

General provisions**Article 1 Definitions**

- a) **Dutch Data Protection Authority:** the supervisory authority of the Netherlands.
- b) **Data subject:** the person to whom the personal data relates. In this case the candidates, contingent workers and employees of Middle Point.
- c) **Owner:** the person who, on behalf of Middle Point, has been delegated with the responsibility for particular information tools & processing activities.
- d) **Employees:** persons employed by, working for or having worked for Middle Point. These include people who have an employment contract as well as interns.
- e) **Personal data:** all data relating to an identified or identifiable natural person; an identifiable person is considered to be a natural person who can be identified, directly or indirectly.
- f) **Privacy regulations:** these regulations concerning the processing of personal data of Middle Point employees.
- g) **Middle Point:** The data controller within the meaning of the law.
- h) **Personal data processing:** any operation or set of operations performed on personal data such as collecting, recording, organising, structuring, storing, adapting or altering, retrieving, consulting, using, disclosing by transmission, distributing or otherwise making available, aligning or combining, blocking, deleting or destroying data.
- i) **Data controller:** a natural person or legal entity, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. In this case, Middle Point.
- j) **Legislation:** The Personal Data Protection Act and the General Data Protection Regulation (GDPR).

Article 2 Scope and purpose of the regulations

- a) These privacy regulations apply to the processing of personal data relating to candidates and employees and that are processed by or on behalf of Middle Point (in a fully or partially automated manner).
- b) The processing of personal data that are collected, for example, from electronic information and communication tools, from journey information, CCTV recordings and access control, is explained in more detail in additional privacy protocols.
- c) The applicable privacy regulations and the additional privacy protocols are published on Middle Point's website.
- d) The purpose of these privacy regulations is:
 - to protect personal privacy;
 - to prevent the unlawful processing of personal data or processing for purposes other than the purpose for which they were obtained;
 - to safeguard the rights of candidates and employees.

Article 3 Data Protection Unit

- a) In accordance with the law, Middle Point has established a Data Protection Unit (DPU).
- b) The DPU is responsible for the supervision and safeguarding of privacy. The DPU can give solicited and unsolicited advice on privacy matters.
- c) The DPU has the following tasks:
 - informing and advising Middle Point on its legal obligations;
 - monitoring compliance with the law;
 - monitoring compliance with Middle Point's policies, including allocating responsibilities, raising awareness and providing training for employees involved in processing and carrying out audits;
 - advising on Privacy Impact Assessments (PIAs);
 - acting as the point of contact for the Dutch Data Protection Authority.
- d) The DPU performs its tasks independently and is obliged to maintain confidentiality.
- e) The DPU can be contacted via AVG@middlepoint.nl

Processing personal data

Article 4 Conditions for lawful processing

- a) Middle Point ensures that Personal Data are processed in accordance with the law and in a proper and careful manner.
- b) Personal data are only processed by persons who are obliged to maintain confidentiality by virtue of their office, profession, legal provision or by virtue of their appointment.
- c) Middle Point maintains a register recording all information tools and processing activities that take place under its responsibility ("the register"). This register contains at least the following information:
 - the name and contact details of the data controller;
 - the data processing owner;
 - the purposes of the processing;
 - a description of the categories of data subjects and of the categories of personal data;
 - the categories of receiving parties to whom the personal data have been or will be disclosed;
 - if applicable, transfers of personal data to a third country;
 - where possible, the envisaged time limits for erasing the different categories of personal data;
 - if possible, a general description of the technical and organisational security measures.
- d) The data processing owner is responsible for the completeness, accuracy of the information in the register and for keeping it up-to-date.
- e) Personal data are processed for the purposes as described in Article 5 and will not be further processed in a manner that is incompatible with the purposes for which they were obtained.
- f) Personal data will only be processed insofar as such processing is adequate, relevant and not excessive in relation to the purposes described in Article 5.
- g) Personal data will only be processed if the processing is justified by one or more of the following principles:
 - the data subject has given consent to the processing of his or her personal data for one or more specific purposes, or;
 - processing is necessary for the performance of an agreement to which the data subject is a party, or;
 - processing is necessary for compliance with a legal obligation to which the data controller is subject;
 - processing is necessary in order to protect the vital interests of the data subject or of another natural person;
 - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller;
 - processing is necessary for the purposes of the legitimate interests pursued by the data controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

Article 5 Purposes of the data processing

- a) Middle Point will only process personal data for clearly defined purposes. The processing of personal data of employees takes place for the categories of processing referred to in this paragraph, namely:
- Recruitment & selection;
 - Personnel administration;
 - Salary administration;
 - Facility services;
 - ICT resources & use.
- b) Each processing of personal data, as well as the specific purpose(s) for processing, are recorded in the register.

