

**PRIVACY STATEMENT**

**IT&CARE B.V.**

**Version 5**

Classification: public

*IT&Care is part of HumanTotalCare B.V. IT&Care B.V. is registered with the Chamber of Commerce under number 17099969*

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## Introduction

This privacy Statement applies to the processing of personal data by IT&Care B.V. (referred to below as: 'IT&Care').

In this Privacy Statement, we inform you about the personal data we process, the purposes for which we process the data and the way in which we manage the data. Processing of personal data includes among other things collection, storage, recording, modification, retrieval, consultation or erasure of personal data.

IT&Care is a certified and independent supplier of software applications (referred to below as: Software) that supports employers, employees, occupational physicians (or other providers of care in the field of labour and occupational health care) and consultants in the field of labour, vitality and health. The purpose of the Software of IT&Care is monitoring and promoting health, competences and motivation of employees, in order to support durable employability of these employees. Through the Software personal data is processed, which is processed by IT&Care as an independent supplier. In the Software Personal Data of the following persons is processed:

- Personal Data of employees which they themselves, their manager or the health care provider who supports them, enter into the Software;
- Personal Data of employers and executive staff;
- Personal Data of health care providers and (health) insurance companies.

We will handle any Personal Data which we process, with a great deal of care and in accordance with the applicable legislation and regulations, including the General Data Protection Statement (GDPR)<sup>1</sup>. That means among other things that IT&Care:

- will inform you in clear terms and a transparent way about the way in which and purposes for which your personal data is processed;
- will process personal data for specific purposes only and will base data processing on one of the bases referred to in the GDPR;
- will take suitable safety precautions to protect personal data against loss and theft;
- will inform you about your rights with respect to the personal data;
- has appointed a Data Protection Officer who monitors and ensures that the processing of personal data within the organisation of IT&Care complies with the GDPR. The Data Protection Officer also acts as a contact person for the Dutch Data Protection Authority ('Autoriteit Persoonsgegevens').

This Privacy Statement contains three Sections – Section A, B and C.

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<sup>1</sup> The Dutch name of the GDPR is: 'Algemene Verordening Gegevensbescherming' ('AVG'). Our privacy Regulation in Dutch is also available on our website.

**Section A**

In **Section A** we explain to you how IT&Care as an independent processor handles the personal data that is processed through the Software of IT&Care.

**Section B**

Besides personal data which is processed by IT&Care through the Software it has made available, our organization processes several other groups of personal data, including personal data of our suppliers and personal data of the visitors to the website. In **section B** we will explain how we handle these other groups of personal data.

**Section C**

The last Section contains a number of general provisions, in which you can read among other things how we secure your personal data and who is available for your questions about this Privacy Statement.

This Privacy Statement has been drawn up and is managed under the responsibility of the management of IT&Care.

## SECTION A

### Personal data that is processed in the Software of IT&Care

IT&Care, acting as an independent processor, processes the following personal data through the Software, which IT&Care makes available to employers, employees, occupational physicians (or health care providers in the field of labour and occupational health care) and consultants.

- Personal data, including:
  - Name and address data;
  - Email address;
  - Telephone number;
  - Date of birth;
  - Gender;
  - Nursing address of sick employee;
  - Employee ID<sup>2</sup>;
  - Citizen Service Number.
  
- Specific personal data, including:
  - Health information, such as the date of the employee's sickness notification, date of the recovery notification, presumed duration of absence, whether one of the fall-back provisions of the 'Sickness Benefits Act' (Dutch: Ziektewet) applies, whether the 'Work and Income according to labour capacity Act' (Dutch: Wet Werk en Inkomen naar Arbeidsvermogen) applies to the employee, whether a sick employee has been involved in a traffic accident;
  - Medical information: data concerning the health of employees which fall within the scope of doctor-patient privilege and which are necessary for the assessment by the provider of care of the occupational incapacity of the employee, the sick leave follow up and rehabilitation. Examples are the nature and cause of the sickness, the progression of the treatment and data which are necessary to be able to offer preventive healthcare to employees;

### Purposes

Via the Software, IT&Care offers support with regard to the exchange of personal data between employers, employees, healthcare providers and advisors, but has no influence on which personal data is stored in the Software. That is determined by you, your employer, health care provider or consultant themselves. Before access is given to the Software by IT&Care, IT&Care has concluded an agreement with your employer, health care provider or consultant. In that agreement, IT&Care is engaged to process the personal data for certain specific purposes. IT&Care will process the personal data for those purposes only in

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<sup>2</sup> This refers to the Employee ID or a different code that is specifically linked to an employee and replaces the Citizen Service Number as a key value, as described in the Nationale Verzuimstandaard ('NVS') 2017. This standard is endorsed by health and safety services that are members of the OVAL sector association and is managed by Stichting Sivi.

accordance with the applicable legal and contractual obligations applicable to the exchange of the personal data.

