

KINDERRIJK'S PRIVACY REGULATIONS

1. APPLICABILITY

These regulations apply to the entire organisation, which is part of Stichting KinderRijk based in Amstelveen.

2. DEFINITIONS

PERSONAL DATA: All information regarding an identified or identifiable natural person (the data subject'), such as, for example, name, address, date of birth, gender, telephone number, email address, position, employee number, Citizen Service Number, medical reports, content of emails, educational performance/marks, letters, complaints, photos, videos, IP addresses, tracking cookies, login names and passwords.

PERSONAL-DATA PROCESSING: Any operation or set of operations regarding personal data or sets of personal data, whether automatic or manual, such as collecting, recording, organising, storing, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or other type of provision, alignment or combination, blocking, erasure or destruction.

SPECIAL PERSONAL DATA: Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, genetic data (DNA/RNA) or biometric data (e.g. photographs) for the purpose of uniquely identifying a person and data concerning a person's health and development or sexual behaviour or orientation.

DATA SUBJECT: The person to whom personal data is related, and who may or may not be represented by a legal representative. Data subjects may include children, parents, staff and visitors.

LEGAL REPRESENTATIVE: The person who exercises parental authority over a minor. This will normally be a parent, however, it can also be a guardian. If a child is 16 years of age or older, he or she will decide on his or her privacy where necessary.

CONTROLLER: The entity that determines the purpose and means of personal-data processing. Under these regulations, KinderRijk is the controller, represented by the Board of Directors.

PROCESSOR: The natural person or legal entity who processes personal data on behalf of the controller, such as for example the supplier of a child plan- and customer-relationship system or payroll system. A processor has an executive task for the purpose of the activities of the person responsible for processing.

PROCESSING REGISTER: This contains information about the personal data processed by the controller.

THIRD PARTY: Any natural person or legal entity, public authority, agency or other body other than the data subject, the controller, the processor or the persons authorised to process personal data under the direct authority of the controller or the processor.

KINDERRIJK: Stichting KinderRijk, the controller within the meaning of these regulations.

3. SCOPE AND OBJECTIVE

1. These regulations provide rules on the processing of personal data of all those involved at KinderRijk, including children and their legal representatives, employees, visitors and external relations (e.g. suppliers and contractors).
2. These regulations apply to all personal data of the data subject that are processed by KinderRijk. The purpose of the regulations is to:
 - a. protect the privacy of the data subjects against incorrect and unintentional use of the personal data;
 - b. determine the purpose for which and on what (legal) basis personal data are processed within KinderRijk;
 - c. ensure that personal data is processed lawfully, transparently and properly within KinderRijk;
 - d. lay down the rights of those concerned and to ensure that these rights are respected by KinderRijk.

4. PURPOSES OF PROCESSING PERSONAL DATA

With respect to processing personal data, KinderRijk observes the relevant laws and regulations, including the General Data Protection Regulation (GDPR), the GDPR Implementing Act and other applicable legislation.

Objects:

1. Personal data are processed for the purpose of:
 - a. organising and providing childcare, observing children's development;
 - b. working within partnerships for the care of, education of and looking after children;
 - c. monitoring safety within the branches and protecting the property of KinderRijk, employees, customers, children and visitors;
 - d. publishing information about the organisation as referred to under a and b, as well as information about childcare on KinderRijk's website;
 - e. announcing the activities of KinderRijk, for example on the website, in brochures or via social media; calculating, recording and collecting the childcare allowance and subsidy, including outsourcing claims to third parties;
 - f. litigation and auditing;
 - g. maintaining contact with employees, customers and parents;
 - h. entering into and executing employment contracts, collaborative relationships with contractors and contracts with suppliers;
 - i. the implementation or application of laws and regulations;
 - j. legal proceedings in which KinderRijk is involved.
2. Personal data may also be processed for purposes compatible with those set out in paragraph 1.

5. OBJECTS

Personal data shall only be used if such use is compatible with the defined purposes of the processing. KinderRijk does not process more data than necessary in order to achieve the objects in question.

6. TYPES OF PERSONAL DATA

The categories of personal data processed within KinderRijk are registered in a processing register.

7. PROCESSING BASES

Personal data will only be processed if one of the following conditions is met:

- a. Processing is necessary for the performance of a task in the public interest or a task for exercising public authority assigned to KinderRijk.
- b. Processing is necessary in order to comply with a legal obligation that is vested with KinderRijk.
- c. Processing is necessary for the performance of a contract to which the data subject is party (e.g. employment contract or placement contract) or to take measures at the request of the data subject prior to the conclusion of a contract.

- d. Processing is necessary for the protection of the legitimate interests of KinderRijk or of a third party, except where the interests or fundamental rights and freedoms of the data subject are overriding factors, in particular when the data subject is a child; interests will therefore need to be considered under this basis.
- e. Processing is necessary to protect the vital interests of the data subject or another natural person (vital interest).
- f. The data subject has given his or her consent to the processing of his or her personal data for one or more specific purposes.

