

Information zur Verarbeitungstätigkeit

Artikel 13 bzw. 14 Datenschutz-Grundverordnung (DSGVO), § 43 Datenschutzgesetz

Zweck der Datenverarbeitung:	Online-Befragung im Rahmen der Mobilitäts- erhebung der Grazer Wohnbevölkerung
Verantwortlicher:	Stadt Graz, Abteilung für Verkehrsplanung
Rechtsgrundlagen:	Art. 6 Abs. 1 lit. a DSGVO (Einwilligung der Be- troffenen)

Besondere Angaben zum Inhalt der Verarbeitungstätigkeit:

Zweck und Beschreibung der Verarbeitungstätigkeit:

Durchführung einer schriftlich-postalischen Haushaltsbefragung und Online - Befragungen zur Ermittlung des Mobilitätsverhaltens der Grazer Wohnbevölkerung durch die Stadt Graz, Abteilung für Verkehrsplanung. Die Verarbeitung erfolgt auf Basis von Alchemer Online Survey Software.

Höchstdauer der zulässigen Datenaufbewahrung:

1 Jahr nach Abschluss des Geschäftsfalls

Zuordnung betroffene Personengruppe(n) / Datenarten / Übermittlungsempfänger		
Personengruppe	Datenkategorien	Zugeordnete Übermittlungsempfänger
Personen bzw. Kontaktpersonen, die an Umfrage teilnehmen	Vorname, Zeitpunkt der Teilnahme, IP-Adresse	01
Liste der Übermittlungsempfänger		
LfdNr	Bezeichnung	Rechtsgrundlage
01	m(Research Marktforschung Merchandising Consulting GmbH; 8010 Graz; CEO & Datenverarbeitungsverantwortlicher: Mag. Peter Maderl	Art 6 Abs. 1 lit a DSGVO (Einwilligung der Betroffenen)
02	Alchemer LLC, 168 Centennial Pkwy, Unit #250 Louisville, CO 80027 Phone: 800 609 6480, E-mail: compliance@alchemer.com	Art 6 Abs. 1 lit a, Art. 49 Abs 1 lit a DSGVO (Einwilligung der Betroffenen)
03	Alchemer EU Representative: DP-Dock GmbH Attn: Alchemer, Ballindamm 39, 20095 Hamburg, Germany, E-mail: alchemer@gdpr-rep.com	Art 6 Abs. 1 lit a, Art. 49 Abs 1 lit a DSGVO (Einwilligung der Betroffenen)

Kontaktdaten des Datenschutzbeauftragten: Stadt Graz, Präsidialabteilung, Hauptplatz 1, 8010 Graz Tel. 0316 872 2302, datenschutzbeauftragter@stadt.graz.at Datenschutzerklärung: www.graz.at/datenschutz
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Stand: 12.09.2024

Information zu Übermittlungsempfänger		
Personengruppe	Datenkategorien	Zugeordnete Übermittlungsempfänger
Customer information provided to Alchemer: Daten, welche Alchemer von Stadt Graz bzw. Bediensteten der Stadt Graz verarbeitet	<p>Registration information (e.g., your username, password, and email address).</p> <p>Privacy Information der Firma Alchemer: When you register on our Site, we ask for your name and contact information, including: company name, name of contact, title of contact, company address, telephone number, email address, user name and password, and billing information which may include credit card numbers. We don't store any credit card information, instead we use a third-party service as a credit card processor. Customers also provide us with information regarding the ordered Services (e.g., the type of account plan Customers pay for, account preferences, use of survey options or preferences, etc.). In addition to the information you actively provide to us, we also collect information from other sources regarding when and how often you log on to our Site. (See "Tracking Technologies" below.) Information collected is processed by contracted 3rd parties to assist with accounting, customer management, and compliance. All customer data transfers from Alchemer to third parties require a data processing addendum which restricts how the information may be used.</p>	
	Billing information (e.g., billing details and financial information associated with your selected payment method like credit card number and expiration date or a bank account number).	
	Account settings (e.g., your account settings page, account preferences, and personal details like your default language, timezone, etc.)	
	Email lists (e.g., email lists you upload to invite people to take your surveys via email). Alchemer does not use your email lists or any email addresses you collect through your surveys, except to assist you at your direction (e.g., if your email list isn't sending correctly).	
Respondent Information provided to Alchemer: Daten, welche Alchemer von Personen verarbeitet, die an Umfragen teilnehmen	<p>Survey responses (e.g., what respondents answer on surveys)</p> <p>Privacy Information Firma Alchemer: Respondent Information: We receive Respondent Information from survey respondents. If you're using our email campaign distribution method, you provide us with the email address, and optionally other contact information, of each Respondent. Before receiving that information, we contractually require the Customer to warrant that it has a pre-existing relationship with the Survey Respondent and/or the Survey Respondent's permission to receive electronic messages. We reserve the</p>	

