

<b>PRIVACY POLICY OF THE EXPERT TOOL</b>
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v0.1

This privacy policy (“**Privacy Policy**”) governs the processing of your personal data as well as the personal of your patients as part of your use of the EXPERT Tool (the “**Tool**”) and its associated services (hereinafter together referred Tool and associated services as “**Services**”). This processing is undertaken by Universiteit Hasselt, a public institution under Belgian law having its registered seat at Martelarenlaan 42, 3500 Hasselt, with corporate registration number 0208.359.859 (“**UHasselt**”).

**By registering with our Services and using the Tool, you acknowledge that you have read this Privacy Policy carefully and that you agree with it without reservation.**

## **Article 1 In general**

- 1.1 This Privacy Policy is an integral part of the terms of use of the EXPERT Tool (“**Terms**”).
- 1.2 Any notion starting with a capital shall be defined by explicit reference in this Privacy Policy or in the Terms.
- 1.3 Where possible given the context, singular words shall be interpreted as also including the plural and vice versa.
- 1.4 UHasselt reserves the right to modify the Privacy Policy at its own discretion and from time to time. Such modification shall be communicated via the Tool or via e-mail. If you do not accept the modifications, you are to stop using the Tool from the moment the modified Terms apply. UHasselt will delete your Account in which case clause 6.2 will apply. By continuing to use the Services after the modifications to the Privacy Policy have been communicated to you, you indicate to accept these modifications without reservation.

## **Article 2 Roles and purposes**

- 2.1 During the registration process and

when using the Services, UHasselt collects personal data pertaining to you. Such personal data include:

- a) your contact details and basic identity such as your first name, last name and e-mail address;
- b) device-specific details which may be used to identify you or from which a general location may be derived (e.g. IP address);
- c) details on how you use the Tool and what your professional profile is.

UHasselt obtains the above mentioned personal data directly from you.

The processing of your personal data by UHasselt is necessary for UHasselt to be able to provide you the Services as per the Terms and your License. The processing of your personal data is also necessary to ensure the continued security and safety of the Tool and its supporting IT infrastructure and to be able to continuously improve the Services. For these processing purposes UHasselt shall be construed as sole controller.

2.2 Due to your use of the Services, UHasselt will also collect the personal data of your patients insofar you enter their personal data into the Tool. Personal data collected include:

- a) basic identity information such as first name, last name, gender and date of birth;
- b) data concerning health such as maximal aerobic capacity, heart rate, weight, height, blood pressure, glucose level, cholesterol level, medical condition (e.g. cardiovascular disease), physical condition (e.g. obesity), medication;
- c) data concerning habits, such as smoking or exercise;
- d) treatment specific data entered by you as health care professional.

UHasselt obtains the above mentioned patient data directly from you. The patient data collected with the Tool shall be processed for the purposes you choose, which shall in any case include:

- a) assisting you in prescribing personalized training schedules;
- b) providing you with an historic overview of recommendations made per patient;
- c) exporting and printing recommendations;
- d) providing you with reports allowing you to do further research on the data of your patients;
- e) updating and improving the Services (e.g. updates and

improvements to underlying algorithms and exercise prescriptions) to ensure that the recommendations made to you remain informative and relevant;

- f) anonymizing all personal data of your patients upon termination of your License of permanent removal of your Account.

You are solely responsible as controller for all personal data of your patients that is processed via the Tool. UHasselt will only process the personal data of your patients via the Tool for the purposes listed in this clause. It is therefore your responsibility to obtain your patient's consent for all personal data relating to them that is processed via the Tool.

### **Article 3 Recipients of personal data**

3.1 UHasselt does not send your personal data nor the personal data of your patients in an identifiable manner to any third party without your explicit permission to do so.

3.2 UHasselt may rely on third party processors to provide you the Services. These third party processors are only allowed to process your personal data and the personal data of your patients on behalf of UHasselt upon explicit written instruction of UHasselt. UHasselt warrants that all third party processors will be selected with due care and are obliged to observe the safety and integrity of your personal data and those of your patients. These third party processors will be bound by a confidentiality obligation and their identities will be communicated to you via the Website.

3.3 UHasselt may send anonymized data to

other organizations that may use those data for improving products and services as well as tailor the marketing, displaying and selling of those goods and services.

#### **Article 4 Location and transfer**

- 4.1 UHasselt and potential third party processors will only process your identifiable personal data or those of your patients in the European Economic Area (hereinafter: “**EEA**”). A transfer of personal data collected via the Tool to a country outside the EEA will only take place with your explicit consent.
- 4.2 UHasselt may transfer anonymized data to organizations outside of the EEA. Should such transfer take place, UHasselt will ensure that there are safeguards in place to ensure that the anonymized data is no longer attributable to a single individual.

