

# **PRIVACY STATEMENT**

## ArboNed B.V.

Version 2.1  
Classification: public

ArboNed B.V. is part of HumanTotalCare and registered with the Chamber of Commerce under reference number 30120994.

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## Introduction

This is the privacy statement of ArboNed B.V. (hereinafter referred to as 'ArboNed').

This privacy statement provides insight into the personal data we process, the purposes for which we process this data and how we handle this personal data. Personal data processing comprises the collection, storage, recording, modification, retrieval, consultation and destruction of personal data.

ArboNed is an innovative service provider and healthcare provider. We prevent and reduce sickness absence, minimise occupational risks and ensure healthy and motivated employees. In that context, we offer various products and services in areas such as prevention, sickness absence and interventions.

We handle the personal data we process with care and in accordance with the applicable laws and regulations, including the AVG<sup>1</sup>. This means, among other things, that ArboNed:

- informs you in a comprehensible and transparent manner about how and for what purposes personal data is processed;
- only processes personal data for specific purposes, based on one of the principles stated in the GDPR;
- takes appropriate security measures to protect personal data against loss and theft;
- informs you about your rights with regard to your personal data;
- has appointed a Data Protection Officer who monitors the careful processing of personal data within ArboNed, monitors compliance with the obligations under the GDPR and acts as a contact person for the Dutch Data Protection Authority ('Autoriteit Persoonsgegevens').

This privacy statement consists of three parts, namely parts A, B and C.

### Part A

As a healthcare provider, ArboNed processes personal data of its customers' employees. The Working Conditions Act ('Arbeidsomstandighedenwet') and the Medical Treatment Contracts Act ('Wet op de geneeskundige behandelingsovereenkomst'), among others, oblige ArboNed to process this data. When ArboNed provides employees with care, it creates an occupational health file for these employees. Data of said employees, including personal data, is stored in those files. This privacy statement explains how we deal with the personal data of the employees to whom we provide care in this context. You can read this in [Part A](#) of this privacy statement.

### Part B

In addition to employee personal data, our organisation also processes a number of other groups of personal data of data subjects, including personal data of our suppliers and personal data of visitors to our website. [Part B](#) explains how we deal with these other groups of personal data.

### Part C

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

This privacy statement is established and managed under the responsibility of the management of ArboNed.

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<sup>1</sup> The AVG is the Dutch equivalent of the General Data Protection Regulation (GDPR).

## **Part A**

### **Categories of personal data**

In its role as a healthcare provider, ArboNed processes the following personal data of employees of its customers.

- Personal data, including:
  - Name and address data;
  - E-mail address;
  - Telephone number;
  - Date of birth;
  - Sex;
  - Nursing address of the sick employee;
  - Employee ID<sup>2</sup>;
  - Citizen Service Number.
- Special personal data, including:
  - Health data, such as the date of the sickness report, the date of the return-to-work report, the probable duration of the sickness absence, whether any of the safety net provisions of the Dutch Sickness Benefits Act ('Ziektewet') apply, whether the employee falls under the Dutch Work and Income according to labour capacity Act ('Wet Werk en Inkomen naar Arbeidsvermogen') or whether a sick employee has been involved in a traffic accident and health data that is collected via questionnaires that the employee completes for the purposes of (preventive) care;
  - Medical data that we process in relation to an employee's health and that is necessary for the assessment of his or her fitness or incapacity for work, absence support and rehabilitation, such as the nature and cause of the illness and the progress of the treatment, as well as any data required for providing preventive care to the employee;
  - Employee data registered by the confidential counsellor in the confidential counsellor file, i.e. actions undertaken, findings and advice given.

### **Purposes**

ArboNed processes the aforesaid personal data to be able to perform its services for employers and employees in the fields of working conditions, absence support, rehabilitation, interventions, prevention, health checks, tests and vaccinations.

We may further process personal data that we collect for the purpose of providing care for analysis, statistics and research, to the extent permitted under the relevant privacy laws and regulations. One example of this is the preparation of reports, such as sickness absence overviews and group reports or (sickness absence) statistics for employers (our customers). We also conduct research to improve our care to employees. Activities in the fields of research, analysis and statistics only involve data that cannot be traced back to a person. If required by law, we will ask the employee for permission in advance.

