

Privacy statement

HumanCapitalCare B.V.

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Glossary

Data subjects

Natural persons to whom personal data refers.

Personal data

Any information about an identified or identifiable natural person. In the context of the health and safety service, this includes medical data, disability information and other personal data relevant to the performance of care tasks.

Pseudonymization

Processing personal data in such a way that the personal data can no longer be linked to a specific data subject without the use of additional data, provided that this additional data is kept separately and technical and organisational measures are taken to ensure that the personal data are not linked to an identified or identifiable natural person.

Processing

An operation or set of operations involving personal data, or a set of personal data, whether or not carried out through automated procedures. This includes collection, recording, organisation, storage, processing, modification, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available as well as blocking, erasure or destruction of data.

Processor

The service that processes personal data on behalf of the controller. In this case, IT&Care processes (special) personal data via application software on behalf of the controller, HumanCapitalCare.

Controller

The service or body which, alone or jointly with others, determines the purpose of and means for processing personal data.

Processing agreement

An agreement between the controller and the processor (IT&Care) setting out arrangements for the processing of personal data. This agreement includes the purposes of the processing, the nature and purpose of the processing, the type of personal data, the categories of data subjects and the obligations and rights of controller and processor.



Introduction

This is the privacy policy of HumanCapitalCare B.V. (hereinafter '**HumanCapitalCare**') and is part of HumanTotalCare B.V.

HumanCapitalCare is an innovative service and healthcare provider. We advise and support employers in implementing integrated health management policies and help employees to remain sustainably employable throughout their working lives. To this end, we offer customised services based on an extensive portfolio of products and services in the field of prevention, absenteeism and interventions with the aim of keeping employees competent, motivated and healthy.

These privacy regulations provide insight into the personal data we process, the purposes for which we process these data and how we handle these personal data. Processing personal data includes the collection, storage, recording, modification, retrieval, consultation or destruction of personal data.

We handle the personal data we process with care and in doing so we comply with the applicable laws and regulations including the General Data Protection Regulation ('AVG'). This means, among other things, that HumanCapitalCare:

- informs you in an understandable and transparent manner about how and for which purposes personal data are processed;
- processes personal data only for specified purposes and bases the data processing on one of the bases mentioned in the AVG;
- takes appropriate security measures to protect personal data against loss and theft;
- informs you of your rights in relation to personal data;
- has appointed a Data Protection Officer who monitors the careful processing of personal data within HumanCapitalCare, supervises compliance with obligations under the AVG and acts as contact person for the Personal Data Authority.

These privacy regulations consist of three parts, namely Part A, B and C.

Part A

As a healthcare provider, HumanCapitalCare processes personal data of its clients' employees. HumanCapitalCare is obliged to process these data, inter alia, under the Working Conditions Act and the Medical Treatment Agreement Act. When HumanCapitalCare provides care to employees, it creates an occupational health file of that employee. Information, including personal data, of the employee is stored in that file.

HumanCapitalCare also uses, aggregated bundled and anonymised to clients, medical data from the occupational health file, for the following purposes:

- (a) Planning and delivery of services (care);,
- (b) Process and quality monitoring of services;,
- (c) Analysing and accounting (internally and externally) for deployment and performance;,
- (d) Ensure and monitor sound financial management and service delivery;,
- (e) Comply with applicable laws and regulations regarding accountability and transparency.



Part B

In addition to employee personal data, we also process a number of other groups of personal data within our organisation, including personal data from our suppliers and personal data from visitors to our website. In **Part B**, we explain how we handle these other groups of personal data.

Part C

The last part contains a number of general provisions. In this part, you can read, among other things, how we secure your personal data and who you can contact with questions about these privacy regulations.

These privacy regulations are established and administered under the responsibility of the management of HumanCapitalCare.



PART A

Personal data processed by HumanCapitalCare

HumanCapitalCare, in its role as healthcare provider, processes the following personal data of employees of its clients.

Personal data, including:

- Name and address details;
- E-mail address;
- Telephone number;
- Date of birth;
- Gender;
- Nursing address of the sick employee;
- Employee ID ;
- Citizen service number.

