



Data Protection Guidelines
of
Victor's Corporate Group

Foreword

Victor's Corporate Group, with administrative offices in Berlin, Munich and Saarbrücken, is the leading private provider of residential facilities for the elderly in Germany with currently approx. 130 facilities and 19,000 places.

The Corporate Group comprises a network of several service providers which work closely together. All business fields serve a single goal: best quality of life through best service. Starting with progressive living concepts for the elderly, through to the provision of health, financial and care services, catering and building management in the health sector right up to business hotels, restaurants and holiday homes, all with the emphasis on quality of service. Together, that makes about 12,000 secure jobs in Germany - with a rising trend. That means everyone is in good hands with us: customers, guests and residents as also employees and partners.

Within the scope of increasing digitalisation in many areas, data protection and data security represent a top priority for us.

The aim in this respect is to guarantee a high degree of data protection and data security for all employees, customers, guests, residents and business partners.

With these Data Protection Guidelines we also take into account the requirements of the European General Data Protection Regulation (GDPR) and of the new Bundesdatenschutzgesetz (BDSG-neu) [*Federal Data Protection Act - new*] which are in effect since 25 May 2018.

The Data Protection Guidelines form the basis for the responsible handling of personal data.

Victor's Corporate Group considers the proper implementation of and compliance with these Guidelines to represent a significant contribution to the protection and success of the Group.

The corporate data protection officer ensures compliance with the statutory provisions and the regulations of these Guidelines and is available as the contact person in regard to all questions relating to data protection and data security.

Saarbrücken, in May 2018

Thomas Knop
Corporate data protection officer

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1. Aim of the Data Protection Guidelines

Victor's Corporate Group undertakes to comply with the valid data protection provisions and thereby creates the basis for a trustful collaboration with employees, customers, guests, residents and business partners.

This strengthens the aspiration of Victor's Corporate Group to be a reliable and future-oriented business partner and attractive employer in a fast-changing IT society.

2. Scope of validity

These Data Protection Guidelines apply for Victor's Bau + Wert AG and also all companies in which Victor's Bau + Wert AG, either directly or indirectly, holds a participating interest of more than 50 %.

In this respect, the Guidelines cover all operations by which personal data is processed.

The individual companies of the Group are not, as a basic principle, entitled to put into place any regulations in deviation from these Data Protection Guidelines. Any amendments to these Data Protection Guidelines are only admissible in consultation with the executive board of Victor's Bau + Wert AG and the corporate data protection officer.

3. Legal bases for the processing of personal data

With effect from 25 May 2018, the legal bases for the processing of personal data are the European General Data Protection Regulation (GDPR) and also the new Federal Data Protection Act (BDSG-neu).

In cases of doubt, the GDPR takes precedence over the BDSG-neu.

Regulations specific to certain sectors which are not displaced by the GDPR continue to take precedence over the provisions of BDSG-neu. These include, for example, regulations of the Telekommunikationsgesetz (TKG) [*Telecommunications Act*], the Gesetz gegen den unlauteren Wettbewerb (UWG) [*Unfair Competition Act*] and regulations of the Sozialgesetzbuch (SGB) [*Social Security Code*].

4. Admissibility of the data processing

Pursuant to Art. 5 EU GDPR, personal data may only be collected for specified, explicit and legitimate purposes.

The so-called prohibition with reservation of grant of permission continues to apply in the GDPR. According to this, the processing of personal data is admissible if the following criteria are fulfilled:

- consent of the data subject has been given
- processing is necessary for the performance of a contract
- processing is necessary in order to take steps prior to entering into a contract
- processing is necessary to protect the legitimate interests of the controller or of a third party

In order to ensure compliance with these principles, Victor's Corporate Group has drawn up a detailed data protection concept in which the principles of admissible data processing are specifically described.

