes of booking, invoicing, payment processing, customer service, planning, and conducting the course.

An external service provider (Learning Management System) supports us in processing your booking. This provider processes your data exclusively in accordance with our instructions and not for his own purposes.

### **4. Storage duration**

Your data will be stored and processed within the scope of the courses. Your data will remain stored in your customer account until you decide to delete it. Please note that your customer account will be deleted if no courses are booked for a period of one year. We will notify you of the status of your customer account with sufficient advance notice.

## **VI. Certificates and certificates of attendance**

### **1. Description and extent of data processing**

The data in your customer account will be used to generate certificates and confirmations of participation after you have attended one of our courses. You will receive confirmation of participation as part of your advanced professional training, whereas a certificate will be issued for a qualified degree with proof of performance.

We therefore kindly ask you to keep the information you provide up to date at all times.

### **2. Legal basis for data processing**

We may process the data you provide during registration in accordance with Art. 6 (1) b) GDPR, provided the processing is necessary for the issuance of certificates and confirmations of participation.

### **3. Purpose of data processing**

We process this data for the purpose of fulfilling our contractual obligations arising from the booking of our course. The subject of these obligations is confirmation of participation or a certificate.

### **4. Storage duration**

Your data will be stored and processed within the scope of the courses. Your data will remain stored in your customer account until you decide to delete it. Please note that your customer account will be deleted if no courses are booked for a period of one year. We will notify you of the status of your customer account with sufficient advance notice.

## **VII. Contact form**

### **1. Description and extent of data processing**

We process data that you have entered in our contact form or sent to us by email so that we can process and respond to your inquiry.

(1) Your reason for contacting us

(2) Email address

The following optional data may also be supplied:

- (3) Form of address
- (4) Company
- (5) Last name, first name
- (6) Telephone no.
- (7) Street, number
- (8) Zip code, city
- (9) Country
- (10) Your message to us

The following data is also stored at the time the message is sent:

- (11) The user's IP address
- (12) Date and time of registration

## **2. Legal basis for data processing**

We may process data that you enter in our contact form in accordance with Art. 6 (1) a) GDPR and Art. 49 (1) a) GDPR, provided that you have consented to this processing. If you enter sensitive information containing special categories of data (e.g., origin, political or religious beliefs, trade union membership, health or sexual data) in the "Message" field, you also consent to the processing of this data.

If you send us data by email, the legal basis is Art. 6 (1) (f) GDPR. If you are also our customer, Art. 6 (1) b) GDPR also serves as the legal basis.

## **3. Purpose of data processing**

The reason for processing personal data from the input mask is to enable us to handle communication with you. If contact is made by email, this also establishes a legitimate interest in processing the data.

The other personal data collected when the message is sent serve to prevent any misuse of the contact form and to guarantee the security of our IT systems.

## **4. Storage duration**

This data will be deleted no later than 12 months after receipt of your request, unless we are entitled or obliged to store it for a longer period in accordance with statutory provisions in accordance with Art. 6 para. 1 c) GDPR. If you are also our customer, the storage periods specified in Section III.4 apply.

## **5. Right to object and right of elimination**

The user has the right to withdraw his or her consent to the processing of the personal data at any time. If the user contacts us by email, he or she can object to the storage of his or her personal data at any time. If this is the case, then the communication cannot be continued. In this case, all personal data collected as a result of contact being made will then be deleted.

# **VIII. Newsletter**

## **1. Description and extent of data processing**

You have the option of subscribing to a free email newsletter. When you register for the newsletter on our booking platform, the email address you enter in the input mask will be transmitted to us. The newsletter contains information about new courses that may be of interest to you. Our newsletter is a voluntary service.

## **2. Legal basis for data processing**

The legal basis is your consent, which you gave us when you subscribed to the newsletter (Art. 6 para. 1 a) GDPR and Art. 49 para. 1 a) GDPR). The legal basis for sending the newsletter following the sale of goods or services is Art. 6 (1) f) GDPR or § 7 (3) UWG.

## **3. Purpose of data processing**

We process your email address for the purpose of sending you our newsletter on a regular basis. After subscribing to the email newsletter, you will receive an email from us with a link to verify your email address.

## **4. Storage duration**

The data you provided when ordering the newsletter will be deleted as soon as possible after you revoke your consent or unsubscribe from the newsletter. If you are also our customer, the storage periods specified above in III.4 apply.

