

**PRIVACY STATEMENT by TelePHON.digital BV pertaining to the  
'TelePHON.digital' digital platform  
Version December 2019**

TelePHON.digital BV is committed to protecting your personal data and to respecting your privacy.

This Privacy policy (or privacy statement) aims to provide unambiguous and transparent information about which data we collect and how we manage personal data. We make every effort to safeguard your privacy and consequently handle personal data with the greatest of care. TelePHON.digital BV shall in any event comply with applicable laws and regulations, as set out in Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 concerning the protection of individuals with regard to the processing of personal data and the free movement of such data and repealing Directive 95/46/EC, hereafter referred to as the General Data Protection Regulation (GDPR).

As TelePHON.digital BV we are responsible for the processing of your personal data. If, after reviewing our privacy statement, you have further questions concerning the processing of your personal data or exercising your rights, please use the contact data provided at the end of this privacy statement.

The GDPR imposes the following requirements upon TelePHON.digital BV:

- to process your personal data in accordance with the purpose for which they have been provided; these purposes and types of personal data are described in this Privacy Statement;
- the processing of your personal data shall be limited to the minimum required for the purposes for which the data is processed;
- in extraordinary cases your specific consent shall be required for the processing of your personal data;
- appropriate technical and organisational measures shall be implemented to ensure that your personal data is secure and to reduce the risk of data leaks;
- personal data shall not be transmitted to third parties, unless this is necessary for the fulfilment of the purposes for which they have been provided;
- TelePHON.digital BV shall be aware of, notify you and respect your rights concerning your personal data.

By using TelePHON.digital you agree that we collect and process your personal data in accordance with the following privacy statement. Users are advised to read this privacy statement in detail before using TelePHON.digital.

By clicking on "I agree with the privacy statement", the User acknowledges that their use of the TelePHON digital platform is governed by this privacy statement.

## Definitions (also refer to the definitions in the general terms and conditions)

The following terms and expressions shall be understood as follows:

Statement: this privacy statement

TelePHON.digital: the 'TelePHON.digital' digital platform

TelePHON.digital BV: the legal entity behind TelePHON.digital

User: any private or professional user

Third party: any natural or legal person or any entity who/that is not a User or service provider.

General Terms and Conditions of Use: the general terms and conditions governing the use of the TelePHON.digital web application.

Personal data: any information concerning an identified or identifiable individual such as surname, first name, address, date of birth, national register number, telephone number, e-mail address, billing address.

Health and welfare data: personal data relating to a person's health or welfare, e.g. medical and paramedical diagnoses, results of training courses and exercises, audio & video recordings.

Party responsible for processing the data: the legal entity that determines the effectiveness and means of processing personal data in accordance with this statement, in this case TelePHON.digital BV. TelePHON.digital BV is the party responsible for the processing of personal data specifically processed in connection with the services of TelePHON.digital (also refer to the general terms and conditions). In some cases third parties may be engaged for data processing purposes, in which case they will be responsible for the processing of data for those specific purposes.

Processing shall refer to: any operation or set of operations, executed with or without support from automated processes and applied to personal data, such as the collation, registration, organisation, storage, adaptation or amendment, extraction, consultation, use, communication by transmission, dissemination or any other form of provision, association or linking as well as the locking, erasure or destruction of personal data;

DPO: the Data Protection Officer (DPO) monitors whether personal data is managed correctly, in accordance with the General Data Protection Regulation (GDPR).

## WHAT DATA DO WE PROCESS?

TelePHON.digital processes personal data, health and welfare data as well as audio and video material.

## WHY DO WE PROCESS DATA?

TelePHON.digital BV collects personal data in order to improve its services and comply with legal and contractual obligations.

