

# Data Protection Statement of Bauknecht & Wirth Stiftung for bauknecht-wirth.org

We are pleased that you are visiting our website and would like to thank you for your interest. Protecting the privacy of our users' personal data is a key concern of ours, which is why we ask you to kindly take note of the information provided below.

In the following provisions we inform you about the collection, processing and use of your personal data in connection with your visit and use of the service offer on our website.

This data protection statement can be stored and printed.

## 1. Controller

The controller of the data collection, data processing and data use is the operator of the website bauknecht-wirth.org:

Gemeinnützige Bauknecht & Wirth Stiftung  
Welfenstraße 19  
70736 Fellbach  
phone: +49 711 95791220  
e-mail: kontakt@bauknecht-wirth.org

(hereinafter referred to as "Bauknecht & Wirth Stiftung" or "We")

Represented by:

Ebony Bauknecht, Dr. Gero Bauknecht, Martin Wirth

## 2. Basic principles

We collect and process your personal data in compliance with the relevant statutory regulations, in particular the General Data Protection Regulation (hereinafter: "GDPR") and the German Federal Data Protection Act (hereinafter: "BDSG") and in accordance with the provisions set out below.

## 3. Terminology

### 3.1. Personal data

The term personal data means any information relating to an identified or identifiable natural person. This includes, for example, name, address, telephone number, e-mail address, IP address, username, password, or information on the websites which have been viewed by a visitor.

### **3.2. Data subject**

The data subject is every identified or identifiable natural person whose personal data is processed by the controller responsible for the processing or by a processor on behalf of the controller.

### **3.3. Processing**

Processing means any operation or set of operations which is performed on personal data, whether or not by automated means. This includes collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

### **3.4. Restriction of processing**

Restriction of processing means the marking of stored personal data with the aim of limiting the processing thereof in the future.

### **3.5. Controller**

Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

### **3.6. Processor**

Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

### **3.7. Recipient**

Recipient means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.

### **3.8. Third Party**

Third party means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

### **3.9. Consent**

Consent of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## **4. Collection, processing and use of your personal data**

### **4.1. Log files**

Every time you access our website, the respective Internet browser transmits specific user data and stores it in log files, the so-called server log files. The data concerned is as follows:

- date and time when you access our website
- URL of the website you are referred from
- the file retrieved

- the amount of data transmitted
- the browser type and browser version
- your operating system
- your IP address.

This data is collected and processed for the purpose of enabling you to use our website (establish the connection), to guarantee system security, for technical administration of the network infrastructure, to pass information on to the law enforcement authorities in the event of a cyber attack or abuse, and in order to optimize our offer.

The data is stored for 7 days. Afterwards it will be erased – subject to any statutory or official retention obligations.

The legal basis for the collection, storage and use of this data is our legitimate interest in being able to make the information on our website available to you free of any impairment and in guaranteeing the necessary security (Art. 6 (1) sentence 1 (f) GDPR).

#### **4.2. Contact**

If you contact us by e-mail, by phone or mail, then, depending on the transmission route you choose, we collect, store and process your form of address, your address, your e-mail address, your first name and last name and the content of your message. If you voluntarily provide us with your address, your phone or fax number and more data than is necessary for the chosen transmission route, then we also store and process this data.

If you contact us by using our contact form, we collect, store and process your e-mail address and the content of the message sent to us. These are mandatory details. In addition, you can also voluntarily provide us with your first name and last name and the subject of your message.

Please note that we do not need the data you provide on a voluntary basis in order to reply to your messages and you should check carefully whether or not you wish to disclose this data to us.

After the communications with you have been concluded, this data will be routinely erased – provided that there are no statutory storage obligations or storage requirements of public authorities or unless the lawfulness of the data processing is grounded on a different legal basis. This erasure is carried out no later than one year after we have had no further communications with you.

The legal basis for processing your personal data is our legitimate interest in communicating with you in order to reply to your messages and to be able to answer your questions (Art. 6 (1) sentence 1 (f) GDPR).

#### **4.3. Funding application**

If you contact us via our application form to apply for funding, we collect, store and process your form of address, your first name and last name, your e-mail address, your project name, your website address, the category your project belongs to and a description of your project. Only the e-mail address is a

mandatory detail. In addition, you can also voluntarily provide us with all the other aforementioned information.

