



Privacy Statement

In this set of regulations Buitink Technology expounds the way in which personal data and privacy are dealt with on a day-to-day basis and what is and is not legally acceptable in this respect.

Privacy plays a major role in the respective relationships between employees/customers/suppliers and Buitink Technology. Buitink Technology is responsible for personal data and data exchange in all areas in which we are active, and handles the collection, storage and management of personal data pertaining to data subjects carefully and securely and in observance of proportionality and confidentiality. This applies to tasks in the field of basic records and accounts, security and industrial relations. Protection of privacy is complex and is becoming increasingly so due to technological developments, decentralisations, major security-related challenges and new EU legislation. Therefore we feel it is important to be transparent about the way in which we deal with personal data and guarantee privacy.

Legislation and definitions

At the moment every EU Member State has its own privacy law, based on the European Directive of 1995. The Personal Data Protection Act ("Wbp" in its Dutch acronym) regulates the legal framework governing the handling of personal data in the Netherlands. On 25 May 2018 the Wbp ceases to be applicable and the European General Data Protection Regulation (GDPR) comes into effect, together with its implementing law. The GDPR builds on the Wbp and among other things serves to enhance and extend privacy rights, thereby ushering in greater responsibilities for organisations.

The following concepts are used in the GDPR (Article 4 of the GDPR):

Data subject: The person to whom the personal data relate. The data subject is the person whose data are processed.

Processor: The person or organisation that processes personal data on behalf of another person or organisation.

Personal data: All data relating to people and on the basis of which a person is identified or identifiable as a natural person. This concerns not only confidential information, such as data relating to a person's health, but any data that can be ascribed to an individual (for example, name, address and date of birth). In addition to ordinary personal data the law also recognises special categories of personal data relating to sensitive issues such as ethnic background, political preferences or the Employee Service Number (Citizen Service Number or "BSN").

Data Protection Impact Assessment: A Data Protection Impact Assessment is used to assess the effects and risks of new or existing processing activities on the protection of privacy. It may also be referred to as a Privacy Impact Assessment (PIA).

Controller: A natural or legal person or other body that, alone or jointly with others, determines the purposes and means of the processing of personal data.

Processing: Processing is everything that is done with personal data, such as: recording, storage, collection, combination, disclosure to another party and destruction.



Scope

These regulations apply to all processing activities performed on personal data by Buitink Technology, or in respect of all processing operations carried out within Buitink Technology.

Controller

The Buitink Technology management is responsible for the processing activities carried out by or on behalf of Buitink Technology.

Processing activities (Article 4 of the GDPR)

The processing of personal data is any operation or set of operations performed on personal data or on sets of personal data, whether or not by automated means.

In the GDPR the following fall under processing:

- collection, recording and organisation
- storage, adaptation and alteration
- retrieval, consultation and use
- disclosure by transmission
- dissemination or otherwise making available
- alignment and combination
- restriction, erasure or destruction of data.

Purposes (Article 5 of the GDPR)

Buitink Technology only collects personal data for which a purpose has been specified. The purpose is explicitly set forth and justified. We do not process the data for other purposes. For the implementation of some laws the purposes of the processing are already laid down in the law, as are the personal data that may be requested and processed.

Lawfulness of processing (Article 6 of the GDPR)

The law stipulates that a basis of lawfulness enshrined in the law must apply to every processing operation performed on personal data. This means that processing within Buitink Technology is only carried out:

- to comply with an obligation laid down in the law;
- for performance of a contract to which the data subject was a party;
- to counteract a serious threat to the data subject's health;
- for the correct fulfilment of an administrative or legal task;
- when the data subject has given consent to the processing of his or her personal data for a specific purpose.

Manner of processing

The basic rule governing the processing of personal data is that it is only permitted when performed in accordance with the law and in a careful and meticulous manner. As far as possible personal data are collected from the data subject himself. The law is based on the premise of subsidiarity, which means that processing is only allowed when the purpose cannot be achieved in any other way. The law also makes mention of proportionality, meaning that personal data may only be processed if this is in proportion to the purpose pursued. When the same purpose can be achieved without using personal data, or using fewer data or data of a less onerous nature, Buitink Technology will opt for this approach.

Buitink Technology makes sure that data are correct and complete before they are processed. These data are only processed by people bound by a duty of confidentiality. Moreover, Buitink Technology ensures the security of all personal data, with a view to preventing personal data being accessed or altered by anyone not entitled to do so.



Transfer (Articles 44 to 50 of the GDPR)

Buitink Technology only transfers personal data to a country outside the European Economic Area (EEA) or to an international organisation on the basis of approved agreements by the European Commission.

Transparency and communication

You can submit a request for information to Buitink Technology. When dealing with the request Buitink Technology always checks to ascertain whether the answer infringes on data subjects' personal privacy. In principle no personal data are disclosed.

Obligation to provide information (Articles 13 and 14 of the GDPR)

Buitink Technology informs data subjects about the processing of personal data. When data subjects provide data to Buitink Technology, they are informed of the way in which Buitink Technology will handle personal data.

The data subject will not be informed again if he/she already knows that Buitink Technology collects personal data from him/ her and processes them, and knows why and for what purpose this is done.

When data are obtained through other channels, i.e. without consultation of the data subject, the latter is informed the moment these are processed for the first time.

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On this website we use cookies. A cookie is a piece of data that is downloaded together with pages of this website and stored by your browser on your computer's hard disk.

With your permission we install "tracking cookies" on your computer. We use these cookies to keep track of the pages you visit and thereby to build a profile of your online behaviour. This profile is not linked to your name, address, e-mail address or such like, but merely serves to gear advertisements to your profile so that these are as relevant to you as possible.

