

## PRIVACY STATEMENT FOR THIRD PARTIES OF HESTIA KINDEROPVANG

### 1. Introduction

Hestia Holding, as well as Hestia Dienstverlening, Hestia Vastgoed, Hestia Amstelveen, Hestia Rivierenbuurt and Hestia Beethoven (hereafter together referred to as 'Hestia Kinderopvang') process personal data. Through this privacy statement we want to provide you with an overview of the processing of your personal data by us, and your rights as per the General Data Protection Regulation (*Algemene verordening databescherming* (AVG)), a regulation established by the European Union (EU).

This privacy statement applies to all personal data from third parties which are processed by Hestia Kinderopvang. 'Third parties' are understood as: a natural person, not being a person (thus the employees) working for Hestia Kinderopvang based on a contract, based on a temporary employment contract (with Hestia Kinderopvang as hirer), based on a voluntary contract, or based on a contract of assignment.

### 2. Who is responsible for processing your personal data, and who can you contact?

Should you want to know more about data protection at Hestia Kinderopvang, or should you want to make use of your right(s) as a person concerned, or should you have a different question or comment regarding data protection, we kindly request you to contact our Officer for data protection (*Functionaris voor de databescherming*) through:

Hestia Kinderopvang  
T.a.v. Functionaris voor de databescherming  
Postbus 16  
1120 AA Landsmeer  
Tel: 020-6618710  
E-mail: [info@hestiakinderopvang.nl](mailto:info@hestiakinderopvang.nl)

### 3. Which of your personal data does Hestia Kinderopvang process?

Personal data are data that say something about you or that Hestia Kinderopvang can link to you. Hestia Kinderopvang processes personal data of third parties. Below is a description per type of third party of whom personal data are processed. 'Third parties' are divided into three types of third parties: (a) customers of Hestia Kinderopvang (including children for whom and parents/guardians with whom a placement contract is secured), (b) applicants at Hestia Kinderopvang and (c) suppliers of goods or services and other relations of Hestia Kinderopvang.

#### a. You are a customer at Hestia Kinderopvang

The personal data which Hestia Kinderopvang processes of you as a customer are:

- a. Last name, names, initials, titles, gender, date of birth, address, postal code, residence, telephone number, e-mail address as well as IBAN-number;
- b. An administration-/customer number, that does not contain any further information than meant under a;
- c. Data which is necessary for invoicing, collection, compensations and expenses;
- d. Social security number (BSN) (data-delivery children's centre to the tax authorities), picture;
- e. Data with regards to the administration of your presence or absence at the area where the children's centre is located, in reference to the Childcare Act;
- f. Usual contact data and contact details in case of emergencies;
- g. Data (e.g. illness or use of medication) that are important to collect with regards to the children's centre;
- h. Data, including data regarding civil status and concerned family members and former family members of the concerned party, that are needed in relation to the children's centre;
- i. Data that are needed for the organisation of the children's centre (intake forms, documentations of parent interviews, observations of children, complaints);
- j. Other data than that which is meant under a up until and including h of which the procession is necessary in relation to any other law.

**b. You are an applicant at Hestia Kinderopvang**

The personal data which Hestia Kinderopvang processes of you as an applicant are:

- a. Last name, names, initials, titles, gender, date of birth, address, postal code, residence, telephone number, e-mail address and similar data needed for communication, as well as your IBAN-number;
- b. Data regarding completed and to be attended education, courses and internships;
- c. Data regarding the position that is applied for;
- d. Data regarding the nature and content of the current employment, as well as regarding its termination;
- e. Data regarding the nature and content of previous employments, as well as regarding their terminations;
- f. Other data in relation to the fulfilment of the position that is provided by the concerned party/parties or that are known to him/her;
- g. Other data than that which is meant under a up until and including h of which the procession is necessary in relation to any other law.

**c. You are a provider of goods or services or a different type of relation at Hestia Kinderopvang**

The personal data which Hestia Kinderopvang processes of you as a supplier of goods or services or as a different relation from Hestia Kinderopvang are:

- a. Last name, names, initials, titles, gender, date of birth, address, postal code, residence, telephone number, e-mail address and similar data needed for communication, as well as your IBAN-number;
- b. Usual contact details that are needed to maintain contact;
- c. An administration number which contains no further information than is meant under a;
- d. Data in relation to making deliveries or placing orders or granting services, such as invoicing, collection, compensations and expenses;
- e. Other data than that which is meant under a up until and including h of which the procession is necessary in relation to any other law.

Some of these data shall be designated as special personal data, for example data concerning health, criminal history, ethnicity and race. Hestia Kinderopvang only processes special personal data when it is legally obliged to do so or when the data is necessary to protect your health in case of emergency.

