

Guideline on Telephone Surveys

This English version of this Guideline is a translation of the original German version; in the event of variances, the German version shall take precedence over the English translation.

This guideline is issued by the associations for market and social research in Germany:

- ADM Arbeitskreis Deutscher Markt- und Sozialforschungsinstitute e. V.
- Arbeitsgemeinschaft Sozialwissenschaftlicher Institute e. V. (ASI)
- BVM Berufsverband Deutscher Markt- und Sozialforscher e. V.
- Deutsche Gesellschaft für Online-Forschung – DGOF e. V.

1 Introduction

In principle, the same rules apply to telephone surveys as to scientific surveys conducted face-to-face, in writing or online. In essence, these rules require that the respondents' anonymity shall be strictly safeguarded and that scientific surveys shall be clearly separated from other activities. When asking respondents for their consent to take part in the telephone interview, they must be informed about its general purpose in a methodologically appropriate way and about the voluntary nature of participation. In the case of single surveys, the link between the telephone numbers and the survey data must be deleted at the earliest possible time, i.e. at the latest by the end of fieldwork and the checks associated with it. In the case of repeat or follow-up surveys, the names and telephone numbers of the respondents must be subjected to the intended security measures and they must be stored separately from the survey data.

This guideline is always to be applied in conjunction with the "ICC/ESOMAR International Code on Market, Opinion and Social Research and Data Analytics" prefaced by the "Declaration for the Territory of the Federal Republic of Germany", as well as the various guidelines issued by associations for market and social research in Germany.

2 Distinction from telephone advertising and sales promotion

When conducting telephone surveys, as with all studies in market and social research, it must be made clear that they are not a form of advertising and/or sales promotion and that the purpose of the telephone call is neither to announce nor to prepare such activities. This is important because telephone calls for advertising and/or sales purposes made to private households with which no contractual relationship exists or which have not explicitly consented to such calls are prohibited by rulings of the highest courts and by corresponding legal provisions. In the commercial sector (business to business), telephone calls for advertising and/or

sales purposes are similarly prohibited if the purchase of the products being promoted is not part of the normal business operations of the party being called.

These restrictions apply to telephone advertising in the broadest sense. They do not apply to calls that are made exclusively for research purposes. For this reason too, the distinction between scientific research on the one hand and advertising and sales promotion on the other must be strictly observed. The distinguishing criterion arises from the objectives and goals of the survey, not from its content. Thus, for example, telephone surveys aiming to measure, i.e. research, the response to advertising or the success of sales efforts are permissible.

Communicating the names of respondents, such as prospective buyers or dissatisfied consumers, obtained from surveys or other forms of data collection to the client so that the client can respond to them individually is not permissible because it contradicts the requirement of anonymisation in market and social research. This also applies if the contact data was given to the agency conducting the survey by the client.

For this reason, market and social research on the one hand and inquiries for the purpose of individual sales promotion on the other hand must not be combined within the same telephone call; the interview for scientific purposes of market and social research must not be used as a "prelude" for other inquiries. If it is not permissible to make these other inquiries by telephone, then the interview conducted beforehand during the same telephone call is not permissible either. Similarly an interview carried out for the scientific purposes of market and social research – regardless of the data collection method used – must not be used to obtain permission for a separate telephone call conducted for the purpose of advertising and/or sales promotion or sending informational material.

3 Self-imposed restrictions on telephone interviews

3.1 General

Even a call that is made for research purposes – to persons in private households – affects their personal privacy. This enjoys particular legal and statutory protection. Consequently, calls which are in principle permissible must nevertheless be conducted in a way so that no relevant infringement of people's privacy occurs. This is not determined by the opinion of a single respondent but by what can be expected based on the fundamental values of the general public and the relevant public involved.

3.2 Calling times

The associations for market and social research in Germany assume that calls to private households – apart from unavoidable individual cases – do not constitute an invasion of people’s privacy if they take place

- on Mondays to Fridays, not before 9 a.m. and not after 9 p.m.,
- on Saturdays, not before 10 a.m. and not after 8 p.m., and
- on Sundays and public holidays, not before 10 a.m. and not after 6 p.m.

The last attempts to contact respondents must be scheduled on the basis of the average length of an interview that can be expected for the survey in question.¹

For telephone calls in the commercial sector and to freelance professionals, the rules for calling times are implied by the office hours. These rules on calling times do not apply to interviews by appointment.

Telephone interviews on Sundays and public holidays are only permissible if they are necessary for methodological reasons in order to conduct the study. In every case, this methodological necessity must be documented.

