

Privacy Notice


This privacy notice (“**Privacy Notice**”) applies to any business partner, consultant and service provider and their management and employees, as well as freelancers and any other persons (“**you**”, “**your/s**”) which already have or intend to have a business relationship (collectively “**Business Relationship**”) with GfK SE and/or its affiliates (collectively “**we**”, “**us**” and “**our/s**”) without being an employee of us. Each Controller is part of the GfK Group (“**GfK**”).

In the context of your Business Relationship with GfK we will collect, retain, disclose and/or otherwise process Personal Data relating to you.

From time to time, we may need to change or update this Privacy Notice. The most recent version of this Privacy Notice is available [here](#).

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| Name and contact details of Controller | <p>For the purposes of this Privacy Notice, the Controller is the GfK entity with which you have a Business Relationship.</p> <p>Contact details: +49 911 395-0 gfk@gfk.com</p> |
| Contact details of the Regional Data Protection Officer | <p>The Regional Data Protection Officer (“DPO”) can be contacted via email to dpo@gfk.com.</p> |
| Scope of this Privacy Notice | <p>We encourage you to read this Privacy Notice carefully as it, <i>inter alia</i>, describes:</p> <ul style="list-style-type: none"> ▪ what personal data we process about you when you enter into, during and after the termination of your Business Relationship with GfK; ▪ the purposes for which we process your personal data; ▪ the legal basis for processing; ▪ the recipients of your personal data; ▪ your data subject rights and ▪ the retention periods. |
| Categories of personal data | <p>In the course of your Business Relationship we will process the following categories of personal data (each as applicable¹):</p> <ul style="list-style-type: none"> ▪ Basic data: <ul style="list-style-type: none"> – given name(s) and surname – photo(s), (optional for your ID card) |

¹ Please note that not all categories of personal data are processed about you. Whether the listed categories of personal data are collected about you depends on the extent to which this is applicable to your individual Business Relationship with GfK.

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| | <ul style="list-style-type: none"> – your contingent worker ID – nationality – status data regarding concealed self-employment (e.g. number of clients, focus of employment, own equipment, for further data see the following questionnaire). <div style="text-align: center;">  <p>Fragebogen</p> </div> <ul style="list-style-type: none"> ▪ Work and private contact details: <ul style="list-style-type: none"> – address – telephone number – e-mail address ▪ Organizational data: <ul style="list-style-type: none"> – division or organizational entity (reassignment to another organizational entity) – internal accounting department – functions/job profile – location of service performance / location ▪ Data to carry out the Business Relationship with us: <ul style="list-style-type: none"> – legally required accounting data: <ul style="list-style-type: none"> o Invoice details such as tax number, details of service provision, etc. o Bank details – personal data in your contract(s) with us, from your business correspondence, as well as negotiations – social security classification of your activity (employee, self-employed, mixed form) – Competence/skill level – order number ▪ Security and access control related data <ul style="list-style-type: none"> – protocol data of your use of our IT systems – login details (including current and historic username and password) – login records (including login location, login IP address, and failed login attempts) – information on personal data transferred via internal IT systems (e.g. e-mails, telephone call lists and job-related profiles in social media) – recordings from GfK security cameras in line with our retention policies and if and to the extent permissible under the GDPR. |
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| | <ul style="list-style-type: none"> ▪ Special categories of personal data (Art. 9 GDPR) <ul style="list-style-type: none"> – religious data – health data – biometric information (e.g. your photo on ID cards issued by national authorities) – other special categories of personal data for which we have obtained your prior explicit consent. | |
| <p>Obligation to provide us with your personal data</p> | <p>In the course of your Business Relationship you are only obliged to provide such personal data necessary for the purpose of entering into, continuing or ending the Business Relationship, for the fulfilment of your associated contractual obligations under the Business Relationship contract, as well as such data which we are legally obliged to collect as within the Business Relationship. Without this personal data we would generally not be able to enter into or perform the Business Relationship contract with you.</p> | |
| <p>Sources of personal data</p> | <p>As a rule, your personal data is collected from you directly during the application process or during your Business Relationship.</p> <p>In addition, we may have received your personal data from third parties (recruitment agencies or publicly available sources such as professional networks).</p> | |
| <p>Purpose of processing your personal data and legal basis</p> | <p>Purpose</p> | <p>Legal basis</p> |
| | <p>The establishment, performance or termination of your Business Relationship with us, <i>inter alia</i>, in order to:</p> <ul style="list-style-type: none"> ▪ to carry out the Business Relationship, in particular for business communication with you, for organizing meetings, and for internal reporting purposes; ▪ establish and maintain an efficient work environment for you (including the provision of internal communication tools such as MS Teams). | <p>Our contractual obligations arising from our Business Relationship with you pursuant to Art. 6 para. 1 (b) GDPR.</p> |

