

Privacy Policy for ViCare and Vitotrol plus (Great Britain)

General information

We, Viessmann Climate Solutions SE (hereinafter “Viessmann” or “we” or “our”) as part of the Viessmann Group, take the protection of your personal data seriously and strictly comply with the privacy laws. Especially, this includes the General Data Protection Regulation, Regulation (EU) 2016/679 of the European Parliament and the Council (hereinafter „GDPR“).

The following policy gives you an overview of how we act on the

applications • ViCare and Vitotrol plus

- Programming interfaces, so-called API's (not available in all countries)

- Speech assistants (not available in all countries)

to ensure data protection, what kind of data is collected and processed, for which purpose and on which legal basis.

Contact details of the data controller:

Viessmann Climate Solutions SE

Viessmannstraße 1

D-35108 Allendorf (Eder)

Telefon: +49 6452 70-0

Telefax: +49 6452 70-2780

E-Mail: info@viessmann.com

Scope of privacy policy and important terms

Scope of privacy policy

This privacy policy applies for the use of the applications ViCare and Vitotrol plus and associated programming interfaces, so-called API's, for the creation of own applications

(hereinafter referred to as "Apps" or, if only one is addressed, "App") as well as the use of language assistants for controlling heat generators. The Viessmann apps may contain links to websites of other providers to which this privacy policy does not apply.

Terms

Hereinafter the collection, transmission, storage, and other use of personal data is summarised as „processing“.

The Viessmann Group includes all affiliated companies of the Viessmann Climate Solutions SE. These are the ones we can influence in a certain manner.

Personal data means any information which makes you identifiable and also includes other data which is connected to this information.

Processing within the Viessmann Group

The following entities of our group will process your data on our

- behalf:
- Viessmann Limited for sales and marketing

 - Viessmann Climate Solutions Berlin GmbH for the operation of our websites and apps as well as for marketing purposes

 - Viessmann IT Service GmbH for the operation of back-end systems

Other companies of the Viessmann Group can process the collected data or can be transferred to them, if:

- you gave your explicit and informed consent (e.g. note in the app),

- it happens within a specific purpose and because of the division of labour within the Viessmann Group; necessary contractual agreements have been concluded within the Viessmann Group,

- the data is pseudonymised and the controller guarantees, that the processor contracted group company cannot de-pseudonymise the data,

- the data is anonymised and therefore does not fall under the restrictions of the privacy law.

The transmission of personal data to group companies of the Viessmann Group and processing by them is based on a legitimate interest (Article 6 (1) 1 f GDPR), unless you have given your consent. The Viessmann Group has an interest in specialised processing based on the division of labour. Data processing contracts have been concluded with all these group companies in accordance with Article 28 GDPR.

IP address

The IP address is the internationally used unique identifier of the source of your internet connection at the time of allocation by your internet provider. It consists of four separate number blocks (IPv4) but there can also be more blocks (IPv6). Generally, as a private user, you will use an IP address that does not remain the same because it is only assigned to you temporarily by your provider ("dynamic IP address"). In case of a permanently assigned IP address ("static IP address"), clear allocation of user data is possible in principle. Except for the purpose of pursuing unauthorized access to our apps, we strictly do not use this data in a personalised manner. We only use them on an anonymous basis for evaluation, which enables us to determine which of our web pages are accessed most frequently, how many times the app is accessed on a daily basis, and similar information.

Principles of data processing by the apps

Data collected by the apps or entered by you while using the apps are only used by us and for the purposes mentioned in this privacy policy, unless you gave us your consent regarding another way of processing. You may revoke your consent at any time with effect for the future by sending an e-mail to: dataprotection-uk@viessmann.com

Deletion and blocking of your data

Stored personal data will be deleted if you revoke your consent, if the data is no longer necessary to fulfil the initial purpose and if there is no other legal ground to keep the data. If the data must be kept for a statutory storage period, the data will not be deleted but will not be used for other purposes on the basis of Article 6 (1) 1 c GDPR. We are not obligated to delete anonymous data.