8. RETENTION PERIODS

KinderRijk does not retain personal data longer than is necessary for the purpose for which it is processed, unless the retention of personal data is required by law or regulation.

9. ACCESS

Within the KinderRijk organisation, persons only have access to personal data if effectively required. Employees' access to personal data is therefore limited to the data required for the proper performance of their duties and the associated work. Further to this, access is only granted to the personal data included in KinderRijk's administration and systems:

- a. the processor who has been instructed by KinderRijk to process personal data, yet only to the extent necessary in the light of the agreements made;
- b. third parties where it follows from the law that KinderRijk is obliged to provide access or there is a (different) basis for such processing, for example the performance of a task in the public interest.

10. SECURITY AND CONFIDENTIALITY

- 1. KinderRijk takes appropriate technical and organisational security measures to prevent personal data from being damaged, lost or unlawfully processed. These measures are also aimed at preventing the unnecessary collection and further (non-essential) processing of personal data.
- 2. Security measures allow for the state of the art, the cost of implementation, the context and the purposes of processing and the varying degrees of probability and seriousness of the risks to the rights and freedoms of data subjects.
- 3. Anyone involved in the processing of personal data of KinderRijk is obliged to maintain the confidentiality of the personal data concerned and will only process these data to the extent required for the performance of the position, activities or task in question. Employees of KinderRijk must sign a confidentiality statement.

11. SPECIAL PERSONAL DATA

Special personal data will only be processed by KinderRijk if permitted pursuant to a legitimate basis in accordance with Article 7 of these regulations.

12. SUPPLYING DATA TO THIRD PARTIES

KinderRijk may provide personal data to third parties if permitted pursuant to a basis within the meaning of Article 7 of these regulations.

13. SOCIAL MEDIA

Separate agreements have been made in KinderRijk's Code of Conduct for the use of personal data in social media.

14. RIGHTS OF DATA SUBJECTS

1. KinderRijk recognises the rights of data subjects, acts accordingly and ensures that data subjects can effectively exercise these rights. This particularly includes the following rights:

Inspection

- a. A data subject has the right to inspect the personal data processed by KinderRijk that relate to him or her. In the case of working documents, internal notes and other documents intended solely for the purposes of internal consultation and deliberation, access shall be given only within the context in which the data of the data subject are used. If and to the extent this right of inspection also affects the rights and freedoms of others, for example if the documents also contain personal data of others than the data subject, KinderRijk may restrict the right of inspection.

When providing the data in question, KinderRijk will also provide information at the request of the data subject on:

- the processing purposes;
- the categories of personal data being processed;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed;
- (where applicable) recipients in third countries or international organisations;
- the retention period;
- the fact that the data subject has the right to request that the personal data be rectified or erased, or that the processing of personal data be restricted, and that he or she has the right to object to the processing of personal data;
- the fact that the data subject may lodge a complaint with the Personal Data Authority;
- the source of the personal data, if the personal data have not been obtained from the data subject;
- the possible application of automated decision making and the underlying logic involved and the interest and consequences for the data subject;
- the appropriate safeguards if the personal data are transferred to a third country or an international organisation.

Rectification, supplements, erasure

- b. KinderRijk adjusts the personal data of a data subject if the data subject has rightly indicated that the data is incorrect and KinderRijk completes the personal data of a data subject if the data subject has rightly requested a supplement. Furthermore, the data subject may request the deletion of his/her personal data. KinderRijk will do so if a legal basis for the request has been met, unless there is a legal obligation to keep the request, it is impossible to meet the request or this would require an unreasonable effort.

Objection

- c. If KinderRijk processes personal data on the basis of Article 7 under a or Article 7 under d of these regulations, the data subject may object to the processing of his or her personal data. In that case, KinderRijk will cease processing the personal data in question, unless in the opinion of KinderRijk the interests of KinderRijk, the interests of third parties or the general interest in the specific case override KinderRijk's interests.

Processing restrictions

- d. The data subject may also request that the processing of his personal data be restricted, i.e. if he has made a request for rectification, if he has objected to the processing, if the personal data are no longer necessary for the purpose of the processing or if the processing is unlawful. KinderRijk will then restrict the processing, unless the data subject has given permission for the processing, KinderRijk needs the data for a lawsuit or the processing is necessary to protect the rights of another person or for significant reasons.

Notification obligation

- e. If, at the request of a data subject, KinderRijk has rectified or deleted personal data, or restricted the processing of personal data, KinderRijk will inform any recipients of the personal data concerned.

Procedure

2. KinderRijk will deal with a request from a person involved as soon as possible, however, no later than one month after receipt of the request. Depending on the complexity and number of requests, this period may be extended by two months if necessary. If this extension is granted, the data subject shall be informed within one month after receipt of the request. In case the data subject submits his/her request electronically, the information shall, where possible, be provided electronically, unless the data subject requests otherwise. If KinderRijk does not comply with the request of the data subject, KinderRijk will immediately, and at the latest within one month after receipt of the request, inform the data subject about the possibility of submitting a complaint to the Personal Data Authority or lodging an appeal with the court.

3.