Special categories of personal data, including:

- Health data, such as the date the employee reported sick, date the employee reported recovered, probable duration of absence, whether any of the safety net provisions of the Sickness Benefits Act apply, whether the employee is covered by the Work and Income (Capacity for Work) Act, whether a sick employee has been involved in a traffic accident and health data collected through questionnaires completed by the employee as part of preventive care;
- Medical data that we process about your health which are covered by medical confidentiality and which are necessary for the assessment of your suitability or unfitness for work, absenteeism and reintegration, such as the nature and cause of the illness and the progress of the treatment, as well as which are necessary for the provision of preventive care to the employee;

Purposes

HumanCapitalCare processes the aforementioned personal data in order to provide services to employers and employees in the field of integral health management, working conditions, absenteeism guidance, reintegration, interventions, prevention, health examinations, examinations, vaccinations and the preparation of numerical client reports on absenteeism.

We may process personal data for research purposes, insofar as this is permitted under privacy laws and regulations. An example is the preparation of reports, such as absence overviews and group reports or (absence) statistics for employers (our clients). We also conduct research to improve our healthcare services to employees. Work in the field of research, analysis and statistics takes place exclusively with data that cannot be traced back to an individual. Reports and statistics for an employer or its employee participation body only contain data at group level and do not contain personal data that can be traced back to an individual.

HumanCapitalCare ensures that personal data is stored securely and cannot be accessed by unauthorised persons. In order to guarantee the quality of our care and improve it where necessary, it is possible for a designated and qualified healthcare professional to inspect personal data stored in medical records. The quality assessment is carried out exclusively by a professional bound by medical confidentiality. Data that cannot be traced back to an individual is used as much as possible. HumanCapitalCare hereby acts in accordance with the guidelines of the Royal Dutch Medical Association ('KNMG').



Legal Basis

HumanCapitalCare processes personal data because it is legally obliged to do so under the Medical Treatment Agreement Act, the Working Conditions Act and contractual obligations with employers and employees. HumanCapitalCare only processes those personal data it needs for the performance of these statutory and contractual obligations, such as the compilation of an occupational health file of each employee it supervises.

HumanCapitalCare processes the Citizen Service Number because it is legally obliged to do so by virtue of the Act on Quality, Complaints and Disputes in Healthcare and the Supplementary Provisions for the Processing of Personal Data in Healthcare Act.

HumanCapitalCare only receives the necessary personal data of employees when the law obliges HumanCapitalCare to do so, i.e. the moment at which the provision of care to an employee starts. If no care is provided, HumanCapitalCare does not have access to employees' personal data. This is guaranteed in the software we make available to employers and employees within the framework of the implementation of integrated health management.

On the basis of a legitimate interest, HumanCapitalCare also processes special personal data for quality tests and customer reports on employee absenteeism. This involves deriving, compiling, preparing numerical information on the basis of the collected occupational health care records, converting/converting individual absence info into aggregated numerical overviews ('summing up') for the client.

In addition to a legal or contractual duty, we may process your personal data if you give us explicit consent.

Retention period

Personal data processed by us on the basis of the Dutch Medical Treatment Contracts Act will be retained by us for at least 20 years after termination of your employment with your employer or after termination of the agreement between your employer and HumanCapitalCare.

When determining the retention period of the personal data processed by us, HumanCapitalCare complies with the general guidelines for the retention and erasure of medical records of the KNMG.

Subject to the KNMG guidelines the following summarised principles apply to the retention and erasure of medical data:

- A. We will retain your personal data during a period of 20 years after:
 - termination of your employment with your employer;
 - termination of our service contract with your employer;
 - your death.

- B. In case of exposure to hazardous substances – depending on the substance to which you have been exposed - we will retain your personal data for 30 or 40 years after termination of your employment with your employer, termination of our service contract with your employer or your death.

- C. After termination of your employment or termination of our service contract with your employer we may receive a request to transfer your personal data to your new occupational physician or health and safety service. In that case we will transfer your personal data related to



current cases of disease to your new occupational physician or health and safety service, after which we will not retain such data any longer. Personal data that relates only to resolved cases of disease will be retained by us during the statutory retention period of 20 years, or 30 or 40 years in case of exposure to hazardous substances. In case of exposure to ionizing radiation, we retain personal data until the employee has reached, or would have reached, the age of 75 years, in accordance with the Decree

D. In cases other than those referred to under A through C we will retain your personal data for a longer period of time in case the law requires us to retain your personal data for a longer period of time or in case longer retention of your personal data should result from due care of a medical practitioner. In addition to that we may retain your personal data for a longer period of time after your express approval.

