

## Acture and Your Personal Data

**You receive benefits through the Sickness Benefits Act or WGA (Work Resumption Scheme for Partially Disabled Persons) via Acture. This automatically means that we process your personal data. In this privacy statement, you can read how and why we do this, which data this concerns and with which parties we share these data. Additionally, you can read what your rights are, for instance when you would like to view or change your data.**

### **1. Who processes your personal data?**

Acture B.V. Kerkenbos 12-38, 6546 BE Nijmegen, is the controller responsible for processing your personal data. Our Data Protection Officer ensures this is done according to statutory rules. Should you have any questions or comments regarding this, you can contact this office in the following ways:

*Mailing address:*

Acture B.V.

At the attention of the Data Protection Officer

Kerkenbos 12-38

6546 BE Nijmegen

*Telephone:*

024 890 94 70

*Email:*

FG@acture.nl

Acture and your (former) employer have agreed that ActivaSZ is responsible for the processing of your personal data for the implementation of the Sickness Benefits Act or WGA. It is best to direct questions about the processing of your personal data directly to ActivaSZ, although you are also always free to contact your (former) employer.

### **2. Why do we process your personal data?**

Acture processes your personal data because your (former) employer has decided to bear the excess of the Sickness Benefits Act and/or WGA. This means he is responsible for the payment and supervision of (former) employees who invoke these statutory regulations in the event of sickness or disability. Your (former) employer has empowered us to take care of support and payment in these procedures. Naturally, we can only perform these tasks by processing personal data. Your (former) employer has therefore provided your personal data to Acture. During the provision of support, Acture may also ask you to provide additional personal details.

Your (former) employer is controller for his processing of your personal data, including the provision of those data to Acture.

### **3. For which purposes do we process your personal data?**

This depends on your personal situation. We may process your personal data for the following purposes:

- contact with you concerning the execution of social security legislation that applies to you;
- determining your right to benefits, as well as the amount and duration;
- record keeping concerning absence and payments;
- payment of your benefit;
- paying employer premiums;
- providing you with payment specifications;
- audit of allocation of the benefit;
- conducting complaint procedures and appeal procedures;
- file management;
- support during your reintegration;
- enforcement.

### **4. On the basis of which statutory regulations (legal grounds) does processing occur?**

The following legal grounds may be applicable to Acture processing your personal data:

- processing is required for the execution of your labour agreement, or arises from this;
- processing is required to, on behalf of your (ex) employer, meet the obligations imposed on your (ex) employer by the social security legislation;
- processing is required to serve the justified interests that Acture and your (ex) employer have in carrying out their regular business activities. Your interests will not be harmed. In fact, careful execution of the social security legislation applicable to you is in your best interest. The processing of personal data is inevitable in this case, and not to your disadvantage.

### **5. How do we gather personal data?**

Your (ex) employer has provided your personal data to Acture to enable us to make the payment of your benefit and provide support in case of illness or work disability on behalf of your (ex) employer. During your contact with Acture, we may ask you to provide personal data that your (ex) employer has not provided yet.

### **6. Which personal data do we process?**

This depends on your personal situation. We may process the following personal data for the purposes stated in this privacy statement:

- citizen service number;
- name, address, city;
- telephone number;
- nursing address;
- date of birth;
- sex;

- email address;
- job + job description;
- the period of work disability and an overview of previous periods of work disability;
- motivation indicating why you are a person as intended in article 29, section 2, parts a, b and c, Sickness Benefits Act that was last employed by the self-insurer;
- refusal of Sickness Benefits and the motivation of this;
- amount of the daily salary and motivation of this;
- IBAN bank account number;
- start, duration and end of the right to Sickness Benefits and motivation of this;
- the period during which Sickness Benefits were paid;
- the period during which an advance was paid;
- whether or not an occupational accident is concerned, for the benefit of right of recourse;
- the last earned monthly salary;
- work disability category;
- start, duration and end of the right to WIA benefit (benefit for work and income according to capacity for work) and motivation of this;
- administrative dispositions issued by UWV.

