

# Information on the processing of personal data of clients

## 1. General information on the handling of client data

The responsible handling of personal data is important to us. We therefore inform you below about how **your data is processed during your care or counselling at BBU GmbH** and what measures we take to protect it. Personal data is processed exclusively on basis of the provisions of the EU General Data Protection Regulation (GDPR) and Austrian law. The controller of these regulations is BBU GmbH.

### Contact details:

#### Federal Agency for Reception and Support Services GmbH

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1020 Wien

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You can reach our data protection officer at: [datenschutzbeauftragter@bbu.gv.at](mailto:datenschutzbeauftragter@bbu.gv.at)

## 2. Data processing

Your personal data will only be processed if there is a legal basis within the meaning of the GDPR, i.e. primarily for the purpose of contract initiation and fulfilment, due to legal obligations or after obtaining explicit consent. In individual cases, the processing may also be based on the legitimate interests of BBU GmbH.

### 2.1 Purpose of processing

We process your data **on the basis of a legal obligation (Art 6 para 1 lit c and Art 9 para 2 lit a and g GDPR)**. Section 2 of the BBU Establishment Act (BBU-G) which standardises the tasks of BBU GmbH. These are

- Basic care for foreigners in need of assistance and protection in accordance with the Basic Care Agreement - Art 15a B-VG,
- the implementation of legal and return counselling and return assistance in accordance with the BFA-VG,
- the provision of human rights observers to monitor deportations in accordance with the FPG and
- the provision of interpreters for proceedings under the BFA-VG (except the proceedings of documents)

In fulfilment of these tasks, BBU is authorised to process personal data in accordance with Section 25 BBU-G.

In addition, we process special categories of personal data either on the basis of your explicit consent (Art. 6 para. 1 lit. a and Art. 9 para. 2 lit. a GDPR) to protect vital interests (Art. 9 para. 2 lit. C GDPR)

or pursuant to national law within the meaning of Art. 9 para. 2 lit. g GDPR. We only process personal data that is necessary to provide the service you have requested from BBU GmbH.

## 2.2 Data categories

- We process your personal data such as name, gender, previous names, date of birth, place of birth, residential addresses on federal territory and abroad, nationality, parents' names, alias data, issuing authorities, issue dates and numbers of documents carried with you
- We also process data on any indications of hazard when intervening, including health data, as long as this processing is necessary to protect the vital interests of others, data that is relevant for entry and residence authorisation and for the permissibility of detention pending deportation, photographs, signature, verbal description of external physical characteristics, results of a multifactorial examination for age diagnosis, results of a DNA analysis to prove a family relationship, national insurance number, conditions, territorial restrictions, orders to take accommodation or residence restrictions pursuant to §§ 46a para. 2, 52a, 56, 57, 71 or 77 FPG, §§ 12 para. 2, 15b or 15c AsylG 2005, personal identifiers, country of origin, document data, vocational training, religious confession, ethnic group, state of health, secured cash amounts in accordance with § 39 para. 3 BFA-VG
- We also process data relevant to the provision of care: Special needs (such as wheelchair requirements), data on illnesses, medicines, medical aids, doctor, hospital, period of medical treatment in a hospital, basic care number, any established employment, neediness, name of the federal care facility, period of care, notifiable stay within Austria, sexual orientation.
- Data on proceedings before the BFA or BVwG: Information on the status of proceedings, in particular for applications, decisions, appeals, deportations, voluntary return, information on the issuing of a decision pursuant to § 2 para 1c or 1e GVG-B 2005
- As part of our independent legal advice, we process all data related to ongoing or previous asylum proceedings. This personal data is subject to special technical and organisational protection measures and increased confidentiality in order to guarantee the independence of legal advice and its representation in asylum proceedings.

## 2.3 Disclosure of your data to third parties

In the context of basic care and repatriation counselling, selected personal data may be transferred to the following recipients, provided that a corresponding legal basis exists:

**Public services:** Federal Ministry of the Interior, Federal Office for Immigration and Asylum, Federal Administrative Court, Federal Care Facilities, authorities responsible for granting minimum income benefits, tax offices, social insurance institutions, labour market service, youth welfare authorities,

**International organisations, non-profit organisations:** UNHCR, Austrian Integration Fund, IOM

**Service provider:** Companies that offer products and services to BBU, such as payroll, training and coaching providers, suppliers, IT systems support, credit card companies, fleet management, electronic records management providers, online knowledge database providers

**Professional counsel:** Auditors, lawyers, insurers and other external professional advisors

For the technical and organisational processing of your care and counselling, your data will be passed on to our IT service providers who work for us as processors and who guarantee an appropriate level of data protection within the meaning of the GDPR. GDPR-compliant data processing agreements are concluded with all processors.

**BBU's relevant processors for client data are:**  
Microsoft Ireland GmbH, Blackthorn Road Dublin 18 CO Dublin, Avanade Deutschland GmbH, Campus Kronberg 7, 61476 Kronberg im Taunus, Vimcar GmbH, Skalitzerstraße 104, 10997 Berlin, ARW-Agentur für Rechnungswesen GKP GmbH, Dresdner Straße 89, A-1200 Vienna, SAP Österreich GmbH, Lasallesstraße 7b, 1021 Vienna, Nagarro Austria, Am Europlaza 2, 1120 Vienna

In principle, all cloud services used by BBU GmbH are operated in EU data centres in geographical regions of Europe. If personal data is transferred to third countries (outside the EU) as part of order processing, it is ensured that an appropriate level of protection is maintained.

## **2.4 Data Processing in the Context of the Division Legal Advice and Legal Representation (URB)**

The Legal Advice and Legal Representation Division processes all data related to ongoing or previous asylum or immigration proceedings. Special protective measures and heightened confidentiality requirements apply in order to safeguard the independence of legal advice. The Legal Advice and Legal Representation Division does not disclose personal data concerning clients' proceedings, except in the following cases:

- for the purpose of invoicing counselling services (to the Federal Ministry of the Interior or the Federal Office for Immigration and Asylum – BMI, BFA);
- to demonstrate compliance with the URB's statutory mandate (to the BFA or the Federal Administrative Court – BVwG);
- to child and youth welfare authorities where there is a legal obligation to do so;
- to the Austrian Supreme Administrative Court or the Austrian Constitutional Court in the context of legal aid proceedings

## **2.5 Storage of personal data**

The retention of our clients' data is based on the fulfilment of legal obligations (Art 17 para 3 lit b GDPR) or the assertion, exercise or defence of legal claims (Art 17 para 3 lit e GDPR). BBU only stores personal data for as long as necessary and proceeds in accordance with the internal deletion concept, which was created on the basis of purpose fulfilment and statutory retention periods.

## **2.6 Automated decisions**

BBU does not engage in automated decision-making, including profiling, within the meaning of Article 22 GDPR.

## **3. Your rights**

You have the rights to information, rectification, erasure, restriction, data portability, cancellation and objection in relation to the processing of your personal data. If you believe that the processing of your data violates data protection law or that your data protection rights have been violated in any other way, you can lodge a complaint with the supervisory authority. In Austria, this is the data protection authority. Of course, you can also contact our data protection officer directly by e-mail to express your concerns.