#### **Article 5 Quality assurances**

- 5.1 UHasselt will only process those personal data which are necessary to achieve the purposes listed under article 2.
- 5.2 Your personal data are only processed for as long as needed to achieve the purposes listed under article 2.1 of this Privacy Policy. UHasselt will delete your personal data if you delete/close your Account or your License is terminated and not renewed, unless a legal or regulatory obligation or a judicial or administrative order prevents UHasselt to do so.
- 5.3 You understand that an essential aspect of the Services pertains to generating automated recommendations which help you to prescribe appropriate

training schedules for your patients. The Tool uses the profile of your patient that is compiled on the basis of the information you provide. Note, however, that these recommendations are for informational purposes only and have no legal or practical consequences for you or your patients.

- 5.4 UHasselt will take the appropriate technical and organizational measures to keep your personal data and the personal data of your patients safe from unauthorized access or theft as well as accidental loss, tampering or destruction. Access by personnel of UHasselt or a third party processors will only be on a need-to-know basis and subject to strict confidentiality obligations. You understand, however, that safety and security are best efforts obligations only which can never be guaranteed.

#### **Article 6 Processing obligations**

- 6.1 UHasselt will provide you with the information and assistance necessary to allow you as controller, when processing your patients’ data via the Tool, to:
  - a) notify data breaches to national authorities;
  - b) take the appropriate technical and organizational measures to ensure the security and safety of your patients’ data;
  - c) undertake data protection impact assessments or seek prior consultation with the data protection authorities;
  - d) observe your patients’ rights as data subjects.

UHasselt reserves the right to charge a reasonable administrative fee which shall be proportional to the effort required to provide you with this information and assistance.

- 6.2 All personal data of your patients shall be anonymized upon termination of the License or permanent removal of your Account. Upon simple request UHasselt shall return all personal data of your patients to you before such anonymization.
- 6.3 UHasselt will provide you with the information necessary to allow you to determine that UHasselt complies with its obligations as processor. You agree that UHasselt has the right to appoint at its sole discretion an independent auditor who will assess periodically UHasselt's compliance with applicable data protection laws and its obligations under this Privacy Policy when processing your patients' personal data. You hereby mandate the independent auditor selected by UHasselt to undertake such assessment on your behalf. UHasselt shall provide you with the report of this auditor upon your request.

## **Article 7 Your rights**

- 7.1 You have the right to request access to all personal data processed by UHasselt pertaining to you. Subsequent requests for access addressed to UHasselt that are manifestly submitted for causing nuisance or harm to UHasselt, will not be dealt with.
- 7.2 You have the right to ask that any personal data pertaining to you that are inaccurate, are corrected free of charge. In any case you can correct a lot of these data yourself via your Account. If a request for correction is submitted, such request shall be accompanied of proof of the flawed nature of the data for which correction is asked.
- 7.3 You have the right to request that personal data pertaining to you be deleted if they are no longer required in light of the purposes outlined in article 2. However, you need to keep in mind that a request for deletion will be evaluated by UHasselt against legal or regulatory obligations or administrative or judicial orders which may contradict such deletion.
- 7.4 Instead of deletion you can also ask that UHasselt limits the processing of your personal data if and when (a) you contest the accuracy of that data, (b) the processing is illegitimate or (c) the data are no longer needed for the purposes listed under article 2 but you need them to defend yourself in judicial proceedings.
- 7.5 You have the right to oppose the processing of personal data if you are able to proof that there are serious and justified reasons connected with your particular circumstances that warrant such opposition. However, if the intended processing qualifies as direct marketing, you have the right to oppose such processing free of charge and without justification.
- 7.6 If you wish to submit a request to exercise one or more of the rights listed above, you can send an e-mail to [expert-tool@uhasselt.be](mailto:expert-tool@uhasselt.be). Such request should clearly state which right you wish to exercise and the reasons for it if such is required. It should also be dated and signed, and accompanied by a digitally scanned copy of your valid identity card proving your identity.

- 7.7 UHasselt will promptly inform you of having received this request. If the request proves valid, UHasselt shall honour it as soon as reasonably possible and at the latest thirty (30) days after having received the request.
- 7.8 If you have any complaint regarding the processing of your personal data by

UHasselt, you may always contact UHasselt via the e-mail address listed in clause 7.6. If you remain unsatisfied with UHasselt's response, you are free to file a complaint with the competent data protection authority, i.e. the Belgian Privacycommission. For more information, visit <http://www.privacycommission.be>.