

DATA PROTECTION POLICY

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Introduction

This is the data protection policy of the University Hospital of Brussels regarding the processing of data relating to individuals outside our organisation (e.g. patients, participants in scientific research, job applicants, website visitors, suppliers, donors, etc.).

This policy applies only to the processing of data relating to natural persons, not to that of legal entities.

The policy may be updated from time to time.

General information applicable to all our processing of personal data

Who is the data controller?

Brussels University Hospital (hereinafter “UZ Brussel”, “UZB”, “we” or “us”), with its registered office in Belgium, 1090 Jette, Laarbeeklaan 101, company number 0499.012.406 and establishment number 2.143.464.230, telephone 02 477 41 11, acts as the data controller for the processing of your personal data as set out in this policy.

UZB is a branch of the Vrije Universiteit Brussel, which has *sui generis* legal personality under private law in accordance with the Act of 12 August 1911, as amended by the Act of 28 May 1970.

You may contact UZB to exercise your rights regarding your data. The contact point for the data controller can be found in the section *How to contact us?* of this policy.

How to contact us?

UZB has a DPO (Data Protection Officer). You may send any questions, requests or complaints regarding the processing of personal data to the DPO at gegevensbescherming@uzbrussel.be or to the following postal address:

Brussels University Hospital (UZB)
Data Protection Officer
Laarbeeklaan 101
1090 Jette

What rights do you have as a data subject?

In the cases and to the extent provided for by law, you have the following rights:

- You have the **right to access** your personal data. This allows you to check which personal data we process about you.
- You have the **right to rectify** your personal data. This allows you to correct or supplement any inaccurate or incomplete personal data that we process about you.
- You have the **right to erasure** of your personal data. This allows you to permanently delete personal data that we process about you.

- You have the **right to restrict** the processing of personal data relating to you. This allows you to suspend our use of your personal data without having it erased.
- You have the **right to object to the processing of your personal data**. This allows you to object to the further processing of your personal data.
- You always have the right **to withdraw** your **consent** where the processing of your personal data is based on your consent.
- You always have the **right to object** to the processing of your personal data for direct marketing purposes (e.g. receiving newsletters).
- You have the **right to data portability**. This allows you to easily transfer, copy or forward personal data from one data controller to another.

You can exercise your rights by contacting us; see *the* section . These rights may be restricted by specific regulations applicable to the processing, such as the Patient Rights Act.

You may also submit a request or complaint to a supervisory authority at any time. For Belgium, this is:

Data Protection Authority
Drukpersstraat 35
1000 Brussels
contact@apd-gba.be
Tel. +32 2 247 48 00.
<https://www.gegevensbeschermingsautoriteit.be/>

How long do we keep your data?

We do not retain your personal data for longer than is necessary. In the section ***Processing operations that may apply to you*** , we specify exactly how long this is for each processing purpose (under ‘retention period’).

What categories of personal data do we process?

We primarily process the data that you provide to us yourself. We may also obtain data about you indirectly. This will be clarified below for each processing activity (see ‘sources’). In such cases, we may receive the following data about you:

- Identification and contact details (where applicable, of the legal representative);
- Financial, administrative, health insurance and insurance data;
- Social data (e.g. family situation);
- Data relating to patient care;
- Data relating to family members;
- Data relating to education and training;
- Audio or video recordings;
- Health data;
- Data relating to religious or philosophical beliefs;
- Genetic data;
- National registration number.

From whom do we receive your personal data?

We collect your personal data primarily from you. Sometimes we may obtain it from other sources. You can find more information on this in the section ***Processing operations that may apply to*** under the specific processing purpose (under ‘source’).

To whom do we disclose your data?

Depending on the purpose of processing, we may share your data with third parties. We have clarified this in each case in the section ***(may apply to you)*** at , under the specific processing purpose (under ‘recipients’).

Do we transfer your personal data outside the European Union?