### **Basis**

As a healthcare provider, ArboNed processes the personal data of employees, because it is legally obliged to do so under, among other things, the Medical Treatment Contracts Act ('Wet op de geneeskundige behandelingsovereenkomst') and the Working Conditions Act ('Arbeidsomstandighedenwet').

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<sup>2</sup>This means the Employee ID, or any other coding specific to an employee that replaces the Citizen Service Number as a key value, as described in the 2017 National Sickness Absence Standard. This standard is endorsed by occupational health and safety services affiliated to the OVAL industry organisation and managed by Stichting Sivi.

ArboNed processes Citizen Service Numbers because it is legally obliged to do so on the basis of the Act containing Additional Provisions on the Processing of Personal Data in the Healthcare Industry ('Wet aanvullende bepalingen verwerking persoonsgegevens in de zorg').

ArboNed only obtains the necessary personal data of employees when the law requires ArboNed to do so, viz. the moment when the provision of care to an employee starts. If no care is provided, ArboNed will have no access to personal data of employees. This is also guaranteed by the software that is made available to employers and employees in the context of our services. We can also process personal data after the employee has given us explicit permission to do so.

### **Retention period**

Personal data that we process on the basis of the Medical Treatment Contracts Act is retained for up to 20 years after termination of your employment with your employer or after termination of the agreement between your employer and ArboNed.

In some cases, we may need to keep your personal data for a longer or shorter period. ArboNed conforms to the general guidelines for the storage and deletion of medical data of the Royal Dutch Medical Association (KNMG).

Subject to the KNMG guidelines, the following principles apply to the storage and deletion of medical data:

- A. We retain your personal data for a period of 20 years after:
  - You have left the employment with your employer.
  - Our service contract with your employer has ended.
  - Your death.
- B. In the event of exposure to hazardous substances, we will retain your personal data, depending on the substance you are exposed to and based on specific legislation, for 40 years after you left the employment with your employer, after our service contract with your employer has ended, after the last change is made to your file or after you died. In special circumstances such as exposure to ionising radiation in accordance with the Radiation Hygiene Decree (Article 100), we will retain your personal data until you have reached or would have reached the age of 75.
- C. After you have left the employment or after our service contract with your employer has ended, we may receive a request to transfer your personal data to your new company doctor or occupational health and safety service. In that case, we will transfer your personal data relating to current cases of illness to your new company doctor or occupational health and safety service, after which we will no longer retain this data. We retain personal data that is solely related to closed cases of illness for the statutory period of 20 or 40 years in the case of exposure to hazardous substances or in special circumstances such as exposure to ionising radiation in accordance with the Radiation Hygiene Decree (Article 100) until the employee has reached or would have reached the age of 75.
- D. Notwithstanding the cases referred to under A to C, we will retain your personal data for a longer period if the law requires us to do so or if the need for prolonged retention of your personal data period arises from the care of a good care provider. In addition, we may retain your personal data for a longer period of time with your explicit consent.

## **Access to personal data of employees**

Only employees who, because of their duties, need access are authorised to access personal data. Authorisation is based on employee roles.

Medical data covered by professional secrecy are only accessible to the company doctor and members of his or her treatment team. In doing so, ArboNed conforms to the general guidelines as described in the Netherlands Society of Occupational Medicine (NVAB) and the Royal Dutch Medical Association (KNMG).

