

**arbo
unie**

mkbasics
arbo unie

belife
arbo unie

 **Port
Health
Centre**

Privacy statement

Arbo Unie B.V. and its labels mkbasics,
belife, and Port Health Centre

November 2024

Table of contents

Foreword	3
Explanation of privacy statement	5
What are personal data?	5
Purposes of personal data processing	7
Basis for processing personal data	10
What personal data does Arbo Unie process?	12
From whom does Arbo Unie receive personal data?	16
With whom does Arbo Unie share your personal data?	17
How long does Arbo Unie keep your personal data?	20
What are the key measures to secure your personal data?	21
What are your rights?	22

Foreword

Arbo Unie fosters the vitality and health of working people to help organisations become more successful. We want to help people feel comfortable by improving safety and working conditions. This creates engaged and motivated people who are empowered and enjoy the work they do and the life they lead. Each label contributes to this from its own perspective and field of expertise.

This privacy statement provides information about the personal data that Arbo Unie processes and how these data are protected. This privacy statement describes the processing of personal data of clients (i.e. employees), customers (i.e. employers), and visitors to Arbo Unie websites. In addition, this privacy statement tells you what rights you have under privacy legislation and how you can invoke these rights with Arbo Unie.

This privacy statement applies to all Arbo Unie labels:

- Arbo Unie
- mkbasics
- belife
- Port Health Centre

In this privacy statement, 'Arbo Unie' refers to all these labels.

In this privacy statement, we inform you about how Arbo Unie and its labels handle personal data and how we fulfil the rights and obligations arising from this.

We are aware of the importance of confidentiality of information and personal data. This awareness is reflected by our proactive policy. Arbo Unie itself also actively contributes to the development of industry-wide privacy guidelines and standards. A team of privacy and information security specialists including a Corporate Information & Security Officer (CISO), Privacy Officer (PO) and Data Protection Officer (DPO) advises and monitors compliance on a daily basis. We only record (personal) data that we need to perform our tasks.

Our professionals handle the personal data stored with great care. Besides (privacy) laws and regulations, we also work according to the applicable guidelines and protocols of our industry and professional associations. We are regularly audited on this by an accredited certification body (DNV). You have the certifications required to deserve your trust.

Arbo Unie and its labels are certified under the following standards:

- ➔ SBCA Certification Scheme for Occupational Health and Safety Services (Ministry of Social Affairs and Employment);
- ➔ ISO 9001 Quality Management;
- ➔ ISO 27001 Information Security Management;
- ➔ Focus on Work (*Blik op Werk*) certificate (track 2 rehabilitation management);
- ➔ NEN 7510 Information Security in Healthcare (*Informatiebeveiliging in de zorg*).

Arbo Unie and its labels operate jointly with one Privacy and Information Security Policy.

Arbo Unie regularly carries out risk analyses, works according to the Privacy and Information Security Policy and also regularly checks the functioning of this policy.

Should you feel that Arbo Unie is not handling your personal data with due care, you can always discuss this with the practitioner treating you or your contact person. If you don't have a practitioner or contact person, you can send a request to functionarisgegevensbescherming@arbounie.nl. For more information on your rights, see the heading 'what are your rights?'

Details of the controller:

Arbo Unie B.V.
Nevelgaarde 42
3436 ZZ Nieuwegein
T +31 (0)88 272 68 00
info@arbounie.nl

Data Protection Officer:

Arbo Unie has appointed a Data Protection Officer (DPO) in accordance with Article 37 GDPR. You can consult with the DPO for all your privacy-related questions. The email address of the **Data Protection Officer is:** functionarisgegevensbescherming@arbounie.nl.

Executive Board of Arbo Unie

Lisette van Breugel
Prof. Willem van Rhenen

Explanation of privacy statement

We process personal data when we perform of our services. For example, when you have been to a consultation with one of our occupational physicians or we perform a Preventive Medical Examination (*Preventief Medisch Onderzoek*, PME). Our privacy statement describes the personal data we process and your rights.

What are personal data?

Personal data

The General Data Protection Regulation (GDPR) defines personal data as follows: “*any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person*”.

Personal data is data relating to you as an individual. Examples of personal data include your name, address and contact details, such as your email address and phone number. Your citizen service number (BSN), date of birth and your computer's IP address are also personal data.

Furthermore, the GDPR also defines special categories of personal data. This concerns personal data that is particularly sensitive. Examples of such sensitive personal data include data about your health, racial or ethnic origin, sexual orientation, religious beliefs and political opinions.

Processing

Arbo Unie processes your personal data when, for example, you are reported sick to us by your employer, when you turn to Arbo Unie for a preventive consultation, or when you register with Arbo Unie (for example through My Arbo Unie) to receive information on prevention and vitality.

