

Information on the processing of your personal data by the German Liaison Office for Accident Insurance (Foreign Liaison Body) pursuant to the EU General Data Protection Regulation (GDPR), articles 13 and 14

The EU General Data Protection Regulation (GDPR) has been directly in force since 25 May 2018. It involves, in particular, certain special duties of information (GDPR articles 13 and 14 in conjunction with the German Social Code, Book X – SGB X – sections 82 and 82a).

We hereby wish to notify you of the collection and processing of your personal data.

Who is responsible for data processing and to whom can you address?

The responsible office is

Deutsche Gesetzliche Unfallversicherung e.V.
Glinkastrasse 40
10117 Berlin
Germany

Phone: +49 30 13001-6130
Fax: +49 30 13001-6132
E-mail: info@dguv.de

The following organisational unit is responsible within the DGUV:

Deutsche Gesetzliche Unfallversicherung e.V.
Deutsche Verbindungsstelle Unfallversicherung – Ausland (DVUA)
Postfach 4 01 65
10061 Berlin

E-Mail: dvua@dguv.de

You can reach our Data Protection Officer at datenschutzbeauftragter@dguv.de or via the contact details given above.

What is the purpose of the processing?

Pursuant to the provisions of the German Social Code, Book VII (SGB VII), section 139a, paragraph 1, no. 1, the German Social Accident Insurance Institutions (Deutsche Gesetzliche Unfallversicherung e.V.) have the role of the German liaison body for accident insurance (foreign liaison body) (hereinafter referred to as the “Liaison Body”):

The Liaison Body is under an obligation to collect and process the required data within the scope of its statutory duties. The data is required to clarify if and in which country you are insured and to provide the necessary benefits following an accident at work or an occupational disease.

Your personal data will be collected and processed by us to fulfil our legal tasks only. Any further processing of personal data collected for a specific purpose is only permitted if it is absolutely essential for different purpose assigned to us by law or if you have given us your consent. For example to check reimbursement claims against injuring parties.

A complete overview of our tasks can be found in § 139a of the German Social Code VII (SGB VII). We process your personal data for the following purposes, in particular to:

1. determine the social security law applicable to you and your insurance cover,

2. to check the benefit requirements in accordance with the law of the Social Accident Insurance, to provide the necessary benefits and to settle the costs incurred with the responsible insurance institution abroad,
3. to assert claims for reimbursement and compensation in cases in which the Foreign Liaison Body has erroneously assumed its own responsibility for providing services,
4. to coordinate administrative assistance in cross-border situations,
5. to inform, enlighten and advise you personally.

On which legal basis is your data collected and processed?

1. Legislation (article 6, paragraph 1, letters c and e GDPR in accordance with § 139 a German Social Code VII, § 77 German Social Code X, § 6, paragraph 2 German law on the Coordination of Social Security Systems in Europe as well as article 1 letter r and article 36 of Regulation (EC) No. 883/2004)

Your personal data are subject to confidentiality on the grounds that they are social insurance data (see German Social Code, Book I – SGB I).

We therefore only process your personal data within the scope of the legal provisions set out in the German Social Code (SGB). We only receive access to your personal data if it is required for us to fulfil our role.

We are legally authorised and obliged to collect and process all personal data necessary for the assessment of your case of benefit in order to fulfil our legal tasks. The legal basis for this are in particular the GDPR, the SGB VII and X, as well as Regulation (EC) No. 883/2004 and Regulation (EC) No. 987/2009.

Since we can only fulfil our task with complete data, you also have a duty to cooperate according to § 60 SGB I. If you do not comply with this obligation to cooperate, we may not be able to determine whether you are entitled to certain benefits. This could cause disadvantages for you, including a failure to perform.

We will try to collect the necessary personal data directly from you. Since this is not always possible, there are legal exceptions to this principle of direct collection. The data may then be requested from other offices. These are, for example, doctors treating you, your employer or your health insurance. In these exceptional cases you have the right to be informed about the transmitted data.