The purposes of this data collection are as follows:

- to allow you to access TelePHON.digital via a personal account, which you must manage;
- to contact you quickly if necessary or answer any questions you might have. We may have to use your identification data (including your full name, home address, e-mail address, telephone number) to send interesting information about our products to you directly;
- to safeguard the technical administration and security of TelePHON.digital;
- to gather/produce scientific and historical data analyses and statistics relating to your performance on the platform, or determine your location or region in order to optimize these data analyses and generate/display appropriate information;
- to store and/or process the data to safeguard the compatibility of your electronic patient record (EPB), in particular with respect to health and welfare data. TelePHON.digital is not a medical dossier as such and only retains your data for a limited period of time.
- to create user type profiles to maximise personalization in our services;
- to process information in order to enable payment where appropriate and to combat fraud. Irregular or abnormal use may also lead to special processing measures;
- to apply relevant applicable legislation, particularly in the event of unlawful or suspicious use of TelePHON.digital;
- to give professional health partners working with your dossier access to your online profile to help them improve the quality of their services.

If you prefer not to receive this information (and/or other processing data), you can notify us accordingly at any time by sending an e-mail to: [info@telephon.digital](mailto:info@telephon.digital). Optional information that you have provided voluntarily, such as feedback and interest in our apps and platforms, and the history of any written communications, can also be stored and processed in order to facilitate the management of our relationship with you.

Exceptionally, and in accordance with the General Data Protection Regulation (GDPR) in force in Belgium, your data may be processed for secondary purposes, which are deemed compatible with the primary purposes. TelePHON.digital BV may process the data as follows:

- "Anonymize/Pseudonymize", by removing identifiable characteristics such as name and e-mail address and masking data for the purposes of market research or for other professional objectives.
- "Disclosure", if necessary to (a) comply with applicable laws or a court order (b) to protect and uphold our rights and the rights of all TelePHON.digital users.

## HOW AND WHEN DO WE PROCESS DATA?

TelePHON.digital collects data via various channels, in particular from

- subscriptions to the newsletter;
- the registration and creation of accounts;
- the use of the platform, whether or not at the request of a healthcare provider;
- by saving the results of a specific exercise, including audio and video clips. This implies that this data may be analysed.
- the use of the telecommunications and chat modules;
- the use of the web shop;
- direct communications e.g. by e-mail, regular mail or telephone.

## WITH WHOM DO WE SHARE DATA?

The data listed above is only accessible by our service partners, insofar as it is strictly necessary for their purposes. All TelePHON.digital employees and partners must maintain confidentiality with respect to any personal data we process.

Your data will not be transferred to a third party without your consent, with the exception of subcontractors (including our "cloud" service provider and our professional partners, who are strictly necessary for the operation of our applications). The above mentioned subcontractors will only act upon our instruction and on our behalf, with the exception of professional health partners. TelePHON.digital respects therapeutic and (para)medical freedom, including any related rights and obligations of the healthcare provider.

Scientific and historical data analyses and statistics can be transferred providing they are anonymised.

TelePHON.digital BV reserves the right to disclose personal information at the request of an administrative or judicial authority or if we believe in good faith that such disclosure is required:

- To comply with applicable laws or regulations;
- To protect or defend our rights and interests in litigation;
- If justified by compelling circumstances, to protect the personal safety of our users, our services or our public.

The list of subcontractors your data will be transmitted to, their field of operation, the intended purpose and, where applicable, the country in which the data is stored can be obtained via [info@telephon.digital](mailto:info@telephon.digital).

Except in the cases mentioned above, we shall not communicate personal data to third parties without your consent.

## HOW LONG DO WE KEEP AND CAN WE PROCESS YOUR DATA?

Personal data will be stored and processed during the legally required period or for as long as necessary for processing purposes or for the contractual relationship between the user and TelePHON.digital BV. The user shall be entitled to stop using TelePHON.digital and / or delete the account at any time. If the user does not exercise their right of deletion, their personal data will be retained for as long as their account is active and for the next 3 years.

Personal data processed within the context of TelePHON.digital shall be stored:

- For the duration of our contractual relationship;
- Invoicing data shall be retained for 5 years;
- For the time strictly necessary for the fulfilment of our legal and contractual obligations, as part of your registration/application;
- Personal data of a health or welfare nature, such as results of exercises, audio and video recordings shall be stored in the cloud for 2 years. However, the professional user with

whom you have a therapeutic relationship shall be able to store and retain this data locally (not in the cloud), if it is deemed necessary for the purposes described above. Prior to this, the professional user shall request additional & specific consent.

