

## Privacy Policy Stuttgarter Kammerorchester e. V.

This Privacy Policy serves to inform you about the following topics:

- **Section 1:** Data controller and data protection officer; scope of application and amendment of these data protection provisions
- **Section 2:** General principles for processing your personal data
- **Section 3:** Informative use of our WEBSITE
- **Section 4:** Additional features and offers
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- **Section 7:** Data security
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### 1. Data controller and data protection officer; scope of application and amendment of these data protection provisions

We, Stuttgarter Kammerorchester e. V., Hasenbergsteige 3, 70178 Stuttgart, Germany, phone: +49 711 619 21 21, fax: +49 711 619 21 22, email: office@sko-stuttgartcom, are the operator of the websites, available at [www.stuttgarter-kammerorchester.com](http://www.stuttgarter-kammerorchester.com) (hereinafter also referred to as "**WEBSITE**"), and the data controller for the processing of your personal data as a user of our WEBSITE ("**you**") pursuant to Art. 4(7) of the EU General Data Protection Regulation ("**GDPR**").

Our data protection officer is: Dr. Norbert Kuhn (Kuhn-privacy Dr. Norbert Kuhn), Heustraße 3, 70174 Stuttgart, Germany, email: datenschutz@sko-stuttgartcom.

In the following, we would like to inform you in detail about the processing of your personal data when you visit our WEBSITE and use our other offers and features (hereinafter also referred to as "**services**") on our WEBSITE as part of our duty to inform you. Furthermore, we would like to inform you about the accompanying protective measures that we have also taken in technical and organisational terms on our WEBSITE, as well as your rights with regard to the processing of personal data concerning you.

We reserve the right to change this Privacy Policy at any time with future effect. A current version is available on our WEBSITE. Please visit the WEBSITE regularly and inform yourself about the applicable Privacy Policy.

## **2. General principles for processing your personal data**

Personal data is any information relating to an identified or identifiable natural person. Your personal data therefore includes all data that can be directly or indirectly assigned to your person, such as your name, address, telephone number or email address.

Primarily, we process personal data only if and to the extent that

- you have given us your consent to data processing for one or more specific purposes (Art. 6(1)(1)(a) GDPR);
- the processing is necessary for the performance of a contract to which you are a party or for the implementation of pre-contractual measures taken at your request (Art. 6(1)(1)(b) GDPR);
- the data processing is necessary to comply with a legal obligation to which we are subject (Art. 6(1)(1)(c) GDPR), or
- the data processing is necessary for the protection of our legitimate interests or those of a third party, unless your interests or fundamental rights and freedoms requiring the protection of personal data override (Art. 6(1)(1)(f) GDPR).

In the following provisions of this data protection declaration, we explain which of the legal bases listed in paragraph 2 or other legal bases we use to process your personal data in individual cases.

In some cases, we use external service providers to process your data. They have been carefully selected and commissioned by us, are bound by our instructions and are regularly checked. Furthermore, we may pass on your personal data to third parties if we offer contract conclusions or similar services jointly with partners. You will receive more detailed information on this when you provide your personal data or in the following regulations of this Privacy Policy. If our service providers or partners are located in a country outside the European Economic Area (EEA), we will also inform you about the consequences of this circumstance in the following provisions of this Privacy Policy.

## **3. Informative use of our WEBSITE**

In connection with the use of our WEBSITE, we collect your data that your Internet browser automatically transmits to our server. The following data is collected:

- IP address of the requesting computer
- Date and time of the request
- Time zone difference from Greenwich Mean Time (GMT)
- Content of the request (specific page)
- Access status/HTTP status code
- Data volume transferred in each case
- Website making the request
- Browser
- Operating system and its interface
- Language and version of the browser software.

This data is technically necessary for us to enable you to use and function our WEBSITE, in particular to display the WEBSITE and to ensure the security and stability of the WEBSITE. This data is not linked to personal data of any specific natural person. Our legitimate interest lies in a functioning website. The legal basis is Art. 6(1)(1)(f) GDPR.