2. Consent (article 6 paragraph 1 letter a and article 9, paragraph 2, letter a GDPR)

If data processing is considered reasonable with your consent, we will explain the advantages and disadvantages of your free decision when obtaining your consent.

Which categories of personal data are processed?

Relevant personal data for a benefit case are:

- personal details (surname, first name, date of birth, etc.),
- contact details (address, telephone number, email address, etc.),
- processing data (file number of the event, bank details, etc.),
- information on the claim (course of the accident, diagnoses, medical reports, expert opinions, previous illnesses, etc.),
- recourse data (witness statements, experts, information from investigative authorities, liability insurances, injuring parties, etc.).

Who receives knowledge of your data?

We will only transfer your personal data to bodies outside the Foreign Liaison Body if the law allows us to do so or if you have given us your consent.

Recipients of your personal data can be in particular:

- service providers (e.g. physicians, experts, hospitals, rehabilitation centres, medical aid providers, pharmacies),
- company where the accident took place or responsible institution (e.g. employer, university, school, kindergarten, assistance company),
- other service providers (e.g. the competent social insurance institutions abroad for the reimbursement of costs incurred by the Foreign Liaison Body and, if applicable, for the determination of compensation payments),
- participants in recourse proceedings (e.g. people involved in the accident, witnesses, liability insurance, police),
- organs of the administration of justice and service providers (e.g. lawyers, courts, insolvency administrations, financial institutions),
- the DGUV (German Social Accident Insurance), the umbrella association of the German Social Accident Insurance Institutions (e.g. for statistics),
- public occupational health and safety authorities.

Will your data be transferred to a third country or an international organisation?

Transmission to a country outside the European Union or to a country without an adequate level of data protection or to an international organisation only takes place within the framework and limits of relevant regulations on the coordination of social security systems or bilateral social security agreements.

How long will your data be stored?

The data is stored for as long as we need it to fulfil our legally assigned tasks, including storage obligations.

The storage time depends on various factors, e.g.:

- In the case of invoice data or documents substantiating the invoice, a retention period of six or ten years is prescribed.
- In the case of accident data or data relating to occupational diseases, the storage period depends on how long the data may be required even after the administrative procedure has been completed (e.g. in the case of subsequent complaints).

Which data protection rights do you have?

You have a right to information about the personal data which concern you and which we process at any time.

Furthermore you have the right to correct, delete and limit the processing of your personal data. For this to happen, however, the requirements of these regulations must be met.

Your right of withdrawal

As mentioned above, the data processing in the German Social Accident Insurance is generally based on a legal basis. In these cases you have no right of withdrawal.

If the data processing has been carried out with your consent, you can withdraw your consent at any time. The withdrawal of your consent only applies for the future and not for the past. The data processing undertaken up to the time of your withdrawal remains lawful.

Your withdrawal must be declared to the Foreign Liaison Body. You will find the contact details on the first page of this data protection information.

Your right of appeal

If you believe that your rights have been violated in the processing of your personal data, you can also contact the data protection supervisory authority responsible for us.

The data protection supervisory authority responsible for us is the Federal Commissioner for Data Protection and Freedom of Information:

Der Bundesbeauftragte für den Datenschutz und die Informationsfreiheit (BfDI)
Graurheindorfer Straße 153
53117 Bonn
Germany

Phone: +49 (0)228 997799-0
Fax: +49 (0)228 997799-5550
E-Mail: poststelle@bfdi.bund.de

Further details

If you have any further **questions about data protection**, you can contact our Data Protection Officer or the DGUV Data Protection Unit at any time. You can reach us by phone at +49 30 13001-0, or you can send us an email: datenschutz@dguv.de.

If you have any further **questions about the role of the Liaison Body or your insured event**, please contact the Liaison Body directly (dvua@dguv.de).