TelePHON.digital is not a (para)medical record and does not have to comply with the legal 30 year data retention standard. In accordance with Belgian law, the Act dated 22 August 2002 concerning patients' rights and the Royal Decree dated 3 May 1999 concerning general medical records, your data can be transferred to the electronic patient record, in order to maintain a correct, complete and up-to-date medical record. In the event of a dispute, data may be retained longer than the deadlines stated above for legal defence purposes. In such cases the retention of relevant data may be extended to the level necessary for the specific dispute and until its final settlement.

## HOW DO WE GUARANTEE THE SECURITY OF YOUR DATA?

TelePHON.digital makes every effort to effectively protect your personal data from unauthorized use and leaks. To this end we employ physical, organizational, technological, administrative and appropriate measures, including but not limited to the following:

- Data encryption and security using recognised transmission processes;
- Data hosting on a European server in accordance with current security standards and certificates;
- Pseudonymisation or anonymisation during processing where applicable;
- Limiting staff members' access to the systems of TelePHON.digital BV in line with their job/position.

## YOUR RIGHTS

TelePHON.digital BV is committed to protecting your personal data and to respecting your privacy. Being a service provider, we would ask that if you identify an irregularity or you have questions of any kind, please contact us via [info@telephon.digital](mailto:info@telephon.digital), or by post to the address at the end of this statement. A Data Protection Officer (DPO) will be happy to help you.

Whatever happens, you will have

- a right of access, information and rectification, at any time, with respect to our operating/processing methods, our objectives, retention periods, agreements with third parties (including other countries or international operations). If you invoke the right of rectification, you must provide appropriate details. TelePHON.digital BV shall make every effort to implement rectifications within an acceptable time period, taking into account potential discrepancies with the rights and freedoms of others.
- a right to request that the processing of your data be limited, if you dispute the correctness of the data, irrespective of whether you have lodged an objection, or you are awaiting an assessment of the objection.
- a right to object and / or delete your data, via [info@telephon.digital](mailto:info@telephon.digital) or by post to our address at the end of this statement. TelePHON.digital BV will respond within an acceptable time period and as soon as possible in writing.
- a right to transfer data. You can also request that we transfer your data, in the format we employ, to third parties specifically stipulated in writing, via [info@telephon.digital](mailto:info@telephon.digital) or by post to the address at the end of this statement.
- a right to accept or refuse our Cookie Policy. A cookie is a type of file stored on your computer that enables us to monitor your (navigational) behaviour on our website. Cookies help us to improve, speed up, etc. our services. Further information concerning our Cookie Policy can be found under 'Cookie Policy' in the bottom section of our website.

## QUESTIONS & COMPLAINTS

TelePHON.digital BV employs a Data Protection Officer (DPO), in accordance with Article 37 of the GDPR. Any questions, objections, comments and/or complaints should be sent via [info@telephon.digital](mailto:info@telephon.digital) or by post to our address at the end of this statement and addressed to the DPO.

In extremis you can also lodge a complaint with the Data Protection Authority (DPA) sent to the following address: Rue de la Press 35 - 1000 Brussels - Telephone 02 / 274.48.00 - or via their website: <https://www.dataprotectionauthority.be/>.

## AMENDMENTS

This privacy statement may be modified, supplemented or corrected at any time for various reasons. The most recent version can always be consulted on our website [www.telephon.digital](http://www.telephon.digital).

## APPLICABLE LAW AND COMPETENT COURTS

These Terms and Conditions of Use shall be governed exclusively by, and should be interpreted in accordance with, applicable Belgian law, irrespective of any conflicting legislation or regulations. The courts and tribunals of East Flanders, department Ghent, shall have exclusive jurisdiction in the event of a dispute relating to the Product.

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