3.3 Frequency of attempts to contact

In any one study, a maximum of ten attempts to contact respondents at one telephone number are permissible. A maximum of four attempts are permissible in one day, leaving an interval of at least one hour between each attempt. Attempts that fail because a number is engaged are not counted as such and may be repeated twice within 30 minutes.

The attempts made to contact a number must be documented for each telephone number. In each case, the corresponding records must be kept for at least three months.

If demonstrably required by the objectives of the study or for methodological reasons, a maximum of 15 attempts can be made to contact a single telephone number for any one study. This requirement must be individually documented for each study.

3.4 Refusal to participate

3.4.1 General

In principle, there are three reasons why the person receiving a telephone call may refuse to take part in a telephone interview, i.e. not want to be interviewed or provide information about the target individual within the household. These reasons must be treated differently as regards whether or not it is permissible to contact the same number again.

3.4.2 Refusal due to situation

If the person receiving a telephone call does not want to be interviewed or give details about the target individual within the household because the phone call comes at an inconvenient time, then it is permissible to contact the same number again in the context of this survey, preferably having previously arranged a suitable time for the interview.

3.4.3 Refusal due to subject matter

If the person receiving a telephone call does not want to be interviewed because they are not interested in the subject matter of the survey or they do not wish to provide information on this topic, then it is not permissible to contact the same number again in the context of this survey, i.e. the telephone number in question must not be contacted again for this survey.

3.4.4 General refusal

If the person receiving a telephone call does not want to be interviewed because they are generally not willing to take part in surveys for market and social research purposes, then it is not permissible to contact him or her again in the context of this or any other survey, i.e. the telephone number(s) in question must not be contacted again. Beyond this, it is necessary to ensure as far as possible – for example through internal measures within the professional association – that the telephone number(s) in question is/are no longer used by other research agencies either.

3.5 Right to object

If the telephone numbers selected for a survey are provided by the client commissioning the survey or another data controller, the persons called must be informed about the source providing their telephone number. In addition, they must be informed of their right to object to the transmission and use of their telephone number(s), both vis-à-vis the client or other controller and vis-à-vis the research agency (see also Section 4.2. of the “Guideline on the Handling of Addresses in Market and Social Research”).

4 Automatic diallers

4.1 General

For the person receiving a telephone call, systems that assist or automate the dialling procedure are in principle no different from manual dialling by the interviewer; they are therefore equally permissible, provided that the self-imposed restrictions mentioned above and the following professional rules of conduct are observed. Where relevant, the latter also apply to manual dialling.

4.2 Ringing time

Attempts to contact a number for telephone surveys shall be terminated at the earliest after 15 seconds and at the latest after 40 seconds, if the call is not answered.

¹ For example, if a survey can be expected to last an average of 30 minutes, all attempts to contact respondents on Mondays to Fridays must cease at 8:30 p.m.

4.3 Dropped calls²

A dropped call is any call that is terminated by the dialling system before reaching the ringing time set according to Section 4.2, because no interviewer is available. The percentage of dropped calls per day may not exceed one percent of all attempts to contact existing telephone numbers.

4.4 Connection time

On principle, all answered calls must within one second either be connected to an interviewer or terminated if no interviewer is available.

4.5 Silent calls

A silent call is any answered call that is not connected to an interviewer within one second at the latest. The percentage of silent calls per day may not exceed one percent of all attempts to contact existing telephone numbers.

If the automatic dialler used is not able to distinguish between dropped calls and silent calls, the total percentage of such calls per day must not exceed one percent of all attempts to contact existing telephone numbers.

4.6 Further calls

If a telephone number has received a dropped or a silent call, the research agency may only attempt to contact this number within the next 30 days in a way that rules out the possibility of a further dropped or silent call.

4.7 Statistics on dropped and silent calls

If dropped or silent calls can occur as a result of an automatic dialler, the research agency must keep daily records on the percentage of dropped and silent calls. These records shall be stored for a minimum period of three months.

4.8 Documenting automatic diallers used

If dropped or silent calls can occur as a result of an automatic dialler, the research agency must be able to explain, by means of a suitable description, how the automatic dialler works, how any dropped and silent calls that occur are registered, and how any resulting complaints are handled.

4.9 Fully automated interviews

Fully automated interviews, i.e. interviews that resort to automated answering systems without using interviewers, are only permissible if the target individuals have been fully informed and given their effective consent during a previous contact (face-to-face or by telephone).

