



## Privacy Notice for Microsoft365 Cloud Services

This Privacy Notice informs you about our treatment of personal data when using Microsoft365 cloud services provided by Roland Berger. This comprises – among others – Microsoft Teams, Microsoft OneDrive, Microsoft Forms, Microsoft PowerBI, Microsoft Forms, Microsoft SharePoint Online, Microsoft CoPilot (RB employees only), Microsoft Stream (hereinafter "Microsoft365 Cloud Services"). The aforementioned services are provided by Microsoft Ireland Operations Ltd., One Microsoft Court, South County Business Park, Leopardstown, Dublin 18, D18 DH6k, Ireland ("Microsoft"). The Privacy Notice applies to any user accessing Microsoft365 Cloud Services through Roland Berger. Please also make sure you have read our [Terms of use](#) for the Microsoft365 Cloud Services.

We refer to the General Data Protection Regulation (Regulation (EU) 2016/679, hereinafter: GDPR), when describing the processing of personal data, but because we operate globally, other relevant data protection legislation can apply. When reading the Privacy Notice, please note that the reference to the GDPR only applies when it is applicable.

By "Personal Data" we mean, in accordance with the GDPR, any information relating to an identified or identifiable individual. This is broader than just information of a personal or private nature and also includes information such as your name, date of birth, and email address.

### 1. Name and contact details of the controller and the Data Protection Officer

The controller for processing the personal data in relating to the use of Microsoft365 Cloud Services is Roland Berger Holding GmbH & Co. KGaA, Sederanger 1, 80538 Munich, Germany or one of its subsidiaries (hereinafter "Roland Berger", "we", "us" or "our"). The addresses and names of our subsidiaries can be found [here](#).

You can contact our Data Protection Officer at the aforementioned address or at this email address: [dataprotection@rolandberger.com](mailto:dataprotection@rolandberger.com).

Please note that this Privacy Notice only provides information about the processing of your personal data when you use Microsoft applications provided by us. Should you require information about processing by Microsoft, please refer to Microsoft's Privacy Notice at <https://privacy.microsoft.com/en-us/privacystatement> for more information.

### 2. Processing of personal data

#### 2.1. Usage and profile data

When you use Microsoft365 Cloud Services provided by Roland Berger, we may process data about the usage of that specific service.

### **2.1.1. Purpose of the processing**

The purposes of the collecting and logging of your activities as well as the use of your profile data are:

- to enable the use of Microsoft365 Cloud Services, e.g., for authentication and license administration,
- to enhance and personalize the user experience, improve service performance,
- to provide support,
- to prevent and investigate potential frauds and
- to comply with submission requirements of domestic and foreign courts and public authorities.

### **2.1.2. Type of data**

We may process the following data when using Microsoft365 Cloud Services:

- Your IP address, which is used to access the Microsoft365 Cloud Services.
- Your username (access data to Microsoft365 Cloud Services), data within the scope of the so-called multi-factor authentication, which you have stored in your Microsoft account (e.g., optionally your (private) mobile phone number).
- Identification features: Information about you that identifies you as a user, sender, or recipient of data within the Microsoft365 Cloud Services. This includes, in particular, the following master data: Last name, first name, contact details including telephone number, email address, office fax number, if provided by you and your hashed password (passwords are converted into hash values using a hash function; only these hash values are saved, not the actual passwords; this applies to RB employees only).
- Audit logs: In Microsoft365 Cloud Services, all user activities such as time of access, date, type of access, information about the data/files/documents accessed and all activities in connection with the use, such as creating, changing, downloading, deleting a document, setting up a team (and channels in teams), taking notes in the notebook, starting a chat and replying in the chat are processed.
- Other information (such as a profile picture or your pronoun, if you have entered the information voluntarily) can also be viewed in your profile at any time.