1. As regards sickness absence services, the treatment team consists of:
  - the (company) doctor (person ultimately responsible);
  - the process director, the rehabilitation and prevention consultant or the regional team assistant;
  - the persons referred to above, sometimes supplemented by a Senior Practice Nurse or an Occupational Health Nurse.
2. As regards the examination, the treatment team consists of:
  - examining doctor (person ultimately responsible);
  - examination assistant;
  - vitality and health expert;
  - The persons referred to above, sometimes supplemented by the Company Doctor, a Senior Practice Nurse or an Occupational Health Nurse.
3. In the following situations, another (company) doctor, examination doctor or another member of another treatment team will have access to the medical data:
  - a. for the duration of replacement during illness and absence;
  - b. when an officer from the treatment team is succeeded by a new colleague.
4. The confidential counsellor only has access to the registration of confidential data in the confidential counsellor file with regard to the work performed by him or her.
5. Access (authorisation) is granted and changed according to a fixed procedure and subject to approval by the manager(s). The Quality and Application Management departments carry out checks on the origin of conflicting authorisations. Any conflict will be assessed by the Data Protection Officer.
6. If an employee leaves the employment, the manager(s) will instruct the Application Management department to close the account, thus blocking access to the applications and, as such, to personal data.
7. To examine files for quality purposes or within the framework of supervision of a treatment team officer, a senior professional/company doctor designated for this purpose may have access to the (special) personal data of the employee. The senior professional/company doctor always shares his or her findings with the treatment team officer. The aim is to give the employee the best possible service.
8. Only if necessary for (technical) management and maintenance can IT employees who have been designated for this purpose gain access to personal data.

## **Provision of personal data of employees to third parties**

Below, we explain in which cases we may provide personal data of employees to third parties.

### **Employer**

We may only provide the following (personal) data of employees to their employers:

- A. The work an employee is no longer or still able to do (functional limitations, residual capacity and implications for the type of work the employee can still do);
- B. The expected duration of the sickness absence;
- C. The extent to which the employee is incapacitated for work (based on functional limitations, residual capacity and implications for the type of work the employee can still do);
- D. Any advice on adjustments, work arrangements or interventions that the employer must make for the employee's rehabilitation.

The relevant employee will be notified about the content of the information we provide to his or her employer.

All other information we process will be subject to the medical confidentiality of the company doctor and will not be disclosed to your employer, unless the employee has given us express permission to do so.

The absence overviews or group reports we provide to the employer are anonymised and do not contain any personal data that can be traced back to individual employees.

### **Intervention parties**

We may provide your personal data to individuals directly involved in your treatment or occupational health counselling, to the extent necessary for the performance of their duties, subject to approval from the employer. For example, this may be a physiotherapist or psychologist to whom an employee is referred in consultation with the (company) doctor with a view to his or her rehabilitation. We only provide personal data to these intervention parties to the extent that they are authorised to that end and we have made contractual arrangements with them about the processing of the employee's personal data.

### **The Employee Insurance Agency**

We may provide personal data to the Employee Insurance Agency ('UWV') insofar as this is necessary for the performance of the agency's duties under social insurance laws and the Work and Income (Implementation Organisation Structure) Act ('SUWI'). This is the case, for example, if an employee applies for benefits under the Work and Income (Capacity for Work) Act ('WIA'). In that case, the (company) doctor will provide an up-to-date assessment of the illness and special personal data necessary for the insurance agency's medical adviser to assess the medical situation.

### **Sick leave insurers**

On behalf of the employer, we can provide the employee's personal data to the sick leave insurer, insofar as this personal data is necessary to determine the amount of the benefit during the period in which the employer is obliged to continue to pay the sick employee's wages. Examples of this data are sickness and return-to-work reports and the degree of incapacity for work. Under the GDPR Implementation Act and the SUWI Decree, the employer is obliged to provide this information to the sick leave insurer.

### **Dutch Centre for Occupational Diseases**

We are obliged by law 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.

### **Transfer of data for the purpose of research, analysis and statistics**

In case we cooperate with third parties for the purpose of (scientific) research, analysis or statistics, we will transfer to these third parties only anonymised data to the extent that this is necessary to conduct the research, analysis and/or statistics and only insofar this is permitted by law. Personal data will never be made available to third parties for this purpose.

We may transfer personal data to (public) institutions, such as Statistics Netherlands ('Centraal Bureau voor de Statistiek') and the National Institute for Public Health and the Environment ('Rijksinstituut voor Volksgezondheid en Milieu'), in case such institutions are, based on their legal duties, allowed or obliged to receive personal data from our organisation. We only do so in case there exists a legal basis for the transfer.