Our servers are located in the EU and we will not transfer your personal data to countries outside the European Economic Area, unless:

- (i) at your request; or
- (ii) insofar as this is necessary for the performance of the contract between you and us; or
- (iii) to the extent necessary for the establishment, exercise or defence of legal claims; or
- (iv) in the context of the use of certain software applications. In such cases, an adequate level of protection is provided on the basis of the European Commission’s adequacy decisions or through the use of the European Commission’s standard contractual clauses.

A copy of the appropriate safeguards can be obtained on request.

Processing operations that may apply to you

We process your personal data for the following purposes and in accordance with the following procedures. These depend on your capacity. More sections may apply to you. The section ***In any case***, contains information that applies to every capacity.

I am a patient

If you are a patient, we process your personal data for:

- **Provision of care (patient care)**: This covers all medical services we offer you to assess, maintain or restore your health, including the prescription and provision of medicines and medical devices. We do this on the basis of the need to perform the contract with you, to provide healthcare and to comply with legal obligations, such as maintaining a patient record.

Retention period: Your patient record will be retained for a minimum of 30 years and a maximum of 50 years following the last patient contact.

Recipients: See below under “Patient administration”.

Source (other than yourself): See below under “Patient administration”.

- **Patient administration**: This concerns the management and follow-up of our healthcare services, including identification, invoicing, reimbursements to the health insurance fund and declarations to the government. We do this on the basis of the need to perform the contract with you, to provide healthcare and to comply with legal obligations, such as social security

and financial obligations, and possibly also to protect your vital interests if you are physically or legally unable to give consent.

Retention period: We retain your personal data for up to 10 years after the end of the tax period to which the service provided to you relates.

Recipients:

For the purposes of patient care and patient administration, we may share your personal data with:

- Subcontractors providing support services (processors) such as IT suppliers, suppliers of medical equipment and software
- Healthcare professionals (doctors, paramedics and nursing staff)
- Insurance institutions (both yours and UZB's)
- Health insurance funds
- Any representatives within the limits set out in the Act of 22 August 2002 on patients' rights
- Government bodies authorised to do so by government decision or where this is required by law (e.g. RIZIV)
- Other hospitals and care institutions
- A family member who is not a representative, or a friend where applicable and, where necessary, subject to your consent
- Health networks that enable patients, healthcare providers and healthcare institutions to exchange and share medical data quickly and securely: further information on the electronic exchange of health data and the relevant health networks/partners can be found at <https://www.mijngezondheid.belgie.be/> as well as on the websites and in the privacy policies of the relevant partners. Where applicable, there is joint controller status with these health networks.

Source (other than yourself): External healthcare providers, such as your GP, specialist or other medical institutions involved in your care, or via your health insurance fund.

- **Patient registration and reporting with a view to improving the quality of care within hospitals in general:** This concerns the registration and reporting of certain (primarily statistical) data for quality purposes which, on the one hand, are imposed by the authorities, such as in the fight against epidemics, the reporting of adverse reactions or the improvement of care, and, on the other hand, are determined internally, such as increasing operational efficiency, research into patient satisfaction and the training of our staff. We do this on the basis of our legal obligations as a hospital and because it is necessary for the provision of healthcare and the management of healthcare systems and services.

Retention period: We retain your personal data for a minimum of 30 years and a maximum of 50 years following the last patient contact.

Recipients:

- Subcontractors providing support services (processors) such as IT suppliers, suppliers of medical equipment and software
- Competent (regulatory) government authorities
- Social security authorities

Source (other than yourself): /.

- **Security:** This concerns the use of security cameras in accordance with the Act of 21 March 2007.

Retention period: We retain camera footage for up to 30 days from the date of recording.

Recipients: Judicial authorities or external security firms, if necessary.

Source (other than yourself): /.

- **Access to the electronic patient portal (“My UZBrussel”):** This concerns access to the electronic patient portal in accordance with the agreement we enter into with you when you create an account.

