

Keerpunt's Privacy Regulations

Introduction

Keerpunt B.V. (hereinafter referred to as: "Keerpunt") offers a variety of services in the field of occupational health and reintegration. Further information can be found under the section on "*Keerpunt's services*". Owing to the nature of the services it offers, Keerpunt has access to specific personal data of the employer and the employee. In these privacy regulations, we explain how we handle your personal data.

Keerpunt's services

Keerpunt mainly offers two types of service. On the one hand, Keerpunt is a certified occupational health service provider and on the other it provides reintegration services.

Keerpunt is registered with the Chamber of Commerce under number 320761680000. Keerpunt has filed its registration of personal data with the Dutch Data Protection Authority under registration number 1038165.

As an occupational health service provider, Keerpunt provides guidance to employers and employees on absenteeism from the first day of sickness and on working conditions. Preventing absenteeism is an important element of this. Based on the advice of the company medical officer, the best way of achieving reintegration is discussed with the employer and the employee. The focus is on a rapid, but also sustainable, resumption of work. We ensure that the reintegration complies with the requirements of the Eligibility for Permanent Incapacity Benefit (Restrictions) Act and we identify and act on any delays. Where necessary, we also mediate, often on the advice of the company medical officer, in the deployment of specialist service providers to reduce employee absenteeism and/or to boost the employability of the employee.

As a reintegration service provider, Keerpunt plays an important role in reintegration in the event that an employee is sick. Keerpunt assists the employer and the employee in implementing the action plan and the actions that result from it. Keerpunt offers support where it is needed.

Why does Keerpunt have privacy regulations?

Keerpunt considers it vital that your personal data is handled carefully. This means that we process and secure your personal data carefully. You can rest assured that your data is safe with Keerpunt and that we adhere to the applicable legal rules. We have your best interests at heart.

These privacy regulations address the following issues:

- which of your personal data we process and for what purpose;
- who is permitted to access your data;
- how we store your data;
- to whom we pass on your data;
- what influence you can exert yourself.

What does the processing of personal data involve?

Personal data is all the data that can be traced to a natural person.

The interpretation of the term process is broad and includes: collecting, storing, consulting, removing, using and providing data to third parties. When you or a third party share your personal data with Keerpunt, we process it. It goes without saying that you are informed when we process your data. You can find out more in the section on "*Your rights*".

What do these privacy regulations apply to?

These privacy regulations apply to all the personal data of the employer and the employee that Keerpunt processes (wholly or partially automated) in the context of providing services.

These privacy regulations therefore apply to any party using the services of Keerpunt or any party contacting Keerpunt.

Who is responsible for processing your personal data?

The controller determines the purpose of and the means for processing personal data. Keerpunt is the controller within the meaning of these regulations. Keerpunt applies the same privacy regulations to its occupational health and reintegration services, so that you always know where you stand.

Processing your personal data

In the context of our services and to provide you with the best possible service, we require your data. This enables us to assist employers and employees quickly and adequately.

The purpose of processing

Your data will be processed only in accordance with these privacy regulations. This is done properly and carefully and only for explicit, specified and legitimate purposes.

Keerpunt processes your personal data exclusively for one of the following purposes:

- care in relation to working conditions;
- providing guidance for absenteeism;
- reintegration in connection with sickness or occupational disability;
- the implementation of statutory duties that apply to Keerpunt (such as the Working Conditions Act, Regulations governing the Procedure during the first and second year of illness, Eligibility for Permanent Incapacity Benefit (Restrictions) Act, Income (Capacity for Work) Act, the Sickness Benefits Act);
- to conduct customer satisfaction surveys.

Legal basis for processing

Keerpunt is only permitted to process your personal data if we have a legal basis for doing so. The legal bases for processing your personal data are:

- your consent;
- the processing of your data is necessary to comply with a legal obligation;
- the processing of your data is necessary for the purposes of Keerpunt's legitimate interests.

What personal data do we process?

We process and use exclusively the personal data that is necessary for your reintegration and our services. For example, we do not process any information relating to your religion, personal beliefs, race, political persuasion, sexual orientation or data about any trade union membership.

The personal data we process in the context of our services is divided into a number of categories:

Category A

This category concerns data that plays a role in the agreement between us and your employer. This is predominantly process and administrative data, but also some data about your health. The data processed about your health is data that your employer is permitted to process. This includes:

- name and address;
- personnel number;
- business/organisation, department, job, type of employment contract, date of commencement/termination of employment;
- date of birth;
- salary details
- citizen service number (after you have visited the company medical officer)
- date of first day of absence, date of recovery (full or partial) and likely duration of the absenteeism;
- occupational disability percentage or the wage value percentage;
- number of hours per day or per week that you are able to carry out your own or suitable work, stating the start date (build-up schedule);
- whether there is any form of compensation, such as safety net situation or recourse;
- whether there is a suspension or discontinuation of salary;
- whether there is any form of sanction on the grounds of the Sickness Benefit Act or Work and Income (Capacity for Work) Act, if your employer is an own-risk bearer;
- the decision of the Employee Insurance Agency;

- whether and when there has been an intervention;
- costs of the intervention;
- whether an action plan has been prepared;
- whether the activities from the action plan have been carried out on time.

