

Data protection information for classroom and online training with the VEMAG Academy



We hereby wish to inform you about the processing of your personal data for training courses at the VEMAG Academy, in classroom and online formats, and the rights to which you are entitled under data protection law.

If you are registering for training on behalf of another person in your company, please ensure that there is a legal basis for the submission of their data to us and provide this information to the person in question (participant).

Who is the data controller and who is the data protection officer?

Data processing controller:
VEMAG Maschinenbau GmbH
Weserstr. 32
27283 Verden (Aller), Germany

Telephone: 04231 777-0
Email address: e-mail@vemag.de

Our data protection officer(s) can be reached at the above address or at: datenschutz@vemag.de. The contact details are also available on the Internet at www.vemag.de/en/privacy-policy/.

Which categories of data do we use and where does the data come from?

As a rule, your personal data will be collected from you directly as part of the registration for one of our training courses (contractual agreement). Your personal data may also be collected if it is transmitted to us by a business partner (for example, an agency, representative or client) and there is an appropriate legal basis for its collection. To the extent necessary for the provision of our service, we also process personal data that we have received from other third parties (e.g. for the execution of orders, for the fulfilment of contracts or on the basis of consent given by you).

In particular, we collect and process the following personal data:

- Master data (e.g. first name, surname, additional names, nationality).
- Business contact details (e.g. company affiliation, address, (mobile) phone number, email address).
- Details of the booked/completed training courses, incl. results of the performance review.
- Information on the organisation of travel and accommodation (e.g. flight data, train connections, hotel).
- Login details and information on the courses provided/conducted when using our e-learning platform.
- Image/video recordings at classroom events, provided that you have consented to collection and processing.
- Connection data for online events, e.g. IP address, technical protocol.
- If applicable, video and audio data, should you choose to turn on your camera or microphone during online training.
- If applicable, chat content, should you choose to use the chat during online training.

For what purposes and on what legal basis is my data processed?

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

When you register for online/classroom training on your part or on the part of your company, we process your personal data for the provision of the respective training services. This includes, for example, the registration, implementation and billing of the training booked. This serves to fulfil the contractual agreement with you or to carry out pre-contractual measures upon your request (Art. 6 (1) (b) GDPR). In addition, we will assist you, if requested by you or your company, in the organisation of airport transfers and accommodation during the training. The optimal planning of your journey or your stay with us and the efficient implementation of the training courses are also of legitimate interest to both your company and VEMAG (Art. 6 (1) (f) GDPR).

Further processing of your personal data on the basis of its legitimate interest to us or third parties (Art. 6 (1) (f) GDPR) may take place for the following purposes:

- Creating invitation letters for the application of a visitor visa.
- Documentation and training reports.
- Information about our products and services (advertising), insofar as you have not objected to the use of your data.
- Statistical evaluations pertaining to the development of measures for the maintenance and improvement of our training offer.
- Ensuring IT security and operation.

Advertising by post, electronic communication (email) and telephone

We use the business contact information (surname, first name, role, company address, telephone number, email address) that we collect from you in the context of the training course registration (contract) for the purpose of sending you advertising by post, email or telephone regarding our products and/or events that may be of interest to you.

Your contact information is processed on the basis of the following legal provisions:

- By post: Art. 6 (1) (f) of the GDPR concerning "legitimate interest".
- By email: Art. 6 (1) (f) of the GDPR concerning "legitimate interest" in conjunction with Art. 7 (3) of the UWG (*Gesetz gegen den unlauteren Wettbewerb — Act Against Unfair Competition*).
- By telephone: Art. 6 (1) (f) of the GDPR concerning "legitimate interest" in conjunction with Art. 7 (2) of the UWG (*Gesetz gegen den unlauteren Wettbewerb — Act Against Unfair Competition*).

You can object to the use of your email address for marketing at any time. You can object to the use of your email address for marketing in any of the following ways:

- By sending an email to info@vemag-academy.de
- By writing to Vemag Maschinenbau GmbH, Academy, Weserstr. 32, 27283 Verden (Aller), Germany

Your personal data may be forwarded to external service providers (for example letter shops) for the marketing purposes mentioned above. In such cases, the processors will comply with the requirements of Art. 28 of the GDPR.

The processing of your personal data may also be carried out on the basis of your consent (Art. 6 (1) (a) GDPR). Examples include the creation, storage and publication of images for information, training and advertising activities, and the processing of your email address for participation in an online customer satisfaction survey to improve our training content. If data processing requires your consent, we will inform you of these specific cases comprehensively and in advance.