Processing includes almost everything that can be done with personal data, from collecting and consulting to destroying it. The GDPR defines processing as “*any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction*”.

When Arbo Unie provides care to data subjects, it compiles an occupational health file. Personal data, including medical data, of the data subject are stored in that file.

It is important to know that Arbo Unie processes your personal data with great care. In doing so, Arbo Unie complies with the applicable laws and regulations, including the European General Data Protection Regulation (GDPR) and the Dutch GDPR Implementation Act (*Uitvoeringswet AVG* (UAVG)), the Working Conditions Act (*Arbeidsomstandighedenwet*), the Medical Treatment Contracts Act (*Wet op de geneeskundige behandelingsovereenkomst* (WGBO)), and many guidelines in the field of working conditions. Accordingly, Arbo Unie:

- through this privacy statement clearly and transparently informs you about how and for which purposes your personal data are processed;
- processes personal data only for well-defined purposes and the data processing is based on one of the legitimate bases mentioned in the GDPR;
- takes appropriate security measures to protect personal data against loss and theft;
- informs you of your rights regarding your personal data;
- has appointed a Data Protection Officer, who monitors the careful processing of personal data within Arbo Unie, monitors compliance with obligations under the GDPR, and acts as a contact for the Dutch Data Protection Authority (*Autoriteit Persoonsgegevens*).

Purposes of personal data processing

Arbo Unie processes your personal data for the services outlined below:

- Recovery - Sickness absence management;
- Prevention - Preventive services;
- Strengthening - Advising on sustainable employability and vitality;
- Job applications - handling job applications.

More specifically, Arbo Unie, as an occupational health and safety service and independent data controller, processes your personal data for the following purposes: Providing services to employers and employees in the field of working conditions and sickness absence management (legal basis in Article 14 of the Working Conditions Act) including video calling (via Microsoft Teams), rehabilitation, interventions, preventive services including PAGO¹/PMO², all contacts with clients and customers, quality purposes, medical assessments, workplace assessments, vaccinations, lifestyle, vitality, education/training, evaluation of services, complaints, claims, incidents (incident registration), as well as scientific research.

Arbo Unie supports customers (i.e. employers) with meeting their legal obligations with regard to sickness absence and rehabilitation and prevention. In performing our services, we will never provide any information to your employer about the contents of a conversation between an employee and a professional. However, we will inform the employer - to the extent permitted by law - about what an employee is still able to do and what not. This is about whether an employee is able to do suitable work and how long their recovery is expected to take. And whether additional activities are needed to speed up the recovery and return to work.

An employer may ask for and record the following details about the health of an employee who has reported sick:

- telephone number, address where employee is being treated or nursed or home address;
- likely duration of the sickness absence;
- ongoing agreements with the employee and their work activities;
- whether the employee falls under one of the safety net provisions of the Sickness Act (Ziektewet), but not which safety net provision they fall under;
- whether the illness is related to an accident at work;
- whether there has been a traffic accident involving a potentially liable third party (possibility of recourse).

In principle, the employer is not allowed to process health data other than those mentioned above. Not even with the employee's consent. Indeed, given the relationship of authority between employer and employee, an employee may feel compelled to give consent, there cannot be a 'freely given consent' on the part of the employee. The employer may only record the details of an employee's illness voluntarily provided by the employee when the employee has an illness where it may be necessary for immediate colleagues to know how to act in case of an emergency (e.g. epilepsy or diabetes).

¹ PAGO stands for: Periodic Occupational Health Examination (*Periodiek Arbeidsgezondheidskundig Onderzoek*), and is based on Section 18 of the Working Conditions Act.

² PMO stands for Preventive Medical Examination (*Preventief Medisch Onderzoek*), and is based on Section 18 of the Working Conditions Act.

Based on the requirement to conduct yourself as a good employee and to cooperate in your rehabilitation, you are in some cases obliged to provide information about your health to Arbo Unie. If you do not provide information, we may not be able to give proper advice to you and your employer. We will always inform you of this. This may mean that based on employment law, your employer may attach legal consequences to your refusal to provide certain information.

When it provides sickness absence management services, Arbo Unie may only provide an employer with the information it needs to make a decision on continued payment of wages, sickness absence management and rehabilitation. Arbo Unie may provide the following information about a sick employee's health to the employer:

- the work activities the employee is still or no longer able to perform (functional limitations, residual capabilities and implications for the type of work the employee can still do);
- the expected duration of the sickness absence;
- The degree of the employee's work incapacity (based on functional limitations, residual capabilities and implications for the type of work the employee can still do);
- any advice on adjustments, work facilities or interventions to be made by the employer for the rehabilitation process.