Transfer of personal data to third parties

Below we will explain in which cases we may transfer your personal data to third parties.

The employer

We may transfer only the following (personal) data of employees to their employer:

- Work which the employee is no longer or still able to perform (functional limitations, remaining possibilities and implications for the kind of work which the employee is still able to perform);
- Expected duration of absence;
- The extent to which the employee is disabled (on the basis of functional limitations, remaining possibilities and implications for the kind of work the employee is still able to perform);
- Any advice on modifications, work-related facilities or interventions which the employer needs to introduce for the reintegration of the employee.

Before we transfer the above data to the employer, the employee will be informed about the content matter of the information to be transferred.

Any other data of that is processed by us is subject to medical confidentiality of the occupational physician and will not be disclosed to the employer, unless the employee has given us express approval to do so. For that purpose the employee will sign an authorisation which is stored in the occupational health file.

The absence statements or group reports which we may transfer to your employer are anonymised and do not contain any personal data.

Intervention parties

We may, after express approval of the employee, make personal data available to persons who are directly involved in the treatment or occupational health support, to the extent that this is necessary for the performance of their duties. This may be for instance a physiotherapist or psychologist to whom the employee is referred in consultation with the occupational physician as part of the reintegration. We transfer personal data to those intervention parties only in case we have made contractual agreements with them on the processing of the personal data of the employee and have permission of the employee to process their data.



UWV

We may transfer personal data to the Dutch Institute for Employee Benefit Schemes ('Uitvoeringsinstituut Werknemersverzekeringen', 'UWV') to the extent that this is necessary for the performance of the duties of UWV under the Dutch SUWI Act ('Wet SUWI'). That may for instance be the case if the employee applies for benefits under the Dutch Work and Income According to Labour Capacity Act ('Wet Werk en Inkomen naar Arbeidsvermogen', 'WIA'). In that case, the occupational physician will provide among other things a current evaluation of the sickness and medical information which are necessary for the insurance physician of UWV to evaluate the medical situation.

Absenteeism insurers

We provide non-medical data to absenteeism insurers, including data on sickness and recovery reports and administrative data, insofar as this data is necessary for the insurer to determine the amount of the benefit.

Netherlands Centre for Occupational Diseases

We are legally obliged to report occupational diseases to the Netherlands Centre for Occupational Diseases for scientific and statistical purposes. We only pass on data that cannot be traced back to an individual.

Provision of data for research, analysis and statistics

If we cooperate with third parties for the purpose of (scientific) research, analysis or statistics, we only provide anonymised data to these third parties to the extent that this is necessary for carrying out research, analysis and/or statistics and this is permitted by law and regulations. Personal data are never provided to third parties in this context.

We may provide personal data to (government) bodies, such as the CBS and the RIVM, if they are authorised or obliged by law to receive personal data from us. We only do so if this is permitted by law and regulations.



Part B

Data of visitors to the HumanCapitalCare website

Categories of personal data

If you visit our website and ask a question or request information from us via the contact form, the following personal data of yours may be processed in the process:

- Name;
- E-mail address;
- IP address

If you register on our website for one of our newsletters, training courses, webcasts or online tool, we may process the following personal data from you:

- Name;
- Gender
- E-mail address;
- IP address
- Name of the organisation you work for;
- Function;
- Telephone number;

If you submit a complaint via our website, the following personal data of yours will be processed in the process:

- Name;
- E-mail address;
- IP address
- Name of the organisation you work for;
- Telephone number;
- Address.

Purposes

HumanCapitalCare processes the above personal data for the following purposes:

- Being able to answer your question
- Being able to handle your complaint;
- Being able to send you requested information;
- Providing the service you requested;
- Processing your subscription to our newsletter and being able to send you our newsletter;
- Enabling your participation in a training or course.

Legal basis

If you contact us via the contact form, submit a complaint or register for a training course, webcast or the use of an online tool, HumanCapitalCare has a legitimate interest in processing the aforementioned personal data. The processing of these data is necessary for the proper handling of your message or complaint, or to enable your participation in the training, webcast or use of the online tool.

If you subscribe to our newsletter, we will only process your personal data after you have given us explicit consent to do so. You can withdraw your consent at any time by notifying us in writing.



Retention period

Personal data of website visitors will be deleted after your request or question has been answered, you have unsubscribed from our newsletter or the training or course has taken place.

