

# Privacy policy for remote activities



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**MÜLLER-BBM**  
CERT GMBH

# Privacy policy for remote activities conducted by Müller-BBM Cert Umweltgutachter GmbH

## Contents

1	Preamble .....	3
2	Definitions: .....	3
3	Purpose and responsible organisation:.....	4
4	Use of technologies .....	4
5	Type of data.....	5
6	Storing of data and duration.....	5
7	Transmission to a third-party state.....	6
8	Confidentiality agreement.....	6
9	Legal base.....	6
10	Rights of concerned parties.....	6
11	Disclaimer .....	7
12	Responsible authority .....	7

## 1 Preamble

In certain situations, where the ordinary performance of our activities is limited by higher force (e.g. in the event of a pandemic), the use of information and communication technologies may be appropriate to replace on-site activities in whole or in part. Client and conformity assessment body are aware that the use of these technologies may entail a certain risk in terms of security and confidentiality. It is the responsibility of each party to be aware the risks of a technology used.

The use of such a technology only takes place if both parties agree on the use. The participation in a telephone or video conference is considered as consent, if not specified otherwise in advance.

## 2 Definitions

### **Certification**

Confirmation of the conformity of a matter of assessment, with the specified requirements.

### **Verification**

Process of evaluating a statement about historical data and information, to determine whether the statement is substantially correct and meets the criteria of previously defined requirements.

### **Audit**

Systematic, independent and documented process for obtaining evidence and their objective evaluation in order to determine to what extent the audit criteria (previously defined requirements, as mentioned above) are met.

### **Remote activities**

The use of information and communication technologies in order to replace all or part of on-site activities.

### **Auditor, validator or verifier**

Person conducting an audit.

### **Chat function**

Digital text transmission either directly between two people or in larger groups, for example in the context of video conferences.

### 3 Purpose and responsible organisation

The purpose of the processing of personal and business-related data as described within this declaration is to conduct remote activities for validation-, verification-, or certification-activities.

**Responsible for the processing of data is**

Müller-BBM Cert Umweltgutachter GmbH  
Heinrich-Hertz-Straße 13  
D-50170 Kerpen  
Germany

Represented by:

Dr. Matthias Bender (Managing Director)  
Dr. Stefan Bräker (Managing Director)

**Contact:**

For questions and further information please contact us via email at [info@mbbm-cert.com](mailto:info@mbbm-cert.com) or by phone at +49 2273 59280-188.

**Data protection officer**

Müller-BBM Cert Umweltgutachter GmbH currently employs less than 20 people and is therefore currently appointing no data protection officer (in accordance with § 38 (1) Federal Data Protection Act (BDSG)).

### 4 Use of technologies

Müller-BBM Cert Umweltgutachter GmbH conducts remote activities employing various digital technologies. These include telephony, video telephony, photography and digital (text) transmissions of other forms.

Müller-BBM Cert Umweltgutachter GmbH offers the use of Microsoft Teams as software for video telephony. Microsoft 365 and Microsoft Teams are a service of Microsoft Ireland Operations, Ltd. For this purpose, we have concluded a data processing agreement with the provider. With the help of this software, video conferences can be organised and conducted. This makes it possible to carry out remote audits, for example through interviews, reviews of documents (live view) or on-site-tours with video transmission.

When using Microsoft Teams, different types of data are processed. The extend of this data depends on which information is provided by participants before or when participating in a video conference.

In order to enable the display of videos and the playback of sound, information from the microphone of a participant's device and from the video camera of a participant's device are processed during the duration of the meeting. Participants can switch off or mute the cameras and microphones by themselves at any time during the use of the Microsoft Teams applications.

## 5 Type of data

The following personal data is subject to the data processing:

### **User details:**

- Display name
- E-mail-address
- Profile picture (optional)
- Preferred language

### **Meeting-Metadata:**

- Date
- Time
- Meeting-ID
- Telephone number
- Place

### **Text, audio and video data:**

Participants may have the opportunity to use a chat functionality during a video conference. In this case, the text input made by participants is processed to display it during the online meeting.

## 6 Storing of data and duration

If it is necessary for the purposes of auditing or contract fulfilment, chat- and video content or content from other remote activities will be stored within the context of the auditing procedures (e.g. screenshots, image recordings). This is only done after announcement. The stored data will be deleted as soon as it is no longer required for the initial purpose. Contents and especially evidence with reference to the subject matter of validation, verification or certification is stored for ten years.

## 7 Transmission to a third-party state

Microsoft Teams transmits, stores and processes data outside the scope of the GDPR. The transfer, storage and processing of the data may take place in third-party countries, in particular in the USA. Microsoft uses standard contractual clauses to ensure data protection in these countries. Microsoft declares that it respects the requirements of the European Economic Area regarding the collection, use, transfer, storage and other processing of personal data from the European Economic Area. All transfers of personal data to a third-party country or an international organisation are subject to appropriate safeguards as described in Article 46 GDPR. Transfers and safeguards are documented in accordance with Article 30(2) GDPR. In addition, Microsoft is certified in the Privacy Shield Framework EU-US ([www.privacyshield.gov/welcome](http://www.privacyshield.gov/welcome)).

## 8 Confidentiality agreement

With regard to all business-related data, the confidentiality provisions of our general terms and conditions also apply to all remote audits we conduct.

## 9 Legal base

The processing of any data is conducted in accordance with article 6 paragraph 1 lit. b GDPR based on the consent by the contractual partner.

## 10 Rights of concerned parties

Participants of remote audits conducted by Müller-BBM Cert Umweltgutachter GmbH possess the following rights in accordance with the regulations in Art. 15 to 21 GDPR:

- Right to information
- Right to correction or erasure
- Right to restriction of processing
- Right to objection to processing
- Right to data portability

## 11 Disclaimer

Müller-BBM Cert Umweltgutachter GmbH rejects any warranty and liability for any resulting violations of confidentiality arising from the use of Microsoft Teams within the scope of the legally permissible exclusion of liability.

## 12 Responsible authority

Participants of remote audits by Müller-BBM Cert Umweltgutachter GmbH hold the right to complain to the competent supervising authority. The following authority is competent for the responsible organisation:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen  
Postfach 20 04 44  
D-40102 Düsseldorf  
Germany

Phone 0211/38424-0

E-Mail [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)