4.10 Screening interviews

Interviews that are conducted solely for the purpose of determining whether the persons to be reached at the selected telephone numbers belong to the target group of the survey (screening interviews) are also subject to the

professional rules of conduct set forth in the "Telephone Guideline" – to the extent that these are applicable.

5 Displaying the telephone number

In order to allow the persons called to discover the identity of the research institution which is calling or has called them so as to conduct a telephone interview for purposes of market and social research even without answering the call – e.g. due to absence – the research institution must ensure that a telephone number is shown in the display of the telephone called, which the person called can use to contact the research institution, which is the controller within the meaning of the EU-GDPR or on whose servers the personal data is processed. The telephone number displayed can be a "normal" local telephone number or an 0800 service number. It must connect callers directly either to an employee of the research institution or to a voice mailbox that allows the following on pressing a further button:

- Obtaining information about the research institution (via a recorded message);
- Obtaining information about the purpose of the telephone call (market and social research) including the source of the telephone number (via a recorded message);
- Obtaining information about the professional rules of conduct and the Code of Professional Conduct of German market and social research (voluntary participation, preserving anonymity, separation from non-research activities) (via a recorded message);
- Being connected to an employee of the research institution.

The person making the call must not incur any further costs beyond the standard phone charges as a result of phoning the telephone number displayed.

6 Call forwarding

Forwarding telephone calls is the decision of the respective subscriber of the telephone number. However, it is also in the interest of the research institutions conducting telephone surveys, because it helps to improve the quality of their sample by increasing availability. It is therefore the research institutions' responsibility to ensure, as far as possible, by appropriate means that no excessive additional costs are incurred by the persons receiving the telephone call as a result of call forwarding. This applies in particular to telephone calls that are forwarded abroad. Attempts to contact a number should therefore be abandoned if it becomes apparent that the call is being forwarded abroad. If it only becomes apparent that the call is being forwarded abroad after contact has been established, the interview should be terminated, agreeing on a time for a further call.

7 Making contact

In terms of data protection laws, the rules for single surveys conducted by telephone are in principle no different from those for face-to-face surveys. When making contact, the following information must be provided in accordance with Article 13 EU-GDPR:

² Dropped calls and silent calls are caused by the automatic dialling system, because no interviewer is available. They are not unsuccessful attempts to contact respondents, in which the call to the number called is not answered within the allowed ringing time, according to Section 4.2.

- the identity of the research institution or the controller, if this is not the research institution, in a comprehensible manner that can be understood without difficulty by the data subjects
- the general purpose and the legal basis (incl. the legitimate interests) for the call;
- the voluntary nature of participation, if this is not obvious;
- the recipients or categories of recipients of the personal data (e.g. field service provider – market research agency, research groups);
- where applicable: transfer of personal data to a third country;
- duration of storage (e.g. destruction after end of project);
- right to withdraw consent;
- the source of the telephone number and the right to object to its transfer and/or use;
- the contact details of the data protection officer;
- where relevant: the existence of automated decision-making;
- the rights of access, rectification, erasure and restriction, as well as the right to object to processing and the right to lodge a complaint with the data protection supervisory authority.

If this information and further explanations cannot be communicated over the phone in a transparent and comprehensible manner, they must be given to the respondent in writing by letter, fax or email or made available for download over the Internet.

The link between the survey data and the names, addresses and telephone numbers of the respondents must be irreversibly removed at the earliest possible time, i.e. at the latest by the end of the fieldwork and the checks associated with it.

In the case of repeat or follow-up surveys, consent to store the address data, telephone numbers and selection criteria needed for the subsequent interview(s) must also be obtained during the first interview. (See also section 3.4. of the “Guideline on the Handling of Addresses in Market and Social Research”.) If consent is not given, then this first interview is considered a one-time interview as in a single survey.

When obtaining permission to store the address for a repeat or follow-up survey, the key points covered in the “Statement on data protection and the total confidentiality of your responses to written or oral interviews and questionnaires” must be communicated over the telephone. A sample text is attached to this guideline. If consent is given to storing the address and telephone number without the respondent first being informed that the data from the initial interview will be reused for repeat or follow-up interviews, such consent is legally not valid.

The manner in which the repeat or follow-up interview(s) is/are to be conducted must be communicated at the time of the initial interview. Likewise, respondents must be informed, where applicable, if the nature of the further interview – by telephone, face-to-face, in writing or online – has not yet been decided.

