

OCCAY Privacy Policy

Version: 14.11.2023

1) Description of activities

The operator of the website app.occay.eu / the service operator of this website is Florian Brunner, owner of the company bFlow Webdesign & Online Marketing, Saline 17 / Medienhaus, A-6060 Hall in Tirol, Austria, as follows:

<https://app.occay.eu/imprint>

The app.occay.eu website is a SaaS (software-as-a-service) platform that provides services based on cloud computing. Applications or application software are made available so that **career and educational counselling organisations** (subsequently: *organisations*) can get to know, discuss, and meet with their counselling customers (subsequently: *customers*) in counselling sessions via video chat, text chat etc.

For this purpose, each of the above-mentioned organisations must register with their business data and at least one representative/employee by means of a user account (organisation administrator).

In addition, the aforementioned organisations can add further employees/counsellors.

Each employee can in turn add clients (= consumers) who have provided their data for this purpose.

This privacy policy is therefore addressed to organisations and their employees/counsellors on the one hand and to the customers on the other hand.

The data of organisations will be stored for 7 years from the last login to the app.occay.eu website, the data of customers of the app.occay.eu website will be stored for 2 years from the last login to app.occay.eu, unless otherwise agreed or a revocation of consent.

The geographical area of application of the services will be primarily in Austria, Germany, Italy and Bulgaria, although activities may also take place in other countries of the European Union. No activities will take place outside the European Union.

2) Personal data

"Personal data" means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

The controller collects, processes, and uses your personal data only with your consent or order for the purposes agreed with you or if there is another legal basis in



accordance with the General Data Protection Regulation (subsequently: *GDPR*); this is done in compliance with the provisions of data protection and civil law.

We only collect personal data that is necessary for the implementation and processing of our platform services or that you provide to us voluntarily.

Specifically, in the case of **organisations**, these are the representative/employee with name, e-mail and telephone, and **customers** with name, e-mail, telephone, gender, date of birth, marital status, children, highest level of education, profession, address, counselling goals, various comments by the employee and, within the applications for appointments, the title of the appointment, a description, the location (names of customers etc. are not stored, but there is a user ID for appointments – this is not identifiable).

3) Data collection on our website

Who is responsible for data collection on this website?

Data processing on this website is carried out by the website operator. You can find the operator's contact details in the legal notice at: <https://app.occay.eu/imprint>

How do we collect your data?

On the one hand, your data is collected when you provide it to us. This may, for example, be data that you enter in a contact form. Other data is collected automatically by our IT systems when you visit the website. This is primarily technical data (e.g. internet browser, operating system or time of page view). This data is collected automatically as soon as you enter our website.

What do we use your data for?

Your data is collected to ensure the correct provision of the website applications as part of the SaaS platform.

What rights do you have regarding your data?

As a data subject (organisations and customers alike), you have the right to information about your stored personal data, its origin and recipients and the purpose of data processing as well as a right to correction, data transfer, objection, restriction of processing and blocking or deletion of incorrect or unauthorised processed data at any time. If there are any changes to your personal data, please inform us accordingly. You have the right to revoke your consent to the use of your personal data at any time. Your request for information, deletion, correction, objection and/or data transfer can be addressed to the website operator. You can contact us at any time at the address given in the legal notice if you have any further questions about data protection. You also have the right to lodge a complaint with the competent data protection authority.

Analysis tools and tools from third-party providers

When you visit our website, your surfing behaviour may be statistically analysed. This is mainly done using cookies - analysis programmes are not active.

4) General notes and mandatory information on data protection

Data protection

The operators of these pages take the protection of your personal data very seriously. We treat your personal data confidentially and in accordance with the statutory data protection regulations and this privacy policy. When you use this website, various personal data is collected. Personal data is data that can be used to identify you personally. *This* privacy policy explains what data we collect and what we use it for. It also explains how and for what purpose this is done. We would like to point out that data transmission over the Internet (e.g. when communicating by email) may be subject to security vulnerabilities. Complete protection of data against access by third parties is not possible.

Note on the data processor / responsible body

The controller responsible for data processing on this website is

bFlow Webdesign
Florian Brunner
Saline 17
6060, Hall in Tirol
Austria
Phone: 0043 664 14945989
E-mail: info@bflow.at

The controller is the natural person (Florian Brunner) who alone determines the purposes and means of the processing of personal data (e.g. names, e-mail addresses, etc.).