The occupational physician/occupational health and safety service must be very cautious about providing the employer with information about the sick employee's health on the basis of the employee's consent.

Arbo Unie may, as part of preventive services such as a PAGO, PMO or other services for which Arbo Unie is an independent data controller, write to employees to invite them to attend such an examination (sometimes required by law). For this purpose, Arbo Unie will receive a file from the employer. Based on this file, for which Arbo Unie itself is the data controller, Arbo Unie will invite employees. Participating in a PAGO/PMO is on a voluntary basis. The employer will not have insight into which employees do or do not participate in the examination. Employees who do not participate in the examination will be removed from Arbo Unie's database within a month of the completion of the examination. Reports to the employer will only include data from which an individual is not identifiable, thus guaranteeing the anonymity of employees.

Arbo Unie may subject personal data it processes to further processing for analytical, statistical and (scientific) research purposes to the extent permitted under privacy laws and regulations. An example of this is the preparation of reports, such as sickness absence overviews and group reports or (sickness absence) statistics for employers (our customers). In addition, Arbo Unie conducts research to improve our services to employees. Activities in the area of (scientific) research, analysis and statistics will in principle only take place with data from which an individual is not identifiable. If required by law, we will first request the employee's consent to the use of their data for such purposes.

My Arbo Unie is an application provided by Arbo Unie to communicate in a secure manner with sick clients and clients who volunteer for prevention and vitality advice. For the use of My Arbo Unie, Arbo Unie processes your name, date of birth and address details and, in case of sickness absence, also the citizen service number (BSN). Providing your BSN is a mandatory part of creating your medical file and starting social medical counselling.

Arbo Unie also processes your mobile phone number and/or email address to conduct surveys. In My Arbo Unie, you can securely consult all kinds of information about your contacts with Arbo Unie. In My Arbo Unie you will find, for example, reports of a consultation, a problem analysis, feedback from a survey or an authorisation provided by you. My Arbo Unie offers you, the client, insight into all relevant information in one central place. The use of My Arbo Unie actually ensures adequate protection of confidentiality and security. If you have questions about the agreements between Arbo Unie and your employer, please refer to your employer's HR department. Upon termination of the services provided by Arbo Unie to your employer, you will also no longer be able to access your information through My Arbo Unie. We advise you to download relevant documents yourself if you want to continue having access to them.

Certain service providers, such as 'Arbo Unie vitaliteit' en 'Arbo Unie Verbanen', provide services for which your consent (voluntary participation) is the legal basis. For a specific description of these services, please refer to the websites.

During the application process, we will ask you for personal data, such as your name and residence (street address and town/city), but also data on your education and diplomas, employment history and references. We can also look up your professional profiles on online social networking sites such as LinkedIn. We will also request a Certificate of Good Conduct (VOG). We use this data for the following purposes:

- to review the data with a view to possibly entering into an employment relationship;
- for verification purposes;
- to comply with legal obligations.

Basis for processing personal data

As a healthcare provider, Arbo Unie processes employees' personal data because it is legally obliged to do so, inter alia under the Medical Treatment Contracts Act (WGBO) and the Working Conditions Act.

Arbo Unie is allowed to process personal data on behalf of companies and institutions. The health data that Arbo Unie receives from employees (we call them '*clients*') of companies or benefit recipients are classified as 'special personal data', which Arbo Unie must handle with care. In the context of a working relationship or social security, it is permissible to collect this data. The processing of personal data is based on Article 6 and Article 9 of the GDPR as well as Section 30(1) of the Dutch GDPR Implementation Act. This concerns the performance of an agreement and legal bases (including Section 14 of the Working Conditions Act and other laws and regulations pertaining to Arbo Unie with regard to sickness absence management and other legal services and tasks).

Arbo Unie processes the citizen service number (BSN) because it has a legal obligation to do so under the Healthcare Quality, Complaints and Disputes Act (Wkkgz), the Processing of Personal Data in Healthcare (Additional Provisions) Act (Wabvpz), as well as Section 14(6) of the Working Conditions Act, the Citizen Service Number (General Provisions) Act (Wabb) and the Regulations on Use of Citizen Service Number in Healthcare. The citizen service number (BSN) is not processed until Arbo Unie creates a medical file and the start of social medical counselling.

To prevent mistaken identity, Arbo Unie is required by law to use the BSN in communications with other healthcare institutions and with government agencies such as the Employee Insurance Agency (UWV). During a consultation, your identity is established based on legal ID and verification of the BSN.

