



**Sanquin**

**HEALTH SOLUTIONS**

## **Privacy statement for persons whose body tissues/fluids are being analysed at Sanquin Diagnostiek B.V.**

This privacy statement discusses Sanquin Diagnostiek B.V.'s handling of the personal data we receive from requestors (hospitals, midwives, GP laboratories, transplant centres) corresponding to specimens of body tissues/fluids on which tests are being carried out.

Although these specimens do not all originate from patients, for the readability of this document, all individuals on whose specimens Sanquin Diagnostiek B.V. performs tests are referred to here as patients.

**3 February 2023**

In this statement, Sanquin Diagnostiek B.V. (hereinafter referred to as *Sanquin Diagnostiek*) explains how we handle the personal data of our employees, how we guarantee safety and what rights you have as a patient. The protection of personal data is important to us and we ensure that personal data are always treated confidentially and according to the General Data Protection Regulation (GDPR) and other (privacy) legislation. This privacy statement sets out how we handle your personal data.

### **Who is responsible for processing your data?**

Sanquin Diagnostiek, having its offices at Plesmanlaan 125, 1066CX Amsterdam, registered in the commercial register under number 67177476, is controller for the processing of data as described in this privacy statement.

Sanquin Diagnostiek's Data Protection Officer can be contacted at [dpo@sanquin.nl](mailto:dpo@sanquin.nl)

### **What personal data do we process from you and for what purposes?**

Sanquin Diagnostiek receives your personal data via:

- Requestors (for the carrying out of tests)
- Clients / sponsors (for the carrying out of clinical studies)
- Yourself (e.g., in order to receive a newsletter).



Sanquin Diagnostiek provides diagnostic services for healthcare institutions (i.e. hospitals and physicians' laboratories (the requestors = treating physicians / midwives) in the Netherlands. These send us specimens with a request to perform specific analyses on them. Personal data are sent along with these specimens (required in accordance with ISO15189). These are :

- Initials, surname
- Gender
- Date of birth
- Address / contact information
- Unique identification / patient number
- Citizen service number (BSN) (mandatory in accordance with "Use of Citizen Service Number in Healthcare Act")
- Name of spouse, if any

No more personal data will be processed than necessary.

The results of these analyses are sent directly to the requestor, who records them in your medical record.

Diagnostic results provided by Sanquin Diagnostiek are available from your treating physician. If you have given your treating physician permission to do so, these data are also available from your GP.

We do not use automated decision-making and/or profiling. This means that the assessment of processed data is always conducted by a human being.

### **For what purposes do we process your data?**

By performing the tests requested by the requestor, Sanquin Diagnostiek obtains medical data such as results. This allows you to receive the right care.

Your personal data:

- are used to carry out the tests and invoice them correctly (to the requestor).
- are communicated to the blood bank if necessary in case of a blood transfusion.
- are used for research and quality purposes.

When cooperating with scientific research, Sanquin Diagnostiek provides pseudonymised research data. There is no way for the researchers to ascertain whom the data came from.



### **On what basis do we process your data?**

Sanquin Diagnostiek only records personal data if this is allowed by law. Legal bases are:

- consent
- a contract
- a legal duty
- legitimate interest
- vital interest

### **How do we secure your data?**

Sanquin Diagnostiek ensures appropriate security of your personal data. Organisational and technical measures have been taken in line with the applicable legal requirements and guidelines that apply. Within Sanquin Diagnostiek, employees are bound to secrecy and can only view your personal data if this is necessary for the performance of their work. The systems in which your personal data are kept are all secured by password or multi-factor authentication. If personal data are processed by a party other than Sanquin Diagnostiek, we make agreements on the confidentiality, security, use and retention of the data. Your personal data will in principle be processed within the European Economic Area (EEA), where this is not the case, appropriate measures will be taken.

### **With whom will your personal data be shared?**

Sanquin Diagnostiek may share personal data with:

- The requestor - as the client requesting the diagnostic testing;
- Referred laboratories - as the parties that carry out the testing requested by Sanquin Diagnostiek. In certain cases, specimens and associated personal data are shared with this laboratory to which testing is referred.
- Processors - for the carrying out of certain (technical) services (e.g. hosting providers). These processors are obliged to adequately secure personal data and process these only according to our instructions. Sanquin Diagnostiek - a written contract in which these aspects are provided for (a processing agreement).
- Supervisory bodies - when there is a legal obligation to do so.
- Scientific researchers - for the conduct of research.
- The Blood Bank - if necessary in the case of a blood transfusion.



### **How long do we keep your personal data?**

The rules of the Medical Treatment Contracts Act (WGBO) also apply to Sanquin Diagnostiek. In the context of your treatment, a (laboratory) file must be created under the Medical Treatment Contracts Act (WGBO). Any personal data stored about you will be treated confidentially in accordance with the applicable regulations. Sanquin Diagnostiek staff are only permitted to view your personal data insofar as this is necessary for your treatment or its administrative processing. Sanquin Diagnostiek retains your personal data for as long as necessary. This can vary from 6 months to 20 years or more, depending on the legal obligation. If your personal data are no longer needed, they will be destroyed or anonymised.

