

Internal Whistleblowing Service – How can we help you?

Are you an employee, service provider or customer with information or suspicions regarding a potentially unlawful act by employees of our company?

In that case, in addition to the option of lodging a direct complaint with our management via [the Reporting Office – Data Protection Advisory Service \(ecovis.com\)](#), there are further legal requirements that we are happy to fulfil.

With the “Act on the Better Protection of Whistleblowers”, or Whistleblower Protection Act (HinSchG) for short, Germany has now also implemented an EU directive at national level. People who wish to report potential breaches of laws and regulations within companies should be able to do so easily and without fear of reprisals (such as warnings, denial of promotion, disciplinary proceedings or bullying). At the same time, however, companies must also take any reported breaches seriously whilst protecting other potentially affected individuals from unlawful disadvantages.

Our Internal Reporting Office

We have addressed the need for a competent and credibly independent internal reporting office and have commissioned ECOVIS Keller Rechtsanwälte in Rostock to set up and operate an internal reporting office that accepts reports from whistleblowers – including anonymous reports – and processes them independently. This is intended to effectively protect whistleblowers from potential disadvantages caused by the company concerned or its employees.

Reports can be submitted to the reporting office via all standard communication channels and via the online reporting tool that has been set up. The relevant tool can be accessed online directly via ECOVIS: <https://www.ecovis.com/datenschutzberater/meldestelle/>

No user data or prior access rights are required.

The procedure set up there ensures the whistleblower’s anonymity technically upon request as soon as the information is submitted, and guarantees the encryption of the transmission. A reference number will be displayed to you in the final step of the online report! **Please make sure to note down this reference number and keep it confidential.** Only with this reference number can the reporting office provide you with information on the next steps in the follow-up process in the event of a report. In addition,

written, telephone and electronic communication, as well as face-to-face meetings, are available to whistleblowers free of charge.

Please contact:

ECOVIS Keller Rechtsanwälte PartG mbB

Internal Reporting Office of Höfelmeyer Waagen GmbH

Personal/Confidential

Solicitor Axel Keller / Senior Associate Karsten Neumann

August-Bebel-Straße 10-12, 18055 Rostock

Tel.: 0381 - 12 88 49 0

Email: <mailto:meldestelle380@ecovis.com>

Website: Whistleblowing [Office – Data Protection Consultancy \(ecovis.com\)](#)

In addition, public authorities have been established as **external reporting offices** for cases where the whistleblower feels their concerns are not adequately addressed within the company. Whistleblowers can submit individual reports to the external reporting office online via the following link: [BfJ – Whistleblower Office \(bundesjustizamt.de\)](#).

To date, the Federal Office of Justice has been designated by law as **the external reporting office**.

**Information on the collection of personal data under the GDPR for
whistleblowers in the whistleblowing system**



The EU General Data Protection Regulation requires us to provide you with comprehensive information on the processing of personal data in the course of our activities.

This information relates to our processing of personal data within the **whistleblowing system**

to implement Directive 2019/1937 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2019 on the protection of persons who report breaches of Union law **the legal requirements for internal reporting bodies pursuant to Sections 12(1) and 13 of the Act on the Better Protection of Whistleblowers (Federal Law Gazette 2023 I No. 140 of 2 June 2023; hereinafter: HinSchG) and subsequent state regulations issued thereunder for state and local authorities and their enterprises.**

ECOVIS operates the whistleblowing system on our behalf, as we, **in our capacity as data controllers**, use it to provide our employees and, where applicable, third parties (so-called whistleblowers) with the means to submit – including anonymously - submission of reports regarding possible legal violations or ethical misconduct by company employees (data subjects) with the aim of investigating such reports and, where appropriate, initiating follow-up measures to remedy deficiencies or penalise breaches of internal company or statutory regulations.

This applies equally to the use of the system as an ombudsman service within the material scope of application of Section 2(1) Nos. 1–10 of the Whistleblower Protection Act (HinSchG).

The whistleblowing system may therefore contain data relating to the whistleblower and also data relating to third parties, i.e.

- our employees as data subjects,
- potential witnesses to the facts

on the basis of the contractual arrangement between us and ECOVIS as the data processor.

As part of the transfer of functions, ECOVIS receives reports from whistleblowers, anonymises them and forwards the information required to investigate possible legal violations to the relevant departments within our organisation. Once we have clarified the facts of the matter, we inform ECOVIS of the follow-up measures taken.



ECOVIS then informs the whistleblower – where possible – of the follow-up measures taken.

I. Contact details

Data controller

Höfelmeyer Waagen GmbH, Werner-von-Siemens-Straße 33, 49124 Georgsmarienhütte
represented by the Managing Director Felix Höfelmeyer | Viktor Rempe
Telephone: +49 5401 4977 0, Email: [waagen\(at\)hoefelmeyer.de](mailto:waagen(at)hoefelmeyer.de)

Company Data Protection Officer

Detlef Breuker, c/o C&S Consulting, An der Blanken Mühle 17, 49328 Melle
Email: info@datenschutz-os.de

Data processor acting as internal reporting

office: Ecovis Keller Rechtsanwälte PartG
mbB August-Bebel-Straße 10-12, 18055
Rostock

Tel.: 0381 128849-0

Email: mailto:meldestelle380@ecovis.com

Website: [Reporting Office – Data Protection Advice \(ecovis.com\)](https://www.ecovis.com/en/reporting-office-data-protection-advice)

External Data Protection Officer

Mr Sebastian Fröhlich

Email: datenschutz@ecovis.com

II. Processing framework

If you are a whistleblower:

As part of the whistleblowing system, the reporting office at ECOVIS commissioned by us collects the following categories of data, depending on the information provided by the whistleblower, third parties or by us:

- Identification data Contact details Title / Gender Address details,
- Professional activities Home address Current place of work,
- Details of possible criminal offences, administrative offences or actions in breach of internal corporate ethical regulations,
- Details of possible witnesses to the reported incidents.

