

Privacy Policy for Authors and Publishers of the Publications Department of Franckesche Stiftungen (Art. 13, 14 and 21 of the GDPR)

Careful handling of your personal data is very important to us. This Privacy Policy is intended to inform you about the collection and processing of your data. The legislator understands the term ‘processing’ in connection with personal data acc. to Art. 4(2) of the GDPR to mean the collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination erasure or destruction.

1. Name and Contact Details of the Controller Responsible Under Data Protection Law

Franckesche Stiftungen
Franckeplatz 1, House 37
Director Prof Dr Thomas Müller-Bahlke
D-06110 Halle
Telephone: +49 (0)345 2127-400; fax: +49 (0)345 2127-433
E-mail: leitung@francke-halle.de

Name and Contact Details of the Data Protection Officer

Franckesche Stiftungen
Franckeplatz 1, House 37
Dr Jürgen Gröschl
D-06110 Halle
E-mail: datenschutz@francke-halle.de

If you have any questions on the protection of data at Franckesche Stiftungen or on your rights, please contact our data protection officer.

2. Personal Data Processed by Us

Where a business and/or contractual relationship between you and us has been established, should be substantively arranged or altered, we process personal data about you, to the extent necessary for such purposes. Where you have concluded a publishing contract (also by oral arrangement) on the publication of your work with us, we collect the following data:

- name; with academic titles, if appropriate
- postal (business) address
- postal (private) address
- addresses deviating from the invoice address
- delivery addresses
- telephone number
- fax
- e-mail address
- bank details, if appropriate
- tax number, if appropriate
- information as to VAT liability
- printing cost contributions

Furthermore, we process the following personal data:

- accounting information
- dunning levels
- delivery blocks
- debt collection

3. Purposes and Legal Basis of Processing

We process and use your data to implement the contract. Point (a) of Art. 6(1) of the GDPR serves us as a legal basis for processing operations for which we obtain consent for a specific processing purpose. Where processing of personal data is necessary to perform a contract, processing is based on point (b) of Art. 6(1) of the GDPR. The same applies to processing operations necessary for the implementation of measures prior to entering into a contract, for ex. in cases of requests regarding services. Where we are subject to a legal obligation due to which processing of personal data becomes necessary, for example to meet tax obligations, processing is based on point (c) of Art. 6(1) of the GDPR i.c.w. Section 147 of the AO [German Fiscal Code].

Finally, processing operations can be based on point (f) of Art. 6(1) of the GDPR. This legal basis applies to processing operations not covered by any of the aforementioned legal bases, where processing is necessary to safeguard our legitimate interests or the ones of a third party, unless this the interests, fundamental rights and freedoms of the data subject override such interests. We are allowed to carry out such processing operations, in particular, because they have been specifically mentioned by the European legislator. Usually, a legitimate interest is to be assumed where the data subject is a customer of the controller.

We use the data provided by you for general author and publisher administration to publish books or articles. In concrete terms, this comprises contract preparation, disbursement and the general fulfilment of the publishing contract.

4. Categories of Recipients

The relevant data provided to us can be processed as part of the author and publisher administration within Franckesche Stiftungen:

- Publications Department
- Accounting Department
- Communications and Events Department
- HR Department
- Study Centre - Archive and Library - Department

Franckesche Stiftungen does not disclose your personal data to third parties, except if it is necessary to execute business transactions. Data transfer is limited to the required minimum.

4.1 Processors

Different service providers perform data processing on our behalf. The security of your data is ensured by corresponding contracts acc. to Art. 28 of the GDPR. Such processors include:

- printing houses and typesetting service providers
- graphic artists
- delivery service providers
- Commission partner: Harrassowitz Verlag, Wiesbaden
- IT service provider: mps public solutions GmbH, Koblenz

5. Data Transfer to Third Countries

No such data transfer takes place.

6. Retention Period

We retain data obtained from you only for the duration of its purpose. Termination of the contract cannot be equated with the erasure of your data in all cases, since we must adhere to legal retention periods (e.g. by the Fiscal Code of Germany (AO)). The following data is retained for the term of the underlying author or publisher contract for ten years:

- name; with academic titles, if appropriate
- postal (business) address
- postal (private) address
- addresses deviating from the invoice address
- delivery addresses

- telephone number
- fax
- e-mail address
- bank details, if appropriate
- tax number, if appropriate
- information as to VAT liability
- accounting information
- printing cost contributions
- dunning levels

The following data is retained for the term of the underlying author or publisher contract for four years:

- delivery blocks
- customer block

7. Your Rights

You have the right to access at any time your personal data processed by us.