Category B

This is the health data that is necessary for adequate absenteeism monitoring and reintegration and includes:

- opinion of the company medical officer in relation to your reintegration;
- translation of the medical data by the company medical officer into limitations and possibilities;
- reports under the Eligibility for Permanent Incapacity Benefit (Restrictions) Act, such as the action plan and the problem analysis;
- your work capacity: the work you can and can no longer carry out;
- report of the employment expert in which your work capacity is translated into specific possibilities to carry out work;
- advice on any adaptations or work arrangements needed for you;
- advice on an intervention aimed at increasing work capacity;
- reintegration planning process;
- advice on interventions needed to remove or reduce your limitations or to find work or to adapt the work.

Category C

This is the data that is processed in the context of a medical examination or medical treatment by a doctor. In the absenteeism and occupational disability process, the processing of this data is the preserve of the company medical officer, the Employee Insurance Agency's medical adviser and/or Keerpunt's medical adviser or the insurance company's medical adviser. This includes:

- the diagnosis and the treatment data;
- the cause and the nature of your occupational disability;
- information from which the diagnosis and/or the nature and cause of your occupational disability can be derived
- detailed supporting evidence of interventions necessary to remove or reduce your limitations or to finding work or to adapting the work.

The Keerpunt reintegration specialists do not have access to your medical file and do not receive and process any medical information about you. The company medical officer and/or Keerpunt's medical adviser only provide advice and reports, which contain no medical information, to Keerpunt's reintegration specialists. For example, Keerpunt's reintegration specialists only keep data about the progress of the absenteeism monitoring process.

Who has access to your data?

At Keerpunt, unauthorised persons do not have access to your data. Keerpunt stores your data in its digital records. This enables us to retrieve and add information quickly. An employee has access to the part of the system where your data is stored only if needed to carry out his/her work.

With whom can we share your data?

We can only share your data with third parties within the applicable legal rules for processing personal data. If necessary, Keerpunt enlists the assistance of specialists.

Keerpunt will inform you in advance if information is provided to third parties and will inform you what information it has shared.

The following cases could arise:

- Keerpunt can provide your data to third parties that are directly involved in your monitoring or reintegration, only insofar as this is necessary for them to perform their work and we have entered into contractual agreements about how they carry out the work. This is the case, for example, if we engage an external company medical officer or an intervention/provider.
- Your employer only receives information about your absenteeism from the occupational health service if it is permitted by law (category A and B). The reason for your absenteeism cannot be derived from this. No medical data is provided. When providing information to the employer, Keerpunt restricts itself to information that is needed for the employer to assess the continued payment of wages, the absenteeism monitoring or

reintegration. Some examples of reporting include the degree of work capacity, existing possibilities and limitations, reintegration opportunities, required work adaptation or the provision of work.

- Where necessary for the performance of duties, we provide your data to the Employee Insurance Agency.
- We will only provide data to absenteeism insurers relating to your sickness and notification of recovery and other administrative data needed to determine the amount of a benefit.

Keerpunt can also be obliged to provide your personal data based on applicable legal rules or based on a ruling by a competent court. In such a case, Keerpunt is obliged to cooperate.

Keerpunt's organisational obligations

Confidentiality

We assume that your data is always confidential. Each Keerpunt employee is therefore required to maintain confidentiality and signs a confidentiality agreement upon taking up employment with Keerpunt. This also applies to third parties engaged by Keerpunt or who are otherwise appointed to carry out work. In brief, everybody who has an insight into your data has a duty of confidentiality.

Keerpunt's company medical officer and medical adviser have a duty of confidentiality based on doctor-patient confidentiality. Keerpunt's medical adviser only allows third parties to access medical data with your written permission. Furthermore, Keerpunt's medical adviser will not use the medical information he or she receives for purposes other than reintegration, appeal, objection and reassessment procedures.

For how long do we retain your data?

Keerpunt does not retain your data for any longer than necessary or permitted by law. How long specific data is retained depends on the nature of the data and the purposes for which it is processed. This means that the retention period can differ according to the purpose.

The starting point is that the retention period for non-medical data is a maximum of two years, calculated from the date on which Keerpunt closes the file. If your employer is an own-risk bearer, the retention periods are longer. The retention period for medical data is 15 years, calculated from the date on which the data is prepared.

