

Privacy Policy for the BürgerStimme App

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Introduction

This privacy policy applies to mobile apps of NTQ Solutions GmbH, available on the Google Play Store and Apple's App Store. Below, you will find information about the personal data collected, processed, or stored by NTQ Solutions GmbH.

We use your personal data to provide and improve the service. By using the service, you agree to the collection and use of information in accordance with this privacy policy. You have the right to revoke your consent at any time by contacting us or changing the relevant settings in the app. Please note that revoking your consent may result in you no longer being able to use certain features of the app.

The use of this app is voluntary. It is solely your decision whether to download, use, and share your data with this app.

1. Interpretations and Definitions

Interpretation

In the context of this document, the words **highlighted in bold** have the following description. The definitions have the same meaning, whether in the singular or plural.

Definitions

In the context of this privacy policy, the following applies:

Account refers to a unique account created for you to access our service or parts of it.

Users are all natural or legal persons, companies, cities, municipalities or similar that use the BürgerStimme Service System in any way.

Application/App refers to the mobile applications (apps) of NTQ Solutions GmbH.

Service refers to the application and all associated services.

Company (referred to in this agreement as "the company," "we," "us," or "our") refers to NTQ Solutions GmbH, Hölderlinstraße 12, 74074 Heilbronn.

Country refers to Baden-Württemberg, Germany.

Device refers to any device that can access the service, such as a mobile phone or a digital tablet.

Personal data includes all information related to an identified or identifiable person.

Service provider is any natural or legal person who processes data on behalf of the company. It refers to third-party companies or individuals employed by the company to facilitate the service, provide the service on behalf of the company, perform services related to the service, or assist the company in analyzing the use of the service.

Usage data refers to automatically collected data generated either by the use of the service or by the service's infrastructure itself.

You are the natural person accessing or using the service, or the company or other legal entity on behalf of which such person accesses or uses the service.

The BürgerStimme Service System is a system developed by the company, serving as a communication interface between a city, municipality, or similar entity and its citizens. It may also consist of additional features related to citizen participation, city life, and administration. It includes an app for you and other users and a website for municipal administration, as well as various services.

2. Data Protection at a Glance

General Information

The following information provides a simple overview of what happens to your personal data when you use our mobile application (hereinafter referred to as "app").

Any use of data collected in connection with the download or use of the applications that does not comply with the European General Data Protection Regulation by the respective Apple or Google store cannot be excluded by NTQ Solutions GmbH, as the company has no control over it. NTQ Solutions GmbH does not pass on any personal data to Apple or Google via their app stores.

Who Is Responsible for Data Collection Within the App?

Data processing within the app is carried out by the publisher of the app.

The publisher is

NTQ Solutions GmbH
Hölderlinstraße 12
74074 Heilbronn
Baden-Württemberg, Germany
Phone: +49 174 3892948
E-Mail: kontakt@buerger-stimme.com

How Do We Collect Your Data?

Your data is collected, firstly, by you providing it to us. This may involve data that you enter directly into the app. Other data is collected by the app's access to data storage on your device, such as with Smart Log-In using facial recognition or fingerprint. Yet other data is automatically collected when using the app. These are primarily technical data (e.g., mobile device, operating system, or time of use). The collection of this data occurs automatically when you use our apps.

What Do We Use Your Data For?

Your data is required to fulfill the overarching purpose of this app. A precise definition of the purpose can be found below under "Purpose of the Application." Some of the data is collected to transmit your selected instructions through the app to the server and from there to the controlled devices (function fulfillment). Other data may be used for analysis and troubleshooting.

Application Purpose

The overarching purpose of this app, which involves the collection, processing, and storage of personal data, is as follows: Operating the BürgerStimme Service System, which serves as the contact interface between a municipality and its citizens. For this purpose, citizens or users must access and utilize all functions on the platform via the app. To interact with the various functions, a user account is necessary, which must be created in the app. This user account must be uniquely tailored to the corresponding user, requiring their personal data. A detailed description of the app's functions can be found in the [module catalog](#).

What Rights Do You Have Regarding Your Data?

You have the right to obtain information about the origin, recipients, and purpose of your stored personal data at any time, free of charge. Additionally, you have the right to request the correction, blocking, or deletion of this data. For this purpose, as well as for any further questions regarding data protection, you can contact us at the provided address at any time. Furthermore, you have the right to lodge a complaint with the competent supervisory authority.

You also have the right, under certain circumstances, to request the restriction of the processing of your personal data. For details, please refer to the privacy policy under "Right to Restriction of Processing."

3. Important Notes and Mandatory Information

Data Protection

Your personal data will be treated confidentially and in accordance with the legal data protection regulations and this privacy policy. When you use this app, various personal data will be collected. This privacy policy explains what data we collect and how we use it. It also explains how and for what purpose this happens.

It is important to note that data transmission over the Internet may have security vulnerabilities that cannot be guaranteed to be completely excluded. Consequently, while complete protection of data from unauthorized access by third parties is aimed for, it is not always possible.