We delete this data as soon as it is no longer required to achieve the purpose for which it was collected. Your IP address is stored for up to 14 days. It is necessary for our system to temporarily store the IP address to eliminate malfunctions of our WEBSITE as well as to avert dangers. Otherwise, the deletion occurs when the respective session has ended.

#### **4. Additional features and offers**

In connection with various services on our WEBSITE, which you can use if you are interested, you must generally provide additional personal data. In detail:

##### **4.1 Contact/feedback**

If you contact us, for example to provide us with your feedback, the processing of your provided contact data (e.g. first and last name, email address, telephone number) is carried out to respond to your inquiries and/or suggestions made via the contact form or by email.

The legal basis for the processing of the data is Art. 6(1)(1)(f) GDPR. If your message is aimed at concluding a contract, the additional legal basis for the processing of your data is Art. 6(1)(1)(b) GDPR.

Insofar as no legal retention periods prevent the deletion of your personal data, we will delete it as soon as it is no longer required to achieve the purpose for which it was collected.

##### **4.2 Order our newsletter**

By consenting, you can subscribe to our newsletter, with which we will inform you about our current interesting offers. The advertised offers are named in the declaration of consent.

The newsletter is sent via the technical service provider MailChimp (The Rocket Science Group, LLC, 675 Ponce de, Leon Ave NE, Suite 5000, Atlanta, GA 30308 USA). For this purpose, it is necessary that we transmit your data provided during the newsletter registration to MailChimp. This data is stored on MailChimp's servers in the United States of America. For more information about privacy, please see MailChimp's Privacy Policy at <https://mailchimp.com/legal/privacy/>.

For the registration to our newsletter we use what is known as the double-opt-in procedure. This means that after your registration, we will send you an email to the email address you provided, in which we ask you to confirm that you wish to receive the newsletter. If you do not confirm your registration within 24 hours, your information will be blocked and automatically deleted after one month. In addition, we store your IP addresses and times of registration and confirmation. The purposes of the procedure are to be able to prove your registration and, if necessary, to clarify a possible misuse of your personal data.

The only mandatory data for sending the newsletter is your email address. After your confirmation, we store your email address for the purpose of sending you the newsletter. The legal basis is Art. 6(1)(1)(a) GDPR and Art. 49(1)(1)(a) GDPR with regard to the transmission of personal data to MailChimp's servers in the USA.

You can revoke your consent to receiving the newsletter and unsubscribe at any time. You can declare the revocation by clicking on the link provided in every newsletter email, by email to [marketing@sko-stuttgart.com](mailto:marketing@sko-stuttgart.com) or by sending a message to the contact details given in Section 1.

We delete your data as soon as it is no longer required to achieve the purpose for which it was collected.

#### **4.3 Online ticket presale via Reservix**

Tickets for our events can be purchased via the ticket portal Reservix (Reservix GmbH, Humboldtstraße 2, 79098 Freiburg im Breisgau, Germany; "**Reservix**"). For this purpose, we have included a link by means of HTML button in our WEBSITE. Clicking the button will take you to the Reservix website, where you can enter your data and register.

If you wish to use Reservix, the entire ticket purchase process, from order processing and correspondence to ticket dispatch, will be handled by Reservix. Reservix then processes the personal data you provide. We can view your personal data via a Reservix portal. In addition, by visiting our WEBSITE, Reservix is informed that you have accessed the corresponding sub-page of our WEBSITE. If you do not wish to be associated with your Reservix user account, you must log out of your Reservix user account.

For more information on the purpose and scope of data collection and its processing by Reservix, please refer to the Reservix Privacy Policy at [https://cdn.reservix.com/Datenschutzerklaerung\\_Reservix.pdf](https://cdn.reservix.com/Datenschutzerklaerung_Reservix.pdf).

## **5. Presence on social media platforms**

We operate publicly accessible profiles on the social media platforms listed below for the purposes of presenting and increasing awareness of our association, providing information, advertising our events and activities, processing any inquiries from association members, interested parties, music lovers, musicians and other users, and maintaining relationships and interaction (e.g. commenting, sharing, rating). Our legitimate interests lie in the timely and supportive information and

interaction opportunities. The legal basis for this is Art. 6(1)(1)(f) GDPR. If your message is aimed at concluding a contract, the additional legal basis for the processing of your data is Art. 6(1)(1)(b) GDPR.