This data may be personally identifiable, particularly where the third parties are natural persons or where such persons act as an organ, other



authorised representatives, contact persons, legal representatives or in a similar capacity on behalf of third parties.

The internal reporting office ECOVIS generally collects the data through direct contact with the whistleblower. The reporting office also initially collects personal data relating to affected employees of our company from the whistleblower. Where necessary, this data is verified and supplemented by information that the reporting office has received from us.

In the course of investigating the facts, supplementary data may also be disclosed to us by third parties. This is particularly the case when data is transmitted to us by customers and business partners, legal representatives, insurance companies, public bodies, experts, courts or authorities.

We collect contact details and supplementary information from public sources where these are not already available.

There is no legal obligation to provide the whistleblower's data. Failure to provide the

whistleblower's personal data generally means

means that we cannot provide information on follow-up measures. It may be the case that the matter may not be fully investigated.

If the whistleblower provides their personal data to the ECOVIS reporting office, this data will be processed by us as the employer exclusively within the framework of informed and written consent and only to the extent necessary to clarify the facts of the case. The reporting office guarantees the whistleblower's anonymity both through data segregation within the whistleblowing system and by transmitting only anonymised data to us.

No automated monitoring or evaluation systems are used in the processing of data within our company.

III. Legal basis

- Legal bases for data processing in the context of fulfilling the contractual transfer of functions for the provision of a whistleblowing system:



a. The processing of **whistleblowers' data by the ECOVIS reporting office** is based on **consent pursuant to Article 6(1)(a) of the GDPR** to the processing of their personal data for the purpose of providing information on the progress of the proceedings and, where necessary, making enquiries to clarify the facts of the case. Finally, it may occur that we base data processing on consent voluntarily, knowingly and unambiguously given by the whistleblower for further specific purposes. In this case, we will inform the whistleblower separately in connection with the consent.

b. The documentation of the report and the use of the whistleblower's own personal data, as well as that of any third parties named as witnesses or as the cause of a matter under investigation, is carried out on the basis of Article 6(1)(c) of the GDPR in implementation of the legal requirements of the Whistleblower Protection Act, in particular Sections 9 and 10 of the HinSchG.

We expressly point out that there may be cases in which processing could be based on several legal grounds applying concurrently. In such a case, we reserve the right to base the processing on another legal ground, even in the event of withdrawal of consent. We will inform you accordingly in the event of withdrawal of consent.

IV. Duration of data storage

In accordance with statutory provisions, the documentation of the report is retained by Ecovis for 3 years following the conclusion of the proceedings within the framework of order processing (Section 11(5) HinSchG).

The reporting office at Ecovis has its own statutory retention periods, meaning that the documentation of the report must be retained for six years following the end of the year in which the proceedings were concluded, in accordance with Section 50 of the BRAO.

V. Disclosure and international aspects

- Recipients or categories of recipients of personal data

The data collected by the reporting office is transferred to other recipients and third parties in compliance with legal regulations only if this is possible whilst preserving the anonymity of the whistleblower or if the whistleblower has given their consent in individual cases.



For the technical operation of the communication and data processing systems, external data processors are engaged as processors within the meaning of Article 4(10) of the GDPR, so that the processing of the data by them does not constitute a transfer within the meaning of Article 4(2) of the GDPR. These have been carefully selected, particularly with regard to the necessary confidentiality of data processing, are contractually bound and are regularly monitored.

- Your personal data will not be transferred to a third country and there are no plans to do so.

VI. Information regarding your rights

You have the right to request confirmation from the controller as to whether personal data concerning you is being processed; if this is the case, you have the right to access this personal data and to the information specified in detail in Article 15 of the GDPR.

You have the right to request from the controller the immediate rectification of inaccurate personal data concerning you and, where applicable, the completion of incomplete personal data (Article 16 of the GDPR).

You have the right to request from the controller the erasure of personal data concerning you without undue delay, provided that one of the grounds listed in detail in Article 17 of the GDPR applies, e.g. if the data is no longer necessary for the purposes for which it was collected (right to erasure), unless statutory retention or archiving periods preclude this.

You have the right to request that the controller restrict processing if one of the conditions listed in Article 18 of the GDPR applies, e.g. if you have objected to the processing, for the duration of the controller's review.

You have the right to request that the personal data concerning you, which you have provided to a controller, be transferred to another controller (Article 20 of the GDPR).

You have the right, on grounds relating to your particular situation, to object at any time



to object to the processing of personal data concerning you. The controller shall no longer process the personal data unless it 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 (Article 21 of the GDPR).

You have the right to lodge a complaint with a supervisory authority. You may exercise this right with a supervisory authority in the Member State of your habitual residence, place of work or the place where the alleged infringement occurred.

Before you lodge a complaint with the relevant supervisory authority, we would ask you to clarify this matter with our Data Protection Officer.