Arbo Unie only gains access to the necessary personal data of employees when the law requires Arbo Unie to do so, i.e. the moment the provision of care to an employee starts. If no care is provided, Arbo Unie will not receive personal data of employees. This is also safeguarded in the software provided to employers and employees in the context of our services. If you register as a client with Arbo Unie for information on prevention or vitality, we will process your personal data on the basis of the voluntary registration. In that case, Arbo Unie naturally processes your personal data.

If Arbo Unie cooperates with third parties for (scientific) research, analytical or statistical purposes, Arbo Unie will provide these third parties with anonymised data or data from which individuals are not identifiable if it is legally permitted to provide these data to these third parties, if this is necessary for research, analytical and/or statistical purposes and if this is permitted under the applicable laws and regulations. For this, Arbo Unie relies on Article 9(2) part j GDPR in conjunction with Section 24 of the Dutch GDPR Implementation Act (UAVG) and Section 7:458 of the Dutch Civil Code. The research should serve a public interest and Arbo Unie will assess for each scientific study whether the legal requirements are met. This further processing is possible on the basis of Article 5(1)(b) in conjunction with Article 89 GDPR. When personal (medical) data are used for scientific research, this is done in a way that prevents that any individuals can be identified from the data. If you do not wish your data to be used in the context of scientific research, you can object to this (Section 7:458(2)(c) of the Dutch Civil Code). You can send this objection via: functarisgegevensbescherming@arbounie.nl.

Arbo Unie may provide personal data to (government) agencies, such as Statistics Netherlands (CBS) and the National Institute for Public Health and the Environment (RIVM), if they are authorised or obliged to receive personal data from us by virtue of their statutory duty. Arbo Unie will only do so if permitted by laws and regulations.

Quality research. Arbo Unie strives to continuously improve the quality of its services. For this reason, occupational physicians have been selected to conduct quality research. This involves file reviews. This research is done on the basis of random sampling. If you object to your medical file possibly being accessed for this quality research, please let your occupational physician or contact person within Arbo Unie know. Your file will then not be included in a quality review. If you have any objections afterwards, you can let us know by sending an email to: functarisgegevensbescherming@arbounie.nl.

Arbo Unie has a legitimate interest to process personal data if this is necessary for the protection of property or for access security. For example, Arbo Unie may use camera surveillance. If the latter is the case, this will always be indicated at the relevant location.

In other situations where we need data for reasons other than these legitimate bases, we will request your explicit consent.

Applications. The legal basis for the processing the personal data we use from is laid down in Article 6 of the General Data Protection Regulation (GDPR). The processing is necessary for the possible conclusion of the employment contract.

We may also ask you to cooperate in a (psychological) examination. This is always voluntary and requires your consent.

What personal data does Arbo Unie process?

Depending on the assignment given to Arbo Unie, Arbo Unie processes the following personal data:

Employee/client:

- First name and/or Initials;
- Surname;
- Date of birth;
- Gender;
- Citizen service number(BSN);
- Employee

Contact details:

- Address details;
- Phone number business;
- Phone number private;
- Business email address and/or;
- Private email address.

Employer:

- Name and contact details of company;
- Staff number;
- Department;
- Position;
- Employment;
- Date employed;
- Date out of service;
- Manager:
 - First name and/or Initials;
 - Surname;
 - Business phone number (fixed and/or mobile);
 - Business email address.

Practitioner(s):

- Name and address and contact details of GP and;
- Name and address and contact details of any other practitioners.

Sickness absence report:

- Date of first day of illness;
- Date and percentage of partial recovery;
- Date of full recovery.

Sickness absence and rehabilitation management:

- (Probable) duration of the sickness absence;
- Number of hours per day or per week that the employee can perform own or suitable work, indicating the starting date (buildup schedule);
- Whether there is any form of compensation, such as a safety net or recourse;
- Advice on interventions needed, whether and when an intervention was used and the cost of the intervention;
- View on the sick and/or incapacitated employee to be reintegrated;
- Translation of the medical data by the occupational physician into the limitations and capabilities of the sick and/or incapacitated employee;
- Reports in connection with determining any eligibility for incapacity benefit, such as the problem analysis;
- Work capacity: the work the sick and/or incapacitated employee is or is no able to do, the physical and mental capabilities and limitations;
- Occupational consultant's report, which translates the employee's work capacity into concrete possibilities to do work;
- Advice on any adjustments or work facilities that may be needed;
- Advice on an intervention aimed at increasing the work capacity;
- Planning of rehabilitation process.