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Website forms

If you fill out forms on our website, our suppliers, who manage our website and carry out our Internet marketing, receive the personal data you have filled in. They can see whether you have registered for our newsletter and whether your application/contact comes via Adwords.

Removal

Buitink Technology stores personal data for no longer than is necessary for performance of administrative and/or legal tasks, or as laid down in the Archives Act. When personal data are still stored but are no longer needed for the achievement of the purpose, they are removed as quickly as possible. This implies these data being destroyed or adapted in such a way that the information can no longer be used to identify someone.



Data subject rights (Articles 13 to 20 of the GDPR)

The law lays down not only the obligations of those who process personal data, but also the rights of the people whose personal data are processed. These are also referred to as data subject rights, and consist of the following:

- Right to information: Data subjects have the right to ask Buitink Technology whether their personal data are being or will be processed.
- Right to perusal: Data subjects have the possibility of checking whether, and in what way, their data are being processed.
- Right to rectification: If it becomes apparent that the data are not correct, the data subject may submit a request to Buitink Technology to have this rectified.
- Right to opposition: Data subjects have the right to ask Buitink Technology to stop using their personal data.
- Right to be forgotten: In cases where the data subject has given consent for data to be processed, the data subject has the right to have the personal data removed.
- Right to object: Data subjects have the right to lodge an objection to their personal data being processed.

Buitink Technology will comply with the above, unless there are legitimate grounds for the processing.

Submission of a request

To exercise his or her rights, the data subject can submit a request, either in writing or by e-mail. Buitink Technology has four weeks, counting from receipt of the request, to assess whether the request is legitimate and to let the data subject know what the outcome is. If the request is not acted upon an objection can be lodged with Buitink Technology or a complaint can be filed with the Personal Data Authority ("AP"). In the light of a request Buitink Technology may ask for additional information in order to obtain certainty as to the data subject's identity.

Automated processing

Profiling (Article 22 of the GDPR)

Profiling is any form of automated processing of personal data consisting of the use of personal data to examine certain personal aspects relating to a natural person, in order to categorise and analyse that person or to enable predictions to be made. Examples of personal aspects include financial situation, interests, behaviour or location.

To make profiling a bit clearer, we use the following example: When a visitor to the Buitink Technology website looks at a particular service, Buitink Technology may not take any action aimed at offering the service. Buitink Technology can examine the frequency with which a particular service is looked at, but may not advertise in a specifically targeted manner. In addition the law states that no decision may be taken on the basis of profiling.

Buitink Technology makes use of profiling and does so in accordance with the exceptions listed in Article 22(2) of the GDPR:

1. Necessary for performance of a contract between the data subject and the data controller.
2. Authorised by Dutch law or Union law.
3. Based on the data subject's explicit consent.



Big data and tracking

By means of big data research and tracking, data may only be processed when these cannot be traced back to a natural person. Moreover they are only collected for research carried out by or on behalf of Buitink Technology. Data collected through big data research and tracking are solely data collected by authorised persons. When the data are converted into a data set, data minimisation will be applied, meaning that only those data that are really necessary for achievement of the purpose will be used. Furthermore personal data can be pseudonymised so that they cannot be traced back to a person.

Buitink Technology does not use big data and tracking.

Use of cameras

Camera surveillance is used within Buitink Technology, among other things to improve security and safety. Cameras can constitute a major invasion of privacy of the person or persons being filmed. In order to safeguard privacy as effectively as possible, cameras are only used when there are no other ways of achieving the purpose and requirements are laid down governing their use.

Buitink Technology makes use of camera surveillance, and has installed cameras in the following areas:

- All industrial spaces
- Entrance hall
- Car park at the front
- Car park next to the premises

If there are any suspicions of theft, Buitink will proceed to install and use concealed cameras.

Obligations incumbent upon Buitink Technology

Record of processing activities (Article 30 of the GDPR)

Buitink Technology is responsible for maintaining a record of all processing activities of which it is the controller. Every record will contain a description of what takes place during a processing operation and what data are used for it, namely:

- the name and contact details of the controller and, where applicable, the joint controller;
- the purposes of the processing;
- a description of the categories of personal data and associated data subjects;
- a description of the recipients to whom the personal data have been or will be disclosed;
- a description of the transfers of personal data to a third country or an international organisation;
- the envisaged time limits for erasure of the different categories of personal data;
- a general description of the security measures.

Data Protection Impact Assessment (Article 35 of the GDPR)

A data protection impact assessment is used to assess the effects and risks of new or existing processing activities on the protection of privacy. Buitink Technology carries out this assessment when automated or large-scale processing takes place. This applies in particular to processing activities involving the use of new technologies.



Personal data breaches (Articles 33 and 34 of the GDPR)

We refer to a personal data breach when personal data fall into the hands of third parties who are not authorised to access these data. When a personal data breach has occurred, Buitink Technology reports this to the “AP” (Personal Data Authority) without undue delay, and within no more than 72 hours of having learnt of the breach. If this notification is made more than 72 hours after the breach, a justification for this delay must be added to the report. It could be that the breach entails a high risk for the rights and freedoms of data subjects, in which case Buitink Technology will communicate this to the data subjects in simple, clear terms. Existing data breaches are evaluated with a view to avoiding future personal data breaches.

Conclusion

If Buitink Technology fails to meet a legal obligation, the data subject may lodge a complaint, which will be handled in accordance with Buitink Technologies’ complaints procedure.