

Privacy statement (January 2020)

PEETERS IJSSELDIJK & VAN CAPPELLE ADVOCATEN

Who are we?

PEETERS IJSSELDIJK & VAN CAPPELLE ADVOCATEN. Visiting address: Meent 106, 3011 JR Rotterdam. Postal address: Postbus 21567, 3001 AN Rotterdam, the Netherlands.

PEETERS IJSSELDIJK & VAN CAPPELLE ADVOCATEN is not a partnership as defined by the Legal Profession regulations, but only a trading name of a strategic alliance between three separate and entirely independent law firms. The three entirely independent law firms are:

- Ijseldijk Advocaten BV, the professional practice of *meester* W.T.M. Ijseldijk, (Chamber of Commerce no. 24292857),
- Peeters Advocaten BV, the professional practice of *meester* P.A.J. Peeters, (Chamber of Commerce no. 24287595),
- AvanC Arbeidsrecht BV, the professional practice of *meester* A.M. van Cappelle, (Chamber of Commerce no. 54957788).

- Privacy

The independent law firms practising under the name of PEETERS IJSSELDIJK & VAN CAPPELLE ADVOCATEN put the interests of our clients and business relations first. They therefore protect your privacy in the same way. This is an inherent part of our profession. This privacy statement is intended for all individuals whose personal data PEETERS IJSSELDIJK & VAN CAPPELLE ADVOCATEN processes, namely clients, former clients, business relations (persons who have registered to receive newsletters, invitations, etc.), prospects and third parties (opposing parties and others who contact us). It provides you with information about how we obtain your personal data, what personal data we process, for what purposes and what rights you have under the General Data Protection Regulation.

- How do we obtain your data?

We mostly obtain the data directly from you (through speaking, e-mail, telephone, or completed contact form or web form, or if you provide us with a business card). We could also receive your data from third parties (for example, from your representative, insurance company, opposing party) and process it. Lastly, we could obtain your data from public sources such as LinkedIn or the website of the organisation for which you work.

- Why do we process your data?

The reasons for processing your personal data arise primarily from the legal service we provide and for maintaining of our business relationship (by, for example, exchanging information via e-mails, newsletters and invitations to attend courses, seminars and business events).

- What is the legal basis for our use of your personal data?

We process your personal data for one or several of the following purposes:

1. To perform the contract, such as instructions to provide a legal service.
2. To comply with a *statutory obligation*, such as requiring a copy of your proof of identity.
3. To promote a legitimate interest. We make a record of this balancing of interests.
4. Your consent. We only ask for your consent if this is required for the processing of your personal data. If we process your personal data on the basis of your consent, you may withdraw your consent at any time by contacting us to request this. You can find our contact details at the foot of newsletters, etc.

- **What information about you do we process?**

The information about you that we process depends, inter alia, on the purpose and/or nature of the matter/service.

a. Name and address data

- If you seek information from us, we will ask you to provide us with your contact details so we can send this information to you.
- If you become a client, we need as a minimum your contact details and those of the contact person within your organisation (name, address, e-mail address and telephone number). We use this information for performing our contract with you. The same applies to that of any third parties/opposing parties.
- As a business relation and former client, we send you newsletters, invitations to attend courses, seminars and business events, etc., for which we require as a minimum your name and e-mail address.
- If you apply to us for a job, we will ask to see your CV, certificates, assessment results and perhaps other personal data. We keep this data for no more than 4 weeks (or, in the case of open applications or otherwise with your consent, for one year) after the date of your application.

b. Financial information

- If you are a client, we need your bank account number in order to make/forward payments from, for example, debt collections.
- We may also need additional financial data if this relates to any claim at law.

c. Additional information

- For some issues we need additional information from you (such as your job/profession, or information about health or your family members)

d. Citizen Service Number (BSN)

- In some cases we also process your citizen service number (BSN). We only do this if there is a legal basis for doing so, or if it is necessary for the performance of the contract.

e. Data concerning your contact with us

- The processing of data concerning the contact you have had with us: concerning what, when and how?

- **How long do we keep your data?**

We do not store your data in principle any longer than necessary. In some cases the length of time we may or must store this data is stipulated by law. In other cases we have decided for ourselves how long we need your data.

Once your file is closed, if you do not ask for it, we will keep it for a period of 7 years. Thereafter we will destroy the file unless we decide to keep it for a longer period.

For mailshots (newsletters/invitations) your personal data will be processed until you inform us that you no longer wish to receive any digital or other messages from us and/or we stop sending these to you.

Your personal data will also be deleted if:

- Your personal data is being processed/stored on the basis of your consent and you withdraw this consent.
- The legitimate interest justifying the processing of your personal data ceases to apply, for example as soon as we learn that your business has ceased to exist.

