# Data protection information for employees

The following data protection information sets out
an overview of how we obtain and process your data.

We're providing this information to give you an overview of how we process your personal data and your rights under the General Data Protection Regulation (GDPR). The prevailing or arranged terms of the employment relationship based on the contract we have with an employee, as well as any additional services, are generally what determines how and what personal data will be processed and used in each individual case. As such, some of the information below may not apply to you.

## 1. Who is responsible for data processing and whom should I contact?

The data controller is:

Deutsche Pfandbriefbank AG
Parkring 28
85748 Garching, Germany

Telephone: +49 89 2880 0
Fax: +49 89 2880 10319
E-mail: info@pfandbriefbank.com
Website: www.pfandbriefbank.com

You can contact our corporate Data Protection Officer at:

Deutsche Pfandbriefbank AG
Data Protection Officer
Parkring 28
85748 Garching, Germany

Telephone: +49 89 2880 0
Fax: +49 89 2880 10319
E-mail: group.dataprotection@pfandbriefbank.com

## 2. What type of sources and data do we use as an employer?

We process personal data that we receive from our employees as part of our employment relationship. Where necessary in the context of our employment relationship, we also process personal data that we have lawfully obtained from public sources (e.g. professional networks on the internet) and are permitted to use, or that have been lawfully provided to us by other Deutsche Pfandbriefbank AG Group companies or other third parties (e.g. electronic income tax deduction information from the Federal Central Tax Office (Bundeszentralamt für Steuern)). In some situations, your personal data is also obtained by other parties due to legal requirements. In particular, this includes event-prompted enquires about tax-related information from the responsible tax authority as well as information about medical leave from the relevant health insurance provider. Furthermore, we may have received personal data from third parties (e.g. recruitment agencies).

Relevant personal data includes personal information (name, address and other contact details, place/date of birth, gender, nationality, any applicable work permit, employee ID), family information (e.g. marital status, information about your children), religion, health information (where relevant for your employment, for example in the event of illness or disability), any prior offences (criminal records certificate), identification data (e.g. official ID data), tax ID number, social security number, pension number, bank account and information about your qualifications and prior employers. Additionally personal data may include information arising in the context of fulfilling our contractual obligations (e.g. payroll), protocol data connected to the use of our IT systems, order data (e.g. signing up for a remote work station), information about your financial situation (e.g. outstanding loans, attachment of earnings orders), other data from our employment relationship (e.g. time recording data, annual leave, medial leave, 'skills' information, social data, work-related performance data) and other data similar in nature to the categories above.

## 3. Why do we process your data (processing purpose) and on what legal basis?

We process personal data in accordance with the provisions set out in the General Data Protection Regulation (GDPR) and the Federal Data Protection Act (*Bundesdatenschutzgesetz* - BDSG) including any respective applicable supplementary data protection regulations:

a. to perform contractual obligations (article 6(1)(b) GDPR in connection with article 88 GDPR and section 26(1) BDSG):

   Personal data is processed first and foremost to initiate, carry on or terminate an employment relationship in the context of the existing contract we have with you, or to make pre-contractual arrangements after an initial inquiry has been made. Where you take advantage of additional services (e.g. IT leasing for employees), your personal data is used to perform these additional services as necessary.

b. to determine the balance of interests (article 6(1)(f) GDPR) in connection with article 88 GDPR and section 26(1) sentence 1 BDSG):

   Where necessary, the extent to which we process your personal data extends beyond the actual performance of a contract in pursuance of the legitimate interest of the Bank or a third party.