For these information services, we make use of the technical platform and services of the providers listed below under Sections 5.1 and 5.2. You are not obliged to provide us with your personal data. However, this may be necessary for individual functionalities of our profiles on social media platforms. These functionalities will not be available to you or only to a limited extent if you do not provide us with your personal data. We would also like to point out that you use our appearances on social media platforms and their functions on your own responsibility. This applies, in particular, to the use of interactive functions (e.g. commenting, sharing, rating). When you visit our websites, the providers of the social media platforms collect, among other things, your IP address and other information that is present on your terminal device in the form of cookies. This information is used to provide us, as operators of the accounts, with statistical information about interactions with us. For further details, please refer to the following notes on the respective providers.

The data collected about you in this context will be processed by the platforms and may be transferred to countries outside the European Union, in particular the USA. All of the aforementioned providers claim to maintain an adequate level of data protection equivalent to the former EU-US Privacy Shield, and we have concluded the standard data protection clauses with the companies.

We are not aware of how the social media platforms use the data from your visit to our account and interaction with our posts for their own purposes, how long this data is stored and whether data is passed on to third parties. The data processing may differ depending on whether you are registered and logged in to the social network or visit the site as a non-registered and/or non-logged-in user. When you access a post or the account, the IP address assigned to your end device is transmitted to the provider of the social media platform. If you are currently logged in as a user, a cookie on your terminal device can be used to track how you have moved around the network. Via buttons embedded in websites, it is possible for the platforms to record your visits to these website pages and assign them to your respective profile. On the basis of this data, content or advertising can be offered which is tailored to you. If you want to avoid this, you should log out or disable the "stay logged in" feature, delete the cookies present on your device and restart your browser.

We, as the provider of the information service, furthermore only process the data from your use of our service that you provide to us and that requires interaction. For example, if you ask a question that we can only answer by email, we will store your information in accordance with the general principles of our data processing, which we have described in this Privacy Policy.

What information the social media platform receives and how it is used is described by the providers in their privacy policies (see link in the following explanation of the respective providers). There you will also find information about contact options as well as about the setting options for advertisements. You can also find more information about social networks and how to protect your data on [www.youngdata.de](http://www.youngdata.de).

## **5.1 Facebook/Instagram**

We are the operator of the Facebook fan page available at <https://www.facebook.com/sko.stuttgart> (hereinafter also referred to as "Facebook fan page") and the Instagram page available at <https://www.instagram.com/sko.stuttgart/> (hereinafter also referred to as "Instagram page") on the respective technical platform of Facebook Ireland Limited (4 Grand Canal Square, Dublin 2, Ireland; "Facebook")

When visiting these pages, Facebook generates page statistics and makes them available to us via what are known as page insights. The page statistics for our Facebook fan page are generated exclusively by Facebook. We can neither influence nor turn off or prevent the creation of site statistics and the related collection and processing of statistical data. We use the data provided by Facebook to be able to improve our Facebook fan page. The statistics obtained enable us to improve our offer and make it more interesting for you as a user. However, we are not able to assign your data directly to your person. Our legitimate interests lie in the optimisation and marketing purposes. The legal basis for this is Art. 6(1)(1)(f) GDPR.

We are jointly responsible with Facebook for the processing of this data pursuant to Art. 26 GDPR (joint responsibility) and have concluded a joint responsibility agreement with Facebook in this regard. This agreement specifies the data processing operations for which we or Facebook are responsible when you visit our Facebook fan page. You can view this agreement at the following link: [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)

You have the right to object to the processing of your data for the above-mentioned purposes. You can assert the right to object and your other rights as a data subject with regard to Insight data (information, correction, deletion, restriction of processing, data portability and complaint) both against us and against Facebook. If you assert your rights against us, we will forward them to Facebook in accordance with the shared responsibility agreement.

We would like to point out that Facebook processes your data for purposes including the creation of user profiles, the creation of personalised advertising and market research.