	<p>right to identify you as the person who has made the referral in any message that is sent to them. Permission is considered to be granted when a contact has asked to be subscribed to a list and an email is sent to confirm the validity of the email. This “double opt-in” process ensures that all contacts have been given permission to receive bulk email and that they have provided a valid email address that will not result in bounced messages or SPAM abuse reports.</p> <p>Survey Respondents provide us with the information requested by you (for example, if your survey question asks about the respondent’s gender or zip code) as well as all answers to the survey questions. Customers are solely responsible for the content of the surveys and response data as well as complying with all applicable laws and regulations that might apply to the content that is solicited by Customers, as we state in our Terms of Service. As one of our software features for our Customers, we can record: (i) if and when a Survey Respondent has responded to a survey and (ii) if and when a Survey Respondent has received a reminder. In addition, we receive any information contained in any communications a Survey Respondent makes directly with Alchemer. (See “Tracking Technologies” below.)</p>	
	<p>Email list info (e.g., from email addresses, names, or other contact info from email lists that Customers provide and upload)</p>	
<p>Customer + Respondent Information collected from tracking technologies</p>	<p>Usage info (e.g., visitor logs including IP address, cookies, etc.)</p> <p>Privacy Information Firma Alchemer: We log Customer and Survey Respondent Internet Protocol (IP) addresses to confirm the accuracy of survey data and Survey Respondent IP addresses are also converted into geo-data for Customers within our software. For our software system administration purposes, we also log a user’s session so that we know when, how often and what pages of the Site a user visits. To avoid the need to re-insert your username and password every time you and your Survey Respondents move from one page of our Site to the next, we use a cookie. (See “Tracking Technologies” below.) We also collect information from our Customers and Respondents regarding the devices and applications used to access our services (like browser type and operating system) and referral sources (if you arrived from another website or email). You can login to our site using third party sign-in services such as Google Accounts Authentication and Authorization. These services authenticate your identity and give you the choice to share certain types of personal information with us (like your name and email address) to pre-populate your login.</p>	

	<p>Our site includes social media features as part of our distribution methods. These features, including the Facebook Post or Twitter Post buttons, may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. These features are hosted by a third party social media network (like Twitter or Facebook). Your interactions with these features are governed by those third party social media networks' privacy policies. Customers collect information using our software services platform. As a service provider for our Customers, Alchemer acts as a custodian for that information. Alchemer provides features and services for Customers to provide notice to their end users or customers concerning the legal accountability for the collection of information. To protect the privacy of our Customers, we cannot disclose private information to end users regarding our Customers' accounts.</p>	
	<p>Device info (e.g., which browser used, which OS, etc.)</p>	
	<p>Referral source (e.g., which source or link referred respondent to survey)</p>	
	<p>Page tag data (e.g., clear gifs, web beacons, web bugs)</p>	
	<p>Clear Gifs (Web Beacons/Web Bugs) Our customers can use software features that will enable clear gifs (a.k.a. Web Beacons/Web Bugs) in survey distribution email campaigns to Survey Respondents. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies, and are used to track the online movements of Web users. In contrast to cookies, which are stored on a user's computer hard drive, clear gifs are embedded invisibly on Web pages and are about the size of the period at the end of this sentence. Alchemer also uses clear gifs in our HTML-based emails to you our customers and users to let us know which emails have been opened by recipients. This allows us to gauge the effectiveness of certain communications and the effectiveness of our marketing campaigns. If you would like to opt-out of promotional emails, please follow the unsubscribe instructions included in each promotional email.</p>	
	<p>Tracking Technologies We Use on Our Site and Services Platforms Please read our Cookie Policy here.</p>	
	<p>Data Collection Technology Available to Our Customers For more information on technology available to our customers in collecting data and information on survey respondents, please visit the following pages: Our Software Features: Data Collection Technologies</p>	