If the retention period has expired, Keerpunt will safely remove and destroy your data. However, if we have processed your data to such an extent that it is not reasonably possible to trace the data to you, we can retain your data in anonymised form. This is how we safeguard your privacy. Keerpunt uses this anonymous data for management information, investigation purposes and benchmarking.

How do we ensure that your data is properly secured?

To guarantee your privacy and the confidentiality of your data, Keerpunt has taken suitable technical and organisational measures. We take these measures to prevent misuse of, and unauthorised access to, your personal data. Examples of Keerpunt's security measures include two-factor authentication, pen tests and the performance of internal and external audits.

Notification of security incidents

If it unexpectedly appears that, in spite of the preventative measures taken, something has nevertheless gone wrong with the protection of your personal data, we will notify the Dutch Data Protection Authority as soon as possible. If the infringement of your personal data has potentially unfavourable or adverse consequences for you, we will inform you as quickly as possible. Keerpunt has an internal procedure for dealing with such incidents. This procedure is tested regularly.

Complaints

Keerpunt tries to support and assist you to the best of its ability. Nevertheless, it is possible that you believe that we have not complied, or not complied adequately, with the provisions in these privacy regulations, or you are dissatisfied with the services offered for any other reason. Keerpunt considers complaints as a unique opportunity to improve the quality of its services. If you are unhappy with the services provided by Keerpunt, you can get in touch with your designated contact.

Your complaint will be dealt with in accordance with our complaints procedure, which you can find by visiting: <http://www.keerpunt.nl/waarom-keerpunt/kwaliteitsbeleid/klachtenprocedure>.

Dutch Data Protection Authority

If you have a complaint in relation to how Keerpunt handles your personal data, you can submit a complaint to Keerpunt. You can also submit a complaint to the Dutch Data Protection Authority. The Dutch Data Protection Authority supervises compliance with the statutory rules for protecting personal data.

The contact details of the Dutch Data Protection Authority are:

Autoriteit Persoonsgegevens
Bezuidenhoutseweg 30
2594 AV Den Haag
0900-2001201

Data protection officer

Keerpunt also has a data protection officer. This role is performed by Ms B. van Cranenburgh. She can be contacted by e-mail via fg@keerpunt.nl.

Your rights

If Keerpunt processes your personal data, you have certain rights by law. These rights are explained below.

Access

You are entitled to access your personal data and to receive a copy of that data. This means that you can ask Keerpunt what personal data it has processed and for what purposes your data is being used. We do not charge for this. We do ask nevertheless that you indicate specifically which personal data you would like to receive.

Right to rectification

You are entitled to rectify data that is incorrect or incomplete. By rectification we understand the rectification of an error or incompleteness. You are also entitled to rectify data if the data is not relevant for the purpose for which we process it or if we have processed your data in contravention of a statutory provision.

We will inform the third party/parties that has/have received your data from us of any rectification, unless this is impossible or would take an unreasonable effort on our part.

Right to erase data

You are entitled to have specific data removed, for example, if your data is no longer needed for the purpose for which we received it, you object to it being processed, or if we have processed your data unlawfully. However, we cannot always remove all requested data because in some cases we are obliged to retain specific data.

Right to restriction of processing

You are entitled to restrict the processing of your data. The right to restriction means that we are not permitted to process and alter your data for a period of time. This is the case if you contest the accuracy of the data, if you believe that the personal data is no longer necessary for the purposes or if you believe that Keerpunt has processed your personal data unlawfully.

Right to object

You can object to the processing of your personal data by Keerpunt if your personal data is used for purposes other than are necessary for the implementation of an agreement or necessary to comply with statutory obligations.

Right of data portability

You have the right to have Keerpunt transfer your data to another organisation. This is digital data only and data we process with your permission.

How can you exercise your rights?

If you wish to exercise your rights, you can get send an e-mail to fg@keerpunt.nl with an explanation of the right you wish to exercise. You can also send us a letter, including your name, e-mail address, address and telephone number and your date of birth for identification purposes. We will respond within five working days with confirmation of your request and within a month with a detailed response to your request.

We can reject excessive information requests. Excessive requests are the case if, for example, if you approach us with information requests more than average and necessary.

Finally

Keerpunt attaches great value to the quality of its services and how it processes your personal data. Internal procedures and work processes are checked regularly, and tightened where necessary to comply with current legislation.

Where can you find the most recent version of our privacy regulations?

These privacy regulations (2018 version) were adopted on 25-05-2018 and supersede all other versions. The privacy regulations may change from time to time. We recommend therefore that you read our privacy regulations regularly. You can access the most recent version of the privacy regulations from: www.keerpunt.nl/privacy.

Contact details

If you have any questions or comments about our privacy regulations, please do not hesitate to contact us:

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