For more information on the purpose and scope of data collection and its processing by Facebook, please refer to the respective privacy statements of Facebook. There you will also receive further information about your rights and setting options to protect your privacy. You can find them for Facebook here: <https://facebook.com/policy.php> and for Instagram here: [https://help.instagram.com/519522125107875?helpref=faq\\_content](https://help.instagram.com/519522125107875?helpref=faq_content)

## **5.2 YouTube**

We have a YouTube channel, a service provided by Google Ireland Limited (Gordon House, Barrow Street, Dublin 4, Ireland; "Google"), available at <https://www.youtube.com/user/StgtKammerorchester>.

For more information on the purpose and scope of data collection and processing by Google, please refer to Google's Privacy Policy, which can be found at the following link <https://policies.google.com/privacy?hl=en>

## **6. Use of our SKO Resonance APP**

In addition to our online offer, we provide you with the mobile SKO Resonanz APP (hereinafter "APP"), which you can download to your mobile device. In the following, we provide supplementary information about the processing of personal data when using our mobile APP.

### **6.1 Hosting and data processing when downloading and using the APP**

Our APP is hosted by the external service provider eitieCloud ("Hoster"). The APP is hosted in Germany. Personal data collected in this APP is stored on the hoster's servers. This may include IP addresses, contact requests, meta and communication data, accesses and other data generated via an APP. We have concluded an order processing contract with the hoster in accordance with the requirements of Art. 28 GDPR, in which we oblige it to protect our customers' data and to not pass it on to third parties.

When you download our mobile app, the required information is transferred to the App Store (Google Play or Apple App Store), i.e. in particular, username, email address and customer number of your account, time of download and the individual device identification number. In addition, the App Store still independently collects various data and provides you with analysis results. We have no influence on this data processing and are not responsible for it. We process the data only to the extent necessary to download the mobile app to your mobile device.

You can also download this mobile app free of charge directly to your mobile device via our website. During the download, further user data is processed via the website, about which we also inform in this Privacy Policy. The mobile app is downloaded to your mobile device and can be used without accessing the Internet. The app can be used without registration and login. However, certain data may be automatically collected that is required for the use of the app and its functions.

In addition, we may need [your device identification, unique number of the terminal device (IMEI = International Mobile Equipment Identity), unique number of the network subscriber (IMSI = International Mobile Subscriber Identity), mobile phone number (MSISDN), version of the operating system, time of access, MAC address for WLAN use, name of your mobile terminal device, email address] to provide the app services. This data is automatically transmitted to us but not stored.

The processing takes place,

- (a) to be able to provide you with the service and related features;
- (b) to prevent misuse and malfunctions and, if necessary, to improve our App.

The data processing is justified,

- (a) as it is necessary for the performance of the contract with you for the use of the App and its functions within the meaning of Art. 6(1)(1)(b) GDPR;
- (b) we have a legitimate interest in ensuring the functionality of the App, its error-free operation and the provision of a market and interest-oriented service that outweighs your rights and interests in the protection of your personal data within the meaning of Art. 6(1)(1)(f) GDPR.

## **6.2 Permissions**

With your consent, the following authorisations can be granted via the APP:

Location data: This permission is needed to synchronise the music and animations of the app via GPS signals.

Camera/Photos: This permission is needed to scan the QR code/marker via your camera to start the augmented reality and switch between animations/instruments.

The processing of this usage data is based on your respective consent pursuant to Art. 6(1)(1)(a) GDPR. Your consent is voluntary. You can refuse it without giving reasons, but in this case you may not be able to use the corresponding functions of the app.

You can also allow or withdraw consent or authorisation in the settings of the APP or your operating system at any time.

The data will be deleted when you withdraw your consent or when you delete the APP.

## **7. Data security**

We use technical and organisational security measures to protect personal data that we receive or collect, in particular against accidental or intentional manipulation, loss, destruction or against attack by unauthorised persons. Our security measures are continuously improved in line with technological developments.

Our WEBSITE is encrypted using SSL technology to prevent access by unauthorised third parties. You can recognise secure transmission by the protocol designation "https://" in the URL line.