Revocation of your consent to data processing

Many data processing operations are only possible with your express consent. You can revoke your consent at any time. All you need to do is send us an informal e-mail. The legality of the data processing carried out until the revocation remains unaffected by the revocation at a certain point in time.

Right to lodge a complaint with the data protection authority

In the event of breaches of data protection law, the data subject has the right to lodge a complaint with the data protection authority. The competent authority for data protection issues is the state data protection officer of the federal state in which our company is based. A list of data protection officers and their contact details can be found at the following link: <https://www.dsb.gv.at>

Right to data portability

You have the right to have data (that we process automatically on the basis of your consent or in fulfilment of a contract) handed over to you or to a third party on your

specific instruction in a commonly used, machine-readable format. If you request the direct transfer of the data to another controller, this will only be done insofar as it is technically feasible.

SSL and TLS encryption

This site uses SSL or TLS encryption for security reasons and to protect the transmission of confidential content, such as orders or enquiries that you send to us as the website operator. You can recognise an encrypted connection by the fact that the address line of the browser changes from "http://" to "https://" and by the lock symbol in your browser line. If SSL or TLS encryption is activated, the data you transmit to us cannot be read by third parties.

Information, blocking, deletion

Within the framework of the applicable legal provisions, you have the right to free information about your stored personal data, its origin and recipient and the purpose of the data processing and, if necessary, a right to correction, blocking or deletion of this data at any time. You can contact us at any time at the address given in the legal notice if you have further questions about personal data.

Objection to advertising emails

We hereby object to the use of contact data published within the scope of the legal notice obligation to send unsolicited advertising and information material. The operators of the website expressly reserve the right to take legal action in the event of the unsolicited sending of advertising information, such as spam e-mails.

3. Data collection on our website

Cookies

Some of the Internet pages use so-called cookies. Cookies do not damage your computer and do not contain viruses. Cookies are used to make our website more user-friendly, effective, and secure. Cookies are small text files that are stored on your computer and saved by your browser. Most of the cookies we use are so-called "session cookies". They are automatically deleted at the end of your visit. Other cookies remain stored on your end device until you delete them. These cookies enable us to recognise your browser on your next visit.

You can set your browser so that you are informed about the setting of cookies and only allow cookies in individual cases, exclude the acceptance of cookies for certain cases or in general and activate the automatic deletion of cookies when closing the browser. If cookies are deactivated, the functionality of this website may be restricted. Cookies that are required to carry out the electronic communication process or to provide certain functions you wish to use (e.g. shopping basket function) are stored on the basis of Art. 6 para. 1 lit. f GDPR. The website operator has a legitimate interest in the storage of cookies for the technically error-free and optimised provision of its

services. Insofar as other cookies (e.g. cookies for analysing your surfing behaviour) are stored, these are treated separately in this privacy policy.

Server log files

The provider of the pages automatically collects and stores information in so-called server log files, which your browser automatically transmits to us. These are:

- Browser type and browser version
- Operating system used
- Referrer URL
- Host name of the accessing computer
- Time of the server enquiry
- IP address

This data is not merged with other data sources. The basis for data processing is Art. 6 para. 1 lit. f GDPR, which permits the processing of data for the fulfilment of a contract or pre-contractual measures.

Contact form

If you send us enquiries via the contact form, your details from the enquiry form, including the contact details you provide there, will be stored by us for the purpose of processing the enquiry and in the event of follow-up questions. We will not pass on this data without your consent. The data entered in the contact form is therefore processed exclusively based on your consent (Art. 6 para. 1 lit. a GDPR). You can revoke this consent at any time. All you need to do is send us an informal email. The legality of the data processing operations carried out until the revocation remains unaffected by the revocation. We will retain the data you provide on the contact form until you request its deletion, revoke your consent for its storage, or the purpose for its storage no longer pertains (e.g. after fulfilling your request). Mandatory statutory provisions - in particular statutory retention periods - remain unaffected.