   Examples:

   - Measures to promote employee development planning;
   - Measures relating to organisational changes;
   - Enforcing legal rights and defending our position in legal disputes;
   - Ensuring IT security and operations for the Bank;
   - Preventing and investigating offences or incidences of gross negligence (cf. section 26(1) BDSG);
   - Measures relating to building and premises security (e.g. access control);
   - Measures relating to asserting our right to exclude people from our premises.

c. where you have given consent (article 6(1)(a) GDPR in connection with article 88 GDPR and section 26(2) BDSG):

   Where you have consented to your personal data being processed for specific purposes (e.g. extended storage of application materials, employee sports, photos relating to events, using mobile devices), the consent serves as the basis for lawfully processing your personal data. Consent may be revoked at any time once given. This also applies to withdrawing consent given before the GDPR came into force, i.e. before 25 May 2018. Withdrawing consent will apply going forward and does not affect the lawfulness of personal data processing that occurred prior to the withdrawal.

d. for compliance with a legal requirement (article 6(1)(c) GDPR in conjunction with article 88 GDPR and section 26 BDSG) or in pursuit of the public interest (article 6(1)(e) GDPR):

   In addition, as a bank we are subject to various different legal obligations, such as statutory requirements (e.g. social security law, working time law, protection from wrongful dismissal, occupational safety, employees' representation law, the Banking Act (*Kreditwesengesetz*), Money Laundering Act (*Geldwäschegesetz*), Securities Trading Act (*Wertpapierhandelsgesetz*), tax laws) as well as banking regulatory requirements (e.g. those set out by the European Central Bank, the European Banking Authority, the German Bundesbank and the German Federal Financial Services Supervisory Authority). Purposes of data processing include things such as verifying your identity, preventing fraud and money laundering, complying with social security and tax auditing obligations, reporting and documentation requirements and evaluating and managing risks in the Bank and the Group.

e. due to collective bargaining agreements (article 6(1)(b) and (c) GDPR in connection with article 8(1)

f. GDPR and section 26(4) BDSG):

We also process personal data when necessary to exercise or fulfil the rights and obligations of the employee representative body in connection with a wage agreement or a collective bargaining agreement.

## 4. Who receives my data?

The parties that have access to your personal data within the Bank are those that need access so they can perform the Bank's contractual and legal obligations and pursue the legitimate interests of the Bank or of a third party, e.g. managers, HR, works council, council of employees with disabilities. Our service providers and vicarious agents can also receive personal data for these purposes as long as they maintain banking confidentiality, or are subject to a duty of confidentiality for legal, contractual and/or professional conduct reasons. These include companies connected with payroll, pension calculations, tax consulting, insurance, training providers, managing company sport opportunities, IT, logistics, printing, occupational health services and telecommunications.

In terms of transferring data to recipients outside of the Bank, we as an employer first and foremost only share necessary personal data in compliance with applicable data protection regulations. The Bank may generally only disclose information regarding our employees if statutory provisions so require or the employee has consented to such disclosure or the Bank is otherwise authorised to do so.

In these circumstances, the recipients of personal data can include, for example:

- Social security institutions;
- Health insurance companies;
- Pension schemes;
- Tax authorities;
- *Berufsgenossenschaft* (professional association having liability for industrial safety and insurance);
- Public bodies and institutions (e.g. the European Central Bank, the German Bundesbank, the European Banking Authority, Single Resolution Board, the Federal Financial Supervisory Authority, tax authorities, criminal investigative and prosecutorial authorities) where a statutory or regulatory requirement to do so applies;
- Other lending or financial services institutions or similar entities to whom we transfer personal data to carry on our contractual relationship with you (e.g. for payroll);
- Auditors and payroll tax auditors;
- Service providers we use to process orders;
- Third-party debtors in connection with attachment of earnings orders;
- Insolvency administrators in the event of personal bankruptcy;

Other recipients include parties with whom you have authorised us to share your data or where we are authorised to share data as the result of a balance of interests determination.

## 5. Is data transferred to any third-party country or an international organisation?

Data is transferred to parties or states outside the European Union ('third party countries'), where (i) we are legally required to do so (e.g. tax reporting) (ii) you have provided consent or (iii) there are legitimate interests under data protection law and the affected party has no overriding legitimate interests. Furthermore, it is possible that data will be transferred to third-party countries to continue the employment relationship (e.g. in the event of secondment).

If we transfer personal data to service providers or Group companies outside the European Economic Area (EEC), we will only transfer the data where the third-party country has data protection measures in place that have been confirmed by the EU Commission or there are

other adequate data protection guarantees (e.g. binding internal corporate data protection regulations or EU standard contract clauses).