## **8. Your rights**

With regard to the processing of personal data concerning you, you are entitled to the rights listed below under letters a - h in accordance with the legal requirements. Please contact us or our data protection officer for this purpose. The contact details can be found under Section 1.

### **a) Right to information**

In accordance with Art. 15 GDPR, you can request confirmation from us as to whether personal data concerning you is being processed by us. In this case, you have the right, pursuant to Art. 15(1) GDPR, to information about the purposes of processing, the categories of personal data processed, the recipients or categories of recipients to whom we have disclosed or will disclose the personal data, the planned storage period or the criteria for determining the storage period, the existence of a right to rectification or erasure of your personal data and to restriction of processing or to object to processing, the existence of a right of complaint to a supervisory authority, the origin of the data if we have not collected your data from you, the existence of automated decision-making, including profiling, and, pursuant to Art. 15(2) GDPR, the right to information about the appropriate



safeguards pursuant to Art. 46 GDPR in the context of the transfer of personal data to third countries.

**b) Right to rectification**

In accordance with Art. 16 GDPR, you can demand that we immediately correct and/or complete your personal data, taking into account the purposes of the processing, if your data is incorrect or incomplete.

**c) Right to erasure**

You may request the immediate erasure of your personal data pursuant to Art. 17 GDPR, provided that a reason pursuant to Art. 17(1)(a)-(f) GDPR exists. However, the right to erasure of your personal data does not exist, in particular, insofar as its processing is necessary for the exercise of the right to freedom of expression and information, for compliance with a legal obligation, for reasons of public interest or for the assertion, exercise or defence of legal claims (Art. 17(3) GDPR).

**d) Right to restriction of processing**

You may request that we restrict the processing of your personal data pursuant to Art. 18 GDPR for as long as we verify the accuracy of your data that you dispute, if you object to the erasure of your data due to unlawful processing and instead request the restriction of the use of your data, if you need your data to assert, exercise or defend legal claims, or if you have objected to the processing as long as it is not yet clear whether our legitimate grounds prevail.

**e) Right to information**

Pursuant to Art. 19 GDPR, we will notify all recipients to whom your personal data has been disclosed of any rectification or erasure of your personal data or any restriction of its processing pursuant to Art. 16, 17(1) and 18 GDPR, unless this proves impossible or involves a disproportionate effort. According to Art. 19(2) GDPR, you have the right to be informed about these recipients upon request.

**f) Right to data portability**

Pursuant to Art. 20 GDPR, you have the right to receive your personal data that you have provided to us in a structured, common and machine-readable format and to transfer this data to another controller, provided that the other requirements of Art. 20 GDPR are met, in particular that this is technically feasible.

### **g) Right of objection**

Insofar as we base the processing of your personal data on the legitimate interests pursuant to Art. 6(1)(1)(f) GDPR, you may object to the processing pursuant to Art. 21 GDPR. This is the case if the processing is not necessary, in particular, to perform a contract with you, which we set out in each case in the above description of the offers. When exercising such an objection, we ask you to explain the reasons why we should not process your personal data as we have done. In the event of your justified objection, we will review the situation and, in accordance with Art. 21(1)(2) GDPR, either no longer process the personal data or demonstrate to you our compelling legitimate grounds for processing that override your interests, rights and freedoms. Further processing is also reserved if the processing serves the assertion, exercise or defence of legal claims. Of course, pursuant to Art. 21(2) GDPR, you may object at any time to the processing of your personal data for the purposes of advertising and profiling, insofar as it is related to direct advertising. You can inform us or our data protection officer of your objection using the contact details given in Section 1.

### **h) Right to withdraw consent**

Pursuant to Art. 7(3) GDPR, you have the right to withdraw any data protection consent you may have given us at any time with future effect. However, this does not affect the lawfulness of the processing that took place on the basis of your consent up to the time of revocation.

If you are of the opinion that the processing of your data violates data protection regulations, you also have the right to lodge a complaint with a supervisory authority pursuant to Art. 77 GDPR. Please contact a supervisory authority in the Member State of your residence, workplace or the location of the potential infringement.

*Updated: 20. September 2022*