## **5. Right to object and right of elimination**

If you no longer wish to receive the newsletter, you can revoke your consent to receive the newsletter at any time via the unsubscribe link in the newsletter or via your customer account.

# **IX Rights of data subject**

If personal data concerning you is processed, you are the data subject as defined in the GDPR and the analogous provisions pursuant to applicable data protection legislation, and have the following rights against the data controller:

## **1. Right to be informed**

You can ask the controller to provide you with confirmation as to whether or not personal data concerning you is processed by us.

If such processing is being undertaken, you can ask the controller to provide you with information concerning the following:

- (1) The purposes for which the personal data is processed;
- (2) The personal data categories which are processed;
- (3) The recipients or categories of recipients to whom the personal data concerning you has been or will be disclosed;
- (4) The planned storage duration of the personal data concerning you or, if it is not possible to provide concrete information on this point, criteria for defining the storage duration;
- (5) The existence of a right to correct or delete the personal data concerning you, a right to limit processing by the controller, or a right to object to such processing;
- (6) The existence of a right to lodge a complaint with a supervisory authority;
- (7) All available information concerning the origin of the data, if the personal data was not acquired from the data subject him or herself;

The existence of automated decision-making and profiling in accordance with Art. 22 para. 1 and 4 of the GDPR and the analogous provisions pursuant to applicable data protection legislation and – at least in these cases – meaningful information on the logic involved and the implications and intended impact of such processing for the data subject.

You have the right to request information on whether or not the personal data concerning you is transmitted to a third country or international organization. In this context, you may ask for information on appropriate guarantees in accordance with Art. 46 of the GDPR and the analogous provisions pursuant to applicable data protection legislation relating to the transmission of data.

## **2. Right to rectification**

You have a right to have the controller correct or complete any personal data concerning you which, having been processed, is either incorrect or incomplete. The data controller must carry out any corrections without undue delay.

## **3. Right to restrict processing**

Subject to the following conditions, you can request that processing of the personal data concerning you be restricted:

- (1) If you dispute the accuracy of the personal data concerning you for a period which allows the controller to check the accuracy of the personal data;
- (2) The processing is unlawful and you refuse deletion of the personal data, instead requesting that use of the personal data be restricted;
- (3) The controller no longer needs the personal data for processing purposes, but you need it in order to establish, exercise or defend legal claims, or
- (4) if you have filed an objection to the processing of the data in accordance with Art. 21 para. 1 of the GDPR and the analogous provisions pursuant to applicable data protection legislation, and it is not yet clear whether the legitimate reasons of the controller outweigh your reasons.

If the processing of the personal data concerning you has been restricted, then, storage aside, this data may only be processed with your consent (insofar as legally required), or to establish, exercise or defend legal claims, or to protect the rights of another natural or legal person, or for reasons of substantial public interest on the basis of Union or Member State law.

If the processing has been restricted under the above-mentioned conditions, you will be informed by the controller before the restriction is lifted.

## **4. Right to deletion**

### *a) Obligation to delete*

You can ask the controller to delete the personal data concerning you without undue delay, and the controller is obliged to delete this data without delay if one of the following reasons applies:

- (1) The personal data concerning you is no longer needed for the purposes for which it was collected or otherwise processed.
- (2) You withdraw your consent, which served as the basis for processing in accordance with Art. 6 para. 1 point a or Art. 9 para. 2 point a of the GDPR and the analogous provisions pursuant to applicable data protection legislation, and there is no other legal basis for the processing.
- (3) You file an objection to processing in accordance with Art. 21 para. 1 of the GDPR and the analogous provisions pursuant to applicable data protection legislation, and there are no overriding legitimate reasons for the processing, or you file an objection to processing in accordance with Art. 21 para. 2 of the GDPR and the analogous provisions pursuant to applicable data protection legislation.
- (4) The personal data concerning you has been unlawfully processed.
- (5) Deletion of the personal data concerning you is necessary in order to ensure compliance with a legal obligation under Union or Member State law to which the data controller is subject.
- (6) The personal data concerning you has been acquired in relation to the offer of information society services in accordance with Art. 8 para. 1 of the GDPR and the analogous provisions pursuant to applicable data protection legislation.

