

**Declaration of Consent for the Processing of Personal Data in Cases of Discrimination
according to Art. 6 Para. 1 lit. a), Art. 7, Art. 8 DSGVO in conjunction with § 3 NDSG**

The Braunschweig Anti-Discrimination Office provides advice and support in cases of discrimination. In order to be able to do this effectively and provide the best possible support, it needs data relevant to the case. Apart from your contact details, this also includes other personal data. To this end, personal data is processed for the purpose of initiating contact, support or counselling, or for the purpose of documentation by the Anti-Discrimination Office in Braunschweig. In order to ensure the best counselling, a professional exchange of information may also take place with other counselling centres.

In order for your data to be processed, the Braunschweig Anti-Discrimination Office needs your explicit consent. This declaration of consent is valid from the date of signature until you revoke it.

Declaration of Consent:

I / We (name and surname of the legal guardian(s) or of the person concerned in the case of adults) have taken note of the above text and consent that the above personal data, whether my/our data, or my/our child's data (name and surname) , may be used for the purposes stated above.

My/our above consent is valid until I/we revoke it. This revocation can be declared at any later time in writing or by e-mail without giving reasons and with effect for the future. The revocation of just one parent or guardian is sufficient, even if both parents initially consented.

Furthermore, I am entitled to the other rights outlined in the data protection information of the Braunschweig Anti-Discrimination Office.

Date, Place and Signature of the person(s) concerned

For your information: In accordance with the General Data Protection Regulation, you have the following rights vis-à-vis the Braunschweig Anti-Discrimination Office:

- Right to information (Art. 15 DSGVO)
- Right to rectification or deletion (Art. 16 & 17 DSGVO)
- Restriction of the processing (Art. 18 DSGVO)
- Right to data portability (Art. 20 DSGVO)
- Right to object to processing if the legal requirements for this are met (Art. 21 DSGVO)
- Right to lodge a complaint with the Data Protection authorised representative of Lower Saxony (Art. 77 DSGVO)

Appendix (excerpt from the regulatory framework)

Art. 6 DSGVO Legality of the Processing

(1) Processing shall be legal only if at least one of the following conditions is met:

- (a) the person concerned has given consent to the processing of personal data relating to him or her for one or more specific purposes
(...)

Art. 7 GDPR Conditions for consent

- (1) Where the processing is based on consent, the person responsible must be able to demonstrate that the data subject has consented to the processing of his or her personal data.
- (2) Where the data subject's consent is given by means of a written statement which also relates to other matters, then the request for consent must be made in an intelligible and easily accessible form in plain and simple language in such a way that it can be clearly distinguished from the other matters. Parts of the statement shall not be binding if they constitute a breach of this regulation.
- (3) The data subject shall have the right to withdraw consent at any time. The withdrawal of consent shall not affect the lawfulness of the processing carried out on the basis of the consent until the withdrawal. The data subject is to be informed of this before giving consent. The withdrawal of consent must be as simple as the granting of consent.

Art. 8 GDPR Conditions for a child's consent in relation to information society services

Where Article 6 (Para.1) (a) applies in the case of information society services offered directly to a child, the processing of the child's personal data shall be lawful if the child has reached the age of sixteen. Where the child has not reached the age of sixteen, such processing is only lawful if and to the extent that such consent is given by or with the consent of the holder of parental responsibility over the child.

Member States may provide for a lower age limit for these purposes by law, but it must not be lower than the age of thirteen.

Art. 9 GDPR Processing of special categories of personal data

- (1) The processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade-union membership, as well as the processing of genetic data, biometric data clearly identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation is prohibited.
- (2) Paragraph 1 shall not apply in the following cases:
 - a. The data subject has given his or her explicit consent to the processing of the personal data referred to above for one or more specified purposes, unless, under Union or Member State law, the prohibition in paragraph 1 cannot be lifted by the data subject's consent,

(...)

§ Section 22 BDSG Processing of Special Categories of Personal Data

1. Deviating from Article 9 (Para.1) of Regulation (EU) 2016/679, the processing of special categories of personal data within the meaning of Article 9(1) of Regulation (EU) 2016/679 shall be permitted

1. by public and non-public bodies if it is

1. necessary for the exercise of the rights and fulfilment of the obligations deriving from social security and social protection law,
2. necessary for the purposes of health care, for the assessment of the employee's capacity to work, for medical diagnosis, care or treatment in the health or social sector, or for the management of health and social care systems and services, or on the basis of a contract made by the data subject with a health professional, and such data is processed by or under the responsibility of medical staff or by other persons subject to an equivalent obligation to confidentiality,
3. necessary for reasons of public interest in the field of public health, such as protection against serious cross-border health threats or to ensure high standards of quality and safety in health care and in medicinal products and medical devices; in addition to the measures referred to in paragraph 2, professional confidentiality requirements under professional and criminal law shall be complied with in particular, or is absolutely necessary for reasons of significant public interest,

2. by public bodies, if it is

1. necessary to avert a considerable danger to public safety,
2. absolutely necessary to avoid considerable disadvantages for the common good or to safeguard considerable interests of the common good, or
3. necessary for compelling reasons of defence or the fulfilment of supranational or interstate obligations of a federal public body in the field of crisis management, or conflict prevention, or for humanitarian measures and in so far as the interests of the person responsible in the data processing in the cases of number 1, letter d and number 2 outweigh the interests of the data subject.

2. ¹In the cases referred to in paragraph 1, appropriate and specific measures shall be taken to safeguard the interests of the data subject. ²Taking into account the state of the art technology, the costs of implementation and the type, scope, context and purposes of the processing, as well as the varying likelihood and severity of the risks to the rights and freedoms of natural persons represented by the processing, those measures may include in particular:

1. technically organisational measures to ensure that the processing is carried out in accordance with Regulation (EU) 2016/679,
2. measures to ensure that it is possible to verify retrospectively whether and by whom personal data have been input, altered or removed,
3. raising the awareness of those involved in processing operations,
4. appointing a data protection officer,
5. restricting access to personal data within the body responsible and by the processors,
6. pseudonymisation of personal data,
7. encryption of personal data,
8. ensuring the ability, confidentiality, integrity, availability and resilience of systems and services related to the processing of personal data, including the ability to restore availability and access quickly in the event of a physical or technical incident,
9. to ensure the security of processing, the establishment of a procedure for regular monitoring, assessment and evaluation of the effectiveness of the technical and organisational measures; or
10. specific procedural arrangements to ensure compliance with the requirements of this Act and Regulation (EU) 2016/679 in the event of transfer or processing for other purposes.

§ Section 3 Lower Saxony Data Protection Act (NDSG) Permissibility of the processing of personal data

¹The processing of personal data shall be permissible as far as it is necessary for the fulfilment of a task which is within the competence of the authority responsible and the perception of which

1. is in the public interest; or
2. is necessary in the carrying out of official power vested in the authority responsible.

²In all other respects, the permissibility of data processing shall be determined in accordance with Article 6 (Para 1) of the General Data Protection Regulation.