#### **4. From which sources does Hestia Kinderopvang receive your personal data?**

We process personal data that we receive from you in the context of the relationship between you and Hestia Kinderopvang. It is important that you inform us promptly of any changes in the personal data known to us.

If necessary for the contractual relationship with you and the work activities you are offered, we process data which we lawfully receive from other locations, third parties (including customers and suppliers), or which we have received from public sources and are allowed to process (i.e. registers, press, internet and other media).

#### **5. What is the judicial base for processing your personal data?**

Hestia Kinderopvang verwerkt uw persoonsdata op basis van één of meerdere van de volgende juridische grondslagen:

- The execution of the placement contract or execution of the contracts with suppliers/customers;
- The compliance with a legal duty;
- Legitimate interest of Hestia Kinderopvang or third parties, in which case Hestia Kinderopvang shall determine whether all data is necessary, whether the processing is more important than the general right to privacy that you enjoy, and which measures should be taken to ensure that the breach of privacy is kept to the necessary minimum (this applies inter alia when you are an applicant with us, because processing the data is necessary to ensure a proper progression of the application procedure);
- Your permission.

**6. When and why do we process your personal data (purpose of data processing)?**

a. Customers: the processing takes place during the placement process, during the duration of you enjoying our services, at the moment on which your placement contract is terminated, and after you have left. Should we be inclined to process your personal data in the future for any other goal than for which they were collected, then we shall inform you of this goal and provide you with all other relevant information. The goals of personal data processing are:

- Performing the planning process;
- Concluding a placement contract;
- Invoicing and collection;
- Internal checks and security;
- Recording footage with the aim of enhancing the customers' knowability about our work method;
- The termination of a placement contract;
- Dealing with disputes;
- Keeping track of personal data in relation to determining the amount of necessary preschool teachers;
- The supervision of children;
- Maintaining contact with you;
- (The election of) the members of the Parental Advisory Committee;
- The implementation of a placement condition applicable to the parents or to the child;
- To avoid fraud and money laundering;
- Collecting claims, including placing these claims in the hands of third parties;
- To comply with obligations regarding checks and information under the Tax Law;
- Drafting a list of data containing birthdays of concerned as well as other holidays and celebratory events;
- Facilitation of tax audits and quality checks by tax inspectors and fiscal and other governmental authorities (e.g. the GGD);
- Communication through the communication tool (parent portal, emails, etc.) for the parents;
- Marketing of services and goods of Hestia Kinderopvang;
- Creation of an archive consisting of the history of Hestia Kinderopvang;
- The execution or implementation of another law.

b. Applicants: the processing takes place the moment you apply at Hestia Kinderopvang, during the application procedure, and after its end. We would like to notify you of the fact that should you go through a successful application process and enter into service with Hestia Kinderopvang, from the start of your employment the privacy statement for staff members will be applicable to you. Should we be inclined to process your personal data in the future for any other goal than for which they

were collected, then we shall inform you of this goal and provide you with all other relevant information.

The goals of personal data processing are:

- The assessment of the suitability of the concerned person for the position already vacant or potential available position;
- The internal checks and business operation;
- The execution or implementation of another law;
- To be able to contact you in order to plan a meeting or provide feedback;
- To be able to assess your profile based on the position for which you applied;

c. Suppliers or other relations: the processing takes place when you enter into a business relationship with Hestia Kinderopvang based on providing goods and/or services, for as long as the duration of the execution of this contract, and at the moment of termination. Should we be inclined to process your personal data in the future for any other goal than for which they were collected, then we shall inform you of this goal and provide you with all other relevant information. The goals of personal data processing are:

- Processing invoices and making payments;
- Maintaining the corporate network of Hestia Kinderopvang;
- Placing orders;
- Maintaining contacts with the person responsible amongst the purchasers or suppliers;
- Collecting claims, including placing these claims in the hands of third parties;
- To comply with obligations regarding checks and information under the Tax Law;
- Dealing with disputes;
- The execution or implementation of another law.

## **7. Who has access to your personal data?**

Your personal data shall be accessible at Hestia Kinderopvang to internal departments that have the task to comply with our contractual and lawful duties (such as human resources, if applicable staff representation, etc.) or those that require such data in the context of processing on behalf of or for the execution of our legitimate interest (including your manager). Your personal data shall be released/communicated to external locations and persons exclusively;

- In the context of the execution of the placement contract or the contract with suppliers/customers;
- For reasons when we are obligated or authorised to provide information, notify or send through data (i.e. to an insurance company on behalf of an employer liability insurance and for a health insurance, to tax authorities and to government agencies for the purpose of checking compliance with the Childcare Act) in order to comply with the legal requirements;

- Insofar external service providers as contractual processor process data as a task assigned by us or insofar parties assume certain functions (i.e. audit firms for taking care of the (financial) administration, an IT-service provider for providing the automatized environment, credit bureaus, external research centres, insurance companies, suppliers of pension schemes, printing companies, organisations responsible for the destruction of personal data, courier services, postal services, logistical service provides);
- As a result of our legitimate interest or the legitimate interest of a third party (i.e. towards government agencies, credit bureau, collection agencies, lawyers, legal institutions, appraisers and inspection authorities).

