

Data protection information for the Group-wide whistleblower system of EnBW Energie Baden-Württemberg AG

At EnBW Energie Baden-Württemberg AG, we take the protection of your personal data very seriously. In the following, we would like to inform you about how we process your data in connection with the whistleblower system and what rights you have in connection with your personal data:

1.) Who is responsible for processing my data?

The controller responsible for the processing of your data is:

**EnBW Energie Baden-Württemberg AG,
Compliance (H-LC)
Durlacher Allee 93
76131 Karlsruhe, Germany
E-mail: compliance@enbw.com**

If you have any questions, suggestions or complaints, please contact us using the contact details provided above.

2.) How can I contact the Data Protection Officer?

You can reach our data protection officer at datenschutz@enbw.com. They will be happy to answer any questions you may have about data protection.

3.) What categories of personal data are processed and where does the data come from?

When you contact us as a whistleblower, we process the personal data you provide to us. This includes your surname and first name, your contact details and other personal data that you submit as part of your report. In addition, the fact that you have submitted a report via the whistleblower system and whether or, if applicable, in which company you are employed in the EnBW Group is recorded. Furthermore, personal data of persons named in the report will be processed.

4.) For what purposes is my data processed and on what legal basis is this permitted?

We only process your data if the data processing is permitted by law.

The Supply Chain Due Diligence Act (LkSG) imposes binding requirements on the establishment of a whistleblower system in order to provide employees and third parties with the appropriate opportunity to report confidential information on potential environmental and human rights risks or violations that may arise from the actions of the EnBW Group and along its supply chain, **Section 8 para. 1 LkSG in conjunction with Art. 6 para. 1 c) GDPR**. Furthermore, **Sections 10, 12 para. 1 Sentence 1 HinSchG in conjunction with Art. 6 Para. 1 c) GDPR**, regulate the legal obligation to set up an internal reporting office to which EnBW employees who have obtained information about violations in the context of their professional activity or in advance can contact.

As part of the whistleblower system, we also process your data **on the basis of our legitimate interest pursuant to Art. 6 para. 1 lit. f) GDPR** to detect and prevent potential misconduct that may arise from the economic activities of the EnBW Group.

If a report received concerns an employee of EnBW AG and its controlled Group companies, the processing also serves to prevent criminal offences or other legal violations that are related to the employee relationship, **Section 26 para. 1 p. 1, p. 2 BDSG, Art. 6 para. 1 lit. c), Art. 88 para. 1 GDPR, Section 16 para. 4 BDSG**.

5.) To which categories of recipients will my data be transferred?

We treat your data confidentially. Within EnBW Energie Baden-Württemberg AG and its Group companies, over which EnBW Energie Baden-Württemberg AG exercises a decisive influence, only those departments and employees receive access to your data that require this to fulfil the above-mentioned purposes. A transfer to third parties will only take place if this is necessary for the aforementioned purposes and permitted by law, or if

you have previously consented. Accordingly, we may use the support of external service providers, such as law firms, to carry out information measures. In doing so, we take appropriate measures to ensure that these service providers only process your data in compliance with data protection regulations.

A transfer takes place if there is a legal obligation to public bodies, in the case of access ordered by investigating authorities (e.g. Public Prosecutor's Office) for prosecuting criminal offences and administrative offences. The whistleblower tool is technically supported by an independent operator, Convercent. The data is stored on a protected server in Ireland. EnBW is solely responsible for processing the content of the reported information. Personal data entered and processed through the whistleblower tool is stored in a Convercent database. The data is encrypted and stored in a secure location. The content of the stored data is only accessible to an authorised group of persons of EnBW. Convercent cannot view the content of this data. If data is entered that does not allow any conclusions to be drawn about you personally, anonymity is safeguarded by technical and organisational measures. Personal data transmitted to a subcontractor via the telephone hotline shall be protected by appropriate measures to protect confidentiality and in accordance with applicable data protection regulations.

Is the data also transferred to recipients in countries outside the European Economic Area? How is an adequate level of data protection ensured?

We do not store your data outside the European Economic Area. However, access from a country outside the European Economic Area is also possible by means of administration access, as the operability of the systems is often ensured according to the follow-the-sun principle. In these cases, data access only takes place if either an adequacy decision of the Commission exists for the respective country, we have agreed with the service providers the standard contractual clauses provided by the EU Commission for these cases, or the respective company has drawn up its own internal binding data protection regulations that have been recognised by the data protection supervisory authorities.

6.) How long will my data be stored?

We process and store your personal data for as long as it is necessary for the above-mentioned purposes and/or for legal retention obligations and until all reciprocal claims are fulfilled. Accordingly, your personal data will be retained for as long as required for the clarification and final assessment, a legitimate interest of the company or a legal requirement. This data will then be deleted in accordance with the legal requirements. The duration of storage depends in particular on the seriousness of the suspicion and the reported potential breach of duty. Personal data that is processed and stored in connection with a report under the Whistleblower Protection Act (HinSchG) will be deleted three years after the procedure has been completed. Personal data that is not processed and stored in connection with reports within the meaning of the Whistleblower Protection Act (HinSchG) will be deleted after a period of ten years after completion of the procedure. The documentation may be retained for a longer period of time in order to comply with legal or other regulatory requirements, as long as this is necessary and proportionate.

7.) What rights do I have with regard to my data?

With regard to the processing of your personal data, you have the following rights:

- Pursuant to Art. 15 GDPR, you have the right to information about the personal data processed about you. Please note the restrictions of § 29 para. 1 BDSG and Section 34 BDSG. This right shall not affect the rights and freedoms of any other person.
- Pursuant to Art. 16 GDPR, you have the right to rectification of inaccurate personal data
- Pursuant to Art. 17, you have the right to erasure of personal data. Please observe the restrictions of Section 35 BDSG.
- Pursuant to Art. 18 GDPR, you have the right to restriction of processing.
- According to Art. 20, you have the right to data portability.

RIGHT TO OBJECT Art. 21 GDPR

If we use your data on the basis of legitimate interests (Art. 6 para. 1 f) GDPR) or for the performance of a public task (Art. 6 para. 1 e) GDPR) and if your particular situation gives rise to reasons against this processing, you have the right to 1 GDPR, you have the right to object to this processing. You also have the right to object in accordance with Art. 21 para. 2 and 3 GDPR against any form of processing for the purposes of direct marketing.

You can send your objection to us at any time without any form. For the best possible processing, please use the following contact details:

EnBW Energie Baden-Württemberg AG
Compliance (H-LC)
Durlacher Allee 93
76131 Karlsruhe, Germany
E-mail: compliance@enbw.com

8.) Can I withdraw my consent?

If we process your data on the basis of your consent, you have the right to withdraw your consent at any time. Your data will then no longer be processed for the purposes covered by the consent. Please note that the lawfulness of the data processing that took place before the revocation is not affected by the revocation. If possible, you should send your revocation to:

See contact details above – para. 8 ("Right to object")

9.) Do I have the right to lodge a complaint with a supervisory authority?

If you are of the opinion that the processing of your personal data violates applicable law, you may at any time lodge a complaint with a data protection supervisory authority in accordance with Article 77 GDPR. This is without prejudice to other administrative or judicial remedies.

10.) Do I have to provide the data?

The use of the complaints mechanism is voluntary. You are not obliged to provide us with this data. However, the data will be collected as soon as you contact us with a message.

11.) Can the data protection information also change? Where can I find the current status?

As our data processing is subject to change, we will also adjust our privacy information from time to time. You can find the latest version at: www.enbw.com/datenschutz

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