Article 6 Access to personal data

- a) Access to personal data is only obtained if this is necessary for the performance of duties.
- b) Access is granted in accordance with the authorisation matrix drawn up for this purpose.
- c) The register lists the name of who is the owner for which processing. The owner of the relevant data processing is able to give information regarding who has access and why.

Article 7 Disclosing data

- a) Personal data may be disclosed to:
- institutes for scientific or static purposes, provided that the results for which these data are used cannot be traced back to any individual natural persons;
 - third parties, if a legal provision requires the data to be disclosed; or
 - if the data subject has given his or her written consent to processing. This consent must be given freely by the data subject.

Article 8 Transfer of personal data to countries outside the European Economic Area (EEA)

- a) In principle, Middle Point does not transfer personal details to countries outside the European Economic Area (EEA), unless adequate measures have been taken.
- b) If personal data are transferred to a country outside the EEA, this will be recorded in the register.

Rights of the data subject

Article 9 Rights of candidates and employees

- a) Under certain conditions, as specified in the law, candidates and employees have the right to information, the right of access, the right to rectification, the right to erasure (also known as the right to 'be forgotten'), the right to restriction of processing, the right to data portability and the right to object.
- b) The way in which these rights can be exercised is described in the legislation and the following Articles.

Article 10 Provision of information

- a) Middle Point informs its employees about the processing of personal data prior to collecting personal data or, if the data originates from third parties, prior to the moment of capturing that data.
- b) The data controller informs employees by means of these privacy regulations or by other means of communication. The relevant information is available on request from the DPU.

Article 11 Submitting a request

- a) Employees can submit the aforementioned requests to the owner of the information tools and processing activity.
- b) The owner may ask for additional information that is needed to confirm the employee's identity.
- c) In principle, submitting a request is free of charge. Where requests are clearly unfounded or excessive, in particularly because of the number of requests of the data subject, the data controller may charge a reasonable fee or refuse to comply with the request.

Article 12 Assessing the request and time limit

- a) The owner will notify the data subject of how the request will be responded to within one month of receiving the request. This period may be extended by two months. In this case, the data subject will be informed accordingly.
- b) If the request is accepted, it will be carried out as quickly as possible. If the request is not accepted by the owner, the data subject can submit a complaint to the DPU.

Organisational obligations**Article 13 Security**

- a) Middle Point will provide adequate technical and organisational measures in order to prevent loss or unlawful processing of personal data. Middle Point has drawn up its policy for information security in the 'Information Security Policy'.
- b) The owner will establish the measures and safeguards that the measures are effective and these will be entered in the register.
- c) These measures must guarantee the appropriate level of security - taking into account current technical developments and the cost of the implementation - that is appropriate to the risks involved in processing and the nature of the personal data. The measures are also aimed at preventing unnecessary collection and further processing of personal data.

Article 14 Dealing with incidents and the obligation to report data breaches

- a) Middle Point will, in accordance with the obligation to report data breaches, immediately notify the Dutch Data Protection Authority of a breach of security that leads to the considerable risk of serious adverse consequences for the protection of personal data.
- b) Middle Point will, in accordance with the legislation, immediately inform the data subject of the data breach as referred to in the previous paragraph, if the breach is likely to have adverse consequences for their privacy.
- c) There is an internal procedure in place for dealing with such incidents. Employees can report a security incident/data breach to the DPU, in the manner explained in the 'reporting and handling security and data breaches protocol'.
- d) Middle Point will pay a reward to persons who are able to trace/identify a data breach and communicate this to Middle Point.

Article 15 Retention period

- a) In accordance with legal requirements, the owner will determine the retention period of the personal data. Where possible, the retention periods will be included in the register.
- b) Personal data will not be kept longer than necessary for the purposes and for compliance with legal obligations.
- c) The personal data will be deleted upon expiry of the retention period.

Transitional and final provisions**Article 16 Complaints**

- a) If the data subject is of the opinion that the provisions of the legislation, as set out in detail in these privacy regulations, are not met by Middle Point, he or she can contact the DPU.
- b) If the submitted complaint does not lead to an acceptable result for the data subject, he or she can contact the Dutch Data Protection Authority.

Article 17 Entry into force

- a) In cases where these privacy regulations make no provisions, the management board of Middle Point will come to a decision, with due observance of the applicable legislation and regulations and as much as reasonably possible in the interests of the data subjects.
- b) These privacy regulations can be amended or revoked in accordance with the applicable legislation and regulations, after approval by the DPU.
- c) These privacy regulations have been drawn up by the DPU and will enter into force on the day after their publication on the website. Any previous versions are hereby null and void.

Amsterdam, 22 January 2019

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On behalf of the management board of Middle Point BV