

## Article 1 Definitions

1. **Account:** the account a User obtains when he has downloaded and installed an App and has registered himself (required) with FocusCura.
2. **App(s):** FocusCura currently has the following apps:
  - a. BeeldbelApp/VideoCareApp;
  - b. FollowHub
  - c. Thuismeten;
  - d. PatientHub;
  - e. WegWijsApp;
  - f. SOSAlarmApp;
3. **Annex:** specific personal data can be collected per App. This is stated per App in an annex which is subsequently included in the Privacy Policy of the App.
4. **Users:** the person who downloads, installs and will use an App of FocusCura for the intended use, or uses an Innovation.
5. **Terms of Service:** the terms of service that apply per App, in which FocusCura has included all personal data that is (or can be) collected.
6. **FocusCura:** being the companies belonging to the FocusCura group, to wit:
  - a. FocusCura Group B.V. is the holding company which only performs holding company activities.
  - b. FocusCura Zorginnovatie B.V. is involved in electrical building installations;
  - c. FocusCura eHealth B.V. is involved in the development (via the Internet) and provision of teleservices for the benefit of the support for people in need of help (inter alia, elderly people) and to support healthcare institutions;
  - d. FocusCura E-Commerce B.V. is involved in home care and partnerships in the field of healthcare and other health support services. FocusCura E-Commerce does not offer home care itself.
7. **Innovations:** apart from the Apps, FocusCura has the following innovations:
  - a. Remote medication assistance;
  - b. Key systems;
  - c. Personal alarm.
8. **Personal Data:** the data defined in article 4.
9. **Privacy policy:** these privacy policy and all supplements and amendments thereto.

## Article 2 FocusCura and its servers

1. FocusCura's companies are private companies with limited liability under Dutch law. The companies are located in the Netherlands and established in Driebergen-Rijsenburg.
2. All services of FocusCura's companies are located in the Netherlands.

## Article 3 The Apps and (other) Innovations of FocusCura

1. The Apps and Innovations of FocusCura fulfil various functions.
2. FocusCura only provides Apps with which Users can communicate with each other through a secured method of communication.

## Article 4 Scope of the Privacy Regulations

1. FocusCura is bound by the Dutch privacy legislation such as the Personal Data Protection Act.
2. These Privacy Policy apply to:
  - a. all companies of FocusCura;
  - b. all fully or partly automated processing of Personal Data by or on behalf of FocusCura. It also applies to the non-automated processing of Personal Data included in a file or intended to be included therein.

## Article 5 Personal Data and aggregated information

1. Personal Data is information with regard to an identified or identifiable person, as defined in the Personal Data Protection Act and the Directive 95/46/EC of the European Parliament and the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data. An identifiable person is a person who can be identified directly or indirectly because reference is made to an identification number or one or more factors related to his or her physical, psychological, mental, economic, cultural or social identity.

Personal Data is data which identifies an individual (such as name, address, telephone number, email addresses or a profile number or profile name), or all information about a person's location or activities, such as information on his or her use of the App, IP addresses or mobile device identifiers, once they are linked with any personal information.

Personal Data also includes demographic data such as date of birth, gender, geographical area and (personal) preferences, if this information can be linked with any other personal data.

2. Health-related data is also (special) personal data, provided that it can be traced back to an identifiable person.
3. Aggregated information, being information on a group or category of products, services or users is not personal data if said data cannot be linked to any person. By using the aggregated information, FocusCura can follow the latest trends and respond to the Users' needs. Aggregated information enables FocusCura to maintain our services and to develop new services. These Privacy Regulations do not in any way limit the possibility for FocusCura to collect and process information at an aggregated level.