Upon request of the employer or the employee, IT&Care may transfer personal data processed in the Software to healthcare provider, provided there exists a legal basis for the transfer and insofar as the transfer is necessary for the purpose determined by the employer or employee. Detailed obligations with regard to such transfers of personal data are included in the agreement between IT&Care and the employer. Upon request of the healthcare provider, IT&Care may transfer personal data to employers and employees, provided this is necessary and there exists a legal basis for the transfer, for example where personal data is included in consultation reports.

IT&Care will ensure that the personal data processed in the Software by you, your employer, health care provider or consultant, is safely stored and that access by unauthorized persons is not possible.

#### **Lawfulness of processing**

IT&Care processes the above personal data because this is necessary for the performance of the agreements which IT&Care has concluded with your employer, health care provider or consultant, as explained above.

#### **Retention period**

Your personal data will be removed by us in case we are instructed to do so by the person who entered the specific data into the Software. In case there is no legal basis any longer to process the personal data, we will erase your personal data.

## **SECTION B**

### **Data of visitors to the website of IT&Care**

#### *Personal data categories*

In case you visit our website, the following personal data of you may be processed as a result of completion of (contact) forms:

- Name;
- Email address;
- Telephone number.

#### *Purposes*

IT&Care processes the above personal data for the following purposes:

- Responding to your question;
- Processing your remarks;
- Sending you information as requested.

#### *Lawfulness of processing*

In case you ask us a question or request information, IT&Care has a legitimate interest to process the above personal data. Processing this data is necessary for proper handling of your request.

#### *Retention period*

Personal data of visitors to the website will be erased after your request or question has been responded to or your remark has been processed.

### **Data of suppliers of goods and services to IT&Care**

#### *Categories of personal data*

In case IT&Care enters into a business relationship with a supplier of goods and/or services, the following personal data may be processed:

- First name and surname;
- Email address;
- Business telephone number;
- Business address and place;
- Position;
- Name of the company you work for.

### *Purposes*

IT&Care processes the above personal data for the following purposes:

- Processing invoices;
- Maintaining the business network of IT&Care

### *Lawfulness of processing*

IT&Care processes the above personal data because it is necessary to be able to perform agreements with suppliers.

### *Retention period*

The personal data or data carriers containing personal data, which our organisation requires to comply with our legal duty to keep records, such as invoices, will be retained by us during the applicable statutory retention period. Other personal data will be erased after termination of the relationship with a supplier.

### **Data of employees of IT&Care**

We process personal data of our employees. The processing of this data is not considered in this Privacy Statement. At the time at which the employment commences we explain to our employees how we handle their personal data.

### **Data of job applicants**

#### *Categories of personal data*

IT&Care processes the following personal data of job applicants:

- Name;
- Email address;
- Address;
- Telephone number;
- Other data that is relevant for assessing the application of the job applicant, such as curriculum vitae and references.

### *Purposes*

The above personal data is processed in order to ensure a proper application procedure, including:

- Being able to contact the job applicant for making an appointment or giving feedback;



- Being able to evaluate the profile of the job applicant for the position for which he applied.

*Lawfulness of processing*

IT&Care has a legitimate interest to process the above personal data. The Processing of this data is necessary in order to ensure a proper application process.

*Retention period*

The personal data will be erased four weeks after the vacancy has been filled, unless the job applicant has given their approval for storage of their personal data for a longer period of time.

## SECTION C

### Security

Adequate security of your personal data is highly important. IT&Care has made all reasonable and appropriate technical and organizational measures in order to secure the confidentiality, integrity and availability of your personal data.

In order to demonstrably guarantee the security of your personal data IT&Care is ISO 27001 and NEN 7510 certified.

In case, despite the security measures taken, a security incident occurs, we will take the necessary precautions to limit any consequences for your privacy as much as possible.

