

## **Transparency declaration by Henkel AG & Co. KGaA with regard to the processing of personal data of users of Henkel systems**

Henkel aims to conduct all business in an ethically and legally sound manner. In particular, this also includes compliance with the applicable data protection laws.

It is against this background that we should like to inform you, the users of Henkel AG & Co. KGaA systems, about the processing of your personal data by us as well as the rights you have on the basis of data protection law as the data subjects of this data processing.

To what extent we process data about you largely depends on your specific role and responsibility within the Henkel process.

### **1. Who is the data controller?**

For the processing of your data as described in this transparency declaration, the following controller is responsible in terms of the data protection law:

Henkel AG & Co. KGaA  
Henkelstr. 67  
40589 Düsseldorf

### **2. How can I contact the data protection officer of Henkel AG & Co. KGaA?**

The contact details of the data protection officer of Henkel AG & Co. KGaA are:

Henkel AG & Co. KGaA  
Datenschutzbeauftragter  
Henkelstr. 67  
40589 Düsseldorf  
Email address: [datenschutz@henkel.com](mailto:datenschutz@henkel.com)

### **3. What categories of personal data about myself are processed and from which sources is such data obtained?**

We process that personal data about you, which we have received or collected directly from you within the scope of your role with in the Henkel business process. We also process data about you that we have received from third parties, in particular from other companies within the Henkel Group or from your employer.

In particular, depending on your work activities, such data may be:

- Contact data, in particular postal address, electronic addresses (e.g. email address), telephone numbers and user identifications;
- contract data, in particular details on the start and end of contract, on services provided and projects during contract time;

- Data on former services provided, in particular with companies in the Henkel Group;
- Organisation data, in particular details on the position, cost centre, room number, department, line managers;
- Remuneration data, in particular payment data as well as other data about payments in connection with the service provided;
- Bank data, in particular account number, financial institute, credit card number, debit card number;
- Assessment data, in particular data with regard to assessments of performance and/or potential or personality;
- Learning data, in particular data about participation in further training or eLearnings;
- Communication data, in particular content of electronic communication, e.g. via email, Skype, SharePoint, MS Teams;
- Connection data, in particular data that describes the circumstances of telecommunications or electronic communications as well as data from web analysis tools, e.g. telephone invoices, log files;
- Creditworthiness data, in particular data that determine the creditworthiness of a person, and data for the assessment of creditworthiness, e.g. attachment data;
- Data concerning personal life, in particular data about relatives, hobbies, interests as well as data about private life (which is not health data or data on religious belief)
- ID data, in particular data that is generally stated on an identity card or a driving licence, e.g. the birthday or passport number;
- Pictures, in particular photographs as well as images from video monitoring;
- Time stamps, in particular personalized records of activities with time stamps (time events), e.g. logging of events in computer systems, safety systems or recording of working hours;
- Transaction data, in particular data on particular contracts or legal relationships, deliveries or other details of business transactions; and

For further details please contact the data protection officer of Henkel AG & Co. KGaA.

#### 4. For what purposes and on what legal basis is my data processed?

We will process your data specified at 3. in accordance with all statutory provisions, in particular the General Data Protection Regulation, the Federal Data Protection Act and other applicable laws (e.g. the German Works Constitution Act and the German Working Hours Act) on the basis of the following legal foundations for the following purposes:

- **To fulfil the contract**  
We process your data for purposes of the contractual relationship for its implementation or termination. We also process your data as far as this is necessary to effect pre-contractual measures carried out at your request.
- **To fulfil a legal obligation** that we are subjected to certain legal obligations, such as from the tax laws, the money laundering law and the social security laws. To the extent this is necessary to comply with these legal obligations, we also process your data for this purpose.

