

Privacy policy for employees of Ghent University Hospital

Protection of the personal data of employees

1 General

If you are an employee of Ghent University Hospital, we may process your personal data.

The main purpose of this privacy statement is to inform you why we process your personal data and what rights you can exercise.

This policy has been drawn up in implementation of EU Regulation 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data (hereinafter referred to as GDPR) and its implementing laws and decrees.

2 Who is the data controller of your personal data?

Ghent University Hospital, a public institution with its registered office at C. Heymanslaan 10, 9000 Ghent, Belgium and registered in the Crossroads Bank for Enterprises under number 0232.987.862 (hereinafter 'Ghent University Hospital', 'we' or 'us') is responsible for processing your personal data as a donor as described in this privacy statement.

Ghent University Hospital is part of Ghent University, a public institution with legal status in accordance with the special decree of 26 June 1991, with its place of effective management at Sint-Pietersnieuwstraat 25, 9000 Ghent, Belgium and registered in the Crossroads Bank for Enterprises under number 0248.015.142.

3 Data Protection Officer

If you would like any further details, please do not hesitate to contact our Data Protection Officer at dpo@uzgent.be. Also, if you feel that the hospital is not or not sufficiently respecting your rights with regard to your personal data, you can always contact the Data Protection Officer to submit a complaint.

You also have the right to submit a complaint to the Belgian Data Protection Authority, Drukpersstraat 35, 1000 Brussels, Belgium and via e-mail to contact@apd-gba.be.

4 Basic principles and terms used in this privacy statement

We apply a number of basic principles when processing your personal data:

- We only process personal data that is necessary for the intended purpose.
- We strive to process the data accurately and correctly.
- We do not retain your data for any longer than necessary.
- We take appropriate measures to guarantee the confidentiality and integrity of your data.
- If we use external service providers, Ghent University Hospital will make sure that these processors observe the necessary data protection too.
- Data is never passed on to third parties for commercial purposes.

5 For the avoidance of doubt, a selection of terms used in the privacy policy are defined below:

Staff member(s): employees and/or other agents of Ghent University Hospital and/or independent practitioners within Ghent University Hospital.

Personal data: any form of information concerning an identified or identifiable natural person, such as a patient. An identifiable person is a natural person who can be identified, directly or indirectly, in particular by reference to an identification number (e.g. the National Registry Number), name and date of birth, location data, an online identifier (e.g. an e-mail address or an IP address) or one or more factors specific to his/her physical, physiological, genetic, mental, economic, cultural or social identity.

Consent: any freely given, specific, informed and unambiguous expression of will by which the employee by means of a statement or an unambiguous active act, agrees to his/her personal data being processed.

Processor: means a natural person or legal entity, public institution, agency or other body that processes personal data on behalf of the data controller, without being under the direct authority of the data controller.

Processing: any operation or set of operations that is performed on personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, protection, deletion or destruction of personal data;

Data controller: a natural or legal person, public institution, agency or any other body which alone or jointly with others determines the purposes and means of the processing of personal data.

Personal data legislation: means (i) Regulation (EU) 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of Personal Data and on the free movement of such data and repealing Directive 95/46/EC as of 25 May 2018, (ii) the Belgian Act of 30 July 2018 on the protection of natural persons with regard to the processing of personal data and (iii) any other current or future applicable legislation that relates to or has an impact on privacy and the processing of personal data.

6 Your rights concerning the processing of your personal data

For the avoidance of any doubt, your rights with regard to your personal data are clarified in more detail below.

6.1 Right to information

In accordance with the provisions of the GDPR, the data subject will be informed via this policy of the processing of their data and the legal grounds for this data processing at the time of the collection of personal data of the data subject.

6.2 Right of access and right to obtain a copy

You have the right to know, in accordance with the applicable legal provisions, which personal data we hold about you, what we do with it and why we do so. You also have the right to receive a copy of this information free of charge.

6.3 Right to rectification and completion

If you believe that Ghent University Hospital is keeping incomplete or incorrect data about you, you have the right to ask us to rectify or complete this data free of charge.

6.4 Right of deletion

If you are of the opinion that it is no longer necessary to keep your data, that there are no legitimate reasons to keep your data or that Ghent University Hospital is processing your data unlawfully, you may ask to have your data deleted.

For various reasons, Ghent University Hospital may be required to refuse your request for deletion. This may be the case, for example, if such data is necessary for the establishment, exercise or substantiation of a legal claim.

6.5 Right to withdraw your consent at any time

If the processing of personal data is based on your prior consent, you may withdraw this consent at any time. Withdrawing your consent implies that Ghent University Hospital is no longer allowed to process the data concerned.

6.6 Right to restriction of processing

In a limited number of cases, you may request that your personal data be kept but not processed (i.e. the processing is put on hold).

6.7 Right to data portability

When Ghent University Hospital processes data on the grounds of your explicit consent, or on the grounds of an agreement made with Ghent University Hospital, you, as an employee, additionally have the right to have an electronic copy of your personal data transferred to yourself or directly to another institution or person of your choice.

This transfer will be made in a structured, commonly used and machine-readable format.