Right of Access of the Data Subject acc. to Art. 15 of the GDPR and Section 34 of the DSAnpUG-EU

You have the right to obtain from us confirmation as to whether or not personal data concerning you is processed.

You may obtain free information from us about the personal data on your identity we store.

Right to Rectification acc. to Art. 16 of the GDPR

You have the right to request us to immediately rectify inaccurate personal data concerning you. Taking the purposes of processing under consideration in this context, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Right to Erasure acc. to Art. 17 of the GDPR

You have the right to obtain from us the erasure of personal data concerning you without undue delay where one of the following grounds applies and processing is not necessary:

- The purpose for which personal data was processed has ceased to apply.
- You withdraw your consent on which the processing is based and there is no other legal ground for the processing.
- You object to the processing pursuant to Art. 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing according to Art. 21(2) of the GDPR.
- The personal data has been unlawfully processed.
- The erasure of personal data is required in order to fulfil a legal obligation under EU law or the law of the EU member states to which we are subject.
- The personal data has been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

Right to Restriction of Processing acc. to Art. 18 of the GDPR

You have the right to obtain from us restriction of processing where one of the following applies:

- The accuracy of the personal data is contested by you, for a period enabling us to verify the accuracy of the personal data.
- The processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead.
- We no longer need the personal data for the purposes of the processing, but it is required by you for the establishment, exercise or defence of legal claims.
- You have objected to processing pursuant to Art. 21(1) of the GDPR pending the verification whether our legitimate grounds override yours.

Right to Data Portability acc. to Art. 20 of the GDPR

Acc. to Art. 20 of the GDPR, you have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format. Moreover, you have the right to transmit such data to another controller without hindrance from us where the processing is based on consent

pursuant to point (a) of Art. 6(1) of the GDPR or point (a) of Art. 9(2) of the GDPR or on a contract pursuant to point (b) of Art. 6(1) of the GDPR and the processing is carried out by automated means, unless processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Furthermore, when exercising your right to data portability according to Art. 20(1) of the GDPR, you have the right to have the personal data transmitted directly from one controller to another, where technically feasible and where this does not adversely affect the rights and freedoms of others.

Right to Object acc. to Art. 21 of the GDPR

You have the right to object, on grounds relating to a particular situation, at any time to processing of personal data concerning you which is necessary due to a legitimate interest on our part or to perform a task carried out for reasons of public interest or for the exercise of official authority.

If you make use of your right, we will no longer process your personal data, unless we are able to demonstrate compelling legitimate grounds for processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

Right to Withdraw Consent Given Under Data Protection Law

If you have given us consent, you have the right to withdraw your consent at any time. In this case, any data processing performed by us until such withdrawal will remain lawful. You can send us a message to datenschutz@francke-halle.de in that regard.

Right to Lodge a Complaint with a Supervisory Authority acc. to Art. 77 of the GDPR

You have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you believe that the processing of personal data relating to you infringes applicable law.

Nevertheless, we would appreciate it if you could contact us before doing so.

The supervisory authority in charge for us is:

Landesbeauftragter für den Datenschutz Sachsen-Anhalt

Leiterstraße 9

39104 Magdeburg

Telephone: +49 (0)391 81803-0; fax: +49 (0)391 81803-33

8. Automated Decision-Making Incl. Profiling

We do not apply automated decision-making incl. profiling (Art. 22 of the GDPR).

9. Security Note

We protect your personal data by taking all technical and organisation measures possible to us to meet the protection goals.

We are unable to guarantee data security when communicating by e-mail so we recommend communication of confidential information by mail.

10. Legal and Contractual Obligation to Provide Data

You are not obliged to communicate data to us at any time. If you do not provide us with your data specified above for the respective processing, however, we might not be able to conclude a contract with you or, where already concluded, to perform such contract in some circumstances.

Halle, 19 February 2019