- To **safeguard our legitimate prevailing interests** or the legitimate prevailing interests of a third party (Art. 6 Paragraph 1 lit. f GDPR, Art. 88 GDPR in combination with Sect. 26 Paragraph 1 S. 2 German Federal Data Protection Act (BDSG), Sect. 4 German Federal Data Protection Act (BDSG))

In addition, we process your data to the extent necessary in order to safeguard our legitimate interests or the legitimate interests of a third party, in particular those of another company within the Henkel Group.

Such legitimate interests may be e.g.: measures in relation to Henkel's organisation and co-operation or organizational changes, asserting or defending against any legal claims and litigation, provision of suitable IT systems, IT security measures, prevention and detection of criminal offences, video surveillance to safeguard domiciliary rights and the collection of evidence in the event of any burglaries, sabotage and thefts, measures for building and plant safety (e.g. physical access control), measures to secure domiciliary rights, measures for business control and development as well as for the production of services and products, risk management via Henkel Group; Group management, internal administrative purposes.

- On the basis of your **consent** (Art. 6 Paragraph 1 lit. a, Art. 7 GDPR, Sect. 26 Paragraph 2 German Federal Data Protection Act (BDSG)).

If data processing according to Art. 6 Paragraph 1 lit. a or Art. 9 Paragraph 2 lit. a GDPR is based on a declaration of consent, you have the right to revoke such consent at any time with effect for the future. The legitimacy of the processing effected on the basis of the consent until such revocation is not affected by the revocation. Additional information on this topic is also shown in the respective declaration of consent.

For further details please contact the data protection officer of Henkel AG & Co. KGaA.

## 5. Do I have a duty to provide my data?

If your data is necessary to establish, conduct or terminate your contractual relationship or to fulfil any contractual obligations associated with the same, you are under an obligation to provide these data. This also applies to the extent we have a statutory obligation or an obligation on the basis of an agreement to collect these data.

If you do not provide these data, this might in part lead to considerable disadvantages for you. Thus, depending on the actual context, it is possible, for instance, that in such case we would need to terminate the contractual relationship with you or that we will not be able to carry out certain measures or provide working equipment.

## **6. For how long will my data be stored?**

We will store and process your data for as long as this is necessary for the respective purpose for which it is being processed (e.g. for the duration of the employment relationship) or - to the extent that your data is processed based on your consent - whichever comes first - until you revoke this consent. Subsequently, the data will always be deleted. In deviation from the above, we will basically delete your data, which we process on the basis of a balance of interests, already as soon as your interests or fundamental rights and fundamental freedoms that require the protection of personal data outweigh our legitimate interests or those of a third party, or if our legitimate interests or those of a third party no longer exist.

However, in exceptional cases, we will continue to store and process the data as long as we are legally obliged to retain and store this information (for example, for tax or labour law reasons), as long as this is necessary to assert, exercise or defend legal rights or if we have legal grounds allowing further processing.

For further details please contact the data protection officer of Henkel AG & Co. KGaA.

## **7. Will my data be processed as part of an automated decision-making process including profiling according to Art. 22 Paragraphs 1 and 4 GDPR?**

No, your data will not be processed as part of an automated decision-making process including profiling according to Art. 22 Paragraphs 1 and 4 GDPR.

## **8. Will my data be processed in connection with profiling?**

At Henkel, the following profiling measures, for instance, may be used: in connection with performance evaluation, applicant management, the fight against money laundering, the financing of terrorism, and property-related crime. We understand profiling to be the electronic processing of your data for assessing certain personal aspects.

## **9. To whom will my data be passed on?**

Within Henkel AG & Co. KGaA, your data will only be provided to such employees and agencies (for example, specialist departments) who need them in connection with their official duties for the above-mentioned purposes.

In addition, your data may be passed on to other companies within the Henkel Group. Furthermore, the Shared\_Service-Centers of the Henkel Group also receive your data.

We also use external service providers for the provision of various services (e.g. logistics, IT services, printing services, telecommunications, debt collection, consulting, cleaning, travel organization, financial services, marketing agencies, as well as insurance). Insofar as special contracts and other terms and conditions for the protection of personal data are fulfilled with these service providers, your data may also be passed on to such service providers.