Transfer to third countries

The companies of the Viessmann Group process/transmit the data provided by you in locations in Germany, the European Union and third countries (e.g. USA) which have an appropriate level of data protection in accordance with Article 45 GDPR or provide suitable guarantees for the protection of the data in accordance with Article 46 GDPR.

Voluntary provision of data

The provision of your personal data by the use of these apps is generally neither required by law nor by contract. You are not obliged to disclose personal data on these apps. However, the provision of the functions of these apps require the processing of your personal data.

Termination of the processing

You can stop the processing of your data by the apps at any time by deleting your user account at <https://account.viessmann.com/>. To do this, you will need the login data for your apps. Please note the information in the chapter "Processing of data regarding the user account". You can no longer use the functions of the apps after deletion.

Automatic data processing while using the apps

We automatically process certain data (server log-files) which get transferred to our servers. This includes the following data:

- operating system of the used mobile device
- IP address of the used mobile device
- time of server request
- ID of the mobile device

On the one hand these processing of data is technically necessary for the operation of the app and its functions and therefore based on Article 6 (1) 1 b GDPR.

On the other hand this data of the server-log files are processed on the basis of Article 6

(1) 1 f GDPR.

According to this legal ground the processing of personal data is lawful if the processing is necessary for the purpose of the legitimate interests pursued by us, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data. Our legitimate interest is in the easier administration and the ability to detect and track hacking. You can object to this data processing at any time if there are reasons which exist in your particular situation and which speak against the data processing. In order to do so you can write an email to our data protection officer. In no case we use the data to draw conclusions to you as a person.

Server log files get deleted automatically or anonymised for statistical purposes after 30 days. We reserve the right to store log data longer, if there is evidence which suggests that illegal access has taken place (such as the attempt of hacking or a so-called DOS attack).

Processing of data regarding the communication with a heat generator

The purpose of the app is to control and analyse Viessmann heat generators and of additional (individual) room controls.

1. As soon as a heat generator or a (individual) room controls got activated by the apps through a certain communication-module (e.g. VitoConnect) their configuration- and operating-data, the fault log and temperature profiles (hereinafter called heating data) get transferred to servers of Viessmann located in the European Union and stored there. The servers are provided by the Viessmann IT Service GmbH which processes the data on the basis of the order processing contract with Viessmann. The apps collect and use this data to provide the functions of the apps. This processing is based on Article 6 (1) 1 b GDPR.
2. The data is used by Viessmann to provide app functions, create push notifications (e.g., warnings, maintenance, failures), increase the operational safety of the system, improve system efficiency and correct deficiencies. This

processing is based on Article 6 (1) 1 b GDPR. Besides that, the data is used for the service and system development Article 6 (1) 1 f GDPR legitimates us to do so as our legitimate interest is the improvement of our systems and products. You can object to this data processing at any time if there are reasons which exist in your particular situation and which speak against the data processing. In order to do so you can write an e-mail to our data protection officer.

3. Furthermore, the data is processed on the basis of an order processing contract with Viessmann by Viessmann Limited (one-time data reconciliation with master data from the marketing area and technical support), the Viessmann Climate Solutions Berlin GmbH (processing for analytics and marketing purposes – but only if the below mentioned consent was given). This data processing is based on Article 6 (1) 1 f GDPR. Our legitimate interest is the development of our services and systems by specialised affiliated companies.

4. Service activation: If you have activated the corresponding feature in the apps, your heating data and data from (individual) room controls, the address of the heat generator, your name and telephone number and other contact data will be made available to a service technician that you have activated in the apps and processed in a Viessmann monitoring system used by this service technician. You can cancel this activation at any time in the apps and thus stop the data transfer. The legal basis for this is your consent, Article 6 (1) 1 a GDPR. If you have concluded other contracts (e.g. maintenance contracts or warranty extensions) with your heating engineer and/or Viessmann, it may be necessary for the above-mentioned data to be transmitted to the heating engineer and/or Viessmann for the purpose of monitoring the system and for measures to be derived from this (e.g. to contact the heating engineer and rectify faults). For this purpose, the data transmission feature described above can be activated at the request of the authorised service technician or Viessmann as part of the service release for the duration of the contract, even if you have not carried out a release in the app. The legal basis for this is a contract between you and the authorised specialist trade and/or Viessmann, Article 6 (1) 1 b GDPR.

