

STICHTING FIOM PRIVACY STATEMENT

In this Privacy Statement, we would like to explain which types of personal data Fiom uses, the reasons why they are processed and in what way. We would also like to inform you of the rights you have as a data subject. This statement is based on our internal Privacy and Security Policy and has been developed into a set of regulations, which are meant as internal instructions to be used throughout our organization.

1. Who are we?

Stichting Fiom (Fiom), based in 's-Hertogenbosch, the Netherlands, at Kruisstraat 1, 5211 DT, is the Responsible Party as far as the General Data Protection Regulation (GDPR) is concerned.

Fiom is a knowledge centre and its goal is to develop knowledge, transfer expertise and provide services to people and organizations having questions in the field of:

- Births, including unplanned pregnancy, abortion, giving a child up for adoption, teenage parenthood.
- Questions related to heritage and parentage, including adoption, searches for family members, mothers who gave up their children for adoption, foundlings, surrogacy and donor kinship.

Fiom has a **Data Protection Officer**, who is charged with supervising compliance of Fiom's obligations regarding to personal data protection. Contact the Data Protection Officer (DPO) via e-mail: privacywetgeving@fiom.onmicrosoft.com or by telephone on +31 (0)88-1264 900.

2. What are personal data?

The GDPR indicates a piece of personal data to be any piece of information on an identified or identifiable natural person. This means that this information directly concerns a person, or can lead to this person.

There are many types of personal data. Obvious personal data examples are names, addresses and places of residence. However, telephone numbers and postal codes combined with house numbers are personal data as well. Sensitive data, such as race, religion, pictures or health information are also referred to as special personal data. They are extra protected by the legislator.

3. When do we process your personal data?

We process your data when you fill out the forms on our websites and/or when you are otherwise registering in order to be able to use our services. We also process personal data for executing the contracts with our suppliers and for maintaining contacts with our business relations.

4. Why do we process your personal data?

General

We collect and process personal data only insofar as necessary in order to correctly and thoroughly carry out the service provision agreement with you and to adjust it to your needs. We process your data for the performance, support, monitoring and accountability of our services, consisting of professional help in the field of questions regarding heritage and unplanned pregnancies. We also process personal data for the performance, support, monitoring and accountability of our services in these fields in the form of: education, training, counselling, signalling and advocacy. We also process personal data as part of our

complaint handling and dispute resolution procedures.

If special personal data are concerned, such as race, religion, health or sexual behaviour, we process this information only if you have given us your prior express approval.

Situations may arise that require us to process your personal data on the basis of a legal obligation or on the basis of a justified interest. If a requirement for the processing of your data on the basis of a justified interest for Fiom or a third party occurs, we will always make an informed decision in advance.

We have made an informed decision about the types of personal data that are needed to be able to provide the services. If you do not want to give us the required personal data, and you therefore do not allow us to process them, we may not be able to provide our services to you, depending on the nature of the services. If you wish to discuss this further, feel free to contact us via privacywetgeving@fiom.onmicrosoft.com.

5. Why and how we process your personal data for the benefit of our service provision regarding parentage questions

5.1 General

We process your personal data for the performance of our services consisting of professional help regarding parentage questions in order to:

- Be able to carry out the help as good and meticulously as we can
- Gear our services to the needs of our target groups
- Gain insight into the target group that uses our services
- Gain insight to the number of people that use our services
- Monitor the quality of the services provided

More specifically, your personal data are processed, if applicable, for the purpose of:

- Performing national searches
- Performing international searches
- Creating a registration in the DNA databank – in case of donor kinship – containing data and your DNA profile to check whether there is a match with your donor or donor child.
- Carrying out research among donor children to find out whether there is a possible match
- Applying for counselling in case of surrogacy and future parenthood.
- Applying for counselling regarding file inspection
- Evaluations and client satisfaction surveys regarding the service provided, so that we can gear our services to your needs.

5.2 Which personal data are being processed?

We need your name, address, telephone number and e-mail address. Due to the nature of the services, the processing of personal background details and some health information is required. Parentage data are meant to be:

1. Factual details, such as identity, place of residence of the birth mother and - if present - birth father at the time of giving up the child for adoption.

2. Medical information that could be important for the healthy development of the child, such as information regarding any genetic disorders in one or both of the parents or their respective families.
3. Data that describe the birth parents, such as the colour of their eyes and hair, height, weight, skin colour, education and profession.
4. Data that give the child insight into the considerations that have lead the parents to give up the child for adoption.
5. Factual details of siblings or half-siblings.