## Part B

### Data of visitors to the ArboNed website

#### Categories of personal data

- If a visitor to the ArboNed website contacts us via the contact form, for example, with a request for information, we process the following personal data:
  - Name;
  - E-mail address.
- If a visitor to our website registers for one of our newsletters, training courses, webcasts or other online tool, we process the following personal data:
  - Name;
  - E-mail address;
  - Organisation you work for;
  - Job title;
  - Telephone number;
  - Address.
- If a visitor to our website reports a complaint, we will process the following personal data about you:
  - Name;
  - E-mail address;
  - Organisation you work for;
  - Telephone number;
  - Address.

#### Purposes

ArboNed processes the above personal data for the following purposes:

- to answer the question;
- to handle your complaint;
- to send you the requested information;
- to provide the service you have requested;
- to process your subscription to our newsletter and to send you our newsletter;
- Enabling your participation in a training course or programme.

#### Basis

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

If you register for 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 visitors to the website will be removed once the request or question has been answered, the comment has been processed, once the relevant person unsubscribes from our newsletter or once the training or course has ended.

## **Data of suppliers of goods and/or services to ArboNed**

### **Categories of personal data**

If ArboNed enters into a business relationship with a supplier, the following personal data may be processed:

- First name and surname;
- E-mail address;
- Business telephone number;
- Business address and place of residence;
- Job title;
- Name of the company you work for;
- CoC number and/or VAT number (if applicable);
- Bank account number (if applicable).

### **Purposes**

ArboNed processes the above personal data for the following purposes:

- to process invoices;
- to maintain the business network of ArboNed

### **Basis**

ArboNed processes the above personal data for the purpose of performing agreements with suppliers.

## **Retention period**

We retain personal data or data storage media containing personal data that is necessary to fulfil our administration obligation for the statutory retention period. Other personal data will be removed upon termination of the relationship with our suppliers.

## **Data of ArboNed employees**

We process personal data about our employees. The processing of this data is disregarded in this privacy statement. At the time of employment, we explain to our employees how we handle their personal data.

## **Data of applicants**

### **Categories of personal data**

ArboNed processes the following personal data of applicants:

- Name;
- E-mail address;
- Street address;
- Telephone number;
- Other information that is or maybe relevant to assessing your suitability as a candidate, such as curriculum vitae, references and certificates.

## Purposes

The personal data referred to above is processed to ensure a smooth application procedure, including:

- Being able to contact the applicant to schedule an appointment or give feedback;
- Being able to assess the applicant's profile for the position for which he or she has applied.

## Basis

ArboNed has a legitimate interest in processing the personal data referred to above. The processing of this data is necessary to ensure a smooth application procedure.

## Retention period

If the applicant is not recruited, the personal data will be removed four weeks after the vacancy was filled, unless the applicant consents to retaining his or her personal data for a longer period.

## Processing of personal data for commercial communication

### Categories of personal data

We can use (public and intended) contact details of (prospective) customers to send information about our services. In that case, we will process the following personal data:

- Name;
- E-mail address.

## Purposes

The above personal data is processed to be able to send targeted commercial communications to (prospective) customers containing information about ArboNed's services and products.

The (prospective) customer can unsubscribe from commercial communications from ArboNed at any time.

## Basis

ArboNed has a legitimate interest in processing the personal data of its customers in order to send them commercial messages. We believe it is important to maintain good customer relationships and to provide our customers with relevant information.

We will only send commercial communications to prospective customers after we have obtained their express consent or are permitted to do so according to the relevant laws and regulations.

## Retention period

The personal data will be removed if:

- the customer no longer has a relationship with ArboNed.
- a (prospective) customer has withdrawn his or her express consent for sending them commercial communications.
- a (prospective) customer has unsubscribed from commercial communications from ArboNed.

## Part C

### Security of personal data

Effective security of your personal data is of paramount importance. ArboNed takes all appropriate technical and organisational measures to secure the confidentiality, integrity and availability of your personal data.

In order to demonstrably guarantee the security of your personal data, ArboNed is ISO 9001:2015 certified and operates in accordance with ISO27001.

If a security incident does occur despite the security measures we have in place, we will take measures to minimise the impact on your privacy.