Please note that we do not need the data you provide on a voluntary basis in order to reply to your messages and you should check carefully whether or not you wish to disclose this data to us.

If your project does not receive funding or if there is no other cooperation, this data will be routinely erased – provided that there are no statutory storage obligations or storage requirements of public authorities or unless the lawfulness of the data processing is grounded on a different legal basis. This erasure is carried out no later than one year after we have had no further communications with you.

The legal basis for processing your personal data is the performance of pre-contractual measures (Art. 6 (1) sentence 1 (b) GDPR).

#### 4.4. Donations

If you donate a sum of money to us by bank transfer, then, depending on the information you have given when making the transfer, we will collect and process your first name and last name, your postal address and the amount you have donated in order to be able to issue you with a donation receipt.

Your name, bank details and the amount of the donation will be stored by us for the purpose of orderly financial accounting. However, after the transaction has been completed, data processing will be restricted.

The legal basis for the collection and processing of your personal data is the fulfillment of the existing contract with you as a donor (Art. 6 (1) sentence 1 (b) GDPR) as well as our legitimate interest in providing you with the donation receipt to avail your tax advantage (Art. 6 (1) sentence 1 (f) GDPR) and the fulfillment of our legal documentation and storage obligations in the context of orderly financial management (Art. 6 (1) sentence 1 (c) GDPR).

#### 4.5. Cookies

We use a technically essential cookie on this website. Cookies are alphanumeric identification characters (small text files) which are either stored briefly in your working memory and then deleted again as soon as you close your browser (“session cookies”) or stored in your storage medium over a longer period or for an unlimited period of time (“permanent cookies”).

We only use the following cookie:

Name	Cookie Provider	Domain	Purpose	Storage period
PHPSESSID	PHP	bauknecht-wirth.org	retains the status of the user for all page requests.	Session

The legal basis for the use of this cookie is our legitimate interest pursuant to Art. 6 (1) sentence 1 (f) GDPR to be able to provide you with a secure and appealing website.

## **5. Data processing by a processor / disclosing data**

### **5.1. Data processing by a processor**

Notwithstanding any other provisions, we reserve the right, on the above legal bases, to transfer or disclose your data to a third-party (processor) commissioned by us (e.g. in connection with IT support, hosting, destruction of files, sending the newsletter etc.). We always have agreements on such processing on our behalf with the service providers commissioned by us in this manner. These agreements ensure that the data disclosed accordingly is only used by our commissioned processors to perform the tasks stipulated by us in accordance with the above purposes and that it is used in compliance with the technical and organisational measures necessary for data security and data protection.

### **5.2. Disclosing data to third parties**

Further, your personal data is not transmitted to third parties for any purposes other than those set out below. We only disclose personal data to third parties if:

- you have explicitly given us your consent to do so pursuant to Art. 6 (1) sentence 1 (a) GDPR,
- disclosure is necessary pursuant to Art. 6 (1) sentence 1 (f) GDPR on account of a legitimate interest and if there is no reason to assume that such interest is overridden by your interests or fundamental rights and freedoms to protect your personal data (Art. 6 (1) sentence 1 (f) GDPR),
- there is a legal obligation for disclosure pursuant to Art. 6 (1) sentence 1 (c) GDPR,
- the transmission is necessary pursuant to Art. 6 (1) sentence 1 (b) GDPR for the performance of contract relationships with you,
- the transmission is necessary pursuant to Art. 6 (1) sentence 1 (d) GDPR in order to protect vital interests or
- the transmission is necessary for the performance of a task carried out in the public interest pursuant to Art. 6 (1) sentence 1 (e) GDPR.

## **6. Encryption/data security**

- 6.1. Your data is always encrypted by means of SSL encryption (so-called Secure Sockets Layer) with the highest encryption level when it is collected, processed and used. SSL is implemented to encrypt the continual flow of data on the Internet between the server and a user's browser and to thus prevent any "eavesdropping and data being secretly retrieved" – insofar as this is technically feasible. One of the ways to tell that a connection is encrypted is, if the URL in your browser's address bar starts with "https://" and/or if the status bar at the bottom of your web browser shows a "lock" or "key" symbol (icon). By clicking on the icon, depending

on the browser you use, you can receive further information on the encryption and on the certificate used.