## 6. How long is my personal data stored?

We process and save your personal data as long as we need to in order to fulfil our contractual and statutory obligations. Bear in mind that our employment relationship is a continuing obligation with a long-term timeline.

If the personal data is no longer required to perform contractual or legal obligations, it is deleted on a regular basis unless further, time-limited, processing is required for the following purposes:

- Complying with legal record-keeping duties, such as those set out in: the Social Security Code (*Sozialgesetzbuch* - SGB IV), the Working Time Act (*Arbeitszeitgesetz*), the Works Council Constitution Act (*Betriebsverfassungsgesetz* - BetrVG), the Remuneration Transparency Act (*Entgelttransparenzgesetz*), the German Commercial Code (*Handelsgesetzbuch* - HGB), the Fiscal Code (*Abgabenordnung* - AO), the Banking Act (*Kreditwesengesetz* - KWG), the Money Laundering Act (*Geldwäschegesetz* - GwG) and the Securities Trading Act (*Wertpapierhandelsgesetz* - WpHG). The time periods set out in these acts require record keeping or documentation for six to ten years.
- Retaining evidential material in relation to statutory limitation periods. Pursuant to sections 195 et seqq. of the German Civil Code (*Bürgerliches Gesetzbuch* - BGB), limitation periods can span up to 30 years, although the usual limitation period expires after three years.

Where data is processed in pursuance of the legitimate interests of the Bank or a third party, the personal data is deleted as soon as that legitimate interest no longer applies. The exceptions mentioned above apply, however. This also applies where consent has been given to process data. Once you revoke your consent for data to be processed in the future, your personal data is deleted unless one of the exceptions set out above applies.

## 7. What are my data protection rights?

Every affected person has the right of **access** under article 15 GDPR, the right to **rectification** under article 16 GDPR, the right to **erasure** under article 17 GDPR, the right to **restriction of processing** under article 18 GDPR, the right to **object** under article 21 GDPR and the right to **data portability** under article 20 GDPR. The limitations under sections 34 and 35 BDSG apply to the right of access and erasure. You can exercise these rights by contacting the data controller. There is also a right to lodge a complaint with the responsible supervisory authority (article 77 GDPR in conjunction with section 19 BDSG).

You can withdraw your consent to us processing your personal data at any time. This also applies to withdrawing consent given before the GDPR came into force, i.e. before 25 May 2018. Please note that the withdrawal will only apply going forwards. This means that data processing prior to the withdrawal will not be affected.

## 8. Am I under any duty to provide information?

As part of our employment relationship, you have to provide us with the personal data required to initiate, carry on and terminate the employment relationship and to fulfil obligations to which we are subject, including contractual obligations, or information we are required to obtain by law. If we do not have this personal data, we generally will not be able to enter into a contract with you, to perform it or to terminate it.

In some instances, you may be disadvantaged by not providing certain personal data (e.g. lack of reasonable adjustments in the case of disability).
If you do not provide us with the necessary information and documentation, this can hinder employment from beginning or being carried out.

## 9. How much of the decision-making process is automated?

To initiate, carry on and terminate an employment relationship, we generally do not use a fully automated decision-making process as defined in article 22 GDPR. If we use such a procedure in individual cases, we will provide you with a separate notification that we are doing so as well as your rights where we are legally required to do so.

## Information about your right to object under article 21 of the General Data Protection Regulation (GDPR)

Circumstances where you have a right to object

You have the right to object at any time for reasons relating to your particular situation to the processing of personal data concerning you where the data processing is based on article 6(1)(e) GDPR (data processing in the public interest) and article 6(1)(f) GDPR (data processing to determine the balance of interests); this also applies to any profiling as defined by article 4(4) GDPR as provided for.

If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate reasons that outweigh your interests, rights and liberties, or where the processing serves to enforce, exercise or defend legal rights.

No special form is needed to object and the objection should be sent to:

Deutsche Pfandbriefbank AG
Data Protection Officer
Parkring 28
85748 Garching, Germany

Telephone: +49 89 2880 0
Fax: +49 89 2880 10319
E-mail: group.dataprotection@pfandbriefbank.com