If the authorisation is given to a installer/service company, Viessmann will constitute a joint controller ship with the installer/service company in accordance with Art. 26 GDPR. Appropriate contracts have been concluded for this purpose.

Essentially, this contract has the following content: Viessmann is obliged to explain to you transparently how your data is processed within the apps, ensure the deletion of data as required by law and comply with reporting obligations in the event of data breaches in accordance with the law. Furthermore Viessmann conclude data protection agreements with third parties whose cloud services are integrated into the apps and take care of the appropriate IT security of the apps. Viessmann and the installation company are jointly responsible for processing your enquiries and exercising your rights (see the references to your rights below). Insofar as your enquiry primarily relates to conduct of the installation company, please address your enquiry directly to the installation company. The installation company is obliged to ensure that your declaration of consent is obtained, in this case this is your Service activation. Insofar as the installation company uses the data outside the apps of Viessmann, it is an independent data protection controller in this respect and is itself obligated to, for example, fulfil the transparency obligations.

5. Geofencing ViCare (if offered in your country): If you have activated the corresponding feature in the ViCare App, when a user crosses an individually set border (= distance in km from the geographical system location), one or, in the case of co-users, several indicators are transmitted to the Viessmann servers in order to execute control functions based on this and send corresponding signals, for example to your heat generator. In this context, Viessmann does not store any location data, only the time when the limit you have specified is exceeded. It is not possible for Viessmann to determine your location from the available data. Viessmann also uses the data to calculate further potential for optimising your system from your habits (presence and absence) and other settings/data of your units, and to make this information available to you. The legal basis for this is your consent, Art. 6 para. 1 sentence 1 a GDPR.

You can deactivate this function in the ViCare App at any time and thus stop the data transfer. The deactivation is also the withdrawal of your declaration of consent. Please note that if you are the main user of the ViCare App and have activated the "Geofencing" function, you will have access to the presence and absence times of all activated users. All other app users must be informed about this fact before they are activated or before you activate "geofencing".

6. In the app it is possible for you to approve other users for your heat generator.

After approval, heating data will be transferred from your heat generator to these users as well. You may withdraw this approval in the app at any time and therefore the data transfer stops. This processing of the data is based on your consent, Article 6 (1) 1 a GDPR.

7. In some countries, Viessmann offers the option of using language assistants (e.g. Amazon Alexa) to control the heat sources. You can purchase the necessary extension (e.g. Alexa Skill) from your language assistant provider and install it on your respective terminal device. After entering your authentication data, the voice assistant is connected to your heat generator and communicates via the necessary cloud components of the voice assistant system and Viessmann. Viessmann has no influence on the processing of your data by the provider of the voice assistance system selected by you. Please therefore observe their data protection regulations. From the voice assistance system you use, we receive data on whether and how you use the voice assistant with our products. The legal basis for data processing by us is the contract concluded between you and us for the purchase of the extension (brokered via the provider of your language assistance system), Article 6 (1) 1 b GDPR. By deactivating or uninstalling the extension, you have the option of terminating the connection of the voice assistant to your boiler and thus the transmission of your data to Viessmann at any time.
8. The use and transfer of pseudonymised data (on the basis of order processing contracts) happens for the following purposes: improvement of the safeness and efficiency of the installation, the clearance of errors and for the development of services and systems. The results of the analyses can be transferred to Viessmann and other companies of the Viessmann Group. They can de pseudonymise and use the data in accordance with the terms of use and this privacy note. Pseudonymisation means that a third person and other companies of the Viessmann Group are unable to connect facility data to a certain person. Personal data (e.g. name, address) will not be transferred. Viessmann ensures that no other companies have access to the pseudonymised data besides the ones mentioned above. This data processing is based on Article 6 (1) 1 f GDPR. Our legitimate interest is the development of our services and systems.
9. The use and possible transmission to other companies and third parties of anonymised data is performed for the purpose of improving the safeness of

facilities and systems, improving system efficiency, clearance of errors, and improving service and system development. Anonymised means that other persons are unable to reconstruct the personal connection of the data. Personal data (e.g. name, address) will not be transferred. A legal basis for the processing of anonymised data is not necessary.