## Article 6 Processing of Personal Data

1. The processing of Personal Data includes the collecting, encrypting, securing and sending of Personal Data.

## Article 7 Which data is collected and processed

1. Which Personal Data is processed depends on the specific App that is used and on the question whether the User connects a healthcare provider to the specific App (which is also a User).
2. In an Annex to these Privacy Regulations, FocusCura specifies the Personal Data per App, including health-related data that is collected and processed. The Personal Data collected and processed per App can be consulted on [www.focuscura.nl](http://www.focuscura.nl).
3. In these Privacy Policy, the following two paragraphs of this article suffice with the representation of the Personal Data that is processed in all cases.
4. **Your registration data:**  
The data FocusCura requests the User to fill in at the time of registration for the specific App, inter alia: name, surname, salutation and email address.
5. **Other data we can process:**  
Below, there is a list of data which normally can be processed. It concerns:
  - A. **General data**
  - B. **Log files**
  - C. **Cookies**
  - D. **User identifier(s)**
  - E. **Location Data**
  - F. **Health-related data**
  - A. **General data**
    - Data following from the use of the App: if, and if so, when an App is used, if any data is received and/or sent via the App.
    - Additional data, or so-called metadata associated with the uploading of information such as video files or other files (such as the time or date the file was created or the place where the file was created);

- Data of the device on which the App is installed and other computers or apparatus that are connected to the device in the context of the use of the specific App;
- Data of other Users who are allowed to use the App by the User through the device;

## **B. Log files**

If the App is used, we receive data such as the Internet Protocol (IP) address, data regarding the operating system of the device and data regarding the use of the App as shown under A.

## **C. Cookies**

When using specific Apps, the User agrees to the fact that FocusCura automatically collects certain information through the use of cookies.

Cookies are small text files which are stored on the computer or the mobile device upon the App's request. Cookies enable FocusCura to recognise the Users that have visited the website and/or Apps of FocusCura. Through cookies, the following information is collected:

- setting preferences of Users;
- visits and history of use.

If the User wishes to block, erase or be warned of cookies, please refer to the instructions in your browser or mobile device.

If the User has set his or her browser or mobile device in such a way that cookies are not accepted, certain parts of the website of FocusCura and/or the Account and/or the App may not function properly. For example, the User may no longer be able to sign in or the access to certain parts of FocusCura's website, your Account or the App may be blocked.

More specific information about cookies is available on [www.focuscura.nl](http://www.focuscura.nl).

More information about how browser cookie settings can be changed is available on: [www.allaboutcookies.org](http://www.allaboutcookies.org).

The specific cookies and their functionality are specified per App in the Annex included in the Privacy Policy of the App.

## **D. User Identifier(s)**

Some Apps use a user identifier. As soon as the App is activated, FocusCura can use one or more 'user identifiers'. A user identifier is a small data file or corresponding data structure which is allocated to Users and which makes it possible to associate the identity of Users over several platforms. A user identifier may provide FocusCura with information on how the Users use the App. A user identifier is permanently used on the device to help to log in faster and to improve the use of the App. Some parts of the App cannot function properly when the user identifier is no longer used, is no longer available or is damaged or disabled.

## **E. Location Data**

Some Apps will use location data (for the positioning of the mobile device). If the Users activate the App, we are allowed to seek access to data that determines the User's location (location data). This location data can entail GPS coordinates or similar information which is used to determine the location of a mobile device. Location data can provide FocusCura with information on how the App is used and in what language the App must be made available to the User.

## **F. Health-related data**

By entering a code in the App, the User can connect a healthcare provider to the App.

By using a code and entering the code, FocusCura knows who the healthcare provider is. After all, the healthcare provider is also connected to the App as User, or uses the Innovation as well.

As a result, FocusCura also knows what type of care the healthcare provider provides and what type of care the specific User possibly purchases.

The specific health-related data that is collected and processed by the App, is stated in the Annex to the Privacy Policy of the specific App. This may relate to measurement data, for example (heartbeat, blood pressure, blood values, oxygen levels, etc.) which is sent to a healthcare provider.

## **Article 8 (Communication) data of the User which is not stored by FocusCura:**

1. FocusCura uses advanced encryption techniques to secure the User's (communication) data.
  - a. This means that the content of all voice, chat and/or video calls a User makes with other Users cannot be consulted by FocusCura or third parties.
  - b. In order to set up such a secured connection between Users, identifiers are exchanged. The exact operation may differ per App and is described in the specific annex of the App.

