



THE DATA PROCESSING ACTIVITY OF HÁTTÉR SOCIETY
in relation to data processing in connection with the chat service of the Information and Counselling Service
(on the basis of the Data Protection Regulation of the European Union)

Pursuant to Article 13 of **Regulation (EU) 2016/679** of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and the free flow of such data, as well as the repeal of Directive 95/46/EC (hereinafter: **GDPR**), Háttér Society provides the following information to the data subjects.

The Information and Counselling Service of Háttér Society operates a chat service. As the provider of the chat service, Háttér Society informs the users of the service about the conditions of handling their personal data processed during the provision of the service, about the organisational and technical measures taken to protect the personal data, and about the individual rights of the data subjects using the service under the GDPR, as well as about their legal remedies.

1. Identification and contact details of the data controller

Háttér Society association (head office: 1136 Budapest, Balzac u. 8-10, tax number: 18071872-1-41, registration number: 01-02-0006352; e-mail contact: hatter@hatter.hu; represented by: Beda Balázs executive board member)

2. Name and contact information of the Data Protection Officer

dr. Tamás Pfszter, e-mail: adatvedelem@hatter.hu

3. Nature and purpose of the data processing

Háttér Society operates an LGBTQI-friendly anonymous counselling service on its self-managed website lelkisegely.hatter.hu. The support services also include a free chat service. The chat service can be accessed via the pop-up chat interface on the lelkisegely.hatter.hu website. The developer of the chat service is Tidio Poland Sp. zoo Before starting communication via the chat service, the link to this privacy policy is displayed to the enquirer. The condition for using the chat service is to read this information. The purpose of data processing related to the chat service is to provide a counselling service on the part of the data controller, and its availability on the part of the data subject. In the case of using the chat service outside of business hours, data subjects can write a message only if they provide their email address beforehand. At the same time, the data subject will be informed that the message that they have entered will be forwarded to the e-mail address lelkisegely@hatter.hu. The response to the enquiry will be sent to the email address provided by the data subject from lelkisegely@hatter.hu.

4. Categories of personal data subject to data processing

During the chat service provided by the Information and Counselling Service of Háttér Society, the following personal data is collected and transmitted to Háttér Society:

Device and connection information: The Tidio chat service collects device-specific information from the data subject when using the chat function. Such personal data are:



- the IP address of the data subject (the service user),
- the model of the electronic device (hardware) used for the chat service,
- the type of operating system used on the device,
- the data of the Internet browser application used,
- the type of data connection used for the chat service (mobile internet or Wi-Fi), and
- identification data of the device (e.g. screen resolution).

This data is stored in the Tidio chat interface, and can also be viewed by the employees of Háttér Society who have access to it.

- **If you wish to prevent the transmission of the data of the device and Internet connection you are using, we recommend that you disable JavaScript in your browser:**

For data subjects who use

Google Chrome: <https://support.google.com/adsense/answer/12654?hl=1>

For data subjects who use

Apple Safari: <https://support.apple.com/it-it/guide/safari/ibrw1074/mac>

For data subjects who use

Mozilla Firefox, by installing an add-on, for example <https://addons.mozilla.org/en-US/firefox/addon/disable-javascript/>

The data processing staff of the chat service provider (Háttér Society) may learn the following based on the decision of the data subject (the service user):

- the IP address of the data subject,
- the name used by the data subject for the chat service,
- the e-mail address provided by the data subject in the event of an enquiry outside of business hours,
- other personal data – even sensitive personal data (e.g. health, sexual orientation, etc.) – about the data subject that they choose to disclose to the persons providing the chat service.

Háttér Society informs data subjects that the provision of the chat service does not require the identification of their person (Article 11 of the GDPR). In practise, this means that:

1. Háttér Society draws the attention of persons interested in the chat service to the fact that the name used for the chat service **does not have to match the name registered in official identification documents, nor does it have to be real.** In this way, a nickname, a pseudonym, or any sequence of letters and/or numbers can be used for the chat service. (Háttér Society does not require proof of identity and does not take any measures in this regard - Article 11 (1) of the GDPR).
2. Háttér Society draws the attention of data subjects to the fact that, outside of business hours, the e-mail address provided by the data subject and the name with which the e-mail is signed need not enable the identification of the data subject.
3. Háttér Society draws the attention of data subjects to the fact that **it is not necessary** to provide an e-mail address in order to access the chat service during business hours.
4. Háttér Society informs the data subjects that the purpose of storing the IP address is so to enable the Tidio chat service to link the current enquiries with the previous enquiries made by the data subjects, thus remembering the previously made choices, language preferences, settings, and previously initiated dialogues of the data subjects, thereby improving the quality of the service.