Anonymised data does not get deleted. Other data is stored as long, as you have your user account. If you delete your account, the data still is stored, if there is a legal reason to keep the data.

Processing of data regarding the user account

In the registration process you provide us with data which we use for the operation of the apps. This includes your email, address, your name and phone-number. This data processing is based on Article 6 (1) 1 b GDPR as it is necessary to fulfil the contract.

The user account data will be deleted if you close your account or, if the data is not required for any other legal purposes, furthermore restricted to this legal purpose stored. User account data in data files for the purpose of data backup are automatically deleted after 90 days. The data processing described above in section 8 in the context of communication with a heat generator continues to take place in anonymised form.

Advertisement

Viessmann uses your e-mail and the data collected by using the apps for the purpose of advertisement. Therefore, you receive product information and other advertising and you get also questioned for market research. This data processing is based on your consent, Article 6 (1) 1 a GDPR. You can withdraw your consent for the future at any time.

If you have expressly consented to this, your email address and, if applicable, telephone number may be used by Viessmann for the purposes of providing product information and advertising, as well as surveys within market research activities. This data processing is based on your consent, Article 6 (1) 1 a GDPR. You can withdraw your consent for the future at any time.

Viessmann is entitled to transfer the necessary data to third persons to enable them to do the mentioned advertising. Therefore, Viessmann signed explicit data processing agreements with these third parties.

In accordance with section "Processing of data regarding the communication with a heat generator" paragraph 2, Viessmann uses data of your system to generate push messages (e.g. notices, maintenance, faults), to increase system operational reliability, to improve system efficiency and to eliminate faults and to improve service and system development. The in-app messages associated with this may be classified as advertising under certain circumstances, in particular if the message is accompanied by the recommendations regarding the use or applications of additional services and products provided by Viessmann or companies associated with Viessmann in a broader sense. This type and design of such information is in the legitimate interest of Viessmann according to Article 6 (1) 1 f GDPR. Viessmann's legitimate interest is the provision of general and system-specific information and, if necessary, products and services that serve to improve system efficiency in general, which also includes aspects of sustainability and the associated ecological improvements. You can object to the processing for these purposes and thus to the display of such information by permanently deactivating the information in the APP settings.

General information and regulations for the

apps Use of Firebase

Viessmann uses Google's Firebase analysis tool in the apps to analyse your behaviour when using the apps. The data provided and used are collected and stored in a completely anonymous form. In accordance with Article 46 GDPR, we have agreed with Google LLC to apply the EU standard contract clauses. This data will be stored after complete anonymisation in the USA. The legal basis for this is Article 6 (1) 1 f GDPR. Our legitimate interest is to analyse the use of our apps and to improve and further develop them. You can deactivate the transmission of the data generated by the cookie and related to your use of the website (including your IP address) to Google and the processing of this data by Google in the APP settings.

Use of Crashlytics

In ViCare, Viessmann uses the developer tool Crashlytics, provided by a wholly owned subsidiary of Google LLC, to evaluate the usability and interaction of the user within the app. This tool provides information on the use of the app as well as useful information on unforeseen crashes or other malfunctions of the application and helps Viessmann to correct any errors. The legal basis for this is Article 6 (1) 1 f GDPR. During processing, data is transferred to the USA protected by the application of the EU standard contract clauses agreed with Google LLC in accordance with Article 46 GDPR. You can object to this data processing at any time if there are reasons that exist in your particular situation that speak against data processing. All you need to do is send an email to the Data Protection Officer.

Use of cookies for authentication

The apps use cookies. Cookies are small text files which provide the authentication of the user for every login. The cookie gets stored on the mobile device and deleted after every logout. This processing of data is based on Article 6 (1) 1 b GDPR as it is necessary for the fulfilment of the contract.