Processing of your personal data may be necessary to fulfil legal obligations or regulatory requirements. The relevant legal provisions, including those for the fulfilment of commercial and/or fiscal provisions as well as control and reporting obligations (Article 6 (1) (c) and (e) GDPR), are binding.

Sanctions list check

We compare your personal data (e.g. first name, surname, country of origin) with the list of sanctions of the European anti-terrorism regulations (EC) 2580/2001 and (EC) 881/2002 etc. to ensure compliance with sanction requirements (Art. 6 (1) (c) and (f) GDPR). This data processing is carried out in order not to violate the relevant laws regarding sanctions.

Your personal data will be erased as soon as we no longer require it for the intended purpose and no other legal retention periods prevent erasure.

In the course of the sanctions list check, an external service provider (SAP Deutschland SE & Co. KG) is used for hosting. The requirements of Art. 28 GDPR are complied with (see also "Who receives my data?").

Who receives my data?

Internal recipients:

Within the company, only those individuals and entities that need your personal data to fulfil our contractual and legal obligations will receive your personal data.

External recipients:

We sometimes use external service providers to fulfil our contractual and legal obligations. We have carefully selected these service providers and commissioned them in writing. They are bound by our instructions and are regularly monitored by us. If necessary, we have an order processing contract with them which complies with Art. 28 GDPR. The service providers will not use your data for their own purposes or forward it to third parties.

If necessary for the provision of the contractual agreement or upon your request, your personal data may be passed on to other recipients, such as hotels, taxi companies (for contacting, reserving or organising airport transfers) or to authorities for the fulfilment of legal reporting obligations (e.g. law enforcement authorities). Any further forwarding of data to recipients outside the company will only take place if legal regulations permit this or if you have given your consent.

Central external service providers:

- **Microsoft Ireland Operations Ltd (Microsoft 365, Microsoft Teams):**

We use Microsoft 365 and Microsoft Teams to conduct our usual office communications, administration, contact management and for conference calls, online meetings, video conferences and/or webinars. If we record online meetings, we will notify you prior to the start and, if necessary, ask for your verbal consent. If you do not want to be recorded, you can leave the online meeting. If necessary for the purposes of logging the results of an online meeting, we will log the chat content.

Microsoft 365 and Microsoft Teams are a service provided by Microsoft Ireland Operations Ltd. For this purpose, we have concluded an order processing contract with the provider.

The use of "Microsoft Teams" results in various types of data being processed. The scope of the data also depends on what information you provide before or during an "online meeting".

The following personal data is processed:

- User details: display name, email address, profile image (optional) and preferred language
- Meeting metadata such as date, time, meeting ID, phone number and location

- Text, audio and video data: You may be able to use the chat function in an online meeting. In this case, the text you enter will be processed so that it can be displayed in the online meeting.

To allow video and audio to be displayed, the data is processed by the microphone on your device and a video camera on your device throughout the duration of the meeting. You can turn off the camera or mute the microphone yourself at any time using the "Microsoft Teams" applications.

If there is no contractual relationship with you, the legal basis for processing your personal data is Art. 6 (1) (f) of the GDPR. In this case, our interest is to conduct online meetings effectively.

When using Microsoft 365, some personal data is transferred to third party countries outside the EU/EEA (usually the USA).

These third party countries may not have an adequate level of data protection and there may not be adequate guarantees for the protection of your data (lack of enforceability of data subject rights and possible, disproportionate access by government authorities to your data).

The standard EU contractual clauses are concluded under the Microsoft licence agreements. All data is encrypted during transmission and storage.

If you do not want your data to be transmitted to these third party countries, you cannot use the service.

If there is no contractual relationship with you, the legal basis for processing your personal data is Art. 6 (1) (f) of the GDPR.

Microsoft's data privacy statement is available here: <https://privacy.microsoft.com/en-gb/privacystatement> and [Microsoft Teams - Privacy - Microsoft Teams | Microsoft Learn](#)

- **SAP Deutschland SE & Co. KG (ERP system including hosting)**

In connection with the implementation and organisation of our business processes, various data, some of which may have personal references (for example contact details/contact person details), is also processed using software solutions from SAP Deutschland SE & Co. KG, Hasso-Plattner-Ring 7, 69190 Walldorf, email: info.germany@sap.com.