### **8. How long do we store your personal data?**

Hestia Kinderopvang stores personal data for as long as laws and regulations requires us to. When there is no legal storage period known, Hestia Kinderopvang will store your personal data for as long as necessary to fulfil the purpose for which they are stored. In such cases, Hestia Kinderopvang shall carefully balance between the (original) storage purpose and the possible consequences for you as a result of the storage of your personal data.

- General documents from the child's file, such as the intake form, agreements and documentations from parent interviews are, in principle, stored for up to two years after the last placement date.
- Your placement contract as well as data coming from the child administration are stored for at least seven years after the last placement date (according to the General Tax Act).
- The personal data concerning an application procedure is removed on request from the applicant, but in any case at least four weeks after the position is filled, unless the applicant grants permission for an extended storage of personal data.
- The personal data or data carriers of suppliers which consist personal data, that we as an organisation need to comply with our legal administrative duty, such as invoices, are stored for the duration of the legal storage term. Other personal data are deleted at the latest two years after termination of the relationship with the supplier.

### **9. How do we protect your personal data?**

We take data protection serious and this of course also applies to the personal data of third parties. Below you can find a list of guarantees we provide you with regarding your personal data:

- We shall limit the use and registration of data to that which is minimum required;
- Only those who are authorised can have access to and treat your personal data. All persons who can access your data on behalf of Hestia Kinderopvang are subject to confidentiality;
- Data shall only be shared with third parties in order to comply with our contractual duties towards you or when it is legally required;

- When third parties are contracted to supply supporting services, they must comply with our requirements regarding privacy;
- We have taken all technical and organisational measures that are reasonably expected from us to protect your personal data.

#### 10. Which rights do you have with regards to data protection, and how can you exercise them?

As a person concerned you have the right to:

- **Inspection:** you can put in a request with Hestia Kinderopvang to gain access to, and if yes, which data we process about you, with which purpose we process these, and who we have provided with your personal data;
- **Rectification:** you can request us to correct faulty or supplement incomplete personal data;
- **Erasure:** you can request for us to delete your personal data in case these are factually incorrect, unnecessary to meet the purpose, or when the manner of data processing is unlawful;
- **Limitation of the processing:** you have the right to (temporarily) halt the processing of your personal data should these personal data be factually incorrect, when you believe that the processing is done unlawfully, or when Hestia Kinderopvang no longer needs the data but you do (for example to establish a legal claim);
- **Object** against the processing of your personal data: you may request us to no longer use your personal data, for example under special personal circumstances, or when your personal data are used for direct marketing;
- **Transferability of data:** you can make a request to receive your personal data from Hestia Kinderopvang (in a convenient manner). You can also ask us to transfer certain data directly to a different organisation;
- **Revoke permission:** as far as the processing of your personal data is based on your permission, you at all times have the right to revoke said permission.

Please take note: none of the above rights are absolute. This means that there are circumstances in which Hestia Kinderopvang is not legally obligated to meet your request. We are also allowed to ask you to identify yourself before we meet your request(s).

Should you want to exercise any or more of these rights, please direct your written request to our *Functionaris voor de databescherming* (Officer for data protection).

Your request shall be processed as quickly as possible and at least one month after receipt of the request. This term can, when necessary, be extended by two months. When applicable, you shall be notified of this extension as well as the reason.

**11. What happens when you refuse to supply us with your personal data?**

You are only obliged to provide data that are absolutely necessary for the commencement of and compliance with the contractual relationship, a precontractual relationship with us, or when the collection of data by us is legally required. Should you choose to not provide these data, we will not be able to commence or continue the placement contract or the contract for the purpose of purchasing or supplying goods/services.

**12. Can you file a complaint about the processing of your personal data by Hestia Kinderopvang?**

Should you have a complaint about the processing of your personal data, we ask you to promptly contact us via [info@hestiakinderopvang.nl](mailto:info@hestiakinderopvang.nl) or 020-6618710. We would of course regret it very much should we not find a mutually acceptable solution. You always have the right to file a complaint at the supervisor – in the Netherlands this is the Autoriteit Persoonsdata – when you believe your personal data are processed in a manner that infringes on the privacy law.

**13. About this privacy statement**

This privacy statement can be changed at all times by Hestia Kinderopvang. Changes shall be made public on our website. Please regularly consult this privacy statement for changes and updates, in order for you to be informed at all times. This version was drafted on 29 July 2019.