	<p>Alchemer Features: Data Collection and Distribution Methods Identify Respondent Info: Who took my survey? Track Email Opens sguid the URL Variable: Save and Continue, Unique Links, and Duplicate Protection Save and Continue Tutorial Merge Codes Tutorial Hidden Values Tutorial Get Data Into a Survey Through Prepopulation Sending Values through the URL Redirect Action Prevent Duplicate Responses</p>	
	<p>Integrations: Our site includes a variety of integrations with third party services, such as ExactTarget and Salesforce (for a list of integrations, visit our Integrations page). These integrations may use your account information with the third party, collect your IP address, which page you are visiting on our site, and may set a cookie to enable the Integration to function properly. Integrations are either hosted by a third party or hosted directly on our Site. Your interactions with these Integrations are governed by the privacy policy of the third-party company providing the Integration.</p>	
	<p>Blogs/Forums: If you use our blog or any forums associated with our site, keep in mind that any personally identifiable information you submit there can be read, collected, or used by other users, and could be used to send you unsolicited messages. We are not responsible for the personally identifiable information you choose to submit in these forums or blog comments.</p>	
	<p>How we use the information we collect We use Customer Information in our normal course of business, including to contact you regarding technical support, discuss billing issues, or to bring to your attention any aspect of our mutual business. We may also use your contact information to provide you with policy or product updates or to introduce new products and services provided you have indicated that you do not object to being contacted for these purposes. If you do not wish to receive promotional emails from us, you can tell us not to either at the point such information is collected (by checking or unchecking (as directed) the relevant box) or by following the unsubscribe instructions included in each promotional email. We send service-related announcements when necessary to do so, and generally, you may not opt-out of these communications, which are not promotional in nature. All Respondent Information is stored in our databases for our Customers' benefit. At your direction, we use a Survey Respondent's email address (and at your option</p>	

	<p>other contact information) to send survey invitations, reminders, and whatever other communications you choose to use. We also use Respondent Information to improve the performance of our Site and services by analyzing site and user behavior, troubleshooting technical problems, resolving disputes and addressing complaints, and addressing compliance issues with our Terms of Service.</p>	
	<p>We require our Customers to warrant their compliance with the CAN-SPAM Act of 2003 of the US and equivalent legislation in Europe and elsewhere, and we may have additional approval processes surrounding email campaigns. We also have a software program that alerts us about certain kinds of illegal or dangerous behavior in accounts that violates our Terms of Service. However, we don't provide monitoring services to you, on your behalf, or otherwise search or monitor for illegal or illicit or other behavior in your account that may violate our Terms of Service. As part of our Terms of Service our Customers maintain and warranty sole responsibility over their behavior, use of our software platform, and whatever content is inserted into or solicited by our software. We make no representations or warranty over our Customers' use of our services, nor do we control our Customers' behaviors. If you think there may be any violations of our Terms, please report it to us at compliance@alchemer.com.</p> <p>We collect information on behalf of our Customers, just like the Post Office sending and receiving mail on behalf of individuals. If you are an end user or customer of one of our Customers and would no longer like to be contacted by one of our Customers that use our service, please contact that Customer directly.</p>	
	<p>Our Staff's Access to Information</p> <p>Our staff will only access your data at a minimum necessary standard, in order to provide technical or administrative support. For instance, if you open a support ticket, hire our consulting services, call our telephone support, or your account is flagged for a security reason, then our staff may log into your account for the purpose of troubleshooting and correcting the reported issue or performing their contracted task. We will not for any reason disseminate your data other than as you have directed (e.g. email actions, sending reports, etc.). All your data is subject to the confidentiality clause (Section 11) of our Terms of Service.</p>	
	<p>Data Retention + Deletion / Destruction: Alchemer retains data that we process on behalf of our Customers and data we collect from our Customers directly for as long as it is needed to provide services to our Customers. Alchemer will retain and use this data as necessary</p>	