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| | <p>The maintenance of IT systems, <i>inter alia</i>, in order to:</p> <ul style="list-style-type: none"> ▪ monitor for security to ensure compliance with legal IT security requirements. | <p>Our legitimate interest according to Art. 6 para. 1 (c) GDPR and, if applicable, our legal obligations according to Art. 6 para. 1 (c) GDPR.</p> |
| | <p>The establishing, exercise or defense of legal claims in the context of our liability in the Business Relationship.</p> | <p>Our legitimate interest in accordance with Art. 6 para. 1 (f) GDPR.</p> |
| | <p>Providing your personal data to third-party acquirer(s) or joint venture partner(s) during and after a transaction in the event that we sell or transfer all or any portion of our business or assets or otherwise participate in a merger and acquisition transaction.</p> | <p>Our legitimate interest to expand or sell our business, in accordance with Art. 6 para. 1 (f) GDPR.</p> |
| <p>Recipients</p> | <p>Within the GfK Group only Employees with a need to know and limited to the extent that is necessary to fulfil their contractual or legal obligations can access your personal data (including HR, your line manager, works council, Finance, Legal & Compliance). Regarding the disclosure of personal data within the GfK Group and depending on the processing activities, the GfK Group entities are either separate independent controllers, jointly responsible controllers (“Joint Controllers”) or processors.</p> <p>As a general rule, we do not disclose your personal data to recipients outside of the GfK Group. Only in the following exceptional cases, the following categories of third party recipients can be relevant:</p> <ul style="list-style-type: none"> ▪ Authorities, including law enforcement agencies or courts (upon request); ▪ accountants, tax professionals, auditors, lawyers and other external professional advisors to the GfK group, subject to binding contractual obligations of confidentiality or professional secrecy obligations; ▪ third-party acquirer(s), in the event that we sell or transfer all or any portion of our business or assets or otherwise participate in a merger and acquisition transaction. <p>Where we engage third-party suppliers (including processors) to fulfil our contractual or legal obligations, such third parties will be subject to contractual obligations (e.g. under a data processing agreement) and</p> | |



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| | <p>shall only process the personal data in accordance with our prior written instructions and shall use measures to protect the confidentiality and security of the personal data.</p> |
| Transfers of information outside of the EEA | <p>Due to the international nature of our business, we may need to transfer personal data to other entities within the GfK Group and to third parties outside the European Union (EU) and/or the European Economic Area (EEA). Due to this, we may transfer personal data to countries that may have different laws and data protection compliance requirements to those that apply in the country in which you are located.</p> <p>For international data transfers within the GfK Group we have an intra-group data transfer agreement in place ensuring the appropriate transfer mechanisms under Art. 44 <i>et seqq.</i> GDPR.</p> <p>Where we transfer your Personal Data from the EU/EEA to recipients located in countries outside the EU/EEA which are not subject to an adequacy decision of the EU Commission, we achieve an equivalent level of data protection as set out in standard contractual clauses or binding corporate rules of our business partners and where necessary we supplement these mechanisms with further contractual, technical and organizational obligations.</p> |
| Your rights | <p>You have the following rights in relation to your personal data under the applicable data protection legislation. You have the right to request that we:</p> <ul style="list-style-type: none">▪ provide access to any personal data which we hold about you, including a right to obtain copies personal data subject to our processing (Art. 15 GDPR and Art. 15 para. 3 GDPR)▪ correct any of your personal data, which is out of date or incorrect (Art. 16 GDPR)▪ delete any personal data which we hold about you; to the extent such deletion does not conflict with our legal obligations (Art. 17 GDPR)▪ restrict the way that we process your personal data (Art. 18 GDPR)▪ provide your personal data to a third-party provider of services (Art. 20 GDPR) <p>If we process your data on the basis of a legitimate interest, you may object based on reasons concerning your specific situation (Art. 21 GDPR). We will then stop processing your data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.</p> |

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| | <p>You can withdraw any given consent at any time whereas your withdrawal will only have an effect for the future (Art. 7 para. 3 GDPR).</p> <p>We do not use solely automated processes for making individual decisions (Art. 22 GDPR).</p> |
| Retention of personal data | <p>We will delete your personal data as soon as it is no longer needed for the purposes described in this Privacy Notice in accordance with our retention policy. After you have ended your Business Relationship agreement, only such personal data which we are obliged and entitled to store under applicable law will be retained; this is set forth in the applicable retention periods laid down in the relevant legal provisions (i.e. tax and accounting law) and our retention policy.</p> |
| Security | <p>We are committed to protecting personal data from loss, misuse, disclosure, alteration, unavailability, unauthorized access and destruction and take all reasonable precautions to safeguard the confidentiality of personal data, including through use of appropriate technical and organizational measures. Technical measures include, for example, the use of encryption, passwords for access to our systems and the use of anti-virus software. Organizational measures include, for example, physical access controls to our premises, training and the locking physical files in filing cabinets.</p> |
| Further questions, exercising your rights or making a complaint | <p>If you have any queries or complaints about our collection, use or storage of your personal data, or if you wish to exercise any of your rights in relation to your personal data, you may contact:</p> <ul style="list-style-type: none"> ▪ the DPO via email to dpo@gfk.com. <p>We will investigate and attempt to resolve any complaint or dispute regarding the use or disclosure of your personal data. You may also make a complaint to the Bayerisches Landesamt für Datenschutzaufsicht (State of Bavaria Data Protection Authority, contact details on the website).</p> |