To the extent that this is required and permitted by data protection law (for example, if you have consented thereto or if a legal basis allows us to do so), we will also pass on your data to recipients outside the Henkel Group. Such recipients may be e.g.: Public authorities, banks, bodies for which you have given your consent, social insurance carriers, pension funds, tax authorities, employers' liability insurance associations, public bodies and institutions (e.g. law enforcement authorities) in the presence of a statutory or regulatory obligation, credit and financial services institutions or similar institutions to which we transfer personal data for implementing the employment relationship (e.g. for salary payments), auditors and employment tax inspectors, service providers we use in the context of contract processing relationships, creditors or liquidators who - in connection with enforcement measures - request, require foreclosure to be able to guarantee any claims from the company pension scheme, bodies/agencies so as to be able to pay out capital accumulation benefits, third party debtors in the case of wage and salary attachments, courts.

In this context, data from you may also be transmitted to countries outside the European Economic Area (EEA), in particular to other Henkel Group companies as well as to Shared Service Centers (these are currently located in the Philippines, India, Mexico and Egypt). In addition, it is possible that, in cases where this is required, we publish data about you on the Internet which can then be retrieved worldwide.

If data is transmitted to countries outside the EEA, this will only be done if the EU Commission has decided that this country, this area or the specific sector provides an adequate level of protection (this is currently the case, for instance, in Andorra, Argentina, Faroe Islands, Guernsey, Israel (with restrictions), Isle of Man, Jersey, Canada (with restrictions), New Zealand, Switzerland, Uruguay and - under the EU-US Privacy Shield - the USA), and if suitable guarantees are provided for and enforceable rights and effective remedies are available to you (e.g. after conclusion of the EU Standard Contractual Clauses) or if there is an exemption according to Art. 49 GDPR (e.g. if you have consented to such a transfer or if this is necessary to fulfil the employment contract with us).

For further details please contact the data protection officer of Henkel AG & Co. KGaA.

#### **10. Which rights are you entitled to as a data subject on the basis of data protection law?**

Under certain circumstances, as a data subject affected by data processing, you are in particular entitled to the following rights on the basis of data protection law: Right to information acc. to Art. 15 GDPR, right to rectification acc. to Art. 16 GDPR, right to deletion acc. to Art. 17 GDPR, right to a restriction of processing acc. to Art. 18 GDPR, right to object against processing acc. to Art. 21 GDPR and the right to data portability acc. to Art. 20 GDPR.

In order to exercise your rights please contact: [datenschutz@henkel.com](mailto:datenschutz@henkel.com).

In addition, in accordance with Art. 77 GDPR, Sect. 19 German Federal Data Protection Act (BDSG), there is a right to raise a complaint with a data protection supervisory authority.

## 11. Update of the transparency declaration

We reserve the right to change this transparency declaration from time to time, in particular in the event of a change in the processing of your data. The respective current version is to be found in <https://xim.henkel.com/XimPublic/#Login>

Please inform yourself regularly via this portal about the current transparency declaration.

Date: May 2018

## Information on the right to object according to Art. 21 GDPR

### Right to object for reasons resulting from your particular situation

As a data subject, you have the **right to object** at any time to the processing of personal data relating to you, based on your particular situation, on the basis of Article 6 Paragraph 1 lit. (e) or (f) GDPR.

This also applies to profiling based on these provisions according to Art. 4 Paragraph 4 GDPR.

If you have objected to the processing of your data in accordance with these requirements, we will no longer process the personal data affected, unless we can prove compelling legitimate grounds for such processing that outweigh your interests, rights and freedoms, or such processing serves to assert, exercise or defend legal claims.

In order to exercise your right to object, please contact: [datenschutz@henkel.com](mailto:datenschutz@henkel.com)