

## Data Protection Notice for Member Surveys

### 1. General Information

We offer our members (including DIS40 members) voluntary online surveys via MS Forms or SurveyMonkey, among other things to improve our services. In doing so, personal data is collected that makes it possible to determine that you submitted them. Among other things, this serves to prevent multiple answers by the same person. The mandatory fields for participating in the survey are marked with an asterisk (\*). Providing additional data is optional.

Below, we provide information about the processing of your personal data in the context of these member surveys.

### 2. Contact

#### 2.1. Contact details of the Controller

The controller within the meaning of the GDPR is:

German Arbitration Institute (DIS)

Marienforster Str. 52  
53177 Bonn  
Germany

Email: [privacy@disarb.org](mailto:privacy@disarb.org)  
Tel.: +49 228 391 815 200

#### 2.2. Contact details of the Data Protection Officer

Our data protection officer is:

Dr. iur. Andreas Pinheiro, LL.M.  
ap-datenschutz GmbH  
Hohenstaufenring 8  
50674 Cologne

Email: [dsb@ap-datenschutz.de](mailto:dsb@ap-datenschutz.de)  
Tel.: +49 221 999 89 030

### 3. Your Personal Data

#### 3.1. Categories of Personal Data

Below, we explain which of your personal data we process in this context:

- Personal data (first name(s), surname(s), gender)
- Contact details (e-mail address)
- Qualification data (occupation)
- Content data from the respective surveys

### 3.2. Origin of Personal Data

We process personal data that we receive from you in the context of the online member survey.

## 4. Legal Basis and Purposes of Data Processing

Personal data is processed for the purpose of improving our services and our brand image. When you submit the form, the department in question can view your answers and determine that you submitted them.

We process your personal data in particular in compliance with the General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG) as well as all other relevant laws.

### 4.1. Data Processing Based on Your Consent (Art. 6 para. 1 lit. a GDPR)

Data processing in this process is based on your voluntary consent, which we obtain from you in the survey form before you submit your answers.

If you have given us your consent in accordance with Art. 6 para. 1 lit. a GDPR to collect, process or transfer personal data for specific purposes, this consent forms the legal basis for the processing of this data.

**Consent that has been given can be revoked at any time.** Please note that the revocation only applies to the future. Processing that took place before the revocation is not affected.

## 5. Recipients (Categories) of Personal Data

Your data is mainly processed by our employees.

### 5.1. Service Providers

By providing the surveys via MS Forms, Microsoft is involved in this processing as an external service provider and also processes your personal data.

Contact details of the service provider:

#### **Microsoft Ireland Operations Ltd.**

One Microsoft Place  
South County Business Park  
Leopardstown  
Dublin 18  
Ireland

Web form: <https://www.microsoft.com/en-us/concern/privacyrequest-msa>

By providing the surveys via SurveyMonkey, SurveyMonkey is involved in this processing as an external service provider and also processes your personal data.

Contact details of the service provider:

**SurveyMonkey Europe UC**

2 Shelbourne Buildings, Second Floor  
Shelbourne Rd,  
Ballsbridge Dublin 4  
Ireland

Web form: <https://de.surveymonkey.com/mp/legal/privacy/>

**5.2. Other Third Parties**

In some cases, the personal data collected as part of the survey may be passed on to external third parties. You will be informed of this separately in the respective survey.

**6. Transfer of Personal Data to Third Countries**

Countries outside the European Union ("EU") (and the European Economic Area "EEA") handle the protection of personal data differently than countries within the European Union.

The service providers Microsoft and SurveyMonkey may process your data outside the EU and the EEA together with their respective parent companies, Microsoft Corporation and SurveyMonkey Inc. The transfer of personal data to a so-called third country requires compliance with the provisions of Sections 44 et seq. GDPR in order to guarantee the level of protection guaranteed in the EU. The transfer of personal data to the USA may be carried out on the basis of an adequacy decision by the EU Commission (Adequacy decision for the EU-US Data Privacy Framework of 10 July 2023) in accordance with Art. 45 para. 1 GDPR, the so-called EU-US Data Privacy Framework (DPF). Microsoft Corporation and SurveyMonkey Inc. can only base the processing of personal data on Article 45 para. 1 GDPR if they are registered in the list of participating organisations in accordance with Article 1 DPF (list available at: <https://www.dataprivacyframework.gov/>). This is currently the case. The registration includes personal data of employees (HR category). The present data processing can therefore be based on Art. 45.

