

**PRIVACY NOTICE FOR THIRD PARTIES,  
WHOSE DATA ARE PROCESSED IN CONNECTION WITH THE BREACH  
REPORTED UNDER THE WHISTLEBLOWER PROTECTION ACT  
(including WITNESSES and VICTIMS)  
EFFECTIVE: OCTOBER 4<sup>TH</sup>, 2024**

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**DaVita spółka z ograniczoną odpowiedzialnością**, with its registered seat in Wrocław, ul. Legnicka 48 bud. F, 54-202 Wrocław, entered into the register of entrepreneurs of the National Court Register maintained by the District Court for Wrocław-Fabryczna in Wrocław, VI Commercial Division of the National Court Register, under KRS number 0000402438, NIP number 5252521356, REGON number 145884498 ("**We**" or "**DaVita**") acts as the data controller regarding the collection, use, transfer, and processing (together referred to as "processing") of certain personally identifiable information about you ("**Personal Information**").

**1. Who processes your data?**

The controller of your personal data is **DaVita sp. z o.o.** with its registered office in Wrocław, Legnicka 48 bud. F, 54-202 Wrocław, entered into the Register of Entrepreneurs of the National Court Register, kept by the District Court for Wrocław-Fabryczna, VI Commercial Division of the National Court Register, under KRS 0000402438, NIP: 5252521356, REGON 145884498 (hereinafter referred to as "**We**" or "**DaVita**").

Information on the processing of personal data in the case of using the international whistleblowing channel can be found in the procedure COMP-INTL-005.01-PL (PL) and on the website <https://secure.ethicspoint.com/domain/media/pl/gui/40740/index.html> when making a report.

**2. On what basis and for what purpose does DaVita process your data?**

We process your personal data on the basis of Article 6(1)(c) GDPR (i.e. a legal obligation under the law) in order to proceed with the reporting of breaches of the law, as defined in the Polish Whistleblower Protection Act, which concern you, made by the whistleblowers through the local whistleblowing channel, in particular - to verify the report and take follow-up actions.

We may also process your personal data on the basis of the legitimate interest of the administrator in the form of establishing, investigating or defending against claims (Article 6(1)(f) of the GDPR).

In a situation where, as part of a report or as part of an investigation conducted as a result of such a report, personal data belonging to special categories of data referred to in Article 9(1) of the GDPR is processed, we process these data on the following legal grounds (depending on the purpose of processing and the subject of the report):

- necessity for the fulfilment of obligations and exercise of specific rights by the controller or the data subject in the field of labour law (Article 9(2)(b) of the GDPR);
- necessity for reasons related to important public interest (Article 9(2)(g) of the GDPR);
- necessity to establish, pursue or defend claims (Article 9(2)(f) of the GDPR).

The data referred to in Article 10 of the GDPR (personal data relating to criminal convictions and criminal offences or related security measures) will be processed as part of the reported

violation of the law, only to the extent resulting from sectoral regulations – e.g. the need to obtain information about the lack of criminal record by persons employed to work with minors under the Act on Counteracting Threats of Sexual Offences and Protection of Minors.

### **3. *What data do we process?***

DaVita processes your personal data to the extent necessary to accept your report or take any follow-up action. Personal data that is not relevant to the processing of the report will not be collected and will be deleted immediately in the event of accidental collection.

### **4. *What is the source of the data?***

Your personal data has been indicated in the whistleblower's report via the local whistleblower channel.

### **5. *How long will DaVita keep data?***

Personal data will be stored for the period resulting from the provisions of law - personal data processed in connection with the acceptance of the report or taking follow-up actions and documents related to this report are stored for a period of 3 years after the end of the calendar year in which the follow-up actions were completed, or after the end of the proceedings initiated by these actions. Personal data that are not relevant to the consideration of the report will be deleted within 14 days from the moment it is determined that they are not relevant to the case. The retention periods are indicated in the DaVita data retention schedule.

### **6. *How will DaVita process your data (profiling)?***

Personal data will not be processed in the form of profiling, no decisions concerning you will be made in an automated manner.

### **7. *Under what conditions are personal data transferred to third parties?***

Your personal data allowing for identification, in special cases arising from the regulations in force in the DaVita group, may be transferred to DaVita Inc. based in the United States and DaVita International Limited based in the United Kingdom or another DaVita group company, on the basis of an intergroup agreement reflecting and implementing standard contractual clauses approved by the European Commission.

Your personal data is subject to disclosure in a situation where disclosure is an obligation resulting from the provisions of law.

Personal data may be entrusted for processing (pursuant to Article 28 of the GDPR) to entities whose services DaVita uses in connection with their processing, in particular entities providing the IT infrastructure in which the data is processed.

### **8. *What security measures does DaVita have?***

DaVita has implemented appropriate technical and organizational security measures to protect Personal Data in accordance with industry best practices. DaVita ensures the confidentiality

and protection of all data by ensuring compliance with legal requirements and data protection regulations.

### **9. What are your rights?**

In accordance with the applicable regulations, you have, in particular, the right to:

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- access information about your personal data held by DaVita, i.e. the right to access your personal data and the right to obtain a copy of the personal data held, including the exclusions provided for in the provisions of the Whistleblower Protection Act;
- rectify personal data – if it is incorrect or incomplete;
- erasure of personal data ("right to be forgotten") – in particular where personal data is held unlawfully or is no longer necessary for the purposes for which it was collected;
- restriction of personal data processing – in particular when the personal data is incorrect, unlawfully processed or is no longer necessary for the purposes of processing and you have objected to the deletion of such personal data;
- transfer personal data (data portability) – if (i) the processing is based on a contract or consent, (ii) the processing is carried out by automated means;
- the right to lodge a complaint with the supervisory authority - i.e. the President of the Office for Personal Data Protection.

If you wish to ask a question or exercise any of your rights, you can contact us using the contact details indicated at the end of this information clause.

### **10. Can you object to the processing of your personal data?**

You have the right to object to the processing of your personal data where: (i) there are grounds relating to your particular situation, and (ii) the processing is based on DaVita's legitimate interest (pursuant to Article 6(1)(f) of the GDPR).

### **11. Data Protection Officer**

You can contact the data protection officer appointed by us at the following email address: [PL.IOD@davita.com](mailto:PL.IOD@davita.com).

### **12. How can you contact us?**

If you wish to contact us regarding the processing of your personal data, you will find the following contact details:

- **DaVita's contact details:** DaVita sp. z o.o., Legnicka 48 building. F, 54-202 Wrocław, tel. 71 342 98 50
- **Data Protection Officer:** [PL.IOD@davita.com](mailto:PL.IOD@davita.com).

Information on the processing of personal data by DaVita for purposes other than those indicated in this clause can be found on the DaVita website at: <https://davita.pl/en/personal-data-protection-at-davita>.