- 6.2. We point out that it is not possible to fully guarantee data security during e-mail communications. For transmitting confidential information, it might be preferable to use the postal service or service by a courier.
- 6.3. Furthermore, we apply all reasonable, suitable, technical and organisational security measures to protect your data against accidental or deliberate manipulation, full or partial loss, destruction and unauthorized access by third parties. Our security measures are subject to on-going improvement and further development in accordance with technological developments.

## **7. Erasure of the data / restriction of data processing**

Your data will be erased, in principle, if your consent has discontinued or if the data is no longer required for the purpose of the data processing and if there is no longer a legitimate interest in further storage and processing. If, however, this data still has to be stored due to existing statutory or contractual obligations or requirements of public authorities (e.g. warranty, financial bookkeeping), then data processing is restricted by marking and blocking the data.

## **8. Rights of the data subject**

As the data subject whose data is being processed, you are entitled to the following rights:

- **Right to be given information (Art. 15 GDPR)**

You have the right to obtain information from us on the personal data stored on you. This encompasses, in particular, information on the purposes of the processing, the categories of the personal data processed, the categories of the recipient to whom the processed personal data has been or will be disclosed, the period of storage, the existence of the right to rectification or erasure of personal data, to restriction of processing and to object to such processing, the existence of a right to lodge a complaint, the source of your data if it was not collected by us, and the existence of automated decision-making, including profiling, and, if applicable, meaningful information on the details. You further have the right to receive a copy of your personal data undergoing processing by us.

- **Right to rectification (Art. 16 GDPR)**

You have the right to obtain from us without undue delay the rectification of inaccurate personal data and the right to have incomplete personal data completed.

- **Right to erasure ('right to be forgotten') (Art. 17 GDPR)**

You have the right to obtain from us the erasure of your personal data, subject to the statutory requirements. If such erasure is prejudiced by statutory storage obligations or storage requirements of public authorities or where the processing is necessary for exercising the right of freedom of expression and information, for compliance with a legal obligation, for reasons of public interest

or for the establishment, exercise or defence of legal claims, the processing of the data will be restricted (see below).

- **Right to restriction of processing (Art. 18 GDPR)**

You have the right to obtain from us, subject to the statutory requirements, that we restrict the processing of your personal data, i.e. mark the data and restrict the future processing of it (blocking).

- **Right to data portability (Art. 20 GDPR)**

You have the right, subject to the statutory requirements, to require us to transmit to you, or to another controller named by you, the personal data concerning you, which you provided to us, in a structured, commonly used and machine-readable format.

- **Right to object to direct marketing (Art. 21 GDPR)**

You have the right to object at any time to the processing of your personal data for advertising purposes (“objection to advertising”).

- **Right to object to data processing if the legal ground is a “legitimate interest” (Art. 21 GDPR)**

You have the right to object at any time to the processing of the data by us if the legal basis for this is a “legitimate interest”. We will then discontinue the processing of the data unless we are able to demonstrate, in accordance with the legal stipulations, compelling legitimate grounds for the continued processing which override your rights.

- **Right to withdraw consent (Art. 7 (3) GDPR)**

If you have given us your consent to the collection and processing of your data, you may withdraw this consent at any time with effect for the future. The lawfulness of processing your data in the past up until the time of your withdrawal of consent shall remain unaffected by this.

- **Right to lodge a complaint with the supervisory authority (Art. 77 GDPR)**

You may lodge a complaint with the competent supervisory authority if you are of the opinion that the processing of your data is infringing applicable law. For this you have the right to approach the competent data protection authority at your habitual residence or in your country or the data protection authority with competence for us.

## 9. **Supervisory authority responsible**

The supervisory authority responsible for us is:

**Landesbeauftragter für den Datenschutz  
und die Informationsfreiheit  
Königstraße 10 a  
70173 Stuttgart  
Tel.: 0711 / 61 55 41- 0  
Fax: 0711 / 61 55 41 - 15  
E-Mail: [poststelle@ldi.bwl.de](mailto:poststelle@ldi.bwl.de)**

10. **Current Data Protection Statement and changes to it**

This Data Protection Statement is up-to-date at the current time and is valid as per March 2021.

It can become necessary to modify this Data Protection Statement as a result of further developing our website and offers or due to changes to statutory provisions or requirements of the public authorities.

The Data Protection Statement currently valid can be retrieved, stored and printed from our website at [bauknecht-wirth.org/files/data-protection-policy.pdf](http://bauknecht-wirth.org/files/data-protection-policy.pdf)