**7. Storage Duration/Deletion of Your Data**

The data is stored for the purpose of improving our services in the future.

The survey data will be deleted after you have revoked your consent to storage, which you are entitled to do at any time, or as soon as we no longer need the data.

## 8. Rights of Data Subjects

Under the General Data Protection Regulation, you have the following rights:

Every data subject has the right to **access** in accordance with Art. 15 GDPR, the right to **rectification** pursuant to Art. 16 GDPR, the right to **erasure** pursuant to Art. 17 GDPR, the right to **restriction of processing** pursuant to Art. 18 GDPR, the right to **object** pursuant to Art. 21 GDPR and the right to **data portability** pursuant to Art. 20 GDPR. The restrictions under Sections 34 and 35 of the Federal Data Protection Act (BDSG) apply to the right of access and the right to erasure. Finally, pursuant to Article 77 GDPR in conjunction with Section 19 BDSG, you have the right to **lodge a complaint** with a data protection authority.

### 8.1. Right to Object

Pursuant to Art. 21 para.1 GDPR, you have the right to object at any time to the processing of personal data concerning you that is carried out on the basis of Article 6 para. 1 lit. e GDPR (data processing in the public interest) or on the basis of Article 6 para. 1 lit. f GDPR (data processing to safeguard a legitimate interest), on grounds relating to your particular situation; this also applies to profiling based on this provision.

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate reasons for the processing that override your interests, rights and freedoms, or the processing is necessary to establish, exercise or defend legal claims.

### 8.2. Withdrawal of Consent

You can withdraw your consent to the processing of personal data at any time. Please note that the withdrawal only applies to the future.

### 8.3. Right to Obtain Information

You may request confirmation about whether we have stored personal data about you. If you wish, we will tell you what data is involved, the purposes for which the data is processed, to whom this data is disclosed, how long the data is stored and what other rights you have in relation to this data.

### 8.4. Further Rights

In addition, you have the right to have incorrect data corrected or your data deleted. We will delete your data if there is no reason to retain it, otherwise we will restrict its processing. You may also request that we transmit any personal data you have provided to us in a structured, commonly used and machine-readable format either to you or to a person or company of your choice.

In addition, you have the right to lodge a complaint with the competent data protection supervisory authority (Art. 77 GDPR in conjunction with Section 19 BDSG).

## **8.5. Exercising Your Rights**

To exercise your rights, you can contact the controller or the data protection officer using the contact details provided in section 2 of this privacy policy. We will process your request promptly and in accordance with legal requirements and inform you of the actions we have taken.

## **9. Obligation to Provide Data**

The provision of personal data is neither required by law nor contractually stipulated, nor are you obliged to provide any personal data. However, the provision of personal data is helpful for improving our services. This means that our members benefit indirectly from participating in the surveys.

## **10. Security**

We prioritise personal integrity and therefore actively work to ensure that the personal data of data subjects is processed with the utmost care. We take measures that can reasonably be expected to ensure that personal data is processed securely and in accordance with this privacy policy and the GDPR.

However, the transmission of information via the internet and mobile networks can never be without risk, so all transmissions are at the risk of the person transmitting the data. It is important that users also take responsibility for protecting their data. It is every user's responsibility to ensure that their login information is kept confidential.

## **Contact**

If you have any questions about data processing in this context, please send an email to [privacy@disarb.org](mailto:privacy@disarb.org) or contact us using the contact details provided in section 2.

## **11. Amendments to This Data Protection Notice**

If the purpose or the method of processing your personal data changes significantly, we will update the Data Protection Notice, inform you of the changes in a timely manner and, if necessary, obtain your consent again.