### Disclosure of personal data to third parties

Personal data which is processed by IT&Care as data controller in accordance with the GDPR, will not actively be disclosed to any third parties by IT&Care. In case IT&Care would disclose personal data to third parties, IT&Care will always obtain prior permission from the parties concerned, unless such permission is not required by law.

### Your rights

You have the right to request us in writing for:

- **Access to your personal data.** You may ask us whether we process personal data of you. If that is the case we will explain what personal data of you are processed by us, in what way and for what purposes we do this. You may also request from us a copy of your personal data that we process.
- **Rectification of your personal data.** In case it is your opinion that your personal data that we process, is incorrect or incomplete, you may request us to modify or complete your data.
- **Erasure of your personal data.** You may request us to erase your personal data that we process. After receipt of a request to that effect we will erase your personal data without undue delay if:
  - the data is no longer necessary for the purpose for which it has been processed by us;
  - you do not give us your consent to process your personal data any longer;
  - you object to the processing of the personal data and there is no reason why we may process the data any longer;
  - the data was processed by us for the purpose of direct marketing;

- the personal data should not have been processed by us ('unlawful processing');
- the law requires us to erase the personal data.

We are not allowed to erase personal data upon request if we are obliged by law to retain the personal data.

- **Restriction of processing of your personal data.** You may request us to restrict the processing of your personal data. We will comply with such a request in the following cases:
  - It is your opinion that your personal data which we process, is incorrect. We will not use this personal data until the data has been verified and possibly modified or completed;
  - We should not have processed the personal data but you do not wish us to (fully) erase your personal data;
  - We do not need your personal data any longer but you wish to be able to use this data in order to establish a claim or instigate legal proceedings;
  - You object to our processing of your personal data and we have not yet evaluated your objection.  
If processing of your personal data is subject to a restriction, we will process this data only with your consent. Before the restriction is lifted, we will inform you of that.
- **Transfer of your personal data in a commonly used format ('right of data portability').** You may request from us a copy of your personal data which we process. We will provide you with a copy in a commonly used format which can be used for instance if you wish to transfer the data to a different service provider, such as a different health and safety service. In case this is technically possible for us and if you wish, we can directly transmit the personal data to your new service provider.

## Notification

Upon your request, we can rectify or erase your personal data, or we can restrict the processing of your personal data. It may be possible that we have transferred your personal data to third parties. In that case, we will notify the third party that we have rectified or erased your personal data, or that we have restricted the processing, unless this is not possible for us. Upon your request, we will provide you with information about the third parties we have notified.

## Right to object

You also have the right to **object** in writing to the processing of your personal data. In case you object, we will request you to explain to us why you do not agree with processing of your personal data.

### **How we deal with your request**

After we have received a request to exercise the rights indicated above, we will inform you about the action we have taken upon your request as soon as possible and no later than one month upon receipt of your request. In some cases, we may need more time to respond to your request. If that is the case, we will notify you as soon as possible and no later than one month upon receipt of your request. We may in such a case extend the term to respond to your request by a maximum of two months. In case we do not take any action upon your request, we will inform you as soon as possible and no later than one month upon receipt of your request. In that case, you have the right to lodge a complaint with the Dutch Data Protection Authority.

### **Complaints Procedure**

If, in your opinion, the provisions of this Statement are not complied with or your rights with respect to processing of personal data are not respected, you may submit your complaint to [privacy@itandcare.nl](mailto:privacy@itandcare.nl) or call 040-2601200.

### **Cookies**

IT&Care uses cookies on its website. In our Cookie Statement you can read more about what cookies are and which cookies IT&Care has placed on its website.

### **Contact Information**

In case you have any questions about this Privacy Statement, our Cookie Statement or the processing of your personal data by IT&Care, please contact our Data Protection Officer by means of the contact information below.

IT&Care B.V.  
Attn. Data Protection Officer  
Science Park Eindhoven 5127  
5692 ED Son  
Telephone: 040 – 26 01 200  
Email address: [privacy@itandcare.nl](mailto:privacy@itandcare.nl)

### **Where to find this Privacy Statement?**

The Statement is available on and can be downloaded free of charge from the website [www.itandcare.nl](http://www.itandcare.nl)

### **Third party websites**

This privacy statement does not apply to third party websites of which links are included on our website.

### **Modifications**

We reserve the right to modify this Privacy Statement. Modifications will be published on our website. It is recommended to consult this Privacy Statement regularly, so as to be informed of any modifications.

**This Privacy Statement was last updated on 11 July 2022**