

Data protection information sheet for external employees

Transparency and the confidential handling of your personal data provide a key basis for fruitful collaboration. Therefore, we would like to inform you about how we process your data in accordance with statutory data protection regulations

- if your employer or client is our contractual partner.
- if you yourself are our contractual partner, e.g. as a sole trader.

1. Who is responsible for data processing?

Your contractual partner, or the contractual partner of your employer or client is the controller. In the latter two cases, they are the ones who can provide you with the controller's contact details.

2. How can you contact the data protection officer?

You can contact our data protection officer at:

RWE Aktiengesellschaft
Datenschutzbeauftragter
RWE Platz 6
45141 Essen, Germany

[Send an e-mail to datenschutz@rwe.com](mailto:datenschutz@rwe.com)

3. What personal data concerning you do we use?

We process your personal data to the extent that this is required to execute the contract concluded with you, your employer or your client. This includes the following data categories:

Standard information:

- Name
- Business address
- Business contact details (e.g. phone number, email address)
- Employer or client

Data required for using our Internet and communication technology systems:

- Passwords (encrypted)
- Logins
- Log files

Other information:

- Access data
- Picture, if applicable

If you yourself are our contractual partner:

- Your bank details
- Credit rating information

4. What are the sources of this data?

We process personal data that we receive from you or your employer or client as part of contract execution.

If we conclude a contract with you yourself, we receive personal data about you that is published in credit rating information (e.g. creditreform) or publicly accessible sources (e.g. insolvency notices, commercial registers).

5. For what purposes do we process your data and on what legal basis?

a. Data processing to execute the contract

In essence, data processing is required to conclude, execute or terminate a contract with you, your employer or your client.

In these cases, Art. 6(1)(a), (b) GDPR forms the legal basis.

b. Data processing based on the legitimate interest of the controller

In certain cases, we process your data to protect legitimate interests of us or third parties:

- As a defence in legal disputes, especially for the purpose of providing evidence
- As part of access control to protect our right to deny access to company premises and ensure building security as well as for accounting purposes when executing the contract
- To ensure IT security
- To monitor insolvency proceedings
- Credit rating information of contractual partners
- To evaluate the services rendered by the contractor for any follow-up orders

In these cases, Art. 6(1)(f) GDPR forms the legal basis.

c. Automated decision-making, including profiling

There is no automated decision-making, including profiling.

6. Who is your data shared with?

Your data may in certain cases be passed on to other Group companies because these companies fulfil certain tasks within the Group for all RWE companies.

We will release your data to your employer or client only for time-logging and accounting purposes. Other than that, your data will not be shared with third parties unless we are obliged to do so due to statutory or official instructions.

7. Is your data transmitted to countries outside the European Union ('third countries')?

Individual services are carried out by carefully selected and commissioned service providers based outside the European Union and the European Economic Area ('third countries'), e.g. IT service providers. Should these service providers require access to personal data in the course of the provision of services, third-country transmission will always be carried out in accordance with Chapter V of the GDPR. For want of an adequacy decision of the European Commission pursuant to Art. 45 GDPR, we provide for guarantees that ensure an appropriate level of data protection. Our standard procedure involves the conclusion of contracts with data recipients that contain standard data protection clauses, also referred to as 'standard contractual clauses'. You have the option of requesting further information at any time and of receiving copies of relevant model agreements. You can reach us using the contact details provided under 2.

8. How long is your data stored?

Your data will be erased if it is no longer required for the purposes mentioned in this data protection information, unless our legitimate interests preclude this.

In addition, we are subject to different retention and documentation obligations arising inter alia from the German Commercial Code (HGB) and the German Tax Code (AO). The retention and documentation periods stipulated therein range from two to ten years. Finally, the storage period is also determined by statutory limitation periods, which generally – e.g. pursuant to §§ 195 ff. of the German Civil Code (BGB) – amount to three years, but may be as long as 30 years in some cases.

9. What data protection rights do you have?

a. Right of access

You can request confirmation from the controller as to whether personal data concerning you will be processed by us.

You also have the right to request information as to whether the personal data concerning you will be transferred to a third country or an international organisation. In this context, you can request to be informed about the suitable guarantees in connection with the transmission pursuant to Art. 46 GDPR.

b. Right of rectification

You have a right of rectification and/or completion vis-à-vis the controller if the processed personal data concerning you is incorrect or incomplete. The controller must rectify the mistake immediately.

c. Right to restriction of processing

Under the conditions set out in the GDPR, you can request that the processing of your personal data be restricted.

d. Right to erasure

You can request that the data controller erase your personal data immediately. The data controller will then be obliged to erase this data immediately unless a legally regulated exception applies.

e. Right to data portability

You have the right to receive, in a structured, conventional and machine-readable format, the personal data concerning you that you have provided to the controller and whose processing is based on consent or on a contract with you. In addition to this, under the conditions set out in the GDPR, you also have the right – insofar as this is technically feasible – to transfer this data to another controller without hindrance from the controller to whom the personal data was provided. This must not affect the freedoms or rights of other persons.

f. Right to withdraw the declaration of consent under data protection law

You have the right to withdraw your declaration of consent under data protection law at any time. Withdrawing consent does not affect the lawfulness of any processing carried out on the basis of the consent prior to the withdrawal of the consent. This also applies to the withdrawal of declarations of consent granted to us prior to the application of the General Data Protection Regulation, i.e. prior to 25 May 2018. In such cases, all personal data that has been stored based on the consent provided will be erased, unless the law provides another legal basis for further storage.

g. Exercising your rights

If you wish to exercise your aforementioned rights, please contact us using the contact details provided in point 1 or 2.

h. Right to object

You have the right, for reasons that arise from your particular situation, to object at any time to the processing of your personal data as performed pursuant to Art. 6(1)(e) or (f) GDPR; this also applies to profiling based on these provisions.

If you wish to exercise your right to object, please contact us using the contact details provided in point 1 or 2.

i. Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, you are entitled to lodge a complaint with a supervisory authority, in particular in the member state of your habitual residence, your place of work or the place of the alleged violation, if you believe that the processing of your personal data violates the GDPR. The supervisory authority to which the complaint is submitted will inform the complainant of the status and results of the complaint, including the possibility of a judicial remedy pursuant to Art. 78 GDPR. To make it easier for you to exercise your rights, you will find the address of the supervisory authority responsible for us below:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen,
Kavalleriestrasse 2-4, 40213 Düsseldorf, Germany.

10. Is there an obligation to provide your personal data?

The provision of personal data is generally contractually prescribed or required for the conclusion of a contract. If you do not provide the data, proper execution of the contract will not be possible.