### **Incident and data breach**

Although staff at Sanquin Diagnostiek handle your personal data with great care, there remains a possibility that something could go wrong. Sanquin Diagnostiek has a procedure for the reporting of incidents involving personal data and data breaches. The Data Protection Officer must always be informed. We report a data breach to the Dutch Data Protection Authority according to its guidelines, and if necessary to the requestor and data subjects. After evaluating an incident or data breach, we take measures to prevent it in the future.

If you suspect a data breach, please report it as soon as possible via the email address:

[privacydiagnostiek@sanquin.nl](mailto:privacydiagnostiek@sanquin.nl) .

### **What rights can you exercise in relation to your personal data?**

As a data subject, you have the right:

- To know how we handle your personal data (right to information)  
You are entitled to a comprehensible and transparent explanation of how we handle your personal data and what rights you can exercise in that regard. We explain this in this privacy statement. If you would like more information, please ask.
- To inspect your personal data  
We obtained your personal data via the requestor/treating physician. It is preferable that the personal data be retrieved via the requestor/treating physician so that the medical context can be provided. However, it is still possible to view personal data via Sanquin Diagnostiek if you so desire.
- To have your personal data deleted  
If you request the deletion of your personal data, you will be asked for an explanation so that it is clear exactly what your request entails. Afterwards, a consideration will be made with the



subject matter expert and the Data Protection Officer as to whether this request can be granted in accordance with both the Medical Treatment Contracts Act (WGBO) and the General Data Protection Regulation.

- To have incorrect personal data corrected

If you request the deletion of your personal data, you will be asked for an explanation so that it is clear exactly what your request entails. In conjunction with the relevant expert and the Data Protection Officer, a decision will then be made as to whether this request can be granted in accordance with both the Medical Treatment Contracts Act (WGBO) and the General Data Protection Regulation.

- To have personal data transferred

We obtain your personal data via the requestor/treating physician. It is preferable for the requestor / treating physician to handle the transfer of personal data so that any context can also be provided. You have the right to receive the personal data provided to Sanquin Diagnostiek in a common file format. This right only applies to the personal data we process from you pursuant to your consent or a contract entered into with you. This means that only the personal data contained on the test result letter can be transferred.

- To restrict the amount of personal data

You have the right to restrict the processing of your personal data under certain conditions.

- To withdraw your consent for the processing of personal data

For personal data we process on the basis of your consent, you have the right at any time to withdraw consent once given. We will then stop processing your data immediately.

Withdrawing consent has no retroactive effect; all processing that has already taken place therefore remains lawful.

You have this right only in the case of all processing operations based on:

- public interest: scientific research, for instance
- legitimate interest: quality research, for instance

- To object to the use of your personal data

You can object to the use of personal data if Sanquin Diagnostiek processes these personal data on the basis of a 'legitimate interest'.

This legitimate interest applies to Sanquin Diagnostiek for personal data in relation to:

- Relationship, contract and financial management



- The recording of and response to customer and patient complaints

You may consider that you yourself have a legitimate interest, whereby this also applies to your personal data.

In this case, Sanquin Diagnostiek will cease to use the personal data for this purpose, unless Sanquin Diagnostiek has compelling legitimate grounds for the use. In this case, you will be informed of these grounds.

### **Individual consideration for every request**

Please note that the rights described above are not absolute rights. There may be circumstances that make it impossible for us to grant a particular request. We will assess every request individually. If we nevertheless do not grant or are unable to grant a particular request, we will of course inform you of our reasons for this.

### **Exercising rights / contact details**

To exercise your rights, file a complaint or pose any other question to Sanquin Diagnostiek's privacy contact person, please contact the email address: [privacydiagnostiek@sanquin.nl](mailto:privacydiagnostiek@sanquin.nl)

You naturally also have the right at all times to contact Sanquin Diagnostiek's Data Protection Officer, who can be contacted at [dpo@sanquin.nl](mailto:dpo@sanquin.nl).

### **Dutch Data Protection Authority**

The Dutch Data Protection Authority is the independent regulator with regard to the compliance with privacy law. The Dutch Data Protection Authority's website provides further information on privacy regulations. You also have the possibility of submitting a complaint to the Dutch Data Protection Authority about Sanquin Diagnostiek's processing of your personal data.

### **Further use of specimens and personal data**

Specimens are stored pseudonymised and can be used for validation, equipment calibration and scientific research within the context of the original requested testing.

In doing so, Sanquin Diagnostiek B.V. applies the *Federa code of conduct* and the *Coreon code of conduct for health research* (<https://www.coreon.org/>).

If you have any objections to the further use of your specimens, please contact Sanquin Diagnostiek B.V. by email at [privacydiagnostiek@sanquin.nl](mailto:privacydiagnostiek@sanquin.nl)

**Amendments**

This privacy statement may be amended in future. It is therefore advisable to consult this statement from time to time. The most recent privacy statement can be viewed on Sanquin Diagnostiek's website. If the change requires us to ask you for consent, we will notify you and seek your consent.

**Questions?**

If you have any further questions about how we handle your personal data, please feel free to contact [privacydiagnostiek@sanquin.nl](mailto:privacydiagnostiek@sanquin.nl)

You can also contact Sanquin Diagnostiek's Data Protection Officer at [dpo@sanquin.nl](mailto:dpo@sanquin.nl).

**Time periods**

We try to answer your questions and requests within a month. If for some reason more time is needed, we will inform within a month.