From the statistical or analytical data generated by the Tidio system and from conversations that do not contain personal data as the data processing activities of Háttér Society remove the personal characteristics of the data, the data controller prepares analyses as part of its



research activities, as well as for the annual report or for case project reports related to the provision of the service. The analyses include the breakdown by type of enquiries and the main grouping data provided by the users of the service (age, gender, etc.). Hátter Society publishes the analyses at: <https://hatter.hu/tevekenysegunk/informacios-es-lelkisegely-szolgalat/statistics>. The data disclosed does not contain any personal data.

5. Legitimate ground for data processing

The processing of the personal data of the data subject (service user) is necessary for the enforcement of the legitimate interests of Hátter Society (as data controller), Tidio Poland Sp.zoo (as third party), and persons other than the data subject (as third parties) in the chat service [[Article 6 \(1\) point \(f\) of the GDPR](#)]. Hátter Society has carried out an interest balancing test prior to data processing and stores it electronically in accordance with the principle of accountability pursuant to Article 5 (2) of the GDPR.

In exceptional cases, in order to resolve crisis situations and prevent suicide: with the user's consent, the employee on duty can also transfer the data to a third party (e.g. ambulance, family member). In this case, the data will be transferred in accordance with [Article 6\(1\) point a\) of the GDPR](#).

The data subject's personal data may be transferred to the authorities and emergency services without obtaining consent if there is a risk that the data subject endangers their physical integrity or that of other persons. In this case, the data will be transferred in accordance with [Article 6 \(1\) point d\) of the GDPR](#): Data processing is necessary in order to protect the vital interests of the data subject (the person using the service) or of another natural person.

In cases where the data subject is indirectly (or directly) identifiable and an employee of Hátter Society would foreseeably come into possession of sensitive personal data (typically, but not exclusively, health data about the data subject, data about sexual orientation/gender identity or sex life) by continuing to chat, Hátter Society obtains the express consent of the data subject which is required for further data processing in accordance with [Article 9 \(2\) point a\) of the GDPR](#).

6. Recipients of personal data

Within Hátter Society, access to personal data is strictly possible only for those employees who need the personal data to perform their tasks: in general matters, the employees and coordinator of Hátter Information and Counselling Service; when it comes to organisational responsibility, the attorneys and key employees of Hátter Society; and for or the purpose of responding to requests related to data processing, the Data Protection Officer.

When using the chat service, certain data provided by the data subject will be transferred to Tidio Poland Sp. zoo (Wojska Polskiego 81, 70-481 Szczecin, Poland; court registration number: 0000725583; Data Protection Officer (DPO): Hubert Jackowski, hubert@tidio.net). Tidio Poland Sp. zoo performs data processing in accordance with the guarantees required by the GDPR, details of which can be found on the Tidio website: <https://www.tidio.com/privacy-policy/>

In the case of data transfers required by law, the data controller examines each data item before fulfilling each official data request, whether the lawful reason for data transfer actually



exists and, if necessary, obtains the opinion of the National Authority for Data Protection and Freedom of Information (NAIH) through consultation.

7. Duration and place of storage of the processed data

Háttér Society manages the processed personal data until the data subject withdraws their consent, but no later than the final conclusion of the conversation by Háttér Society. If the data subject does not continue the conversation with our operators using the same contact information, the conversation and the personal data handled during the conversation will be transferred to a folder for completed conversations within Tidio. If the data subject contacts the Háttér Society operators again based on the same contact information, the data processing will continue with regard to the existence of the chat service. When active conversations end, the conversation is permanently concluded by transferring the text of the conversation. The storage period of the transferred conversations is limited. After the transfer, Háttér Society stores the concluded conversations for 3 years. If the data subject's request for erasure is not received by Háttér Society, or if Háttér Society does not learn of another request related to the data provided by the data subject within 3 years of the final conclusion of the conversation, Háttér Society will take measures to erase the archived conversations 3 years after the conclusion of the conversation.

The data is stored electronically on Tidio's servers located in the European Economic Area based on Tidio's privacy policy. In connection with international data transfers, Tidio has undertaken that data transfers and further data processing to data controllers/processors outside the EEA will be carried out in accordance with the GDPR (Privacy Policy, IX. Information on data transfers outside the EEA.).

8. The rights of the data subject

The user of the service (the data subject) may exercise the following rights in relation to the ongoing data processing based on the GDPR (*data subject rights*): they may request access to their personal data, request the rectification, erasure, restriction of processing, exercise their right to data portability, and object to data processing based on legitimate interest. We inform you that we do not use your processed data for the purpose of automated decision-making.

You can exercise your rights marked with a * as a data subject below by making a written request. To do so, please send an e-mail to adatvedelem@hatter.hu. We will also accept your request related to data processing by post: please send your letter to Háttér Society, 1136 Budapest, Balzac utca 8-10. Háttér Society will provide you with an individual response, information or feedback to your request within the one-month deadline specified in Article 12 (3) of the GDPR, or otherwise enable you the exercise the following rights.

Your right to information: Prior to the start of data processing we will provide information via the present privacy policy, in accordance with Article 13 of the GDPR. By familiarising yourself with it you can verify the characteristics of the data processing carried out by us regarding your personal data and obtain information about the rights you can exercise in connection with data processing.



Your right of access:* You may request Hátter Society to provide access to your personal data by being informed whether your personal data is currently being processed and if so, under what circumstances.

Your right to rectification:* If there has been a change in the personal data we process and you want your data to be recorded correctly in our records, you can request that we correct the data you have provided and processed without undue delay.

Your right to erasure:* You may request that we erase your personal data without undue delay if one of the following grounds apply:

- a) your personal data is no longer needed for the purpose for which it was collected or processed;
- b) you withdraw the consent that forms the basis of the data processing, and there is no other legal basis for the data processing;
- c) you object to the data processing and there are no other overriding legitimate grounds for the data processing;
- d) we have processed your personal data unlawfully;
- e) your personal data must be erased in order to fulfill a legal obligation to which we are subject;
- f) the collection of personal data took place in connection with the offering of information society services to children.

Please note that if you withdraw your consent, the data controller may not use the personal data for the purpose for which consent was withdrawn or for any other purpose, depending on the nature of the withdrawal of consent. The withdrawal of consent does not affect the lawfulness of data processing prior to the withdrawal of consent. The data controller reserves the right, in the event of withdrawal of consent if the conditions laid down in the GDPR apply, to base the processing on other legitimate grounds of data processing and to take technical and organizational measures in order to modify the processed data in accordance with the data subject's needs. Erasure is carried out via Tidio's system, which permanently erases the personal data of the data subject.

Your right to restriction of processing:* you may request that we restrict the processing of your personal data if one of the following applies:

- a) you contest the accuracy of your personal data, in which case the restriction applies for the period that enables us to verify the accuracy of your personal data;
- b) the data processing is unlawful and you object to the erasure of your data and request the restriction of their use instead;
- c) we no longer need your personal data for the purposes of data processing, but you need them for the establishment, enforcement or defense of legal claims; or
- d) you have objected to the data processing, in which case the restriction applies for the period until it is determined whether the legitimate reasons of the association override your right to your personal data.



In the event of data restriction, this personal data may only be processed with your consent, with the exception of storage or for the establishment, enforcement or defense of legal claims, or for the protection of the rights of other natural or legal persons or for important public interests.

Your right to object to data processing:* You have the right to object to the processing of your personal data based on the legitimate interests of Hátter Society at any time for reasons related to your own situation.

9. Options for legal enforcement in connection with data processing

Before submitting your complaint to the supervisory authority or the court – in order for reconciliation and finding a solution to the problem at the earliest - please contact our organization by email at adatvedelem@hatter.hu or by post to our address (1136 Budapest, Balzac u. 8-10)

If you believe that your rights have been violated in connection with the processing of your personal data or there is an immediate threat of such, you can file a complaint or initiate an official data protection procedure at the National Authority for Data Protection and Freedom of Information (head office: 1055 Budapest, Falk Miksa utca 9-11.; postal address: 1363 Budapest, Pf.: 9; e-mail: ugyfelszolgalat@naih.hu; telephone: +36 (1) 391-1400; website: www.naih.hu).

You can also initiate a civil lawsuit in court for unlawful data processing. The adjudication of the lawsuit falls within the jurisdiction of the courts.

10. Clause

Hátter Society reserves the right to amend its privacy policy - especially due to the development of Tidio's services or changes in the range of services provided by Hátter Society. Hátter Society will inform the data subjects of any changes of the privacy policy on its official pages.

If you have any questions about the provision of services not related to data processing (e.g. questions related to counselling), please write to us at lelkisegely@hatter.hu.