Responsible Entity

The responsible entity for data processing within this app is:

NTQ Solutions GmbH
Hölderlinstraße 12
74074 Heilbronn
Baden-Württemberg, Germany
Phone: +49 174 3892948
E-Mail: kontakt@buenger-stimme.com

Revocation of Your Consent for Data Processing

Most data processing operations are only possible with your explicit consent. You can also revoke any consent you have already given at any time. A simple notification via email to us is sufficient for this purpose. The legality of data processing carried out before the revocation remains unaffected by the revocation.

Right to Object to Data Collection in Special Cases and to Direct Marketing (Art. 21 GDPR)

If data processing is based on Art. 6(1)(e) or (f) GDPR, you have the right to object at any time, for reasons arising from your particular situation, to the processing of your personal data; this also applies to profiling based on these provisions. The respective legal basis on which processing is based can be found in this privacy policy. If you object, we will no longer process your affected personal data unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights, and freedoms, or the processing serves to assert, exercise, or defend legal claims (objection under Art. 21(1) GDPR). Your personal data will not be used by the company for direct marketing purposes.

Right to Lodge a Complaint with the Competent Supervisory Authority

In the event of violations of the GDPR, data subjects have the right to lodge a complaint with a supervisory authority, especially in the member state of their habitual residence, place of work, or the place of the alleged violation. This right to lodge a complaint is without prejudice to other administrative or judicial remedies.

Right to Data Portability

You have the right to have data that we process automatically based on your consent or in fulfillment of a contract handed over to you or to a third party in a standard, machine-readable format. If you request the direct transfer of the data to another responsible party, this will only be done if it is technically feasible.

Information, Blocking, Deletion, and Correction

Within the framework of the applicable legal provisions, you have the right to free information about your stored personal data, its origin and recipients, and the purpose of data processing at any time. You also have the right to correct, block, or delete this data. For this purpose, as well as for any other questions regarding personal data, you can contact us at any time using the address provided in the "Responsible Entity" section.

Right to Restriction of Processing

You have the right to request the restriction of the processing of your personal data. You can contact us at any time using the provided address to exercise this right. The right to restrict processing exists in the following cases:

- If you dispute the accuracy of your personal data stored with us, we usually need time to verify this. During the verification period, you have the right to request the restriction of the processing of your personal data.
- If the processing of your personal data has been or is being carried out unlawfully, you can request the restriction of data processing instead of deletion.
- If we no longer need your personal data, but you need it for the exercise, defense, or assertion of legal claims, you have the right to request the restriction of the processing of your personal data instead of deletion.

- If you have objected pursuant to Art. 21(1) GDPR, a balance must be made between your interests and ours. As long as it is not yet clear whose interests prevail, you have the right to request the restriction of the processing of your personal data.
- If you have restricted the processing of your personal data, these data – apart from their storage – may only be processed with your consent or for the establishment, exercise, or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the European Union or a Member State.

Linking Our App to Firebase Services by Google LLC.

As part of the operation of the app, we utilize services from Firebase, which are necessary, among other things, for storing and retrieving data. Therefore, we also refer to the privacy policies of Firebase. You can find the current version (as of 25.02.2023) on the following website:

Privacy and Security in Firebase: <https://firebase.google.com/support/privacy?hl=de>

For further information on the data processing by Firebase (as of 25.02.2023), please find it here: <https://firebase.google.com/terms/data-processing-terms>

4. Data Collection by Our App

Application Data

During communication with our server, the app automatically transmits data, which is automatically stored in files by the server. This data includes:

- Type of mobile device
- Operating system used
- Language used
- Technical information about the device used
- Date and time of the request
- IP address
- Mobile phone number and device number

This is done based on Art. 6(1)(b) GDPR, which allows the processing of data for the performance of a contract or pre-contractual measures.

Processing of Data (Customer and Contract Data)

We only collect, process, and use personal data to the extent necessary for establishing, shaping the content, or changing the legal relationship (inventory data). This is done based on Art. 6(1)(b) GDPR, which allows the processing of data for the performance of a contract or pre-contractual measures. We collect, process, and use personal data about the use of our app (usage data) only to the extent necessary to enable the user to use the service.

4.1 Collection and Use of Your Personal Data

Types of Collected Data:

Personal Data

During the use of our service, we may ask you to provide (temporarily) certain personally identifiable information that can be used to contact or identify you. Personally identifiable information may include, but is not limited to:

- First and last name
- Email address
- Telephone number
- Address, state, postal code, city
- Digital photographs of an identification document (identity card, passport, driver's license)

Usage Data

Usage data is automatically collected when using the service. If you access the service with or through a mobile device, we may automatically collect certain information, including but not limited to the type of mobile device you use, the unique ID of your mobile device, the IP address of your mobile device, your mobile operating system, unique device identifiers, and other diagnostic data. If applicable, we may also collect information that your browser sends when you use this browser within our service.

Information Collected During App Usage

To provide features of our application, we may, with your prior permission, collect the following data:

- Location/Geodata information
- Images and other information from your device's camera and photo library
- Access to facial recognition or fingerprint sensor of your device (necessary for Smart Log-In)

We use this information to provide features of our service, to improve and customize our service. The information may be uploaded to the company's servers and/or a service provider's server or simply stored on your device. You can enable or disable access to this information at any time through your device settings.

