



# Sanquin

## HEALTH SOLUTIONS

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

Sanquin Diagnostics is a medical laboratory that specializes in carrying out advanced medical tests. In this privacy statement, Sanquin Diagnostics explains how we use your personal data. This includes the data we receive from and give back to our customers, who is your health care provider. They can ask us to test your bodily material. For the sake of accuracy in this document, we call all persons whose bodily material we examine: patients.

**3 February 2022**

In this statement, Sanquin Diagnostiek B.V. (from here on we call ourselves *Sanquin Diagnostiek*) will explain to you how we handle patients' personal data. We also explain the actions we take to guarantee your privacy, as well as the way we make sure you can exercise your rights as a patient. We aim to ensure that we always process and protect personal data confidentially, in accordance with the General Data Protection Regulation (GDPR) and other legislation, and respectful of the patient-doctor relationship.

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

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

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

Sanquin Diagnostiek receives your personal data from:

- Your healthcare provider. This can for instance be your hospital, obstetrician, general practitioner, or transplant center.
- Clients / Sponsors (pharmaceutical companies, in the context of clinical studies)
- Yourself (e.g., in order to receive a newsletter).

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

Sanquin Diagnostics is a medical laboratory that specializes in carrying out advanced medical tests. These tests allow your healthcare providers to make the correct diagnosis, providing you with the right care. We use your personal data:

- to carry out the requested tests and to be able to correctly invoice the applicant for our work;



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- to communicate with the Sanquin Blood Supply Foundation, should you need to undergo a blood transfusion;
- to improve the quality of diagnostics;
- for scientific research purposes in the public interest. We never share more information than necessary and never your BSN, name and contact details.

Your healthcare provider will send us your bodily material, in consultation with you, with the request to carry out targeted tests. They also send some of your personal data with this bodily material, including your patient ID. Sanquin Diagnostics then carries out the requested tests, which provide us with information about your health.

We send the results of our tests directly to your healthcare provider. Your healthcare provider will discuss the results with you and store the results in your medical file. If you have given your healthcare provider permission, this information will also be made available to your GP. Sanquin Diagnostics also stores the results itself, in order to comply with legal requirements of traceability.

### **Which personal data do we process about you?**

Sanquin Diagnostics can process the following personal information about you:

- Your initials and last name
- Your gender and date of birth
- Your contact details
- Unique identification number / patient number
- Your BSN number
- Your spouse's name, if applicable
- Your test results
- Your healthcare provider

### **Which legal bases do we use to process your data?**

Sanquin Diagnostics only processes personal data if we are allowed to do so by law. The legal bases that apply to us are:

- the healthcare agreement ('medical treatment agreement'), which applies between you and your healthcare provider and that applies by extension to our diagnostic tests.
- legal obligations that Sanquin Diagnostics must comply with. For example, we use your national identification number (BSN), based on the legal obligation to do so in the Use of the National Identification Number in Healthcare Act.



- our legitimate interests to properly organize our business operations, to check the quality of our work ('validation') and to calibrate our devices.
- Your consent to receive our newsletter.

### **The processing of your health data**

Your health data are special personal data, that Sanquin must protect accordingly. Sanquin Diagnostiek is allowed to process your health data in the interest of making a medical diagnosis and for the proper organization of Sanquin Diagnostiek's medical services.

### **Automated decision making**

Sanquin Diagnostics does not use automated decision-making and/or profiling with your personal data. This means that any assessment of the processed data will always be done by a human, not (just) by a machine.

### **Where do we process your data?**

Your personal data is processed within the European Union or in the European Economic Area (EEA). Where this is not the case, we will take appropriate measures to protect your personal data.