This integration supports the provision of contractual services or can be used to initiate a contract. SAP software helps companies control their business processes and ensure the correct flow of information throughout the company — from purchasing and accounting to production and logistics.

We have signed an order processing agreement (AVV) with SAP which complies with Art. 28 of the GDPR. This contract is based on data protection law, which ensures that it only processes the personal data of our (potential) business partners as per our instructions and in compliance with the GDPR.

- **X-Cell AG (AcademyMaker e-learning platform)**

We use the AcademyMaker e-learning platform to provide our courses. The platform is provided by X-Cell AG, Kaistrasse 2, 40221 Düsseldorf.

Personal data of the participants (first name, last name and email address) is transmitted to the provider so that the participants can access the respective training content in a personalised manner. In the course of participating in an e-learning training course, personal data is collected, stored and processed for implementation and, if necessary, for performance monitoring. The legal basis for this processing is the contractual agreement, which is carried out as part of the training registration (Art. 6 (1) (b) GDPR). Furthermore, we have a legitimate interest in the effective preparation and implementation of our online courses (Art. 6 (1) (f) GDPR).

We have signed an order processing agreement with X-Cell AG in accordance with Art. 28 GDPR. This contract is based on data protection law, which ensures that it only processes the personal data of our (potential) business partners as per our instructions and in compliance with the GDPR.

X-Cell AG's privacy policy is available here: <https://www.x-cell.com/english/utility/privacy>

What data protection rights can I claim as a data subject?

You can request information regarding the data stored about you at the above **address**. In addition, in certain conditions, you may request the **rectification** or **erasure** of your data. You may also **have a right to restrict the processing** of your data and a **right to receive the data provided by you** in a structured, commonly used and machine-readable format. You also have the **right to lodge** a complaint with a data protection supervisory authority.

Right to object

If we process your data to safeguard legitimate interests, you can object to this processing for reasons arising from your specific situation. We will then no longer process your personal data unless we can demonstrate compelling legitimate reasons for the processing which override your interests, rights and freedoms or for lodging, exercising or defending legal claims.

You have the right to object to the processing of your personal data for direct marketing purposes without having to give reasons. If you object to the processing for direct marketing purposes, we will no longer process your personal data for these purposes.

You may claim your rights in writing to the address listed above or simply by sending an email to info@vemag-academy.de.

For how long will my data be stored?

We will delete your personal data as soon as it is no longer required for the purposes mentioned above. After termination of the contractual relationship, your personal data will be stored as long as we are legally obliged to do so. This normally results from legal documentation and storage obligations, which are the subject of various regulations, including the German Commercial Code (HGB) and the Fiscal Code (AO). The storage periods are then up to ten years.

In addition, it may be that personal data is retained for the period during which claims can be lodged against us (statute of limitations under Sections 195 ff. of the German Civil Code (BGB) of three or up to thirty years).

Will my data be transferred to a third country?

If we transfer personal data to service providers outside the European Economic Area (EEA), the transfer will only take place if the third party country has confirmed to the EU Commission that it delivers an appropriate level of data protection or if other appropriate data protection guarantees (for example binding corporate data protection regulations or EU standard contractual clauses) are in place.

Furthermore, the transmission of data to a third country may also take place on the basis of an exception under Art. 49 of the GDPR if, for example, your consent has been given, the data transfer is necessary to fulfil an existing contract, or the transfer is necessary to fulfil one of your interests.

This means that at least part of your business contact data will also be processed outside the EU or the EEA, which is necessary for business correspondence with our customers or suppliers. This includes your name, location, email address and phone number. In such cases, the data is transmitted on the basis of an exception under Art. 49 (1) of the GDPR.

Are you obliged to provide your data?



In the context of training registration (contractual agreement), you must provide the personal data required for the registration, execution and termination of arranged training programmes and for the fulfilment of the associated contractual obligations, or that we are legally obliged to collect. Without providing this data, participation in the respective training event (classroom/online training) will not be possible, as a rule. The provision of further data is voluntary.

To what extent do automated individual decision-making or profiling measures take place?

We do not use automated processing processes to make a decision — including profiling.

Modification and updating of the privacy policy

We will revise this privacy policy in the event of changes to data processing or if other occasions so require. You can always find the latest version at <https://www.vemag.de/en/privacy-policy>. We kindly ask you to regularly inform yourself about the content of our privacy policy.

Date: 09/01/24