Use of Your Personal Data

The company may use personal data for the following purposes:

- To provide and maintain our service, including monitoring the usage of our service.
- To manage your account: to manage your registration as a user of the service. The personal data provided by you can give you access to various features of the service that are available only to registered users.
- To contact you: to contact you through electronic communication, such as push notifications from a mobile application regarding updates.
- To manage your requests: to process and manage your requests to us.
- For other purposes: we may use information for other purposes, such as data analysis and security checks related to the smooth usage of the app.

We may disclose your personal data in the following situations:

- With Service Providers: We may share your personal data with service providers to monitor and analyze the usage of our service and to contact you.

- With Affiliated Companies: We may share your data with our affiliated companies; in such cases, we ensure that these affiliated companies comply with this privacy policy. Affiliated companies include our subsidiaries, joint venture partners, or other companies that we control or that are under common control with us.
- With Other Users: If you disclose personal information or interact with other users in public areas, this information may be viewed and publicly distributed by all users.
- With Your Consent: With your consent, we may disclose your personal data for other purposes.

Retention of Your Personal Data

The company will retain your personal data only for as long as necessary for the purposes stated in this privacy policy. We will retain and use your personal data to the extent necessary to (a) fulfill the overarching purpose of the app and (b) comply with our legal obligations (e.g., if we are required to retain your data to comply with applicable laws), resolve disputes, and enforce our legal agreements and policies.

The company also stores usage data for internal analysis purposes. Usage data is generally retained for a shorter period, unless this data is used to enhance or ensure the security or functionality of our service, or we are legally obligated to retain this data for longer periods.

Transmission of Your Personal Data

Your information, including personal data, may be processed at the operating offices of the company or other locations where the parties involved in the processing are located. By consenting to this privacy policy and subsequent transmission of such information, you agree to this transfer.

The company will take all reasonable steps to ensure that your data is treated securely and in accordance with this privacy policy, and no transfer of your personal data to an organization or country will occur unless adequate controls are in place, including the security of your data and other personal information.

Deletion of Your Personal Data

You have the right to delete or request assistance from us in deleting the personal data we have collected about you. Our service may provide you with the option to delete certain information about you within the service.

You can update, modify, or delete your data at any time by logging into your account, if you have one, and accessing the account settings section where you can manage your personal data. You can also contact us to access, correct, or delete the personal data you have provided. However, please note that we may need to retain certain information if required by law or if there is a legal basis for doing so. If you delete your user account in the app, we will also delete all associated personal data. Exceptions may occur to comply with our legal obligations. If some of the personal data is still connected to the direct fulfillment of the app's purpose, which goes beyond the individual user's purpose and this purpose has not been achieved yet, these data may be retained until the purpose is fulfilled.

Disclosure of Your Personal Data

Business Transactions

If the company is involved in a merger, acquisition, or sale of assets, your personal data may be transferred. We will notify you before your personal data is transferred and becomes subject to a different privacy policy.

Law Enforcement

Under certain circumstances, the company may be required to disclose your personal data if such disclosure is required by law or in response to valid requests by authorities (e.g., a court or government agency).

Other Legal Requirements

The company may disclose your personal data in good faith if such action is necessary to:

- Comply with a legal obligation.
- Protect and defend the rights and property of the company.
- Prevent or investigate possible wrongdoing in connection with the service.
- Protect the personal safety of users of the service or the public.
- Protect against legal liability.

Security of Your Personal Data:

The security of your personal data is important to us, but please remember that no method of transmission over the internet or electronic storage is 100% secure. While we strive to protect your personal data using commercially acceptable means, we cannot guarantee its absolute security.

5. Data Privacy for Children:

Our service is not directed at individuals under 13 years of age. We do not knowingly collect personal data from individuals under 13 years old. If you are a parent or guardian and become aware that your child has provided us with personal data, please contact us. If we learn that we have collected personal data from individuals under 13 years old without parental consent verification, we take steps to remove this information from our servers. If we need to rely on consent as the legal basis for processing your data and your country requires parental consent, we may ask for your parent's consent before collecting and using this data.

6. Links to Other Websites:

Our service may contain links to other websites that are not operated by us. If you click on a third-party link, you will be directed to the site of that third party. We strongly advise you to read the privacy policy of every website you visit. We have no control over and assume no responsibility for the content, privacy policies, or practices of third-party websites or services.

7. Changes to This Privacy Policy:

We may update our privacy policy from time to time. We will notify you of any changes by linking the new (or current) privacy policy on all relevant interfaces. We recommend that you review this privacy policy periodically for changes. Changes to this privacy policy are effective as of the publication date.

8. Contact

If you have any questions about this privacy policy, you can contact us:

Via E-Mail: kontakt@buerger-stimme.com

Via our Website: <https://www.buerger-stimme.com/kontakt>

Via Mail: Hölderlinstraße 12, 74074 Heilbronn, Baden-Württemberg