

# Privacy policy for DATEV video services with Zoom

Information obligations in accordance with Articles 13 and 14 of the GDPR

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## 1. Responsible for data collection

**DATEV eG, Nuremberg**

### **Contact**

Paumgartnerstr. 6 - 14

90429 Nuremberg

Phone: +49 911 319-0

Email: [info@datev.de](mailto:info@datev.de)

## 2. Data protection officer

### **DATEV eG, Nuremberg**

Data Protection Officer

#### **Contact**

Paumgartnerstr. 6 - 14

90429 Nuremberg

Phone: +49 911 319-0

Email: [datenschutz@datev.de](mailto:datenschutz@datev.de)

Responsible: Bavarian State Office for Data Protection Supervision

## 3. Collection and processing of personal data when participating in DATEV video services using the tool Zoom

On behalf of DATEV, the company WTG communication GmbH, Biebricher Allee 51, 65187 Wiesbaden, Germany, uses the product Zoom from Zoom Video Communications, Inc., for video services.

When participating in Zoom video services from DATEV, the data that you provide before or during participation in an 'online event' is processed.

This comprises:

- **User details:** username, display name, email address, profile picture, profile information (optional details), preferred language, etc.
- **Meeting metadata:** meeting ID, participant IP addresses, service data on relevant session and system use (data on devices/hardware used, operating system, time zone), phone numbers (when dialling in using a telephone), location, name of meeting and event organiser password where applicable, date, time and duration, activities recorded in the meeting (e.g. participation and leaving), including activities in conjunction with app-based integration of third parties, together with the date, time, person taking part in the activity and other participants in the meeting with date, time, duration.
- **Chat, audio and video data:** the application requires access to your microphone and/or video camera in order for audio and video transmission to take place. You can mute or switch these off yourself at any time using the relevant application. Any text you enter in the chat will also be processed; chats will only be saved for Zoom webinars/sessions/events.
- **For Zoom recordings (only with consent):** MP4 file with all video, audio and presentation recordings. If 'online meetings' are to be recorded, we will inform you transparently in advance and – if necessary – ask for your consent. Your consent is voluntary. You may withdraw it at any time with future effect. If you do not consent to the recording, you must leave the event.

We and our service providers use this information to understand how the service is used, to perform overall statistical analysis problems and to improve this service as well as other products and services.

**Legal basis:** *This processing is necessary for the performance of a contract (GDPR Article 6(1)(b)) and for the purposes of the legitimate interests pursued by us or by a third party (GDPR Article 6(1)(f)). For instance, to guarantee IT security and operations.*

## 4. Cookies

Zoom uses temporary and permanent cookies. Some of the cookies are technically necessary; when using optional cookies, Zoom asks for your consent beforehand.

You can find more information about the use of cookies by Zoom [here](#).

**Legal basis:** *Cookies are required for the performance of a contract (GDPR Article 6(1)(b)) and for the purposes of legitimate interests (GDPR Article 6(1)(f)).*

You can opt out of cookie storage using your browser settings and delete stored cookies in your browser at any time. However, please note that without cookies, the functions of this online service will be limited.

## 5. Device identification and location data

No additional device identifiers or other location data are recorded.

## 6. Additional processing purposes

DATEV may process your personal data on the basis of other legal obligations, such as court orders.

The applicable legal basis is statutory provisions (GDPR Article 6(1)(c)) or the public interest (GDPR Article 6(1)(e)). Where required, DATEV processes your data beyond the actual performance of the contract for the purposes of our legitimate interests or those of third parties.

For instance, for:

- Safeguarding IT security and operation, e.g. transfer protocols
- Asserting and defending legal claims in legal disputes

**Legal basis:** *This processing is based on DATEV's legitimate interest (GDPR Article 6(1)(f)).*

You have the right to object, for grounds arising from your particular situation, to the processing of your personal data at any time.

## 7. Duration of storage

If your personal data is no longer required for the above purposes, it is deleted on a regular basis, unless its – temporary – retention is still necessary for the purposes of fulfilling contractual or legal obligations.

Reasons for this may be, for example:

- Keeping evidence for legal disputes in the context of legal statutes of limitation: statutory limitation periods under civil law may last up to 30 years, with the standard limitation period being three years.
- Log data may be stored for up to two years and your inquiries to our customer service may be stored for up to six months.

Once these periods have passed, the data is deleted following a subsequent period of review. For data with a statutory retention period of 10 years, this may last up to four years.

## 8. Recipients of personal data

On behalf of DATEV, the company WTG communication GmbH, Biebricher Allee 51, 65187 Wiesbaden, Germany, uses the Zoom tool from Zoom Video Communications, Inc. for video services.

For the purposes of contractual performance, the data required to provide the service is transferred to Zoom. In particular, the user ID and IP address are passed on to Zoom. When using the service, the content data is encrypted using AES-256 and transmitted via the Zoom servers.

## 9. Third country

Personal data is only transferred to service providers outside of the European Economic Area (EEA) if the European Commission has confirmed that the third country has an adequate level of data protection or if other appropriate data protection safeguards are in place, e.g.:

- Self-certification in accordance with the Trans-Atlantic Data Privacy Framework (provided for Zoom)
- EU standard contractual clauses with additional safeguards, if required based on a transfer impact assessment

Data may be transmitted to Zoom US for analysis if an error occurs or to establish a connection.

## 10. Subjects' rights

If a DATEV application has saved your personal data, you may request access to the saved data concerning you. Please inform us if we have saved inaccurate data about you or if you do not agree to parts of the data storage, so we can rectify, erase or restrict processing of said data. You may, by request, obtain a copy in a portable format of your personal data that you have supplied in accordance with legal provisions. **To exercise your subjects' rights, please contact [widerspruch@datev.de](mailto:widerspruch@datev.de) stating**

- Your contact details
- The subjects' rights you wish to exercise.

## 11. Objection

You have the right to object to this processing of your personal data at any time for grounds arising from your particular situation provided this data is processed on the basis of legitimate interests or in the public interest. You may object to the use of your personal data for direct marketing at any time without giving grounds. To do so, please contact [widerspruch@datev.de](mailto:widerspruch@datev.de).

## 12. Right to lodge a complaint with a supervisory authority

If you have any complaints, you may get in touch with a supervisory authority. The Bayerische Landesamt für Datenschutzaufsicht [Bavarian State Office for Data Protection] is the competent supervisory authority for DATEV.

## 13. What happens if the data is not supplied

Without this personal data, we are unable to conduct the video services with you.

## 14. Security

DATEV takes suitable technical and organisational measures to ensure a level of protection appropriate to the risk involved and to protect personal data from destruction, loss, alteration or unauthorised disclosure and access. The effectiveness of these measures is reviewed, assessed and evaluated on a regular basis. This also applies to the choice of data processors used.

## 15. Links to other websites

If you access an external website from our site (external link), the external provider may obtain information from your browser regarding which site you accessed theirs from. The external provider is responsible for this data. Like any other provider, we are unable to influence this process.