Consultation:

- Data resulting from the consultation;
- Data resulting from the employer's sickness absence report and subsequent self-declaration;
- Data resulting from home visit;
- Work capacity in relation to the workload;
- rehabilitation measures proposed - and taken - and adjustment of working conditions;
- Results of consultations with the employer, practitioners, social security implementing agencies and insurance companies;
- The work the employee is or is no longer capable of doing;
- The expected duration of the sickness absence;
- The extent of the employee's work incapacity;
- Any adjustments or work facilities to be made by the employer as part of the rehabilitation process of data subjects;
- Information about the data subject's private and working life to the extent necessary for the support provided.

Examination:

- Working conditions;
- Results of occasional and periodic health tests;

Other data needed for rehabilitation purposes (including rehabilitation possibilities):

- Brief description of the case;
- Assessing the results of an assessment;
- Opinions issued.

Preventive services:

Depending on the assignment given to Arbo Unie, Arbo Unie processes the following personal data:

- First name;
- Surname;
- Gender;
- Date of birth;
- Citizen service number (BSN);
- Email address;
- (Mobile) phone number;
- Training;
- Business unit;
- Department;
- Position;
- Sector;
- Self-assessment surveys, different types of surveys about:
 - Health;
 - Knowledge and skills;
 - Motivation;
 - Work-life balance;
 - Health behaviour;
 - Development;
 - Job satisfaction.
- Physical measurement data, such as:
 - BMI;
 - Fat percentage;
 - Waist circumference;
 - Cholesterol;
 - Glucose;
 - Blood pressure;
 - Vision;
 - Strength;
 - Condition;
 - Lung function;
 - ECG;
 - Audiometry;
 - Urinalysis;
 - Comprehensive blood tests;
 - Musculoskeletal examination.
- Interview report of a coaching session with advice for the data subject.

Advising on sustainable employability:

Depending on the specific assignment provided to Arbo Unie, Arbo Unie processes the following personal data:

- First name;
- Surname;
- Company name;
- Position;
- Email address;
- Phone number;
- Brief description of the case;
- Advice given on (personal) leadership;
- Training assessment.

With regard to the information provided by Arbo Unie to the customer (i.e. employer) in relation to sickness absence, Arbo Unie complies with the guidelines of the Dutch Data Protection Authority.³ For specific information on this, see page 8.

Handling job applications:

Depending on the CV provided to Arbo Unie, Arbo Unie processes the following personal data during the application procedure:

- First name;
- Surname;
- Gender;
- Address
- Residence
- Date of birth;
- Email address;
- (Mobile) phone number;
- Training;
- Diplomas;
- Employment history;
- References;
- (Professional) Profiles on online social networking sites (such as LinkedIn);
- VOG

Digital questionnaire (Recovery paths)

After the employer submits a sickness absence report, Arbo Unie can perform a digital preparation. Arbo Unie will do this on the fourth day after receiving the sickness absence report from the employer. The employee will then receive a digital questionnaire asking them to complete it. Arbo Unie then uses science and data science to more accurately determine the best time to schedule an appointment with our professionals. Arbo Unie uses the combination of the following data: the answer to the online questionnaire, the number of sickness absence reports and days of sickness absence in the past 12 months, age, gender, whether the employee works in a small or large company and whether there are consecutive sickness absence reports within 28 calendar days. This does not involve automated decision-making.

Locations Arbo Unie

If you visit an Arbo Unie location, your attendance may be recorded. There are two ways in which this happens:

- Camera footage. Only a limited number of people authorised to do so by virtue of their position may view these images, and only if there is a concrete reason to do so: for example, because an incident has occurred or to verify the accuracy of a complaint. Viewing camera images can only be done at the location where they were recorded, and not externally. If camera surveillance takes place, it is always indicated on the site itself.
- Visitor registration. When you report at the reception desk of an Arbo Unie location, your first and last name and time of the appointment may be recorded at the reception desk. The purpose of this registration is to ensure the proper running of the appointment. Visitor records will be kept until the end of the working day at the latest.

Website

³ See 2016 publication 'The sick employee'.

If you use Arbo Unie's websites, Arbo Unie processes data about you. For example, your IP address, data about your visit to the website and the device used to visit the website. You can find more information in the cookie statement of the specific website.

From whom does Arbo Unie receive personal data?

Arbo Unie receives data mainly from your employer (directly or indirectly), absence insurer or from yourself. Arbo Unie also receives (medical) reports and decisions from the UWV. In addition, Arbo Unie may - with your consent - receive data from other practitioners, such as your GP, an occupational consultant, a rehabilitation company or a treating specialist. Arbo Unie does not collect personal data from public sources.

With whom does Arbo Unie share your personal data?