In the case of repeat or follow-up surveys carried out face-to-face, in writing or online, respondents must receive suitably

modified information on data protection, at the latest when they are contacted again. Depending on the target group and the topic of research, it may make sense to send this information on data protection immediately after the initial telephone interview.

It needs to be observed whether the initial and repeat or follow-up interview(s) will be conducted by different research institutions. Consent for a repeat or follow-up interview must be obtained during the initial interview. The respondent’s consent to a repeat or follow-up interview by another research institution must be obtained by the research agency that conducted the initial interview, at the latest before the other research institution contacts the respondent. See also the “Guideline on the Handling of Addresses in Market and Social Research”, in particular Section “4.7 Collaboration between research agencies”.

8 Listening in on telephone interviews

8.1 Scientific-methodological purposes of listening in

In order to ensure that the interviews are conducted in a formally correct manner and the required information (see Section 7 and the sample wording for contacting in the Appendix) is correctly communicated during the contact, it may be necessary for methodological reasons for the person(s) in charge of the professional supervision of the interviewers to listen in to the interviews from time to time. Beyond this, the first interviews from a sample may serve as a pre-test regarding the understanding of the wording of the questions and the appropriate order of the topics during the interview. This too can make it methodologically necessary for employees of the research agency conducting the survey or employees of research agencies collaborating for the purpose of the scientific survey, to listen in on interviews.

Client representatives, too, may have a methodological interest in convincing themselves of the quality of data collection process, by listening in on interviews on the premises of the research agency carrying out the scientific survey or the premises of the collaborating research agencies (see Section 8.2).

In order to preserve the anonymity of the person receiving the telephone call, precautions must be taken to ensure that the client representative(s) who is/are listening in only join(s) the call after the initial contact has been made and the actual interview has begun, so that the name of the person receiving the telephone call is not mentioned again. Furthermore, the telephone number contacted must not be visible to the client representative(s) who is/are listening in. Client representatives shall not be permitted to listen in if it can reasonably be assumed that the person receiving the call might be identified, for example on account of a business relationship.

8.2 Listening in externally

8.2.1. Listening in externally between research agencies

Listening in to telephone interviews externally with external devices when different research agencies are collaborating (e.g. subsidiary companies, independent contractors, subcontractors, in the context of a research group) is only permissible if the following conditions are met:

- The research agency that wants to listen in is not also the client commissioning the study and/or the end user of the research findings.
- The research agencies participating in the study and wishing to listen in must undertake contractually to maintain the anonymity of the respondents, to listen in exclusively for training and quality control purposes, as required for the scientific methodology, and to coordinate closely with each other when announcing and carrying out the listening in process.
- Additional requirements may arise when personal data is processed outside the European Union.

8.2.2 Listening in externally by end clients

End clients and authorised additional users may only listen in to telephone interviews externally with external devices outside the premises of the research agency conducting the survey and its subsidiary companies or affiliate companies if they adhere to the necessary protective measures, and in particular only under the following conditions:

- The consent of the interviewers must specifically include the listeners, in accordance with 8.3.
- The person interviewed must be informed in the same manner as the interviewer before the study and must have given his or her consent (see 8.4).
- The persons listening in must personally sign the “Declaration of Commitment by End Clients Listening in on Telephone Interviews for the Purposes of Market and Social Research” and the “Personal Declaration of Commitment to Comply with the Data Protection Requirements of the General Data Protection Regulation” attached as an appendix to this guideline before the survey and send it to the agency conducting the research beforehand.
- Listening in must take place in closed rooms to which only those persons have access who have signed the aforementioned Declarations of Commitment.
- Furthermore, listening in externally is only permissible if listening in at the telephone studio of the agency conducting the survey, as preferred, is not possible for important reasons on the part of the end client.
- Additional requirements may arise when personal data is processed outside the European Union. Articles 45 et seq. EU-GDPR must be observed.

8.3 Consent of the interviewers

The interviewers must be informed when they begin working for the research agency and at the start of each individual assignment that listening in may take place from time to time for the scientific methodological purposes of training and quality control. Data protection supervisory authorities require that in addition to being informed, the interviewers must also give their consent to the interview being listened in on. It follows that listening in without consent is illegal. Data protection supervisory authorities also take the view that declarations of consent are not valid indefinitely, but must be obtained again at appropriate intervals; although there are no mandatory legal requirements in this respect, consent should be obtained again after 12 months.

8.4 Interests of the respondents

Respondents are informed at the beginning of the interview about the purpose of the telephone call.