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

Sanquin Diagnostics can share personal data with:

- Your healthcare provider as the applicant for the test;
- Referral laboratories - as contractors of research requested by Sanquin Diagnostics. In certain cases, bodily material and associated personal data may be shared with this referral laboratory.
- Processors - to perform certain (technical) services, such as hosting our servers. These processors are contractually obliged to protect personal data as well as we do and may only process your data in accordance with our instructions (in a processing agreement).
- Supervisory authorities - when there is a legal obligation to do so. If this is the case, you will be notified.
- Scientific researchers – for scientific research. We never share more information than necessary and never your BSN, name and contact details.
- Sanquin Blood Supply Foundation – if you will receive 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. Sanquin Diagnostiek must therefore keep a (laboratory) file in the context of your treatment. We always treat the personal data that we store about you confidentially, in accordance with the

applicable rules. Sanquin Diagnostiek's employees may only view your personal data if this is necessary for your treatment or for administrative purposes. Sanquin Diagnostiek stores your personal data for as long as is necessary or mandatory. We keep the results of the tests for twenty years, as prescribed by the WGBO. For other data types we limit storage to legal retention terms. If we no longer need your personal data, we anonymize or destroy them.

**How do we deal with incidents and data leaks?**

The employees of Sanquin Diagnostics handle your personal data very carefully. Nonetheless, data breaches can occur. Sanquin Diagnostiek has a procedure that describes how we deal with incidents relating to personal data. We always register all data breaches within Sanquin Diagnostics. We always inform the Data Protection Officer about any data breaches. We report data breaches to the Dutch Data Protection Authority whenever this is required according to their guidelines. If necessary, we will also inform your healthcare provider and yourself of significant data breaches. We try to learn from these types of incidents to improve our understanding of what we can prevent them for occurring in the future.

If you suspect a data breach, please alert us as soon as possible through 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 access your personal data

We obtained your personal data through your healthcare provider. It is preferable that you exercise your rights to access your personal data through your healthcare provider, so that they can provide you with the relevant medical context. However, you have the right to access your personal data directly through Sanquin Diagnostiek, should you so desire.
- To have your personal data deleted

While you have the right to request Sanquin Diagnostiek to delete (some of) your personal data, we may not always be allowed to delete everything we have. We are required by law to keep certain data, in accordance with the Medical Treatment Contracts Act. The laboratory specialist and our privacy officer will decide to what extent we can carry out your request. When you request the deletion of your personal data, we will ask you for a motivation, so that

it is clear to us what exactly your request entails. You are not obliged to provide such an explanation.

- To have incorrect personal data corrected

When you request the correction of your personal data, we will ask you for a motivation, so that it is clear to us what exactly your request entails. You are not obliged to provide such an explanation. We are obliged to keep certain data in accordance with the Medical Treatment Contracts Act. The content expert and our privacy officer will decide whether we can carry out your request.

- To data portability

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 machine-readable 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 in practical terms that only the personal data contained on the test result letter can be transferred.

- To restrict the processing of personal data

You have the right to restrict the processing of your personal data under certain conditions. The privacy officer will determine in consultation with the content expert to what extent we can legally comply with your request.

- To withdraw your consent for the processing of personal data

For those personal data that we process on the basis of your consent, you always have the right to withdraw consent previously given. We will then immediately stop the processing of these data. Withdrawal of consent has no retroactive effect; all processing that has already taken place before, remains lawful.

- 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
- Registering and following up on complaints from customers and patients

Diagnostiek will cease processing your personal data for these purposes after your objection, unless Diagnostiek has compelling legitimate grounds for their continued use. We will share these compelling grounds with you.

**Individual consideration for every request**

Please note that none of the rights described above are absolute rights. There may be circumstances under which it is impossible for us to grant a specific request. We will assess each request individually. If we are unable to grant a particular request, we will of course inform you of our reasons.

**Exercising your rights / contact details**

To exercise your rights, to file a complaint or to pose any other question to Sanquin Diagnostiek's privacy contact person, please contact us through the email address: [privacydiagnostiek@sanquin.nl](mailto:privacydiagnostiek@sanquin.nl). You 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 [link: https://www.autoriteitpersoonsgegevens.nl/](https://www.autoriteitpersoonsgegevens.nl/) Dutch Data Protection Authority's website provides further information on privacy regulations and your right to data protection. If you feel any of our activities breach your rights as a data subject, you always have the option 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**

Your bodily materials ("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 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)



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### **Amendments**

This privacy statement may be amended in the future. It is therefore advisable to revisit this statement from time to time. The current privacy statement can be viewed on Sanquin Diagnostiek's website.

### **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 attempt to answer your questions and requests within a month. If for some reason more time is needed, we will inform you about the delay within that first month.