- **With whom do we share your personal data?**

We do not supply your personal data to any third party unless this is required/permitted by law and/or is necessary for the performance of the contract and/or for the business activities of Peeters IJseldijk & Van Cappelle Advocaten.

We do sometimes engage other businesses to perform services for us pertaining to your case, such as a bailiff, debt collection agency, expertise agency, occupational health service, translation agency, etc. We enter into agreements with such parties in order to safeguard your privacy. If your consent for sharing this is required, we will ask you for such consent.

We also contract out the processing of personal data to third parties, known as ‘data processors’. For example, we engage IT service providers for our systems and an accountant. They have no independent control over the personal data that is supplied to us. In these situations we remain responsible for the careful processing of your data and to this end enter into data processor agreements with the data processors. If we share data with a service provider in a country outside the European Economic Area (the EEA) then we make agreements with such parties so that we continue to comply with the rules of the GDPR. In any event, we try to avoid as far as possible any processing outside the EEA.

- **Your rights**

a. Access to, or correction of, data

You have the right to know which of your personal data we process and to have any incorrect data corrected or deleted.

- **Proof of identity**

When you provide us with a copy of your proof of identity, we ask you to add the word ‘copy’ to this document, to include the date of the copy, to black out your citizen service number and photo, and to indicate the purpose for which the copy is supplied (for example, by indicating the precise legal issue).

b. Deletion of data and the right to be ‘forgotten’

In a number of cases and under certain conditions, you have the right to have your personal data in our possession destroyed. This applies if:

- Your personal data is no longer needed for the purposes for which it is collected or otherwise processed.
- You have withdrawn your consent for its processing.
- You have a justifiable objection to the processing.
- We have unlawfully processed your personal data.
- There is a legal obligation to delete your personal data.
- The personal data concerns your child and is collected with regard to an offer for internet services made directly to your child.

The right to be forgotten is not an absolute right. We may decide not to comply with your request to delete your data if such request is not based on one of the above grounds, or (i) in exercise of the right to freedom of expression and information; (ii) in compliance with a legal obligation; or (iii) for the initiating, exercise, or support for a legal action. If we do not comply with your request to delete your personal data we will inform you of the reason for the refusal.

c. Restriction on processing

If you believe that we have unlawfully processed certain parts of your personal data or that we have needlessly processed your personal data, you may request us to restrict such processing. This means that we may no longer process this data.

d. Transfer of data (data portability)

You are entitled to a copy of the personal data that you have provided to us for the performance of a contract you have entered into with us or on the basis of your consent. This relates only to personal data that we have received from you personally and not to personal data we have received from a third party. The purpose of this right is to enable you to easily transfer this data to another party.

e. Right to object

You have the right to object at any time to the processing of your personal data carried out on the basis of a general interest or a justified interest. In such a case we will cease processing your data unless there is compelling justification for the processing that outweighs or is related to the initiation, exercise, or support for a legal action.

f. Unsubscribing to mailshots, etc.

You have the right to unsubscribe to newsletters, invitations, etc. In these mailshots we always include the option to unsubscribe.

- **E-mail and social media**

a. E-mail

Before we communicate with you by e-mail, we request your consent to do so, unless you have previously given this consent or you yourself have initiated the e-mail communication. You can withdraw your consent at any time.

b. Social Media

You can choose to contact us via our social media pages, such as Facebook, LinkedIn and Twitter, or via WhatsApp. However, we would discourage you from sharing information with us via any channel other than by e-mail. This privacy statement does not apply to information that we receive from you via the social media platforms. The use of social media is your own responsibility. We would remind you that many social media platforms are based outside the European Union and data is stored outside the European Union and therefore EU privacy legislation usually does not apply to this data. We recommend that you consult the privacy statement of these social media channels for more information about the way in which they process your personal data.

- **How do we safeguard your data?**

We deal carefully with your data and take the necessary technical and organizational measures to guarantee an appropriate level of protection.

We have taken technical and organisational measures to protect your data against loss or unlawful processing. To this end, we have ensured the protection of our IT systems and the physical spaces in which data is stored. We have drawn up an information security policy and ensure that our staff are regularly instructed in the field of personal data protection. All our staff are subject to a duty of confidentiality.

- **Updating of this privacy statement**

Privacy legislation is undergoing change. This privacy statement may therefore be changed in order to remain up-to-date. We therefore recommend that you regularly consult this privacy statement on our website.

- **Questions or complaints?**

Do you have any questions or comments about this privacy statement, or any complaints? If so, please contact *meester* J.W.T.M. Ijseldijk via office@peetersijseldijk.nl. Finally, we would refer you to our complaints regulations and our general terms and conditions, which you can find on our website.