Registration on this website

You can register on our website to use additional functions on the site. We will only use the data you enter for the purpose of using the respective offer or service for which you have registered. The mandatory information requested during registration must be provided in full. Otherwise, we have to reject the registration. In the event of important changes, for example to the scope of the offer or technically necessary changes, we will use the e-mail address provided during registration to inform you about this. The data entered during registration is processed based on your consent (Art. 6 para. 1 lit. a GDPR). You can revoke your consent at any time. All you need to do is send us an informal email. The legality of the data processing that has already taken place remains unaffected by the cancellation. The data collected during registration will be stored by us for as long as you are registered on our website and will then be deleted. Mandatory statutory provisions - in particular statutory retention periods - remain unaffected.

Processing of data (customer and contract data)

We collect, process, and use personal data only insofar as it is necessary for the establishment, content, or amendment of the legal relationship (inventory data). This is done based on Art. 6 para. 1 lit. b GDPR, which permits the processing of data for the fulfilment of a contract or pre-contractual measures. We collect, process, and use personal data about the use of our website (usage data) only insofar as this is necessary to enable the user to use the service or to bill the user. The customer data collected will be deleted after completion of the order or termination of the business relationship. Mandatory statutory provisions - in particular statutory retention periods - remain unaffected.

Data transfer upon conclusion of a contract for payment processing, services, and digital content

We only transfer personal data to third parties if necessary in the context of contract processing, for example to the companies entrusted with the execution of payment processing (only applies to *organisations*). Any further transmission of data will not take place or will only take place if you have expressly consented to the transmission, and this is necessary to fulfil the contractually agreed service. Your data will not be passed on to third parties without your express consent, for example for advertising purposes. The basis for data processing is Art. 6 para. 1 lit. b GDPR, which permits the processing of data for the fulfilment of a contract or pre-contractual measures.

IP anonymisation

We have activated the IP anonymisation function on this website. This means that your IP address will be truncated by Google within member states of the European Union or in other signatory states to the Agreement on the European Economic Area before being transmitted to the USA. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and truncated there. On behalf of the operator of this website, Google will use this information to analyse your use of the website, to compile reports on website activity and to provide the website operator with other services relating to website activity and internet usage. The IP address transmitted by your browser as part of Google Analytics will not be merged with other Google data.

Browser plugin

You may refuse the use of cookies by selecting the appropriate settings on your browser. However please note that if you do this you may not be able to use the full functionality of this website. You can also prevent Google from collecting the data generated by the cookies and relating to your use of the website (including your IP address) and from processing this data by Google by downloading and installing the browser plug-in available at the following link:
<https://tools.google.com/dlpage/gaoptout?hl=de>

Objection to data collection

You can prevent the collection of data by Google Analytics by setting an opt-out cookie that prevents the collection of data on future visits to our website. You can find more information on how Google Analytics handles user data in Google's privacy policy:

<https://support.google.com/analytics/answer/6004245?hl=de>

Order data processing

Google

We have concluded a contract with Google for commissioned data processing and fully implement the strict requirements of the data protection authorities concerned when using Google. We use "Google reCAPTCHA" (hereinafter referred to as "reCAPTCHA") on our websites. The provider is Google Inc, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google"). The purpose of reCAPTCHA is to check whether the data input on our websites (e.g. in a contact form) is made by a human or by an automated programme. For this purpose, reCAPTCHA analyses the behaviour of the website visitor based on various characteristics. This analysis begins automatically as soon as the website visitor enters the website. To analyse this, reCAPTCHA evaluates various information (e.g. IP address, time spent on the website by the website visitor or mouse movements made by the user). The data collected during the analysis is forwarded to Google. The reCAPTCHA analyses run completely in the background. Website visitors are not informed that an analysis is taking place. Data processing is carried out on the basis of Art. 6 para. 1 lit. f GDPR. The website operator has a legitimate interest in protecting its website from abusive automated spying and SPAM. Further information on Google reCAPTCHA and Google's privacy policy can be found at the following links:

<https://www.google.com/intl/de/policies/privacy/>

<https://www.google.com/recaptcha/intro/android.html>

Newsletter data

If you would like to receive the newsletter offered on the website, we require an e-mail address from you as well as information that allows us to verify that you are the owner of the e-mail address provided and that you agree to receive the newsletter. No further data is collected, or only on a voluntary basis. We use this data exclusively for sending the requested information and do not pass it on to third parties.

