

## **PRIVACY STATEMENT Mending Mind**

P.O. Esters, established in Rotterdam, The Netherlands and registered with the Chamber of Commerce under number 68382200, highly values the protection of personal data. This privacy statement explains how P.O. Esters deals with information about identified or identifiable natural persons, as referred to in the General Data Protection Regulation (GDPR).

### **1. Application**

This privacy statement applies to the following categories of natural persons of whom P.O. Esters processes personal data:

- a. (potential) patients;
- b. visitors to the practice of P.O. Esters;
- c. visitors to [www.mendingmind.com](http://www.mendingmind.com);
- d. participants in meetings of P.O. Esters;
- e. applicants;
- f. all other persons who contact Mending Mind or of whom P.O. Esters processes personal data, with the exception of its employees.

### **2. Processing of personal data**

P.O. Esters processes personal data:

- a. personally provided by the person concerned (during a meeting or discussion), by telephone, or digitally (via e-mail or web forms on the website), such as contact details or other personal data;
- b. that was obtained from third parties, such as other healthcare professionals;
- c. that was generated during a visit by a person concerned to the website of P.O. Esters, such as IP address, the surfing behavior on the website (such as data of the first visit, previous visit and current visit, pages accessed and the way in which the website was navigated) and items clicked by the person concerned;
- d. recorded whilst being in treatment, if explicit consent was given, to P.O. Esters. e.g. video recordings during sessions, applications for e-health, audio recordings to enable note-taking of a session; or for research purposes. Only with separate written consent are any of the actions in section d. Permitted.
- e. Any assistants, interns or colleagues involved in the services and/or treatments provided are aware of the privacy statement and are also bound by confidentiality, having signed a confidentiality agreement.

### **3. Purposes processing**

P.O. Esters will process personal data for the following purposes:

- a. the execution of medical treatment contracts and invoicing of services performed;
- b. protecting the vital interests of the person concerned or another natural person.
- c. maintaining contact, invitations for meetings and information requested by the person concerned;
- d. improving the practice website [www.mendingmind.com](http://www.mendingmind.com);
- e. tracking user statistics. User statistics of the website provide information about the number of visitors, the duration of their visits, which parts of the website are accessed and the click behavior. It concerns generic reports that are non-personally identifiable;
- f. monitoring access to practice and protecting confidential data.
- g. Improving the overall services of the practices (e.g. routine outcome monitoring to improve the treatment results for patients).

### **4. Legal basis**

P.O. Esters processes personal data on the basis of one of the following legal grounds:

- a. consent of the person concerned. This permission can always be withdrawn, but withdrawal will not affect the lawfulness of the processing on the basis of the permission before the withdrawal;
- b. execution of or with a view to the conclusion of medical treatment agreements, including invoicing to third parties, such as the health insurance company and the like;
- c. legal obligations, such as the obligation to keep medical records or to register BSNs;
- d. a legitimate interest, such as the use of contact information for sending invitations for a meeting.

## **5. Processors**

P.O. Esters may use service providers (processors) for the processing of personal data who will only process personal data according to instructions from P.O. Esters. P.O. Esters will conclude a processor agreement with processors that meets the requirements of the General Data Protection Regulation (GDPR/AVG).

## **6. Share personal data with third parties**

P.O. Esters does not share personal data with third parties without the consent of the person concerned, except when it is necessary for the execution of the treatment agreement or the management of the professional practice, or when required to fulfill a legal obligation. This includes sharing data with the health insurer and the Dutch Healthcare Authority, or allowing access to the file by a BIG-registered professional bound by professional secrecy for the purpose of quality audits. Explicit written consent from the patient is not required for the latter. However, the patient does have the opportunity to object to the use of their data for quality purposes and is informed about their rights before the intake and provided a privacy form if requested. P.O. Esters does not share personal data with third parties for commercial purposes unless events are organized jointly with another organization. In such cases, only necessary contact information is shared.

## **7. Transfer outside the EEA**

P.O. Esters does not, in principle, transfer personal data to countries outside the European Economic Area (EEA). If this should nevertheless be necessary, P.O. Esters ensures that the transfer will only take place if the European Commission has indicated that the relevant country provides an adequate level of protection or if there are appropriate safeguards within the meaning of the General Data Protection Regulation (GDPR/AVG).

## **8. Storage of data**

P.O. Esters will not store any personal data longer than necessary. In principle P.O. Esters will use the following retention periods:

- a. medical data: at least 20 years after the end of the treatment agreement;
- b. (financial) administrative data: 7 years after recording the data;
- c. data of employees and freelancers, other than (financial) administrative data: 5 years after termination of employment or after the end of the assignment agreement;
- d. details of applicants: 4 weeks after completion of the application procedure;
- e. visitors to the website: 5 years after the last visit to the website, unless an objection is made in which case the data will be deleted.

## **9. Changes to privacy statement**

P.O. Esters may change this privacy statement at any time. An up-to-date version of the privacy statement will be published on the website of P.O. Esters. It is advisable to consult this privacy statement regularly so that you are aware of any changes.

## **10. Rights, questions and complaints**

You have the right to request P.O. Esters to view, rectify, delete, transfer, limit processing and to object to processing. You can contact P.O. Esters by sending an e-mail message to [info\[at\]mendingmind.com](mailto:info@mendingmind.com).

Requests from data subjects regarding the exercise of their rights under the GDPR (such as access, rectification, erasure, restriction of processing or data portability) are assessed and handled by the practice owner.

Upon receipt of a request, the practice owner determines which right is being invoked and verifies the identity of the requester. The request is then assessed to determine whether and to what extent it can be fulfilled, taking into account professional confidentiality and applicable statutory retention obligations (such as those arising from the WGBO).

The assessment and handling of the request are documented in a report, which is stored in a separate folder within the practice's ICT system.

In principle, no fees are charged for handling requests. However, a reasonable fee based on administrative costs may be charged in the case of manifestly unfounded or excessive requests, or if multiple copies of data are requested.

If a request is granted and relates to rectification, erasure or restriction of processing, relevant external processors who have received the personal data are informed accordingly, unless this proves impossible or would require disproportionate effort.

For questions or complaints about the way in which P.O. Esters processes personal data, you can also contact P.O. Esters by sending an e-mail message to [info\[at\]mendingmind.com](mailto:info@mendingmind.com). We will try to resolve complaints satisfactorily. If no satisfactory solution is reached, you can contact the Dutch Data Protection Authority (AP).