## **Article 9 Purpose of processing of Personal Data**

1. The processing of personal data cannot occur without reason. Personal Data can be collected and processed only with a specified and legitimate purpose. The processing of Personal Data also entails the use of Personal Data.
2. FocusCura has multiple purposes to process Personal Data. We use the information we receive about the User:
  - for administrative purposes, including processing and hearing disputes;
  - for the services and functions FocusCura delivers to the User and other Users;
  - for internal operations, such as problem solution, data analysis, tests, research and improvement of our services and the Apps;
  - to keep our Apps, Innovations and services secured;
  - to stimulate a permanent form of quality control;

- to protect the rights or the property of FocusCura and others;
  - to analyse the characteristics and consumption patterns of Users, only to better understand how our Apps, Innovations and services are used and how they can be offered in a better or more efficient manner;
  - to provide Users with the right suggestions of information;
  - to prevent, limited and/or investigate (possible) fraud, hacking, infringing conduct or any other misconduct;
  - to comply with a statutory obligation, such as accountability to an implementing agency and/or the tax department. The Ministry of Security and Justice can also, for example, set further requirements to the processing of certain Personal Data. In that case, FocusCura is obliged to cooperate with this.
3. Insofar as FocusCura processes health-related data, it is pointed out that this will be processed insofar as it is required for providing, keeping operational, maintaining and improving the specific App with which this data is collected.
  4. FocusCura can process health-related data in the context of scientific research. In principle, FocusCura will expressly ask the User's permission for the processing for scientific research, unless expressly asking for permission appears to be impossible or is a disproportionate effort for FocusCura.
  5. On its website, FocusCura will provide an overview and description of scientific studies for which the health-related data referred to in the preceding paragraph can be used.
  6. FocusCura points out that it will not process health-related data in any way other than the way mentioned in paragraph 3 and 4 of this article, unless the User has expressly given permission for it. The User, whose health-related data is processed, will be informed in advance of the data that is processed and for what purpose.
  7. The foregoing is without prejudice to FocusCura's right to provide health-related data at an aggregated (anonymous, therefore not traceable to the person) level to third parties, for the purpose of improving the App and related service provision.

## Article 10 Provision of (personal) data

1. FocusCura will not allow inspection in Personal Data other than stated in these Privacy Regulations.
2. All Personal Data within FocusCura is secured and consequently not accessible to third parties, only to the User itself or to employees of FocusCura who are specifically authorised in that respect.
3. FocusCura will not disclose, sell and/or trade Personal Data of Users, unless this is expressly provided otherwise in these Privacy Policy.
4. FocusCura can share Personal Data with third persons engaged by FocusCura, or working for FocusCura in connection with the Apps, Innovation and service provision and those who need access to the specific Personal Data in order to carry out their activities for FocusCura.

5. In some cases, it is possible that a service provider collects or processes Personal Data of the User on behalf of FocusCura directly. FocusCura informs all service providers working for FocusCura that they can only use the Personal Data, which they obtain from FocusCura, for the benefit of the activities for FocusCura for the App, Innovation or service provision. Other use is not permitted. FocusCura is not liable for any additional information of whatever nature which the User directly provides to the service provider. FocusCura strongly recommends the User to first take cognisance of the way in which the service provider deals with his (personal) data before the User provides the service provider with (personal) data.
6. FocusCura can provide (personal) data:
  - a. when FocusCura may be required to do so on the basis of a statutory obligation;
  - b. if the provision of the Personal Data is necessary to protect the vital interests of a User;
  - c. to an administrative body if the Personal Data is necessary for the proper performance of a public-law duty.
  - d. if a legitimate interest implies that the Personal Data is provided. A legitimate interest is, for example, the settlement of an insurance issue by the insurer which needs information from the other party and/or witnesses in order to handle the claim for damages.
7. FocusCura can provide (personal) data if this is necessary to respond to a claim, to protect the property rights (including intellectual property rights), to protect Users or the public against fraudulent actions, misuse, misconduct or unauthorized use of our Apps, Innovations and/or services.
8. Personal Data can also be disclosed, shared and transferred as part of, or during negotiations about, a merger, sale of the company's assets, financings or purchases or in any other situation in which Personal Data can be transferred as part of the FocusCura's company. If and insofar as this concerns health-related data, we will first expressly ask the User's permission.