Retention periods: up to a maximum of 10 years after your account is closed.

Recipients:

- Subcontractors providing support services (processors) such as IT suppliers, suppliers of medical equipment and software

Source (other than yourself): /.

- **Sending newsletters** (see section *I have subscribed to a newsletter*)
- **Secondary use of data for scientific research:** We may reuse your personal data, which was originally collected for other purposes (such as patient care), for scientific research. See section *I am participating in or my data is being processed for a scientific study* for more information.
- **Exchange of information within the European Reference Networks (ERN) in collaboration with the European Commission:** In the context of patient care, we may process your data within the European Reference Networks; these are networks of healthcare providers and centres of expertise in the Member States, particularly in the field of rare diseases, established in accordance with European regulations. Based on your consent, your data (consisting of name, gender, date and place of birth, and other personal data necessary for diagnosis and treatment) will be processed within the ERNs’ Clinical Patient Management System (CPMS) for the purposes of diagnosis and treatment, in order to (1) carry out a medical assessment of the case file to seek advice on diagnosis and treatment, (2) entering the data into rare disease registries or other databases for rare and uncommon complex diseases, and

(3) the possibility of contacting potential participants regarding participation in scientific research.

Retention period: If you withdraw your consent, your data will be removed from the CMPS. In any case, we will review at least every 15 years whether further processing is still necessary.

Other recipients: the relevant ERNs

For these purposes, UZ Brussel is a joint controller with the European Commission. The division of responsibilities is set out in Annex III to the European Commission's Implementing Decision 2014/287 of 10 March 2014.

I am participating in, or my data is being processed for, scientific research

We process your data for **scientific research**. Scientific research encompasses both prospective and retrospective research, clinical trials, technological development and demonstration, fundamental research, applied research, academic research and privately funded research, and is carried out with the aim of gaining new knowledge about diseases and/or treatments. This is done on the basis of the agreement we enter into with you in the context of the specific research, as well as on the basis of our legitimate interest and the public interest, which consists of promoting healthcare, public health and the advancement of knowledge for the benefit of society.

Retention period: We retain your personal data for up to 25 years after the completion of the research.

Recipients:

For this purpose, we may disclose your personal data to:

- Subcontractors providing support services (processors) such as IT suppliers, suppliers of medical equipment and software Another academic institution.
- The sponsor of the study (e.g. a pharmaceutical company).
- The hospital's ethics committee.
- An external audit firm.
- National/international government bodies.
- The European Commission within the framework of the European Reference Networks (ERN).

Source (other than yourself): /.

I am a donor

If you make a donation to UZB, we - in particular our UZ Brussel Foundation department - process your personal data for:

- The **management of donations and gifts** based on the performance of the agreement and in accordance with the law (tax certificate).
- Sending **newsletters** (see section *I am subscribed to a newsletter*).

Retention period: We retain your data for up to 10 years after the last donation.

Recipients:

For this purpose, we may disclose your personal data to:

- FPS Finance (tax authorities).
- Subcontractors who process personal data on our behalf (processors).

Source (other than yourself): /.

I am a visitor to the hospital

If you are a visitor to the UZB, we use your personal data for:

- **Security:** This concerns the use of security cameras in accordance with the Act of 21 March 2007

Retention period: We retain camera footage for up to 30 days from the date the footage was recorded.

Recipients: Judicial authorities if necessary.

Source (other than yourself): /.

- **To provide a secure Wi-Fi network** in accordance with the agreement we have with you.
Retention period: 1 year after the last use.

Recipients: For this purpose, we may share your personal data with subcontractors who process personal data on our behalf (processors).

Source (other than yourself): /.

I am a visitor to the website

When you visit our website(s), we process your personal data **to grant you access to the website.** This requires the placement and reading of cookies, which is justified on the basis of our **legitimate interest** as set out in our or on the basis of your **consent**. Further information about our use of cookies can be found in our cookie policy.