The data protection concept also takes particular account of the following fundamental principles of data processing:

- lawfulness
- purpose limitation
- transparency
- data avoidance and data economy
- erasure
- material accuracy and data currency
- confidentiality and data security

5. The corporate data protection officer

The corporate data protection officer is appointed by the executive board of Victor's Bau + Wert AG pursuant to the provisions of Art. 37 EU GDPR and § 38 BDSG-neu.

As an internal organ of the company not bound by technical directions, he works towards compliance with the applicable data protection provisions and is available to data subjects as a contact person in all issues associated with the processing of their personal data.

The corporate data protection officer is likewise the point of contact for the competent supervisory authority and, upon request, works together with this authority in all issues associated with data processing.

The corporate data protection officer can be contacted as follows:

Victor's Bau + Wert AG
Corporate data protection officer
Administrative offices Malstatter Markt 11-13

66115 Saarbrücken

Tel.: 0681 / 936130

E-mail: datenschutz@victors-unternehmensgruppe.de

6. Rights of data subjects

In accordance with the principle of transparency, any person affected by the data processing - the data subject - basically has a right to the following information:

- contact details of the controller and of the data protection officer
- purposes of the data processing
- legitimate interests of the controller or of a third party in performing the data processing
- recipients or categories of recipients of personal data
- transmission of data to a third country
- period for which the personal data will be stored
- existence of rights to information
- existence of rights to rectification, erasure, restriction of processing, objection, data portability
- right to lodge a complaint with supervisory authorities
- the existence of any automated decision making, including profiling

7. Confidentiality of the data processing

Personal data may only be processed on the instructions of the responsible persons. The persons in Victor's Corporate Group who are involved in data processing will, when they take up their appointments, be placed under a commitment to observe data protection and maintain data confidentiality. This commitment continues to apply following the end of the employment relationship.

8. Security of the data processing

Personal data is at all times to be protected against unauthorised access, unlawful processing or forwarding, and also against loss, falsification or destruction.

Taking into account the state of technology, the costs of implementation and the nature, scope, circumstances and purposes of the processing as well as the varying likelihood and seriousness of the risk for the rights and freedoms of natural persons, appropriate technical and organisational measures are taken by Victor's Corporate Group in order to guarantee a commensurate level of protection.

The individual measures are described in detail in the respectively valid data protection concept.

9. Monitoring of data protection

Compliance with the Data Protection Guidelines and with the applicable data protection laws is regularly monitored by data protection checks.

The performance of these checks is the responsibility of the corporate data protection officer and further company divisions equipped with monitoring rights, in particular the EDP section as well as external auditors commissioned by us.

The results of the data protection checks are to be notified to the corporate data protection officer. The supervisory board of Victor's Bau + Wert AG is to be informed of any significant results within the scope of the respective reporting obligations.

Upon application, the results of data protection checks are to be provided to the competent data protection supervisory authority. The competent data protection supervisory authority may also, within the scope of its statutory powers, perform its own checks on compliance with the data protection provisions.

10. Data protection incidents

In cases of any breaches of these Data Protection Guidelines or of other provisions governing the protection of personal data, the competent line manager and/or the corporate data protection officer is to be informed without delay so that, where appropriate, the company can properly comply with its statutory duty to report data protection incidents.

11. Responsibilities and sanctions

The bodies responsible for the data processing are the executive boards and managements of the group companies.

These are under an obligation to ensure that the requirements as to data protection prescribed by law and contained in the Data Protection Guidelines are taken into account.

The implementation of these requirements lies within the responsibility of the respective competent staff.

Should data protection checks be carried out by authorities, the corporate data protection officer is to be informed immediately.

Where data processing operations are planned which could entail particular risks for the personality rights of data subjects, the corporate data protection officer is already to be involved prior to the commencement of the processing.

Any improper processing of personal data or other breaches of applicable data protection law may result in criminal prosecution or lead to claims for damages. Contraventions for which individual members of staff are responsible may also lead to sanctions under the terms of their employment.