## Article 11 Protection (personal) data

1. Processor will take appropriate technical and organisational measures to protect Personal Data against loss or any form of unlawful processing. These measures will guarantee, bearing in mind the state of the art, an appropriate level of security given the risks associated with the processing of the (personal) data to be protected.
2. The security measures may differ for each App. FocusCura will state the security measures in the Annex to the Privacy Regulations of the App.
3. The servers of FocusCura are in a secured environment in the data centres in the Netherlands which have the ISO 27001 and NEN 7510 certificate. Users can only access the front end of the servers of FocusCura.
4. The safety of the servers of FocusCura and the App is regularly tested and reviewed. For example, there is active monitoring and active risk-based protection.

5. The servers of FocusCura use SSL (secured socket layer) technology to encrypt the receiving and transmitting of Personal Data.
6. The Apps are configured in such a way that access to Personal Data of Users is closed to employees of FocusCura, except for the employees who necessarily need access to the Personal Data.
7. The Users acknowledge and agree that the third parties assigned by FocusCura to be able to provide its services, can process personal data. Said third parties are contractually bound to secure the Personal Data and keep it safe.
8. FocusCura strives to protect Personal Data, Users nevertheless acknowledge and accept that sending information through the Internet is secured and encrypted to the current state of the art. Users indemnify FocusCura against any liability for the unlawful use of the Personal Data by third parties.

## **Article 12 Retention and disposal of Personal Data**

1. Personal data that is no longer necessary to achieve the purpose for which it was processed is removed as soon as possible, unless this data must be kept longer in relation to statutory obligations.
2. A User's Personal Data will in any case not be kept longer than 7 years after termination of their relationship with FocusCura, unless the purpose of the processing of a Personal Data requires a longer retention period.
3. Disposal of Personal Data implies destruction of the Personal Data or such a processing that it is no longer possible to identify the person.

## **Article 13 Inspection in and amendments to Personal Data**

1. The User may submit a written request to FocusCura to inspect his or her Personal Data. FocusCura will state in writing, as soon as possible, but within four weeks after receipt of the request whether Personal Data is collected and processed.
2. If Personal Data has been processed, FocusCura will provide, as soon as possible, but no later than within four weeks, a complete overview of the Personal Data that is processed, with information about the purpose of the data processing, the data or categories of data and the source of the data. If it is desired, FocusCura makes announcements about the reasoning that underlies the automated processing of the Personal Data.

## **Article 14 Improvement, supplement and disposal of Personal Data**

1. The User may request FocusCura to improve, supplement, remove or protect Personal Data if it is factually incorrect, incomplete or irrelevant for the purpose or purposes of the processing or otherwise processed contrary to a statutory requirement. The request

contains the alterations to be made.

2. FocusCura will notify four weeks after receipt of the requested mentioned in paragraph 1 - or to what extent - it will comply with the request. A refusal must be well-founded.
3. FocusCura will ensure that its decision on improvement, supplement, or disposal or protection is implemented as soon as possible.
4. It must be taken into account that certain (personal) data cannot be erased, unless the user's profile is deleted. This concerns the email address. Please take into account that deleting certain (personal) data may cause some functionalities of the App to be not longer available.
5. FocusCura reserves the right to deactivate a profile.

#### **Article 15 Amendments and Supplements Privacy Policy**

1. FocusCura is entitled to amend the provisions of the Privacy Policy. Afterwards, Users will be asked to agree to the new Privacy Policy through a button. If one does not agree, the user's profile will be blocked and/or terminated by FocusCura.
2. The most recent version of the Privacy Policy can be consulted at all times on [www.focuscura.nl](http://www.focuscura.nl) in combination with the specific Annex per App.

#### **Article 16 Email, push and local notifications**

1. The email address that is entered may be used for the sending of automated, profile-related emails.
2. Upon registration, FocusCura will ask the User's permission for the sending of email with commercial content. The User can withdraw his permission at all times.
3. FocusCura can, after express permission is given for it (opt in), send push notifications to a mobile device to make updates of the service provision of FocusCura known or to provide the User with relevant messages.
4. The user can enable and disable the push notifications on the mobile device by consulting the settings.

#### **Article 17 Other**

Should there be any questions further to these Privacy Regulations, please contact FocusCura via [service@focuscura.nl](mailto:service@focuscura.nl).