Retention period: Cookies are stored in accordance with our cookie policy.

Recipients: For this purpose, we may share your personal data with the third parties listed in the cookie policy.

Source (other than yourself): /.

I am a supplier

If you supply products or services to us or work at/for a supplier of products and services to us, we process your personal data **for supplier management:** this includes the management of orders and deliveries based on the necessity to perform a contract with the supplier. Without your personal data, we cannot perform the contract.

Retention period: We retain your personal data for up to 10 years after the last delivery.

Recipients: For this purpose, we may share your personal data with subcontractors who process personal data on our behalf (processors).

Source (other than yourself): /.

I have subscribed to a newsletter

If you have subscribed to the newsletter, we will send you communications about UZB's activities based on your consent or our legitimate interest. Our legitimate interest consists of keeping you informed of our activities, such as medical services, treatments, research results, events and other relevant information that may be of interest to you as someone interested in our healthcare provision.

Retention period: We retain your data for up to 10 years after the end of your relationship with UZB. You can unsubscribe from our newsletter at any time. If we contact you as a potential donor and you have not made a donation in the past, UZB will not retain your data or process it further.

Recipients: Subcontractors who process personal data on our behalf (processors).

Source (other than yourself): if you receive donation requests from the UZ Brussel Foundation, your data may have been obtained from third parties who provide address databases for specific fundraising campaigns (in particular Direct Social Communications BV, Victor Rauterstraat 33, 1070 Brussels, CBE 0427.917.874).

I am a job applicant

If you apply for a job at UZB, we process your personal data for:

- The **management and evaluation of your application** in the context of taking pre-contractual measures;
- **Maintaining a recruitment pool** based on our legitimate interest. Our legitimate interest is to contact you at a later date regarding a job opportunity if no vacancy is immediately available. If you do not wish to be included in the recruitment pool, you may object to this at any time.

Retention period: We retain your personal data for up to 2 years and, in the case of the recruitment pool, for up to 5 years following your application.

Recipients: For these purposes, we may disclose your personal data to our subcontractors who process personal data on our behalf (processors).

Source (other than yourself): recruitment agencies.

In any event

For each of the purposes mentioned above, we may also process your personal data for:

- **Managing the continuity of the hospital**, including mergers and collaborations with other healthcare institutions, based on the need to pursue our legitimate interest. Our legitimate interest consists of i) enabling the legal entities considering such an operation to access each other's personal data and ii) ensuring that the merger or acquisition actually takes place.

Retention period: We retain your personal data for up to 10 years.

Recipients: see below.

Source (other than yourself): Third parties involved in the merger or collaboration with another healthcare institution.

- **Management of disputes and complaints (where applicable by our ombudsman service)** based on the Act of 30 July 2018 (Art. 10, §1, 1°) and the need to safeguard our legitimate interest. Our legitimate interest consists of being able to safeguard our rights in the context of disputes. The processing is necessary for the establishment, exercise or defence of legal claims.

Retention period: We retain your personal data for up to 10 years after the dispute has been resolved.

Recipients: see below.

Source (other than yourself): intermediaries such as solicitors or, in the event of a patient's death, possibly via the spouse, legal or de facto cohabiting partner, blood relatives or the person acting as representative at the time of death.

- **Reporting of security incidents** under relevant legislation (including the NIS Act and GDPR) based on our legal obligations.

Retention period: We retain your data for up to 5 years after the incident has been closed.

Source (other than yourself): /.

For the purposes set out in this section, we may disclose your personal data to:

- Subcontractors who process personal data on our behalf (processors);
- Courts, solicitors, external advisers, bailiffs, notaries, court experts and other legal professionals to the extent necessary to achieve the relevant purpose;
- Insurers;
- Judicial, police or administrative authorities, where required by law or to the extent necessary to achieve the relevant purpose.

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