5.3 Why and how do we process your personal data for our service in the field of unplanned pregnancies?

For our services regarding unplanned pregnancies, we process your data to:

- Be able to carry out the help as good and meticulously as we can
- Make an appointment with a Fiom professional to talk about your decision, if applicable
- Make an appointment with the national help centre network to talk about your decision, if applicable.
- Make an appointment for counselling by Fiom or one of our protocol partners to discuss your intention to give up your child for adoption.
- Gear our services to the needs of our target groups
- Gain insight into the target group that use our services
- Gain insight into the number of people that use our services
- Monitor the quality of the services provided
- Evaluations and client satisfaction surveys regarding the service provided, so that we can gear our services to your needs.

Once you register to our online modules, we will process your information when you start using our online modules,. This concerns: [“I’m pregnant. What to do?”](#) and [“Dealing with an abortion”](#). If you use the services of the website [Tienermoeders.nl](https://www.tienermoeders.nl), your data will also be processed there. Finally, your data is recorded in our hardcopy files.

5.4 Which personal data are being processed?

We need your name, address, telephone number and e-mail address. Due to the nature of the service, personal background details, some health information and information relating to your sexuality is required.

5.5 Personal data of suppliers and business relations

We only process those data that we need from you to be able to correctly perform the supplier and/or business relation contract. This includes name, contact details of the contacts and the fiscal and financial information for payments.

5.6 Personal data of website visitors.

When visiting our website or reading/clicking our e-mails, we may automatically collect certain data, or we may collect them because you give them to us. We do this to enhance your experience on our website and improve our services. This includes information about the way you use our website and how often you visit it. Your IP address will be stored in an encrypted way.

6. Cookie Policy

Cookies are small text files containing information, sent from a web server to a browser of a person visiting our website. The intention is that this information is sent back to the webserver in case the visitor returns to the website. The cookies are stored on your computer.

We place functional and analytical cookies on your computer. We use these cookies to keep track of the pages that are viewed in order to understand our visitors' online behaviour and interests. The cookies are not linked to your name, address, e-mail address and such, but is only meant to optimize our website.

Please refer to our [Cookie Policy](#) for more information.

7. Sharing your personal data.

Fiom does not pass on your data to third parties, unless this is necessary for the performance of the agreement entered into with you or in case any legal obligations are enforced. For the performance of our services, it may be necessary for data processors carrying out services on behalf of Fiom, such as hosting parties and/or other suppliers, to process your personal data. These suppliers process the data on behalf of Fiom and we have entered into a processing agreement with them that control each party's obligations, such as a confidentiality duty and the obligation to properly secure the data. In extraordinary cases, we may be obliged to pass on personal data on the basis of a court order or court rulings.

7.1 Passing on data to third parties.

1. In order to be able to pass on personal data to third parties, the written approval of the data subject is required, unless a condition as mentioned in the paragraphs 2, 3, 4, 5 and 6 of this Article applies.
2. Within Fiom, personal data can be passed on:
 - for the execution of a legal requirement;
 - to those people who, for the purpose of the performance of their duties, are directly involved in providing actual services to the client;
 - to people and institutions, whose task is to monitor and assess the help or services provided, insofar as required for the performance of their duties.
3. Outside Fiom, personal data may be passed on:
 - to those people who, for the purpose of the performance of their duties, are directly involved in providing actual services to the client;
 - if necessary, to institutions that provide statistics or policies; in this case, personal data are only processed in such way that they cannot lead the receiver to the individual and only after agreements have been made regarding the use of these data.
4. If personal data have been rendered anonymous to such an extent that they cannot lead to any individuals, the person responsible may decide to pass these on for the purpose of scientific research.
5. Personal data for the purpose of scientific research may only be passed on without the permission of the data subject if all of the following conditions have been met:
 - - the request for permission is not reasonably possible;
 - - the research serves a general purpose;
 - - the research cannot be carried out without the relevant data;
 - - the data subject's privacy is not disproportionately harmed and it is established that the research will exclusively present data that shall not lead to the data subject.

6. Information about origins may be provided to a child of age of the data subject at their prior request in writing, directed to the (Fiom) employee and provided that the data subject has not expressed any objections against the inspection or supply of data that are so important that these objections are to prevail over the child's interests. As far as the information about origins concern medical data, as described in Article 1.14 paragraph b, it will, in deviation from that stated above, not be provided to the applicant, but to a medical officer, or else the applicant's general practitioner as confidential information.

8. Receiving your personal data from third parties

If we receive your personal data from a third party, and there has not been any previous contact between you and Fiom, we will inform you within a reasonable term, 4 weeks maximum, about the processing of your personal data by Fiom, as prescribed by the GDPR.

9. Passing on personal data to countries outside the European Union.

If, for the purpose of performing the agreement with you, we need to pass on the data to a country without an adequate security level, we will provide additional safeguards, such as contractual agreements with the receiving body. These activities apply in international searches.