#### *b) Information to third parties*

If the controller has made the personal data concerning you public, and is obliged to delete such data in accordance with Art. 17 para. 1 of the GDPR and the analogous provisions pursuant to applicable data protection legislation, then, taking into account the technologies available and implementation costs, he - the controller - applies appropriate measures, which may also be of a technical nature, to inform the people responsible for processing personal data that, as the data subject, you have requested that they should delete all links to this personal data as well as all copies or replications of this personal data.

#### *c) Exceptions*

The data subject does not have the right to have his or her data deleted if processing is necessary

- (1) to exercise the rights to freedom of expression and freedom of information;
- (2) to comply with a legal obligation calling for processing on the basis of Union or Member State law to which the controller is subject, or to perform a task carried out in the public interest or in the exercise of official authority vested in the controller;
- (3) for reasons of public interest in the field of public health in accordance with Art. 9 para. 2 points h and i and Art. 9 para. 3 of the GDPR and the analogous provisions pursuant to applicable data protection legislation;
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89 para. 1 of the GDPR and the analogous provisions pursuant to applicable data protection legislation, insofar as the right set out in section a) is likely to render impossible or seriously impair the achievement of the purposes of this processing, or
- (5) to establish, exercise or defend legal claims.

### **5. Right to information**

If you have exercised your right to have the controller correct, delete or restrict the processing of your data, then the controller is obliged to inform all recipients to whom the personal data concerning you has been disclosed of such correction or deletion of the data or restriction of the processing, unless it proves impossible to do so or would involve unreasonable expense and effort.

You are entitled to have the controller inform you of these recipients.

### **6. Right to data portability**

You have the right to receive the personal data concerning yourself with which you have provided the controller in a structured, commonly used and machine-readable format.

Further, you have the right to transmit this data to another controller without hindrance from the controller to whom the personal data was provided, providing that

- (1) processing is based on consent in accordance with Art. 6 para. 1 p. 1 point a of the GDPR or Art. 9 para. 2 point a of GDPR and the analogous provisions pursuant to applicable data protection legislation, or on a contract in accordance with Art. 6 para. 1 p. 1 point b of the GDPR and the analogous provisions pursuant to applicable data protection legislation, and

- (2) the processing is carried out by automated means.

In exercising this right, you also have the right to have the personal data concerning you transmitted directly from one controller to another, where technically feasible. This shall not adversely affect the rights and freedoms of others.

The right to data portability does not apply to processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.



## **7. Right to object**

You have the right, on grounds relating to your particular situation, to object at any time to the processing of personal data concerning you which is based on Art. 6 para. 1 p. 1 point e or f of the GDPR and the analogous provisions pursuant to applicable data protection legislation; this also applies to profiling based on these provisions.

The controller will no longer process the personal data concerning you unless the controller can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves to establish, exercise or defend legal claims.

If personal data concerning you is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing purposes; this also applies to profiling, insofar as it is related to such direct marketing.

Should you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for such purposes.

In the context of the use of information society services – notwithstanding Directive 2002/58/EG and the analogous provisions pursuant to applicable data protection legislation – you are entitled to exercise your right to object by automated means using technical specifications.

## **8. Right to withdraw declaration of consent under data protection law**

You have the right to withdraw your declaration of consent to the processing of personal data at any time. The withdrawal of consent shall not affect the lawfulness of processing based on your consent before its withdrawal.

## **9. Automated individual decision-making, including profiling**

You have the right not to be subject to a decision based solely on automated processing - including profiling - which produces legal effects that concern you or significantly affects you in a similar way. This shall not apply if the decision

(1) is necessary for entering into or the performance of a contract between you and the data controller,

(2) is authorized by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and your legitimate interests, or

(3) is made with your explicit consent.

These decisions must not, however, be based on special categories of personal data referred to in Art. 9 para. 1 of the GDPR and the analogous provisions pursuant to applicable data protection legislation, unless Art. 9 para. 2 point a or g and the analogous provisions pursuant to applicable data protection legislation apply, and suitable measures have been undertaken to safeguard your rights and freedoms and your legitimate interests.

With regard to the cases described in points (1) and (3), data controller will implement suitable measures to safeguard your rights and freedoms and your legitimate interests, including at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

## **10. Right to lodge a complaint with a supervisory authority**

Without prejudice to any other administrative or judicial remedy, 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 personal data concerning you infringes the GDPR and the analogous provisions pursuant to applicable data protection legislation.

The supervisory authority with which the complaint has been lodged will inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy in accordance with Art. 78 of the GDPR and the analogous provisions pursuant to applicable data protection legislation.