## **7. How do we handle data pertaining to your health?**

The requirements for processing health data are extra strict. Insofar as the processing of these data occurs by doctors (and other members of functional teams), processing is allowed for the purposes of your treatment or care. In other cases, medical data are only processed insofar as this is required for the proper execution of social security legislation, for your reintegration, and for support concerning your illness or work disability. For instance, this concerns the fact that you are (have been) ill and possibly what the nature of this illness is.

### *Task delegation by the company physician*

In some cases, your case manager may discuss health-related data with you that fall under the task of the company physician/medical advisor of Acture. The company physician/medical advisor of Acture has the task of discussing these data and then officially transferring these to the case manager, but remains responsible. This is referred to as task delegation. If the case manager discusses matters with you on the basis of task delegation, this happens under the responsibility of the company physician/medical advisor of Acture. If you have any questions, your case manager is happy to answer these for you.

Task delegation involves discussing the following data:

- which limitations you have in performing your work;
- whether there are regulations from social legislation concerning the No-risk policy that apply to you;
- whether contact with the company physician is required sooner than six weeks after your illness notification;

- how you spend your days during your illness.

### **8. When and why do we process your citizen service number?**

We only process your citizen service number (BSN) when that is legally required. Your citizen service number is at least required in the following cases:

- to report your illness and possible recovery to the UWV;
- in the payroll tax return about your Sickness Benefit or WGA benefit;
- during the data inspection at UWV.

### **9. To whom can we pass on your personal data?**

We may pass on your personal data to a limited number of parties, and only when this is necessary for the execution of social security legislation and/or when legally obligated. The parties we might pass your personal data to include:

- sister companies of Acture, insofar as these are involved in the execution of social security legislation;
- company physicians (organisations) and other experts;
- reintegration agencies;
- external advisers we involve in your reintegration, the payment and registration of your benefit, absence registration, file management and the provision of payment specifications;
- UWV;
- the Tax Authority.

### **10. To which countries do we pass on personal data?**

Following European legislation your data are exclusively processed in the Netherlands or in European member states.

### **11. How long do we retain your personal data?**

Acture does not retain your personal data longer than legally permitted, legally obligated and/or necessary for the purposes for which the data are processed. How long we retain certain data does not solely depend on the nature of the data, but also on the purposes for which they are processed. This means that the retention period could differ per goal. Acture always opts for the shortest possible retention term within this framework.

### **12. Which rights do you have concerning your personal data?**

You have the right to request Acture for access to the personal data we process about you. You can also request rectification or removal of your personal data, or request limitations regarding the processing of your personal data. Additionally, you have the right to object against the processing of your personal data. Finally, you have the right to ask us to transfer the data we have gathered to you.

If you would like to make use of these rights, you can send your request including name and contact information to our Data Protection Officer. You can read more on how to reach this professional on the first page of this privacy statement.

We kindly ask that you specify which personal data it concerns in your request. If Acture is unable to ascertain this (completely), we may ask you to provide further details regarding your request. Acture will usually respond to your request within four weeks. If we are unable to meet your request, we will clarify why this is the case.

### *Complaints*

You always have the right to submit a complaint if you believe we do not handle your personal data correctly. We kindly ask that you use the [complaint form on our website](#) for this purpose. Acture takes every complaint seriously and responds within 24 hours.

You always have the right to submit a complaint with the Data Protection Authority. You can read more on this procedure on the [website](#) of this regulator.

### **13. Do you have questions or suggestions?**

You may always contact our Data Protection Officer for questions or suggestions regarding this privacy statement. You can read more on how to reach this professional on the first page of this privacy statement.

### **Document Version and Changes**

Acture may adjust this Privacy Statement, for instance following new legislation, jurisprudence, or publications of the Data Protection Authority. Therefore, Acture recommends that you regularly read this Privacy Statement for changes. This version dates from February 21, 2019.