The data entered in the newsletter registration form is processed exclusively based on your consent (Art. 6 para. 1 lit. a GDPR). You can revoke your consent to the storage of the data, the e-mail address, and its use for sending the newsletter at any time, for example via the "unsubscribe" link in the newsletter. The legality of the data processing operations that have already taken place remains unaffected by the cancellation.

The data you provide us with for the purpose of subscribing to the newsletter will be stored by us until you unsubscribe from the newsletter and deleted after you unsubscribe from the newsletter. Data stored by us for other purposes (e.g. e-mail addresses for the member area) remain unaffected by this.

MailChimp



This website uses the services of MailChimp to send newsletters. The provider is Rocket Science Group LLC, 675 Ponce De Leon Ave NE, Suite 5000, Atlanta, GA 30308, USA. MailChimp is a service that can be used to organise and analyse the sending of newsletters, among other things. If you enter data for the purpose of subscribing to the newsletter (e.g. the email address), this data is stored on MailChimp's servers in the USA. MailChimp is certified in accordance with the "EU-US Privacy Shield". The "Privacy Shield" is an agreement between the European Union (EU) and the USA that is intended to ensure compliance with European data protection standards in the USA. With the help of MailChimp, we can analyse our newsletter campaigns. When you open an email sent with MailChimp, a file contained in the email (known as a web beacon) connects to MailChimp's servers in the USA. This makes it possible to determine whether a newsletter message has been opened and which links, if any, have been clicked on. Technical information is also collected (e.g. time of access, IP address, browser type and operating system). This information cannot be assigned to the respective newsletter recipient. It is used exclusively for the statistical analysis of newsletter campaigns. The results of these analyses can be used to better adapt future newsletters to the interests of the recipients. If you do not wish to be analysed by MailChimp, you must unsubscribe from the newsletter. We provide a link for this purpose in every newsletter message. You can also unsubscribe from the newsletter directly on the website. The data processing takes place based on your consent (Art. 6 para. 1 lit. a GDPR). You can revoke this consent at any time by unsubscribing from the newsletter. The legality of the data processing operations that have already taken place remains unaffected by the cancellation.

The data you have provided to us for the purpose of subscribing to the newsletter will be stored by us until you unsubscribe from the newsletter and deleted from our servers as well as from the servers of MailChimp after you unsubscribe from the newsletter. Data stored by us for other purposes (e.g. e-mail addresses for the member area) remain unaffected by this. For more information, please refer to MailChimp's privacy policy at:

<https://mailchimp.com/legal/terms/>

Conclusion of a data processing agreement

We have concluded a so-called "Data Processing Agreement" with MailChimp, in which we oblige MailChimp to protect the submitted data for organisations and customers and not to pass it on to third parties. This agreement can be viewed at the following link:

<https://mailchimp.com/legal/forms/data-processing-agreement/sample-agreement/>

5.) Plugins and tools

Real Time Services from Pusher

Our website uses plugins from Pusher. The provider is Pusher Limited (registered in England and Wales), No. 07489873, registered office MessageBird UK Limited, 3 More London Riverside, 4th Floor, London, United Kingdom, SE1 2AQ. Pusher's server is in the EU. All data that you voluntarily provide to us are sent end-to-end encrypted - this means the encryption of transmitted data across all transmission stations. Only the



communication partner (the respective end point of the communication) can decrypt the message and process the data. In turn these end partners have a contract with us in accordance with Art. 28 GDPR, so that the data provided to us is always used and sent in compliance with the law. Further information on the handling of user data can be found in Pusher's privacy policy at:

<https://pusher.com/legal-archived/data-protection/>

Vimeo

Our website uses plugins from the video portal Vimeo. The provider is Vimeo Inc, 555 West 18th Street, New York, New York 10011, USA. When you visit one of our pages equipped with a Vimeo plugin, a connection to the Vimeo servers is established. The Vimeo server is informed which of our pages you have visited. Vimeo also obtains your IP address. This also applies if you are not logged in to Vimeo or do not have a Vimeo account. The information collected by Vimeo is transmitted to the Vimeo server in the USA. If you are logged into your Vimeo account, you enable Vimeo to assign your surfing behaviour directly to your personal profile. You can prevent this by logging out of your Vimeo account. Further information on the handling of user data can be found in Vimeo's privacy policy at: <https://vimeo.com/privacy>