### **2.1.3. Duration of the processing**

Generally speaking, when your data is no longer necessary for the purpose for which it was originally collected and there are no statutory retention periods or other statutory grounds for further retention, your data will be routinely erased or anonymized. Reasons for further retention may be, for example, reasons of public interest or the assertion, exercise or defense of legal claims.

Login data and IP addresses will be deleted after 30 days at the latest, audit logs after 1 year, unless we are entitled or obligated to store them longer.

#### **2.1.4. Legal basis for the processing**

The processing serves our legitimate interest (Art. 6 para. 1 lit. f GDPR) in analyzing the use of Microsoft365 Cloud Services and ensuring the best possible presentation of these services for our users, as well as ensuring the functionality and security of our tools and systems and preventing/investigating fraud. The data is processed for the performance of a contract (Art. 6 para. 1 lit. b GDPR) when it is necessary for the provision of our services and the offering of Microsoft365 Cloud Services or if processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6 para. 1 lit. c GDPR).

## **2.2. Online Meetings via Microsoft Teams**

You have the possibility to conduct telephone conferences, online meetings, video conferences and/or webinars (hereinafter: "Online Meetings") and create recordings in Microsoft Teams.

### **2.2.1. Purpose of the data processing**

We use Online Meetings to enable virtual communication and collaboration.

### **2.2.2. Type of data**

When using Microsoft Teams, different types of data are processed. The extent of the data also depends on the information you provide before or during participation in an Online Meeting.

The following personal data are subject to processing:

- User details: e.g., display name, email address, profile picture (if applicable), preferred language
- Meeting metadata: e.g., date, time, meeting ID, phone numbers (if applicable), location
- Text, audio, and video data: You may have the option of using the chat function in an Online Meeting. In this respect, the text entries you make will be processed to display them in the Online Meeting.

To enable the display of video and the playback of audio, the data from the microphone of your terminal device and from any video camera of the terminal device will be processed accordingly for the duration of the meeting. You can turn off or mute the camera or microphone yourself at any time via the Microsoft Teams applications.

When Online Meetings are recorded and/or transcribed, personal data such as audio and video recordings, transcriptions of spoken content, chat messages, and shared files or screen content will be stored. Additionally, metadata, including meeting details, participant names, and timestamps, may also be recorded.

### **2.2.3. Duration of the processing**

For the Online Meetings the general retention periods apply. Please see section 2.1.3.

The standard deletion period for meeting recordings at Roland Berger is set to 60 days. The person who started the recording has the possibility to change this expiration date using the link in the meeting chat. Transcripts can be deleted immediately by the meeting organizer.

#### **2.2.4. Legal basis of data processing**

If personal data of Roland Berger employees is processed, Art. 6 para. 1 lit. b GDPR is the legal basis for data processing. If, in connection with the use of Microsoft Teams, personal data is not required for the establishment, execution or termination of the employment relationship, but is nevertheless an elementary component in the use of Microsoft Teams, Art. 6 para. 1 lit. f GDPR is the legal basis for data processing. In these cases, our legitimate interest lies in the effective implementation of Online Meetings.

If personal data of external users (e.g., clients, guest speakers) is processed, the legal basis for the data processing during Online Meetings is Art. 6 para. 1 lit. b GDPR, insofar as the meetings take place within the framework of contractual relationships. If no contractual relationship exists, the legal basis is Art. 6 para. 1 lit. f GDPR. Here too, our legitimate interest lies in the effective implementation of Online Meetings.

If a participant of an Online Meeting starts the recording or transcription functions, all participants will be asked for their active, explicit consent. Art. 6 para. 1 lit. a GDPR is the legal basis for data processing. This consent is voluntary. When a recording starts, Microsoft Teams disables the microphones and video cameras in the joint screen. All participants must give consent to be recorded. To start the consent process, every participant needs to unmute their audio or turn on their camera. If you do not consent, you can still participate in the Online Meeting, but your video camera and microphone will be disabled for the meeting.