Several parties are involved in Arbo Unie's services and activities. These could include government agencies, your employer or a contracted practitioner.

These parties only process your personal data if they need to do so to carry out their work and this is permitted by law.

Arbo Unie never shares medical information with other parties unless you have consented to this, or there is a legal obligation or a court order requiring us to do so.

Below is a list of parties with whom Arbo Unie shares personal data.

Employers

As part of the service, information may be shared with your employer.

For sickness absence and rehabilitation management, only the (health) data necessary for adequate sickness absence management and rehabilitation are shared, including but not limited to: documents in connection with determining any eligibility for incapacity benefit, the degree of work incapacity, translation of the medical data into limitations and possibilities, advice on any adjustments or work facilities needed and advice on an intervention aimed at increasing the work capacity.

The working conditions consultation helps prevent sickness absence and occupational diseases. You can request it directly from Arbo Unie if you have questions about your mental and physical health in relation to your work and working conditions, for example in case of incipient complaints. Information about the working conditions consultation, even whether this consultation took place, is never shared with your employer.

The Periodic Occupational Health Examination (PAGO) and Preventive Medical Examination (PMO) offer you insight into possible work-related health effects. This involves looking at factors that affect your work and private life situation, as well as your personality, organisational possibilities and energy sources.

Information about the PAGO and PMO is never shared with your employer.

Pre-appointment medical examinations may be carried out within the legal framework (Medical Examinations Act). A pre-appointment medical examination is a medical examination focused on the requirements of a job. The examination result will be shared with your employer with your consent.

A medical examination is mandatory for certain professions. This includes professions such as: firefighter, taxi driver, professional diver or if someone is going to work on an oil rig. Or occupations where employees work in contaminated soil, frequently work with radiation or carcinogenic substances. If an employee disagrees with the result, they have the right to a re-examination in some cases. This should then be included in a specific regulation (law or collective agreement). There is no such thing as a general right to retest. The communication of the result to the employer in this case is suspended until after the re-examination.

For other services, such as staff welfare, workplace research and lifestyle coaching, data will only be shared with your employer in compliance with the Working Conditions Act, the General Data Processing Regulation, the WGBO Act, the BIG Act, as well as applicable guidelines and codes of conduct.

Your employer may receive employer/group reports for certain services. These include sickness absence reports, employer reports from a PAGO/PMO and group reports from examinations. Information within Arbo Unie is modified in such a way that individuals are never identifiable from reports.

For performing certain services, your employer will receive an invoice. When billing, data will only be shared with your employer in compliance with applicable laws and regulations.

The in-house and contracted practitioner

Within Arbo Unie, 'practitioner' is a broad term covering all kinds of professions/jobs, which include both medically and non-medically trained professionals. These include the occupational physician, occupational health nurse, occupational hygienist, staff welfare officer, confidential adviser, ergonomist, safety expert, occupational and organisational consultant, case manager, occupational consultant, work and employability adviser and psychologist.

During the provision of services, (contracted) practitioners from your treatment team have access to your data necessary for the performance of the work. This means that the treatment team for sickness absence and rehabilitation activities may be different from your treatment team for examinations.

Data exchange between practitioners not working in the same treatment team will only take place with your consent.

In carrying out its services, Arbo Unie sometimes uses contracted and/or external practitioners. Arbo Unie makes proper arrangements with these practitioners so that they adhere to the applicable laws, regulations and professional guidelines as much as the professionals employed by Arbo Unie.

Intervention parties

In specific situations, Arbo Unie may share information with other parties.

It may, for example, be a rehabilitation expert, physiotherapist or psychologist to whom you are referred in the context of your absence and rehabilitation, in consultation with the (occupational) physician. We only provide such intervention parties with ordinary personal data, such as name, address, place of residence and contact details.

These parties only receive additional data, such as medical data, if necessary and only with your consent.

Should you want to know what data this party processes, you can inquire with that party or read their privacy statement.

Government agencies

Arbo Unie provides personal data to government agencies when this is necessary for their statutory duties.

Arbo Unie may provide personal data to the Employee Insurance Agency (UWV) under the social insurance laws and Wet SUWI. This is the case, for example, if you apply for WIA benefits, or an expert opinion, or leave employment while sick. The occupational physician then provides the UWV's insurance doctor with a current opinion and necessary medical data so that they can assess your medical situation.

In addition, Arbo Unie can submit a 42nd-week notification to the rehabilitation department of the UWV on behalf of your employer.

The Netherlands Centre for Occupational Diseases

The Netherlands Centre for Occupational Diseases (*Nederlands Centrum voor Beroepsziekten*, NCvB) is the reporting centre for occupational diseases. Occupational physicians and examining physicians are obliged to report to the NCvB if they diagnose an occupational disease. You as an individual cannot be identified from the data the NCvB receives, except if you have consented to this identification.