	<p>to comply with our legal obligations, resolve disputes, and enforce our agreements.</p> <p>Sometimes users have specific needs under institutional or state requirement. For instance, occasionally data needs to be completely destroyed after its intended use. In many cases (e.g. when a customer stops paying for an account, downgrades to a different account plan, etc.), data is retired and locked away rather than actually destroyed. In most cases this makes the loss retrievable in the event of a mistake. We can, however, comply with a request for total data destruction; you just need to let us know. See our section below (Section 4) for more information on data destruction.</p>	
	<p>Links to Other Sites: Our site contains links to other sites that are not owned or controlled by Alchemer. Please be aware that we, Alchemer, are not responsible for the privacy practices of such other sites. We encourage you to be aware when you leave our site and to read the privacy statements of each and every website that collects personally identifiable information.</p>	
	<p>Who we share or disclose information to</p> <p>Due to recent European court rulings which have invalidated the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, Alchemer has elected to end our participation in the Privacy Shield Framework. Please see our blog post detailing the (non)-impact to Alchemer customers. To that end, in the event that we need to share or disclose information, we still maintain accountability for your data in accordance with the onward transfer principles of the Privacy Shield Framework. We do not share information with any third parties except under the following very limited circumstances with the following protections:</p> <ol style="list-style-type: none"> 1. Respondent Information with Customer: Our business is providing tools that allow you, our Customer, to conduct two-way communications with others. Accordingly, we provide you with access to the Respondent Information given in answer to the surveys you have conducted. You may use the Respondent Information consistent with our Terms of Service, your own privacy policy, and applicable law. 2. As Customers and Respondents Choose: We may share or otherwise use your Customer Information as you choose, and we may share Respondent Information as both you and the Survey Respondent choose. For example, if you choose to have an email action send a copy of the survey response to the survey creator, survey respondent, and/or a third party. 3. Agents Acting on Our Behalf: We may share some of your Information with other companies who provide us with technical and other type of services such as a credit 	

	<p>card processor or data hosting center. They are contractually bound under nondisclosure agreements and are granted access to only Information that is necessary for their jobs, and are prohibited from using Information for any other purpose (including marketing or sharing the Information with any other party). We do not share any personally identifiable information with third parties who are not services providers who have signed confidentiality agreements to perform services for us.</p> <p>4. For Legal Reasons: We are required by law to respond to subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims. We may also share your Information to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our terms of use, or as otherwise required by law.</p> <p>5. Affiliates and Acquisition: We may share Information with our affiliated companies, products, and services (e.g., PeopleGizmo, HelpGizmo, etc.) or during any real or potential acquisition or merger of our company by or with another. We will notify you if your Information becomes subject to a different privacy policy.</p>	
	<p>Alchemer Sub-Processor List:</p> <p>Name: Amazon Web Services, Inc. (AWS) Location of Processing: US, EU, CA Contact person's name, position and contact details: Alchemer can request from Subprocessor Description of processing (including a clear delimitation of responsibilities in case several sub-processors are authorised): Our platform utilizes AWS for our primary infrastructure (IP)</p> <p>Name: VoxPopMe (<i>only a subprocessor of client data including PII, financial, ePHI, and privacy data if client chooses to utilize VoPopMe video services to collect data</i>) Location of Processing: US, EU, CA Contact person's name, position and contact details: Alchemer can request from Subprocessor Description of processing (including a clear delimitation of responsibilities in case several sub-processors are authorised): Video response capability (data respondent responses to survey questions)</p> <p>Name: Zuora, Inc. (<i>Not a subprocessor of client data including PII, financial, ePHI, and privacy data</i>) Location of Processing: US Contact person's name, position and contact details: Alchemer can request from Subprocessor</p>	