### **2.3. Voice/ face recognition in the Microsoft Teams Account (RB employees only)**

The voice and face recognition features in your Microsoft Teams account aim to enhance your user experience by improving the audio quality and user experience of Microsoft Teams meetings and calls. Voice isolation operates using advanced AI algorithms within the Teams platform.

#### **2.3.1. Purpose of the data processing**

These features help to reduce background noise and secondary speakers. Furthermore, it provides speaker attribution and secures accuracy for the use of Microsoft CoPilot in meeting rooms equipped with Microsoft Teams Rooms devices.

### 2.3.2. Type of data

To utilize these functions, the processing of biometric data is required. Biometric data is obtained using specific technical procedures and relates to the physical, physiological, or behavioral characteristics of a natural person. This data enables the unique identification of that natural person, such as facial images. The voice is also a biometric data. As every person has their own way of speaking, the voice can be assigned to a person.

The following types of biometric data need to be processed and stored by Microsoft:

- Facial data (face recognition)
- Voice profile (voice isolation)

When enrolling your voice profile, the feature analyzes audio input in real-time to identify your voice amidst background noise and other voices. Once isolated, voice isolation employs adaptive filtering techniques to suppress interfering speakers and extraneous noise, ensuring that only your voice is transmitted to other participants.

### 2.3.3. Duration of the processing

Your voice and face profile are removed right away if you unenroll from the feature.

Otherwise, the data will be deleted within 90 days if your Microsoft Teams account is deleted or after one year if the voice and face profile isn't being used.

If you remove your voice profile, your face profile is automatically removed along with it.

However, if you remove your face profile, only your face profile is removed and your voice profile remains intact and must be deleted separately.

### 2.3.4. Legal basis of data processing

The processing of your biometric data is based on your explicit consent in accordance with Art. 9 para. 2 lit. a in connection with Art. 6 para. 1 lit. a GDPR since your biometric data is regarded as sensitive data. The use of the feature is voluntary and is not necessary for the further use of Microsoft Teams and/or Microsoft CoPilot. Your data will only be processed once you actively set up the feature with your voice and face profile in the Microsoft Teams App.

## 2.4. Surveys using Microsoft Forms

This feature allows you to create surveys, quizzes, and polls, collect responses, and analyze the data in real-time.

### 2.4.1. Purpose of the data processing

The purpose of processing personal data collected through Microsoft Forms is to use it for the specific reasons the form was created and for other compatible purposes if there is a legal basis for further processing.

### **2.4.2. Type of data**

The type of data can contain:

- **Response Data:** This encompasses the answers provided by you if you participate in surveys or quizzes, including personal opinions, preferences, and other subjective data.
- **User Information:** Information about the individuals filling out the forms, such as their names, email addresses, and potentially other identifying details, depending on the form's design and the questions asked.

### **2.4.3. Duration of the processing**

The form itself and the responses are saved until they are manually deleted by the user. After a Microsoft user account is deleted, the created forms by that account and associated responses will be deleted immediately.

### **2.4.4. Legal basis of data processing**

Depending on the content of the form the legal base is our legitimate interest (Art. 6 para. 1 lit. f. GDPR), our contractual relationship (Art. 6 para. 1 lit. b GDPR) or your explicit consent (Art. 6 para. 1 lit. a GDPR), which can be revoked at any time.

## **2.5. Other data processing**

As part of the provision of our services related to Microsoft365 Cloud Services, we process the personal data made available there, such as those contained in your communications, lists, tasks, forms, and files/documents. The data is processed for the performance of a contract (Art. 6 para. 1 lit. b GDPR) because it is necessary for the provision of our services and the offering of Microsoft365 Cloud Services.

## **3. Transfer of personal data**

### **3.1. Data transfer to service providers**

Where we use service providers to assist us in processing personal data or otherwise (for example, web designers, hosting providers or other IT service providers) and they may have access to your personal data, this will only be done after entering into a so-called data processing agreement that requires our service providers to process personal data only in accordance only with our instructions and to keep such data confidential. Processors will only have access to the personal data they need to perform their services for us.