Sickness absence insurer

If your employer has taken out insurance with a sickness absence insurer, this insurer's claims department will receive sickness absence data from Arbo Unie, such as sickness and recovery reports and administrative data. The insurer needs this information to determine the amount of the benefit. The insurer's rehabilitation department may also receive rehabilitation data. Only the medical adviser has access to medical data.

Other parties

If desired, and only if you consent to this or if there is a legal basis for this, Arbo Unie may exchange information with other parties in specific cases. For example, to an administrator, a doctor doing a second opinion or a lawyer.

Your employer may have chosen to outsource part of the sickness absence management (such as case management) to a specialised party. On behalf of the employer, this party will then receive personal data from Arbo Unie. This is the same data your employer receives. Thus, this party does not receive any medical data from Arbo Unie.

To ensure that Arbo Unie operates as effectively and efficiently as possible, some services have been outsourced to external other companies. This could include data centres, archive managers, companies providing (supporting) software and web designers. Arbo Unie also obtains services from companies that provide specialist services or conduct specific examinations, for example, parties that conduct home visits in case of sickness absence, parties that conduct blood tests and parties that conduct satisfaction surveys on behalf of Arbo Unie. Finally, there are parties that are given access to data in the context of certification processes.

These external partners have been carefully selected. Arbo Unie requires them to handle (privacy-sensitive) data as carefully as Arbo Unie itself does.

Application procedure

The data will only be shared within Arbo Unie with managers and employees who are involved in the selection.

How long does Arbo Unie keep your personal data?

Arbo Unie complies with legal retention periods. If there is no statutory retention period, Arbo Unie will not retain the data for longer than is necessary to perform the task.

Below is an overview of the main retention periods.

- Arbo Unie has a legal obligation to keep medical records for 20 years.
In special cases, this can be 30 to 40 years from the day of the last change in the file (or longer if a claim or lawsuit is pending or shorter if client requests destruction or transfer). After you leave employment or after our service contract with your employer is terminated, we may receive a request to transfer your personal data to your new occupational physician or occupational health and safety service. In that case, we will transfer your personal data related to ongoing sickness cases to your new occupational physician or occupational health and safety service, after which we will no longer keep this data.
You can request the destruction of your personal data. If there is no ground for refusal, your data will be destroyed.
In case of exposure to ionising radiation in accordance with the Radiation Hygiene Decree (Article 100), we keep your personal data until you have reached or would have reached the age of 75.
- Arbo Unie has a legal obligation to keep financial data for 7 years from the end of the calendar year.
- Data relating to compulsory pre-appointment medical examinations are kept for 6 months.
- If applicable, sickness absence and rehabilitation data within the scope of the Eligibility for Permanent Incapacity Benefit (Restrictions) Act (*Wet verbetering Poortwachter*) will be kept for a maximum of 2 years after the employment end date or after the end of the agreement with the customer, or longer if a claim or legal proceedings are pending or shorter if the data subject requests the destruction of the data. Exceptions for longer retention periods also apply if there is a high probability that employee will drop out for the same sickness absence reason or the file contains permanent agreements.
If the customer is self-insured, a retention period of 5 years after the end of employment applies. For the files concerning the return to work of partially disabled persons (*Werkhervatting Gedeeltelijk Arbeidsgeschikte*, WGA), the retention period is 10 years after the employment end date.
- After the support has ended, data relating to coaching, career counselling and outplacement will be kept for a period of 2 years.
- Data relating to mediation are kept for at least 5 years after the end of counselling in connection with possible liability.
- Management data, such as the number of processed and their duration, are kept indefinitely.
- Emails containing personal data are kept for a maximum of 1 year after receipt.
- Camera footage is kept for a maximum of 4 weeks.
- Standard log data are not kept longer than necessary. Insofar as Arbo Unie qualifies as a healthcare institution under the Healthcare Quality, Complaints and Disputes Act (Wkkgz), the log data of medical records are kept for at least 5 years from writing the relevant log rule, in accordance with NEN 7513.
- Data will be retained for 4 weeks after the end of the application process, unless longer with consent, up to a maximum of 1 year.
- Should you be hired, the details of the application process will be included in your personnel file and kept in accordance with applicable retention periods.

What are the key measures to secure your personal data?

Arbo Unie considers security of your personal data very important and devotes significant attention to it. Risk assessments take place on a regular basis and investigate new technological opportunities or threats. We also review the functioning of our information security system. We adhere to the ISO 27001 and NEN 7510 standards and guidelines for information security.