### Provision of personal data to third parties

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

### Rights of data subjects

You have the right to send us written requests for:

- **Access to your personal data.**

You can ask us whether we process personal data about you. If that is the case, we will explain which personal data we process about you, how we do this and for what purposes. You can also ask us to provide you with a copy of the personal data we process about you.

- **Rectification of your personal data.**

If you believe the personal data we process about you is incorrect or incomplete, is not relevant for the purpose of the processing or is used in violation of the law, you can ask us to supplement or change your details.

- **Erasure of your personal data ('right to erasure').**

You can ask us to remove the personal data we process about you. We will remove your data without undue delay upon receipt of a request to do so if:

- the data is no longer needed for the purpose for which we processed it.
- you no longer give us permission to process your personal data.
- you object to the processing of the personal data and we have no reason to process the data any longer.
- we have processed the data for direct marketing purposes.
- the personal data should not have been processed by us ('unlawful processing').
- the law requires us to erase the personal data.

If there is a legal obligation to retain, we may not remove personal data, despite a request to the contrary.

- **Restriction on the processing of your personal data.**

You can ask us to restrict the processing of your personal data. We will comply with such a request in the following cases:

- You believe the data we process about you is incorrect. We will not use this personal data until the data has been checked and adjusted or supplemented if necessary.
- We should not have processed the personal data, but you do not want us to erase your personal data (completely).
- We no longer need your personal data, but you still want to be able to use this data to file a claim or initiate legal proceedings.
- You object to our processing of your personal data and we have not yet assessed this objection.

If there is a restriction on the processing of your personal data, we will only process this data with your consent. We will inform you before the restriction is lifted.

- **Transfer of your personal data.**

You can ask us to provide you with a copy of the personal data we process about you. We will provide you with a copy in a common format that can be used if, for example, you wish to transfer the data to another service provider, such as another occupational health and safety service.

If this is technically possible for us and you so wish, we can transfer the personal data directly to your new service provider.

### **Notification**

At your request, we can rectify or erase your personal data or restrict the processing thereof. It is possible that we have provided the personal data to which your request relates to a third party. If we have rectified or erased your personal data or restricted the processing thereof, we will inform these third parties, unless we are unable to do so. We will provide you with information about these third parties, at your request.

### **Right to object**

You also have the right to object in writing to the processing of your personal data. If you object, please explain to us why you do not agree with the processing of your personal data.

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

Requests that you send to us on the basis of the above rights will be dealt with as soon as possible, yet in any case within one month of receipt. We may need more time to process your request. If that is the case, we will inform you within at least one month of receiving your request. In that instance, we may extend the period within which your request is handled by a maximum of two months.

If we do not or cannot comply with your request, we will notify you in writing within at least one month of receipt of the request, supported with reasons. In that case, you have the right to submit a complaint to the Dutch Data Protection Authority.

### **Complaints Procedure**

If you are not satisfied with the way in which we process your personal data, feel free to contact us. Alternatively, you have the right to lodge a complaint with us. Please refer to the [complaints procedure](#) on our website.

You do also have the right to submit a complaint to the Dutch Data Protection Authority. However, we would like to ask you to first contact ArboNed in the event of complaints or comments, so that we can try and find a solution with you.

### **Cookies**

ArboNed uses cookies on its website. In our [cookie statement](#), published on our website, you can read more about what cookies are and which cookies ArboNed places on its website.

## **Contact Information**

If you have any questions about our privacy statement, our cookie statement or the processing of your personal data or your rights, please contact our Data Protection Officer using the contact details below.

ArboNed B.V.  
Attn. Data Protection Officer  
Postbus 85091  
3508 AB Utrecht  
Telephone number: 030 - 299 62 99  
E-mail address: [privacy@arboned.nl](mailto:privacy@arboned.nl)

## **Where to find this privacy statement?**

The most recent version of the privacy statement can be viewed and downloaded from our website [www.arboned.nl](http://www.arboned.nl).

## **Third-party websites**

This privacy statement does not apply to websites of third parties linked to our website by means of hyperlinks.

## **Modifications**

We reserve the right to change this privacy statement. Any changes will be published on our website. We therefore recommend consulting this privacy statement regularly, so you are aware of any changes.

**This privacy statement was last updated on 14 September 2022**