Withdrawal of permission

4. If prior consent is required for the processing of personal data, such consent may be withdrawn by the data subject at any time. If consent is withdrawn, KinderRijk will discontinue the processing of personal data, unless another basis (as referred to in Article 7 of these regulations) for the data processing is available. Withdrawal of authorisation shall not prejudice the lawfulness of any processing operation already conducted.

Rights of data subjects regarding pre-school education

5. The City's parent and child team (Dutch: 'OKT') and the pre-school provider (KinderRijk) supply personal data through an application of the City. The OKT supplies indication data, name and address, date of birth and citizen service number. KinderRijk supplies data on participation at pre-school. In the application, the personal data is converted into general data that cannot be traced back to the children, such as numbers and ages of children. The City's pre-school education team only uses general data and has no access to the children's personal data. Only the administrator of the application has access to the personal data to resolve incidents and answer questions from KinderRijk. You can request access to the personal data processed in relation to pre-school education.

You can request to rectify, delete or limit the use of your personal data or those of your children. These requests can be submitted to the OKT and KinderRijk.

- a. Inspection, rectification, deletion and limitation requests regarding participation data can be submitted to KinderRijk.
- b. Inspection, rectification, deletion and restriction requests regarding indication data can be submitted to the City's OKT.

15. TRANSPARENCY

Upon request, KinderRijk will inform the person(s) concerned about the processing of their personal data. The information to be provided must include at least the following items:

- a. KinderRijk's contact details;
- b. the contact details of KinderRijk's Data Protection Coordinator;
- c. the purposes of the data processing and the basis for the processing;
- d. a description of the interests of KinderRijk if the processing is based on KinderRijk's legitimate interests;
- e. the (categories of) recipients of the personal data, such as processors or third parties;
- f. where applicable, whether the personal data are sent to countries outside the European Economic Area (EEA);
- g. the retention period;
- h. the fact the data subject has the right to request KinderRijk to inspect, rectify or delete personal data and that he has the right to request processing restrictions, to object or to invoke the right of data portability;
- i. the fact that the data subject has the right to withdraw his/her consent if the data processing is based on consent;
- j. the fact that the data subject has the right to lodge a complaint with the Personal Data Authority;
- k. whether the disclosure of the personal data is a legal or contractual obligation or a necessary condition for the conclusion of a contract and whether the data subject is obliged to provide the personal data and the consequences if he or she did not provide the personal data;

- l. where applicable, the existence of automated decision making together with useful information on the underlying logic, as well as the relevance and expected consequences of such processing for the data subject.

16. DATA BREACH NOTIFICATION

1. Anyone involved in the processing of personal data of KinderRijk is obliged to immediately report an information-security incident or data breach to the hotline. This can be done by phone on number 020 4260850 or by email via privacy@kinderrijk.nl, in accordance with KinderRijk's procedure 'Information-security incidents and data breaches'. Information about this can be found at www.kinderrijk.nl/privacy.
2. A security incident is an event that causes, or could cause, the availability, integrity and/or confidentiality of information to be compromised. A data breach is a security incident in which personal data is lost or unlawfully processed (stored, modified, transmitted, etc.) or made accessible.

17. COMPLAINTS

1. If a party involved believes that the actions or omissions of KinderRijk are not in accordance with the GDPR, these regulations or (other) applicable laws or regulations, a complaint may be submitted in accordance with the complaints procedure applicable within KinderRijk. This complaints procedure can be found on our website. A data subject may alternatively contact the Data Protection Coordinator of KinderRijk via email address privacy@kinderrijk.nl. Other contact details of the Data Protection Officer can be found on our website www.kinderrijk.nl/privacy.
2. KinderRijk has engaged an external data protection officer, contact details of this officer can be requested via privacy@kinderrijk.nl.
3. If the data subject believes that a complaint has not been handled correctly by KinderRijk, he/she can turn to the court or the Personal Data Authority.

18. UNFORESEEN SITUATION

If a situation arises that is not described in these regulations, the Board of Directors of KinderRijk will take the necessary measures and assess whether these regulations need to be supplemented or amended consequently.

19. AMENDED REGULATION

1. These regulations were adopted by the Board of Directors KinderRijk upon advice from the Parents' Council and the Employees' Council. The regulations are published on KinderRijk's website. The regulations are also actively promoted, for example when entering into contracts.
2. The Board of Directors may amend these regulations in consultation with the Parents' Council and with the approval of the Employees' Council.

20. FINAL PROVISION

These regulations are referred to as KinderRijk's privacy regulations and will take effect on 1 July 2018.

Change on July 1, 2022:

The explanation with regard to requests for access to the personal data of subjects that are processed with regard to pre-school education has been added to Article 14.4.

Name change of KinderRijk Holding B.V. to Stichting KinderRijk in article 1 and 2.

Change on June 1, 2023:

Adjustment Article 15; Contact person converted from Officer to Data Protection Coordinator.

Adjustment Article 17; Contact person converted from Officer to Data Protection Coordinator.

Addition point 17.2; Reference to external data protection officer.