Microsoft as our data processor necessarily obtains knowledge of the above-mentioned data, therefore we have concluded a data processing agreement with Microsoft that complies with the requirements of Art. 28 GDPR. The processing of personal data by Microsoft takes place exclusively on servers located in the EU.

### **3.2 Intra-group sharing**

Within the Roland Berger group's organization, there is a need to exchange personal data

on an intra-group basis as controller to controller or joint controllers. For example, as part of the business relationship with clients, Roland Berger may share business partner contact information with affiliated group companies. See the list of the group companies here: <https://rb.digital/RBGroupOrganization>.

### **3.3. Data transfer to other third parties**

As a fundamental rule, Roland Berger does not disclose, transfer, sell or otherwise market personal data to other third parties, such as other companies or organizations, without your express consent, unless disclosure of such data is necessary to fulfill contractual obligations, disclosure is covered by legitimate interests of Roland Berger and/or (potential) clients or if Roland Berger is obliged to do so by law or by an official or court order.

For example, the following categories of recipients may receive your personal data:

- Authorities, courts, parties to a legal dispute or their designees to whom Roland Berger is required to provide your personal
- Data by applicable law, regulation, legal process or enforceable governmental order, e.g., tax and customs authorities,
- Regulatory authorities and their designees, financial market regulators, public registries;
- Auditors or external consultants such as lawyers, tax advisors, insurers or banks, and
- Another company in the event of a change of ownership, merger, acquisition or disposal of assets.

Personal data processed in connection with participation in Online Meetings will not be passed on to third parties unless they are specifically intended to be passed on. Please note that the contents of Online Meetings as well as personal meetings are often used to communicate information with clients, interested parties or third parties and are therefore intended to be passed on.

### **3.4. Data transfer to countries outside the EEA**

In principle, data is not processed outside the European Union (EU), as we have limited our storage location to data centers in the European Union. However, we cannot exclude the possibility that data is routed via Internet servers located outside the EU. This may be the case if participants in Online Meetings are in a third country if you take part in a meeting that's being recorded by participants outside the EU/EEA.

If we transfer personal data to a country outside the European Economic Area (EEA), we will only do so after ensuring that appropriate safeguards are in place. For the US, an adequacy decision according to Art. 45 GDPR exists and Microsoft is therefore certified under the Data Privacy Framework (DPF).

In any event, data is encrypted during transmission over the Internet to protect it from unauthorized access by third parties.

## 4. Your rights

You have the right:

- to obtain information regarding the personal data that we store about you at all times.
- to demand rectification of inaccurate data or supplementation of incomplete data.
- to demand erasure or restriction of personal data relating to you.
- to have the data you provided, which we process based on your consent or in the performance of a contract, handed to you or a third party in a commonly used, machine-readable format. If you demand the direct transfer of the data to another controller, it will be done to the extent technically feasible.
- to lodge a complaint with a supervisory authority.
- if your personal data is processed based on legitimate interests pursuant to Art. 6 para. 1 lit. f GDPR, to object to the processing of your personal data pursuant to Art. 21 GDPR on grounds relating to your particular situation.

Automated decision-making or profiling within the meaning of Art. 22 GDPR is not used.

## 5. Updates to this Privacy Notice

This Privacy Notice is regularly reviewed and updated. We therefore reserve the right to amend it from time to time and to make changes in the collection, processing, or use of your data. The most current version of this Privacy Notice is always available at:

[https://www.rolandberger.com/publications/publication\\_pdf/MS365Cloud\\_Data\\_Protection\\_Notice.pdf](https://www.rolandberger.com/publications/publication_pdf/MS365Cloud_Data_Protection_Notice.pdf)

Last update: September 2024