



Data protection information for the whistleblower system

We, die Hexagon Agility GmbH, Otto-Hahn-Straße 5, 34123 Kassel, Tel.: +49 561 827 98 0, e-mail: info@hexagonagility.com, would like to explain to you below how we process your personal data through the whistleblower system. If you have any questions about data protection, please contact our data protection officer at hexagon-agility@dsb-moers.de. Further contact information can be found at www.dsb-moers.de.

Data processing in the whistleblower system is carried out jointly by the following Hexagon Group companies:

- Hexagon Composites ASA
- Hexagon Agility GmbH
- Hexagon Agility Inc.
- Hexagon USA Holdings, Inc.

The joint data processing relates in particular to the operation and use of shared databases, platforms and IT systems. In accordance with the requirements of Art. 26 GDPR, a joint controllership agreement defines how the respective tasks and responsibilities for the processing of personal data are structured and who fulfills which data protection obligations. It also specifies how an appropriate level of security and the rights of data subjects can be ensured.

Purpose of the data processing

The operation of our whistleblower system serves to ensure the legal compliance of our processes, the clarification of facts and, if necessary, further legal prosecution. We are legally obliged to set up and operate the whistleblower system; the legal basis for data processing is Art. 6 (1) (c) GDPR in conjunction with Section 10 of the Whistleblower Protection Act (HinSchG). In doing so, we process data on possible criminal offenses within the meaning of Section 2 HinSchG. If you disclose special categories of personal data to us, we process these for the assertion, exercise or defense of legal claims (Art. 9 (2) (f) GDPR) or within the scope of our legal obligations pursuant to Art. 9 (2) (g) GDPR.

If investigations are carried out in the context of employment, the legal basis for data processing is Section 26 (1) sentence 2 of the German Federal Data Protection Act (BDSG); if special data is involved, Section 26 (3) BDSG applies. Furthermore, we may process the data in order to protect our legitimate interests or those of third parties; the legal basis is then Art. 6 (1) (f) GDPR. Legitimate interests here are in particular verifying the plausibility of information, preventing further or future misconduct, exonerating employees and fulfilling obligations to cooperate in investigative measures in connection with law enforcement authorities.

Categories of data recipients

As part of the whistleblower system, we use service providers who are separately bound to confidentiality and data protection for specific areas in which access to personal data cannot be ruled out. These categories of recipients are the provider of the whistleblower portal, IT service providers and data destruction companies. If necessary, we commission third parties to clarify and evaluate facts, such as lawyers, auditors, consultants or forensic experts.

Data is passed on to authorities if there are overriding legal provisions or for further legal prosecution. If necessary to carry out internal investigations, the works council will be informed of the clarification processes. If necessary, personal data will be transmitted to insurance companies.

If data transfer to third countries is necessary for processing purposes, this is done exclusively under the conditions of Art. 44 et seq. GDPR.

Retention period and deletion of data

Personal data collected as part of the whistleblower system will be stored or deleted in accordance with the relevant data protection regulations, in particular in accordance with Section 11 HinSchG (usually 3 years after completion of the procedure), unless other legal provisions require longer retention.

Your right to information, rectification, erasure, objection and data portability

You can exercise your right to information, correction and deletion of data at any time. Simply contact us in the ways described above. If you wish your data to be deleted but we are still legally obliged to retain it, access to your data will be restricted (blocked). The same applies in the event of an objection. You can exercise your right to data portability insofar as the technical means are available to the recipient and to us.

Right to lodge a complaint

You have the right to lodge a complaint with a data protection supervisory authority at any time.

Provision obligation

The purpose of the processing is to clarify the facts of criminal offenses. Please provide us with as much specific information as possible about the facts of the case. Please note that any other information you provide in the report that can be used to identify you directly or indirectly will be processed by the organization when handling the case, even if you submit an anonymous report.

Profiling

In connection with the processing of whistleblower cases, there is no profiling and no automated decision-making in individual cases within the meaning of Art. 22 GDPR.

Technical notes and information on data security

The whistleblower system includes an option for anonymous communication via an encrypted connection. When using the system, your IP address and your current location will not be saved at any time. After submitting a report, you will receive access data to the whistleblower system so that you can continue to communicate securely.

If you realize that you have provided incomplete or incorrect information, log in to the system and inform of the changes.

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