The associations for market and social research hold the view that a telephone interview conducted for the scientific purposes of market and social research is not a confidential conversation between two private individuals, since its contents – while preserving the anonymity of the respondents – are explicitly intended for third parties, and the interview takes place solely for this purpose. However, according to the data protection supervisory authorities, listening in is only lawful with the express prior consent of the respondent to the interview. To be as safe as possible, consent must be obtained.

9 Recording telephone interviews

Audio recordings of telephone interviews are only permitted if the respondents and the interviewers have expressly consented to this beforehand. Apart from quality checks and training interviewers, such recordings are used particularly for analysing open questions, if the unabbreviated verbatim responses are needed.

Recordings of telephone interviews may only be transmitted to the client commissioning the study in an anonymised form and with the consent of the respondents and the interviewers. The respondents’ anonymity must not be jeopardised by this, i.e. the transmission is not permissible if it can reasonably be assumed, for example, that the client might be able to identify the respondents on account of a business relationship. In addition, the transmission of the recording presupposes that the client is obligated to use the recordings of telephone interviews exclusively for research purposes. See the analogous rules in the “Guideline on Recordings and Observations in Market and Social Research”

10 Final provisions and disclaimer

This guideline forms part of the Code of Professional Conduct that govern German market and social research, resulting as they do from the law and the methodological standards, but also from common practice.

This guideline always applies when telephone calls are made from within Germany. If telephone calls are made to a foreign country in which stricter rules apply than those described in this guideline, then under foreign law these stricter regulations must normally also be observed. This guideline also applies to telephone calls made to Germany from abroad. In this case too, more extensive foreign regulations must be observed.

The principles and practices described in this guideline represent, inter alia, the result of weighing up the personal rights of the data subjects on the one hand, and the right to conduct research, together with the resulting methodological requirements, as well as the freedom of information on the other. However, the issuers of this guideline cannot guarantee indemnity. If the issues are weighed up at a later time or by other authorities, it cannot be ruled out that different standards may result regarding the permissibility of the practices described.

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Appendix:

1. Sample text (minimum requirements) for contacting respondents with additions, where necessary, on obtaining consent to making audio recordings and storing addresses for repeat and follow-up surveys, as well as for general refusals

Contacting respondent:

Good morning/afternoon/evening. My name is _____ and I am from _____ (agency) _____ in _____.

We are carrying out a scientific study on _____ (general subject matter) _____.

(Generated telephone numbers: Your telephone number was selected using a scientific (random) procedure.

(Telephone numbers from clients: Your telephone number was provided to us by _____ (name client!) for the purpose of conducting this study.)

(Telephone numbers of clients where the client cannot be named at the beginning, only for methodological reasons: Your telephone number was provided to us by the client of the study for the purpose of conducting this study. For methodological reasons, I can only reveal the name of the client at the end of the interview.)

Your participation is voluntary but it is very important that all the people selected actually take part, if possible, so that the results of the survey are correct.

[For research groups in which personal data is shared: We are conducting the project as part of a research group, together with (agency) _____ in _____.]

[If the agency to which the personal data will be transferred is located outside the EU/EEA, please refer to Article 45 et seq. of the GDPR and name the appropriate safeguards.]

The data will be analysed anonymously [For research groups in which personal data is shared: by the agency _____], i.e. not in connection with your name, address or telephone number. These will be destroyed after the scientific project has been completed.

Before the interview begins, I have some brief information for you: We are happy to provide you with the contact details of our data protection officer, whose details you can find under.... There you will also find detailed information on your data protection rights, including your rights of access, rectification, erasure and restriction, as well as your right to object to processing and the right to lodge a complaint with the data protection supervisory authority.

[Should the respondent not have Internet access: Provide other means of receiving information. e.g. read aloud, send by post].]

2. Consent to recording (if required):

With your permission we would like to record the interview for scientific purposes and to avoid mistakes. However, your anonymity will not be jeopardized by this.

3. Consent to storing the address for repeat or follow-up surveys (if required):

Thank you very much for being so kind as to providing us with this information.

Finally, I have one further request: May we call you again when we conduct another study for market and social research purposes? In the meantime, we would store your name and telephone number but keep them separate from the information you were kind enough to provide today. As with today's interview, any later interview will be analysed in an anonymous form. You can withdraw your consent at any time with effect for the future. For further information, please visit... (name Internet address here).

