

# Information on the processing of personal data for whistleblowers

Dear Whistleblowers,

The General Data Protection Regulation (GDPR)<sup>1</sup> and Act No. 110/2019 Coll., on the processing of personal data, impose a number of obligations on us regarding the protection of your personal data. Believe that we place the utmost importance on their fulfilment and therefore we provide you with the following most important information regarding the processing of your personal data.

This notice applies to the processing of personal data under the internal notification system which the controller OSA, z.s. ("OSA") has established for the purpose of detecting possible illegal behaviour.

## 1. What data do we process?

In your case, OSA processes your personal data as follows:

- name and surname
- date of birth
- other contact details: address, telephone number, e-mail, if known
- the relationship with OSA and your role in the notification received
- date of receipt of the notification
- summary of the content of the notification
- the date of completion of the assessment of the validity of the notification by the competent person or the assessment of the notification by the authorised officer and the result thereof

The OSA also processes personal data of persons mentioned in the notification, persons referred to in Section 4(2) of Act No. 171/2023 Coll., on the protection of whistleblowers (hereinafter referred to as the "Act"), witnesses and other persons who may provide information in the context of the investigation of the notification.

## 2. On what basis, for what purpose and for how long do we process your personal data?

The provision of your personal data to OSA is voluntary, but without it it would not be possible to process your notification within the meaning of the Act. The processing of your personal data by OSA is therefore necessary for OSA to comply with its legal obligations under the law. OSA processes your personal data in relation to the notification on the basis of Article 6(1)(c) of the GDPR, i.e. to comply with its legal obligations. If your personal data provided to the OSA in the context of the notification would fall within a special category of personal data under Article 9(1) of the GDPR, then it may be processed in relation to the notification on the basis of Article 9(2)(e) (processing of data manifestly disclosed by the data subject), (f) (processing necessary for the establishment, exercise or defence of legal claims) or (g) (processing necessary for reasons of substantial public interest based on Union or Member State law which is proportionate to the aim pursued, respects the essence of the right to data protection and provides suitable and specific safeguards for the protection of fundamental rights and interests of the data subject) of the GDPR. The processing of personal data in activities that are neither expressly provided for by the Act nor strictly necessary to ensure compliance with the requirements of the Act is carried out on the basis of legitimate interest (Article 6(1)(f) GDPR), except where those interests are overridden by the interests or fundamental rights and freedoms of the data subject requiring the protection of personal data.

OSA will only process all of the above data for a period of 5 years from the date of receipt of your notification, or longer for the period necessary for the related follow-up if the notification proves to be justified. In the event that legal or administrative proceedings are initiated as a result of the notification, the personal data will be retained until the subject matter of the notification is resolved, including any related litigation. They will then be deleted or anonymised.

## 3. To whom do we disclose or transfer your personal data?

As part of its legal obligations, OSA makes your personal data available to a designated competent person who receives individual notifications, registers them, assesses their validity, investigates them, etc. Certain data (except for the identification of the whistleblower) may also be disclosed to authorised OSA employees (who are duly instructed) at the discretion of the relevant person. Personal data may be further disclosed and transferred only to

<sup>1</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

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the relevant public authorities. OSA does so only in cases where it is obliged to do so under applicable law and only for data to which such legal obligation applies. In other cases, OSA does not transfer your personal data to any other third parties.

### 4. Your rights under current legislation

We would also like to inform you that you have the following rights under the current data protection legislation:

- the right of access to the personal data processed by OSA in your case
- the right to have your personal data rectified if it is incorrect or inaccurate in any respect
- the right to request the OSA to restrict the processing of personal data,
- the right to object to processing in order to assess whether there has been a breach of the obligations imposed on the OSA by the applicable legislation,
- the right not to be subject to automated individual decision-making having legal or similar effects, including profiling
- in addition to the above, you also have the right to file a complaint with the supervisory authority, which is the Office for Personal Data Protection, located at Pplk. Sochor 27, 170 00 Prague 7,

Please note that certain rights may be restricted in the context of the necessary protection of the whistleblower.

In case of any uncertainties or questions regarding the processing of your personal data, you can contact us at any time in writing at OSA, z.s., Čs. Armády 20, 160 56 Praha 6, address for delivery.

Thank you for your important role in whistleblowing. Information from you will be processed in order to protect your rights.

The document Information on the processing of personal data for whistleblowers is valid from 17 July 2024 and replaces its previous version. This document may be updated and modified by the controller, for example when the purposes or legal titles of the processing, its contact details, etc. change.