	<p>Description of processing (including a clear delimitation of responsibilities in case several sub-processors are authorised): Customer licensing and management (name, contact details) Name: Vantiv (<i>Not a subprocessor of client data including PII, financial, ePHI, and privacy data</i>) Location of Processing: US Contact person's name, position and contact details: Alchemer can request from Subprocessor Description of processing (including a clear delimitation of responsibilities in case several sub-processors are authorised): Our payment process (credit card, name, address) Name: Twillio, Inc. (<i>only a subprocessor of client data including PII, financial, ePHI, and privacy data if client chooses to utilize Twillio sms services to collect data</i>) Location of Processing: US Contact person's name, position and contact details: Alchemer can request from Subprocessor Description of processing (including a clear delimitation of responsibilities in case several sub-processors are authorised): The utilization of sms messaging in the data collection process Name: Tray.io, Inc. (<i>only a subprocessor of client data including PII, financial, ePHI, and privacy data if client chooses to utilize Tray.io integration hub services to process or transfer data</i>) Location of Processing: US, EU Contact person's name, position and contact details: Alchemer can request from Subprocessor Description of processing (including a clear delimitation of responsibilities in case several sub-processors are authorised): The utilization of integration with partner systems to process or transfer data</p>	
	<p>Data archiving / Deletion: Ceasing to pay for your account will archive your data. You can re-access your data to be deleted by yourself or your users by paying for a monthly subscription that will allow you access the data for use (e.g. local storage on your computer, etc.) before deletion. Alternatively, if you do not require access before deletion, you can contact us directly in writing as stated above. Once a Survey Respondent has submitted a survey, the Survey Respondent may not be able to access his/her Information through the Site. We do have software features available to allow Survey Respondents to re-access survey responses, but that must be enabled by the Survey Creator. Survey Respondents may contact you and you, in turn, will be able to view the Survey Respondent's collected Information and, where appropriate, work with us in modifying such Information.</p>	

	<p>Data security: We have extensive security measures in place to protect your Information, and we are committed to the protection of your data. Unique user names and passwords must be entered each time a person logs on. We work with a third-party Tier 1 data center service provider, AWS, to host our Site, Services, and Software in a secure production environment that uses a firewall and other technology to reasonably prevent access from outside intruders. When transmitting sensitive Information, we also have encryption technology available for your use. (See Project Data Encryption and Secure Links for more info.)</p> <p>All of our technology and processes are not, however, guarantees of security (see our Terms of Service for more information). You should also bear in mind that submission of information over the internet is never entirely secure. We cannot guarantee the security of information you submit via the Site whilst it is in transit over the internet and any such submission is at your own risk. For more information on our security measures, get in touch with us at support@alchemer.com and at (800) 609-6480, or head to some of our other site pages.</p>	
	<p>Account Ownership Transfer</p> <p>If you transfer your account billing information and point of contact information (e.g. the individual who registers for the account or the user designated within our application as the main account administrator) to another individual or organization, ownership over all of your account's data is therefore transferred to that individual or organization. This data may include confidential information, account preferences, surveys, survey response data, and/or custom reports, customized surveys or software code that you may have purchased with our professional services team. Data and account ownership transfer responsibilities lie solely with the customer. Alchemer cannot and does not monitor how or why a customer or user may transfer data or account ownership.</p>	
	<p>Changes in the Privacy Policy: As we are constantly improving our services and expanding our business, we reserve the right to modify this privacy policy at any time. In the event we make such changes, we will post the new policy on this Site with an update date. We encourage you to frequently review this page for the latest information on our privacy practices. Effective: May 25, 2018. Updated: July 14, 2023</p>	

Graz, 27.September 2024


 Marktforschung
 Mag. Peter Maderl
 office@mrc...



Mag. Peter Maderl CEO & Datenschutzbeauftragter