Data of suppliers of goods and services to HumanCapitalCare

Categories of personal data

In case HumanCapitalCare enters into a business relationship with a supplier of goods and services for operational (business) purposes, 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

HumanCapitalCare processes the above personal data for the following purposes:

- To process invoices;
- To maintain the business network of HumanCapitalCare.

Legal basis

HumanCapitalCare processes the above personal data because it is necessary to execute agreements with suppliers.

Retention period

We will retain personal data or data carriers containing personal data necessary to fulfil our administration obligations for the statutory retention period.

Other personal data will be deleted after termination of the relationship with our suppliers.

Data of employees of HumanCapitalCare

We process personal data of our employees. We leave the processing of this data out of these privacy regulations. At the time of employment, we explain to our employees how we handle their personal data.

Data of applicants

Categories of personal data

HumanCapitalCare processes the following personal data of job applicants:

- Name;
- Email address;
- Address;
- Telephone number;
- Other data that are or may be important in the context of assessing your suitability as a candidate, for example curriculum vitae, references and testimonials.



Purposes

The above personal data are processed to ensure the smooth running of the job application process, including:

- Being able to contact the applicant to make an appointment or provide feedback;
- Being able to assess the applicant's profile for the position he has applied for.

Legal basis

HumanCapitalCare has a legitimate interest to process the above personal data. The processing of these data is necessary for the application process to run smoothly.

Retention period

The personal data, if the applicant does not join us, will be deleted four weeks after the vacancy is filled, unless the applicant gives permission to keep their personal data longer.

Processing personal data for commercial communication

Categories of personal data

We may use public and designated contact data of (potential) customers for sending information about our services. In that case, we process the following personal data:

- Name;
- Email address;

Purposes

The above personal data are processed to be able to send targeted commercial messages to (potential) clients to provide information about HumanCapitalCare's services and products.

The (potential) client can unsubscribe from receiving commercial communication from HumanCapitalCare at any time.

Legal basis

HumanCapitalCare has a legitimate interest to process personal data of its clients in order to send commercial messages to them. We consider it important to maintain good customer relations and to provide our clients with relevant information.

We will only send commercial messages to potential clients after we have obtained explicit permission from them or if this is permitted under laws and regulations.

Retention period

Your personal data will be deleted if:

- The client no longer has a relationship with HumanCapitalCare;
- A potential client has withdrawn his explicit consent to be allowed to send commercial communications;
- - The (potential) client has unsubscribed from receiving commercial communications from HumanCapitalCare.



PART C

Security

Adequate security of your personal data is very important. HumanCapitalCare takes all reasonable and appropriate technical and organisational measures to safeguard the confidentiality, integrity and availability of your personal data. We process your personal data within the Netherlands. Personal data is not transferred to countries outside the European Economic Area ('EEA').

In order to demonstrably guarantee the security of your personal data, HumanCapitalCare is ISO 9001:2025, ISO 27001:2013 certified and NEN 7510-1:2017 + A1:2020 certified.

If a security incident occurs despite the security measures taken, we will take measures to minimise the impact on your privacy.

Provision of personal data to third parties

Other than stated in Part A, HumanCapitalCare does not actively provide personal data to third parties. If HumanCapitalCare does provide personal data to third parties, HumanCapitalCare will always obtain your prior consent to do so, unless it is not required by law.

Your rights

You have the right to request from us in writing:

- **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 is 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.** If in your opinion, your personal data processed by us is incorrect or incomplete, you may request us to complete or modify your data;
- **Erasure of your personal data.** You may request us to delete your personal data processed by us. 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, we do not comply with the provisions of this Statement or we do not respect your rights with regard to processing of your personal data, you may submit your complaint using the [complaint form](#) on our website. Our complaints procedure applies. The procedure is available on our website.

Cookies

HumanCapitalCare uses cookies on its website. In our cookie statement you can find more information about what cookies are and which cookies HumanCapitalCare uses 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 HumanCapitalCare, please contact our Data Protection Officer by means of the contact information below.

HumanCapitalCare B.V. Attn.
Data Protection Officer
Science Park Eindhoven 5127 5692
ED Son
Telephone: 040-20 66 900
Email address: privacy@humantotalcare.nl

Where to find this privacy statement?

The Statement is available on and can be downloaded free of charge from the website www.humancapitalcare.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 July 2024