If Fiom incidentally and necessarily needs to pass on data for the purpose of the agreement with and services to you, to a country outside the European Union without an adequate data protection security level, and we have not been able to establish additional safeguards with the receiving body, we will only pass the data on once we have received your express permission in writing. Prior to passing on the data, we will therefore inform you about the country involved and what the risks are that are linked with to passing on your data to this country.

This situation may occur when, for example, you lived in a specific country outside the European Union or are searching for a relative in such country.

10. Your rights

The most important goal of the GDPR is to protect and clarify the rights of European citizens and individuals in Europe in relation to data protection. The data subject whose data we process, which means you, has a number of specific rights under the GDPR.

If you would like to discuss exercising one of these rights, please contact us Privacywetgeving@fiom.onmicrosoft.com. Fiom aims at dealing with your request immediately, though within one month at the latest (unless an extension of this term is necessary and legally possible).

10.1 With regard to the processing of your personal data, you have the following rights:

- You may request Fiom to give access your personal data
- You may request Fiom to correct or remove your personal data. If you have filled out your personal data on our website, you may log on to your own account and change your details. You may ask Fiom to adjust the information for you if you cannot do this yourself.
- You may file an objection against the processing of your personal data if this is based on a justified cause.
- You may ask Fiom to limit the processing of the data.
- You have the right to the transferability of the data.

- If you have given permission to process special personal data, such as medical information, you may always cancel this permission. This entails that Fiom is no longer able to offer you its services. We will have to register the cancellation of the permission.
- Our services do not include any decision-making that is exclusively based on automated processing without any human intervention. Decisions will be made by humans at all times.
- If you wish to file a complaint about your personal data processing by Fiom, please send an e-mail to: <mailto:privacywetgeving@fiom.onmicrosoft.com>. Please refer to [Fiom's complaints handling procedure](#) on Fiom's website.
- You are also welcome to contact the Dutch *Autoriteit Persoonsgegevens* (Personal Data Authority) and, if your wish, you may file your complaint there. Please refer to the [Autoriteit Persoonsgegevens' website](#)

If you wish to enforce one of these rights, you must do so in writing by sending an e-mail to privacywetgeving@fiom.onmicrosoft.com. We are required to ask for your ID and record proof thereof.

11. Minors under 16

If services are to be provided to a minor under the age of 16, prior permission of an adult who has parental responsibility of this minor is required based on the GDPR. In order to process the personal data of the minor under 16, Fiom will first ask permission to the person with parental responsibility. If preventive services or consultation are concerned that are directly offered to the minor, such as our services regarding ['I'm pregnant. What to do?'](#), parental permission is not required based on the GDPR.

12. Security measures

Fiom has taken appropriate technical and organizational measures for the protection of your personal data.

In addition to state-of-the-art security technology, Fiom also imposes internal rules on its employees concerning the way in which they handle personal data. Our internal Privacy & Security Policy describes the measures that Fiom applies and the way it organizes the protection of data.

Personal data protection remains the centre of attention within Fiom and our Privacy & Security Policy is continuously assessed and updated.

Fiom's Data Protection Officer supervises Fiom's compliance to legal obligations in the field of personal data processing, as well as Fiom's Privacy Policy and Privacy Regulations.

13. For how long will we store your personal data?

The processing of personal data takes place for the duration of the service provision agreement and the subsequent periods mentioned below.

All personal data items will be erased from our files within two years of closure of the relevant help/service provisions.

This term does not apply to processed data related to searches and adoption procedures. After the closing of the file, records relating to adoption procedures will be digitally stored for two years.

Subsequently, they will be printed and saved as a hardcopy file for 100 years in the special Fiom adoption archives located at Koninklijke Saan / Oasis. The digital file is then destroyed.

We will keep the records for 80 years in case of donor kinship procedures.

Files relating to searches where contact has been made with the person searched for, will be destroyed two years after closure of the file. Search files in which the person searched for has not been found, or has been found but no contact has been made, will be digitally saved for 10 years after closure of the file and after this period, they will be destroyed.

Other documents or forms will be erased within a maximum of 6 months after storage or processing.

Questions, remarks and/or more information

Should you have any other questions or remarks about this Privacy Statement, your rights and/or your privacy in general, please feel free to send an e-mail to privacywetgeving@fiom.onmicrosoft.com or contact us by telephone on +31 (0)88-1264 900.

Notification duty in relation to data leaks

Should you discover or suspect any data leaks, please let us know immediately by submitting the form [Data Leaks Notification](#).

PRIVACY STATEMENT VERSION MANAGMENT

This Privacy Statement may be replenished and/or adjusted by Fiom at any time. This version was created on 17 January 2019. If you wish to read any prior versions, please visit our [website](#).