Arbo Unie takes appropriate technical and organisational measures to safeguard the confidentiality, integrity and availability of your personal data and ensures that these are:

- correct, current and accurate;
- adequately secured against loss or any degree of unlawful processing. The starting point here is the ISO 27001 and NEN7510 standards framework;
- For online video consultations, Arbo Unie uses a secure platform (Microsoft Teams) that complies with GDPR requirements, is well secured and has ISO 27001 and NEN7510 certification. The online video consultation only uses a (live) stream;
- Arbo Unie has concluded processing agreements with suppliers who process data on behalf of Arbo Unie. This requires suppliers to take at least the same security measures as Arbo Unie.

An important principle is that Arbo Unie only processes personal data within the European Economic Area (EEA). Should personal data be stored outside the EEA, this will only be done once Arbo Unie has determined that there is a level of protection in line with the requirements of privacy legislation.

If a data breach or information security incident still occurs, despite all measures, Arbo Unie will take immediate action to analyse the cause, mitigate the damage and, where necessary, inform the Data Protection Authority and stakeholders.

What are your rights?

You have the right to request us in writing to:

- Access your personal data.
You can ask us if we process your personal data. If so, we will explain to you what personal data we process from you, how we do so and for what purposes. You can also ask us for a copy of your personal data that we process.
- Rectification of your personal data.
If you believe that the personal data we process about you is incorrect or incomplete, not relevant for the purpose of processing or used in breach of the law, you can request us to supplement or amend your data.
- Destruction of your personal data ('right to data erasure').
You can ask us to destroy your personal data we have processed. We will destroy your data after receiving a request to do so without unreasonable delay if:
 - o The data is no longer needed for the purpose for which we processed it.
 - o You no longer give us permission to process your personal data.
 - o You object to the processing of the personal data and there is no reason why we should continue to process the data.
 - o The personal data should not have been processed by us ('unlawful processing').
 - o The law requires us to delete personal data.

If there is a ground for refusal, we may not destroy personal data upon request and will explain this.

- Restriction of 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:
 - o You believe that the data we process about you is incorrect. Until the data has been checked and possibly amended or supplemented, we will not use this personal data.
 - o We should not have processed the personal data, but you do not want us to delete your personal data completely or at all.
 - o You object to our processing of your personal data and we have not yet assessed the objection.

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

- Transfer of your personal data.

You can ask us for a copy of the personal data we process about you. We provide a copy in a common format that is usable if you want to transfer the data to another service provider, such as another health and safety service, for example. If this is technically possible for us and you wish, we can transmit the personal data directly to your new service provider.

- Objection

If Arbo Unie processes personal data on the basis of a legitimate interest, the data subject may object to the processing of their personal data. In that case, Arbo Unie will cease processing the personal data in question during the handling of the objection and depending on the outcome of the decision on the objection. Cessation of processing will not take place if, in the opinion of Arbo Unie, the interests of Arbo Unie, the interests of third parties or the public interest outweigh the interests of Arbo Unie in the specific case in question.

Notification

At your request, we may rectify, erase or restrict the processing of your personal data. We may have provided the personal data to which your request relates to a third party. If we have rectified, deleted or restricted the processing of your personal data, we will notify these third parties, unless this is not possible for us. At your request, we will provide you with information about these third parties.

Right of objection

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 disagree with the processing of your personal data.

Handling of your request

Any requests you make to us on the basis of the above rights will be implemented as soon as possible and in any case within one month of receipt. We may need more time to process your request. If so, we will notify you within one month of receiving your request. We may extend the period within which your request will be executed in that case by up to two months. If we will not or cannot comply with your request, we will inform you in writing with reasons no later than one month after receiving the request. In that case, you have the right to file a complaint with the Dutch Data Protection Authority, or you can turn to the competent court.

Complaints

If you are not satisfied with the way we process your personal data, please feel free to contact us. You also have the right to file a complaint with us. Please refer to the complaints procedure on our website for this. You also have the right to file a complaint with the Dutch Data Protection Authority. However, we would ask that you contact Arbo Unie first if you have any complaints or comments, so that we can arrive at a solution together.

Cookies

Arbo Unie uses cookies on its website. In our cookie statement, published on our website, you can read more about what cookies are and which cookies Arbo Unie places on its website.

Where can you find this privacy statement?

The most recent version of the privacy statement can be viewed and downloaded from our labels' websites.

Third-party websites

This privacy statement does not apply to third-party websites connected to our website by links.

Changes

We reserve the right to change this privacy statement. Changes will be published on our website. We therefore advise you to consult this privacy statement regularly so that you are aware of any changes.