Information on the rights of data subjects

This part of the data protection statement provides additional information on how you can exercise your rights as a data subject vis-à-vis Viessmann. The exercise of your rights can lead to a loss of functionality of the apps.

Your identity

In order to comply with the rights of affected GDPR, it may be necessary for Viessmann to request further information to prove your identity in cases of personal data collected on the basis of contractual relationships on a random sample basis or in cases of justified doubt. This is especially true if a request for information is available in electronic form, but the sender's details do not reveal the identity of a natural person concerned.

Your rights

- to request information about your personal data processed by us in accordance with Article 15 GDPR. In particular, you may request information about the purposes of processing, the category of personal data, the categories of recipients to whom your data has been or will be disclosed, the planned storage period, the existence of the right to rectification, deletion, restriction of processing or objection, the existence of a right of appeal, the origin of your data, if this has not been collected by us, and the existence of automated decision-making including profiling and, if applicable, meaningful information about its details;
- to immediately request the correction of incorrect or incomplete personal data stored by us in accordance with Article 16 GDPR;
- to request the deletion of your personal data stored by us in accordance with Article 17 GDPR, unless processing is necessary to exercise the right to freedom of expression and information, to fulfil a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims;
- pursuant to Article 18 of the GDPR, to restrict the processing of your personal data if you dispute the accuracy of the data, if the processing is unlawful but you refuse to delete the data and we no longer need the data, but if you need it to assert, exercise or defend legal claims or if you have filed an objection to the processing pursuant to Article 21 of the GDPR;
- to receive, in accordance with Article 20 GDPR, the personal data you have provided to us in a structured, current and machine-readable format or to request the transmission to another person responsible;
- Insofar as we process data on the basis of the legal basis from Article 6 (1) 1 f GDPR ("legitimate interest"), you can object to this data processing at any time if there are reasons which exist in your particular situation and which speak against data processing.

To exercise these rights, please contact:

Data Protection Coordinator / Contact within the country

Viessmann Limited

Hortonwood 30

Telford, TF1 7YP

Phone: +44 1952 675000

E-mail: dataprotection-uk@viessmann.com

Data Protection Officer Viessmann Group

Viessmannstraße 1

D-35108 Allendorf (Eder)

Telefon: +49 6452 70-0

Telefax: +49 6452 70-2780

E-Mail: datenschutz@viessmann.com

- In accordance with Article 7 (3) GDPR, you may revoke your consent to us at any time. As a result, we will no longer be allowed to continue processing data based on this consent in the future.

You can revoke your consent via

dataprotection-uk@viessmann.com

- You, furthermore, have the right to lodge a complaint to any regulatory authority pursuant to Article 77 GDPR. For example, you may contact the following regulatory authority of your usual place of residence or our company headquarters or the authority in your country.

Responsible supervisory authority for Viessmann Climate Solutions SE

Der Hessische Datenschutzbeauftragte

Postfach 3163

D-65021 Wiesbaden

Telefon: +49 611 1408-0

Telefax: +49 611 1408-900

E-Mail: poststelle@datenschutz.hessen.de

Local responsible supervisory authority

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow Cheshire SK9 5AF

Telefon: 0303 123 1113

Telefax: 01625 524510

E-Mail: casework@ico.org.uk

Contact details

Your trust is important to us. Therefore, we are always available to answer your questions regarding the processing of your personal data. If you have questions which this data protection statement could not answer or if you would like more detailed information on any point, please contact us:

Data Protection Officer Viessmann Group

Viessmannstraße 1

D-35108 Allendorf (Eder)

Telefon: +49 6452 70-0

Telefax: +49 6452 70-2780

E-Mail: datenschutz@viessmann.com

Responsible supervisory authority

Der Hessische Datenschutzbeauftragte

Postfach 3163

D-65021 Wiesbaden

Telefon: +49 611 1408-0

Telefax: +49 611 1408-900

E-Mail: poststelle@datenschutz.hessen.de

Safety information

We endeavour to store your personal data by using technical and organisational means in such a way that they are not accessible to third parties. When communicating by e-mail, complete data security cannot be guaranteed, so we recommend that you send confidential information by post.

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