4. General refusal (if required):

We regret your refusal to participate in telephone surveys in general. Of course, we respect your wish not to receive any further phone calls. We will therefore block your telephone number and by doing so ensure that you receive no further calls from us – or any other agencies, in as far as this is possible for us.

5. Declaration of Commitment by End Clients on Listening in on Telephone Interviews for the Purposes of Market and Social Research

The end client/agency commissioning the research identified below is to be given the opportunity by the agency conducting the research for the study _____ (name of study/method) to listen in on telephone interviews for **research and/or quality assurance purposes**.

Listening in is only permitted if all persons concerned (interviewers and respondents) are **informed** in advance and **have given their consent**. Such consent is documented by the agency conducting the interviews.

Only the agency conducting the interviews may grant the right to listen in on the interviews. In all cases, participation by unauthorized third parties must be ruled out. The agency conducting the interviews must have the possibility of interrupting the listening in at any time. The end client must not join the interviews independently to listen in on them.

The end client/agency commissioning the research hereby commits her-/himself as follows::

1. Listening in on calls will only be done for research and/or quality assurance purposes and only for the purpose of the research objective.
2. Third parties will not be granted the possibility of listening in. The concrete contents of the interviews that are listened in on will not be recorded, shared or narrated to others.
3. No attempt will be made to de-anonymise the data, and any such attempt will be prevented. No independent sound recordings will be made and no notes will be taken that are or can be related to individual persons.
4. The following applies to external listening in:
 - 4.1 The persons involved in listening in externally have personally signed the "Personal Declaration of Commitment to Comply with the Data Protection Requirements of the General Data Protection Regulation (GDPR)" attached as an appendix before listening in and have sent this to the agency conducting the research beforehand.
 - 4.2 Listening in externally is only permissible in closed rooms to which only those persons have access who have signed the aforementioned "Personal Declaration of Commitment to Comply with the Data Protection Requirements of the General Data Protection Regulation" and who have submitted it to the agency beforehand.

This written declaration is part of the "Guideline on Telephone Surveys" and thus part of the Code of Professional Conduct for German Market and Social Research.

End client/agency commissioning the research (Name, Address):

Agency conducting the research:

(Agency Stamp)

Authorised to issue this declaration:

(Name)

(Place)

(Position in the company)

(Date)

6. Personal Declaration of Commitment to Comply with the Data Protection Requirements according to the General Data Protection Regulation (GDPR)

I understand that according to the "Guideline on Telephone Surveys" issued by the associations for market and social research in Germany:

- ADM Arbeitskreis Deutscher Markt- und Sozialforschungsinstitute e. V.
- Arbeitsgemeinschaft Sozialwissenschaftlicher Institute e. V. (ASI)
- BVM Berufsverband Deutscher Markt- und Sozialforscher e. V.
- Deutsche Gesellschaft für Online-Forschung – DGOF e. V.

this Declaration of Commitment must be signed and presented to the agency conducting the interviews in order for listening in on telephone interviews to be permissible in market and social research. The persons involved at the agency or end client commissioning the research must therefore sign this personal Declaration of Commitment to comply with the data protection requirements in accordance with the General Data Protection Regulation (GDPR) and send it to the agency conducting the interviews before the study.

I will listen in on telephone interviews in the study on the topic of ... (Client: ..., Contractor: ...) in ... (Place/Address) on No attempt will be made to de-anonymise the data, and any such attempt will be prevented. I am aware that I am not permitted to take photos or make audio or video recordings or to take notes that are or can be related to individual persons.

I have been informed that it is prohibited to process personal data without authorisation. Personal data may therefore only be processed if permitted by consent or a legal regulation, or if processing such data is legally mandatory (Art. 6 GDPR). The principles of the GDPR for processing personal data are set out in Art. 5(1) GDPR and essentially include the following obligations: Personal data shall be:

- processed lawfully and in a transparent manner in relation to the data subject;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ("data minimisation");
- accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ("integrity and confidentiality").

I understand that if data is processed that is subject to the secrecy of social data, it must be treated confidentially by me to the same extent as it was treated confidentially by its original transmitter.

I understand that any violation of this obligation may be punishable by a fine and/or imprisonment and that a violation may at the same time constitute a breach of contractual obligations. Culpable violations of this obligation may also result in claims for damages (under civil law). Any separate Declaration of Commitment to maintain confidentiality shall not be affected by this declaration.

This Declaration of Commitment shall continue to apply even after I have ceased to work for my current employer/client. With my signature, I confirm this Declaration of Commitment. I have received a copy of this document.

Name, First name:

Place / Date: Signature: