
POLICY

Privacy Policy

Binding standard of the organisation

Privacy policy for the processing of personal data within the Organisation

Publisher & Scope

This Privacy Policy forms part of the binding standards of the organisation. It applies to every location in the network – even where these operate under different names, identities and legal entities. The shared policies and standards guarantee the same quality everywhere and the same promises to parents, staff and authorities. At the same time, they leave room for the individual identity, pedagogy and personality of each centre. These standards draw on the experience of the whole network and are developed periodically on this basis.

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1 Scope and Purpose

This privacy policy ("**Privacy Policy**") applies to the processing of personal data of all employees ("**Employees**") of the kcc group ag and its subsidiaries, globegarden gmbh, Kinderkrippe Zipfelmütze GmbH, Kita MipuKi AG, KiTa MiMo AG, take best care GmbH, Chinderhuus Kribbel Krabbel GmbH and others ("**KCC Group**").

This Privacy Policy is binding for all locations of the organisation, including locations operated under a different name, identity or separate legal entity within the network.

Individual provisions of this Privacy Policy also concern personal data of persons outside the employment relationship – in particular parents – where expressly provided for therein.

This Privacy Policy is divided into two parts: Part A governs the processing of personal data of Employees, Part B that of children and parents. The general provisions in Part A – in particular on the data protection principles, the rights of data subjects, the technical and organisational measures, transfers abroad, the notification of data breaches and the withdrawal of consent – apply to Part B by analogy.

This Privacy Policy governs KCC Group's obligations with respect to data protection and the rights of data subjects with respect to their personal data under the Swiss Data Protection Act ("**DPA**") and, where applicable, the European Data Protection Regulation ("**GDPR**"), each as amended from time to time (collectively, "**Data Protection Legislation**").

Data Protection Legislation defines "**personal data**" as any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

This Privacy Policy sets out the procedures to be followed when handling personal data. The procedures and policies set forth herein must be followed at all times by KCC Group and its Employees, workers, agents, contractors or other persons working for KCC Group.

2 Contact KCC Group

If you have any questions about this Privacy Policy or the personal data processed, KCC Group can be contacted by email at dataprotection@kccgroup.org.

Part A — Personal Data of Employees

3 Purposes and Lawfulness of Processing

KCC Group processes personal data to fulfil its obligations under the employment contract or for the purposes of other legitimate interests or to fulfil a legal obligation imposed on KCC Group in connection with applicable law.

4 Personal Data collected by KCC Group

The following personal data may be collected, stored and processed by KCC Group:

- a. name, date of birth, identity card or passport of the Employee, telephone number(s), mailing address, email address, marital status, religious denomination and any other information about the Employee that the Employee has provided to KCC Group;
- b. the Employee's application, employment history, educational background, career assessment, and income level;
- c. information on equal opportunities, including, but not limited to, age, gender, nationality and religion;
- d. extract from the criminal record with information on offences committed;
- e. health records with information on cases of illness;
- f. employment records, including, but not limited to, interview notes, resumes, application forms, evaluations, performance appraisals, and similar documentation;
- g. salary information, including, but not limited to, raises, bonuses, commissions, overtime, benefits and expenses;
- h. records of disciplinary matters, including, but not limited to, formal and informal reports and warnings;
- i. details of any actions, including, but not limited to, evidence, notes from interviews, proceedings and outcomes;
- j. photographs of the Employee (e.g. as part of the application dossier or photographs taken with the Employee's consent);
- k. other information related to the Employee's employment with KCC Group (e.g. data related to access to and use of ICT systems);
- l. recordings of telephone calls in which Employees take part.

The Employee is obliged to inform KCC Group immediately and unprompted of any changes to the Employee's personal data (in particular regarding surname, first name, address, bank details, marital status, number of children, etc.).

5 Collection of Personal Data

In principle, KCC Group can collect and gather personal data as follows, namely if the Employee:

- a. submits forms or applications to KCC Group;
- b. makes enquiries / requests to KCC Group;
- c. uses KCC Group's ICT infrastructure (including, but not limited to, communication systems);
- d. asks to be included in an email or email list;
- e. responds to requests from KCC Group; or
- f. provides KCC Group with personal data for any other reason.

6 Telephone Recordings

Telephone calls with the Family Service may be recorded for quality assurance, documentation and training purposes.

This Privacy Policy, which is publicly available, provides notice of such recording. Parents registering their child additionally give their express consent by signing the Terms and Conditions, which contain a corresponding provision. Employees whose calls may be recorded are informed in advance and give their consent.

Recordings are not used to monitor conduct in the workplace.

Recordings are treated confidentially. Access is limited to the designated functions. They are retained only for as long as required for these purposes or by law.

7 Data Protection Principles

The purpose of this Privacy Policy is to ensure compliance with Data Protection Legislation. Data Protection Legislation sets out the principles that must be followed by anyone who processes personal data. According to these principles, all personal data must be

- a. processed lawfully, fairly and in a manner that is transparent to the data subject (here: the Employee);
- b. collected for specific, explicit and lawful purposes and not further processed in a way incompatible with those purposes;
- c. adequate and substantial for the purpose and limited to the extent necessary for the purposes of the processing;
- d. factually accurate and, where necessary, kept up to date; all reasonable steps must be taken to ensure that personal data which are inaccurate in relation to the purposes for which they were processed are erased or rectified without delay;
- e. kept in a form which permits identification of the data subject for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for archiving purposes, in accordance with applicable law, on the basis of a public or overriding private interest for longer periods, namely up to ten years after termination of the employment relationship;
- f. processed in a manner that ensures appropriate security of the personal data involved, including, but not limited to, protection against unauthorised or unlawful processing and against accidental loss, destruction or damage by appropriate technical or organisational measures.

These principles apply not only to KCC Group with regard to the processing of personal data of Employees, but also to every Employee of KCC Group with regard to the processing of personal data of third parties (e.g. customers of KCC Group, other Employees of KCC Group, etc.). The aforementioned principles must be observed for every processing of personal data.

8 Data Protection Impact Assessment

KCC Group conducts data protection impact assessments when and as required by Data Protection Legislation.

9 Rights of Data Subjects

Data subjects have the following rights under Data Protection Legislation:

- a. the right to be informed about the collection and processing of personal data by KCC Group;
- b. the right to access the personal data that KCC Group processes about the Employee;
- c. the right to rectification if personal data that KCC Group processes about the Employee is inaccurate or incomplete;
- d. the right to request the deletion of all or part of the personal data that KCC Group holds about the Employee;
- e. the right to restrict or prohibit (i.e. prevent) the processing of personal data;
- f. the right to data portability of electronically processed personal data (obtaining an electronic copy of the personal data for further use by another employer or organization);
- g. the right to object to the processing of personal data by KCC Group; and
- h. if applicable, rights in relation to automated decision making and profiling.

Other legal requirements (e.g. regarding the archiving of data) to which KCC Group is subject or overriding interests of KCC Group or other third parties may conflict with or restrict these rights.

10 Technical and Organisational Measures for Data Protection

KCC Group will ensure that all of its Employees, workers, agents, contractors or other persons who process personal data for KCC Group apply and implement the appropriate technical (e.g. use of passwords, encryption of sensitive personal data, regular backups, use of secure networks, etc.) and organisational (e.g. access only when required, signing of confidentiality declarations by Employees, etc.) measures.

11 Transfer of Personal Data to a Country outside Switzerland / the EEA

KCC Group processes personal data as a rule in Switzerland. Personal data may also be disclosed to countries with an adequate level of data protection, in particular within the EU and the European Economic Area, notably in connection with the use of service providers. Where personal data are disclosed to a country without an adequate level of data protection, KCC Group ensures protection by the means provided for by law.

12 Data Breach Notification

All breaches of this Privacy Policy, Data Protection Legislation and all data security and cyber incidents (e.g. suspicion of a hacker attack) must be reported to KCC Group immediately in writing or by email to dataprotection@kccgroup.org.

If a data privacy breach occurs and this breach is likely to pose a high risk to the personal rights and freedoms of the data subjects (e.g. discrimination, reputational damage, personal injury or high

financial damage), KCC Group must ensure that the Federal Data Protection and Information Commissioner (FDPIC) and, if applicable, the competent supervisory authority in the EU, are informed of the breach without delay and in any case within 72 hours of becoming aware of it. If applicable, the data subjects must also be informed.

13 Withdrawal of Consent

If the processing of personal data is based on consent, Employees have the right to withdraw this consent at any time by notifying KCC Group in writing or by sending an email to dataprotection@kccgroup.org.

14 Obligations of the Employee when Processing Personal Data

The Employee undertakes to process personal data within the scope of its activities for KCC Group only in accordance with the data protection principles mentioned in clause »Data Protection Principles«, the Data Protection Legislation and only as instructed by KCC Group.

Part B — Personal Data of Children and Parents

15 Subject Matter of Part B

In order to care for a child well, the Organisation needs information about the child and its family. This part describes what information this is, what it is used for, who receives it and what rights parents and children have. It applies to all locations of the network.

16 Purposes of Processing

The Organisation processes personal data of children, parents and other persons of reference insofar as this is necessary or appropriate for registration and the childcare agreement, for the care and support of the child, for safety in the centre, for invoicing and for compliance with statutory and official requirements. Personal data may further be processed in order to assure the quality of care, to develop the services and to safeguard the legitimate interests of the Organisation.

17 Personal Data Processed

The following personal data are processed in particular:

- a. information on the child such as name, date of birth, gender, nationality, language and address;
- b. information on the parents and legal guardians as well as on the persons authorised to collect the child or designated as contact and emergency persons – such as name, address, contact details, family situation, information on parental responsibility and employer;
- c. health-related information on the child, in particular allergies, intolerances, chronic conditions, vaccinations, medication, eating and sleeping habits, medical certificates as well as reports of illness, accidents and incidents. Such information is particularly sensitive and is handled with corresponding care;
- d. information on the course of care such as attendance, settling-in, observations, development and support documentation, parent meetings and incidents;
- e. contract, tariff, subsidy and payment data, including the information required for tariffs or subsidies;
- f. photos and videos from everyday life at the centre;
- g. recordings of telephone calls with the Family Service for quality assurance and training purposes;
- h. correspondence as well as information arising from the use of the systems in place;
- i. information in connection with child protection and with official or legal proceedings.

The information is generally provided by the parents. In individual cases it may also come from third parties, such as the child's doctor, authorities or specialist services.

18 Disclosure to Third Parties

Personal data are disclosed only insofar as this is necessary for the purposes stated or provided for by law – in particular to authorities and supervisory bodies, to child and adult protection authorities and specialist services consulted, to municipalities and subsidy offices, to insurers, in an emergency to emergency services, doctors and hospitals, to partner companies whose services the parents use, to service providers processing data on behalf of the Organisation, to legal and specialist advisers as well as within the network of the Organisation. Personal data are not passed on to third parties for marketing purposes.

19 Photos, Videos and Newsletter

Everyday life at the centre is captured in photos and videos – outings, projects, celebrations, moments from group life. The recordings serve as documentation, are made available to parents and may be used for materials of the Organisation. The names of the children are not stated.

The centres regularly, as a rule monthly, compile a newsletter for parents containing pictures from group life. It is made available via an online area, access to which is communicated to the parents of the respective centre.

By registering their child, parents give their consent. Anyone who does not wish their child to be photographed or filmed informs the centre – this is taken into account. The wish may be expressed or changed at any time. At the request of the parents, recordings of the child are no longer used and are deleted; materials already printed or distributed cannot be recalled.

20 Calls with the Family Service

Calls with the Family Service may be recorded for quality assurance and training purposes. The recordings help to capture concerns correctly and to develop the advice provided. They are treated confidentially, are accessible only to the designated functions and are retained only for as long as required for these purposes or by law. By registering their child, parents give their consent.

21 Retention

Personal data are retained for as long as required for the purposes stated or as long as statutory retention, evidence and limitation periods require.

22 Rights of Parents and Children

Parents and children have the rights set out in the clause »Rights of Data Subjects«. Enquiries may be addressed to the Organisation at any time.

23 Cooperation of Parents

Care relies on the information about the child being up to date. Parents provide the necessary information completely and truthfully and inform the centre of any changes without delay – in particular regarding contact and collection details, parental responsibility and health-relevant circumstances of the child. Information not known to the centre cannot be taken into account in everyday care.

24 Changes

This Privacy Policy may be adapted by KCC Group from time to time. The current and valid version is available to everyone on the website of the Organisation under »Privacy Policy« and can be accessed on the Intranet.

Document Control

This Privacy Policy forms part of the binding standards of the organisation. It applies to every location in the network – even where these operate under different names, identities and legal entities.

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