6.8 Right to object

Insofar as the processing of your data is based only on the legitimate interests of Ghent University Hospital, you can file a reasoned objection. Ghent University Hospital will respect this reasoned objection unless it has compelling legitimate grounds that outweigh your interests, rights and freedoms or unless the data is related to the establishment, exercise or substantiation of a legal claim.

The data subject can never oppose the processing of personal data which Ghent University Hospital needs for the execution of an agreement or the fulfilment of legal obligations.

6.9 Right to submit a complaint to the Data Protection Authority

If you believe you have a complaint regarding the protection of privacy, you may contact the Belgian Data Protection Authority (www.gegevensbeschermingsautoriteit.be) directly at Drukpersstraat 35, 1000 Brussels, Belgium, or via +32(0)2 274 48 00 or contact@apd-gba.be.

7 Which personal data does Ghent University Hospital process and for which purposes?

Below, you can find out which personal data we process for each purpose, on which grounds the processing is carried out, how we process it and who we might share it with.

Please note that there are also separate privacy policies for patients, participants in scientific research and external stakeholders, all of which you can view on our website.

7.1 Social security and pension obligations

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Identification details (Identity, family composition, marital status, date of birth, place of residence, National Registry Number)	Arrange the social security and pensions of employees	Legal obligation (annex 1)	5 years after leaving service	Social security institutions, FPS Finance
Electronic identification data				
Contact details				
Financial data (bank account numbers, wage data)				
Career data				

7.2 Pension fund management obligations (statutory employees)

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Identification details (marital status, date of birth, place of residence, National Registry Number)	Pension fund management	Legal obligation (annex 1)	5-10 years after leaving service	FPS Finance, FSMA, NSSO, federal pension service, Sigedis, Conac

Financial data (bank account numbers, wage data)				
Contact details				
Career data				
Special data with an impact on pension calculations				
Identity and relationship of any beneficiaries				

7.3 Tax law obligations

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Identification details (identity, family situation, marital status, place of residence, National Registry Number)	Meeting the employer's tax obligations	Legal obligation (annex 1)	7 years	FPS Finance
Electronic identification data				
Contact details				
Financial data (bank account numbers, wage data)				

7.4 Payroll administration obligations

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Identification details (Identity, family composition, marital status, date of birth, place of residence, National Registry Number, internal identification, role, training)	Follow-up of payroll administration	Legal obligation (annex 1)	5 years after leaving service	Ghent University, Social Secretariats, data storage providers, banking institutions
Electronic identification data				
Contact details				
Financial data (bank account numbers, wage data)				

7.5 HR administration obligations

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Identification details (Identity, family composition, marital status, date of birth, place of residence, National Registry Number, internal	Follow-up of HR administration	Legal obligation (annex 1)	5 years after leaving service	Internal: ICT, Badge shop. External: Ghent University,

identification number, sex, (passport) photo				insurance companies
Electronic identification data				
Contact details				
Financial data (bank account numbers, wage data)				
Extract from criminal record	Follow-up of personnel administration to help ensure quality of care, patient safety, hospital integrity and third party protection	Legal obligation (annex 1)		

7.6 HR management obligations

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Performance appraisals	Follow-up of HR administration for proper management	Legal obligation (annex 1)	5 years after leaving service	Internal: ICT, Badge shop. External: Ghent University, insurance companies
Recruitment file				
Timekeeping				
Training (taken and to be taken)				
Career data				
Ancillary activities				
Degree data				
Case files in connection with occupational accidents				
Individual case files in the context of psychosocial wellbeing				

7.7 Processing pursuant to court decisions

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Identification details (identity, family situation, marital status, place of residence, National Registry Number)	Follow-up files	Legal obligation (annex 1)	5 years after leaving service	Courts, bailiffs.
Financial data (bank account numbers, wage data)				

7.8 Physical security

Types of personal data	Processing purposes	Legal grounds	Retention period	Recipient category

Camera images	To protect the premises, buildings and goods that are at the disposal of Ghent University Hospital, by preventing or identifying destruction, damage and theft;	Legitimate interest	30 days	Police and judicial services in case of criminal offences according to current legislation (Article 9 of the Camera Act).
	To safeguard the health and safety of staff members by avoiding confrontation with perpetrators of theft, destruction, violence and harassment, by preserving public order and morals and by preventing nuisance;	Legitimate interest	30 days	
	To identify behaviour that is punishable under Belgian law and to provide information about such behaviour to the investigating and police services or judicial authorities for the purpose of investigation.	Legitimate interest	30 days	

We will notify you in advance if Ghent University Hospital intends to process the employee's personal data for purposes other than those indicated in this privacy statement.

When Ghent University Hospital processes the above personal data for the aforementioned purposes on the legal grounds of legitimate interest, the protection and security of premises, buildings and goods that are at the disposal of Ghent University Hospital, as well as the security of persons, are legitimate interests of Ghent University Hospital. After carefully weighing up the various interests, Ghent University Hospital is of the opinion that its interests outweigh those of the employee for the aforementioned purposes. Ghent University Hospital can demonstrate that:

1. the interests it pursues through the processing can be recognised as legitimate (the '**purpose test**');
2. the intended processing is necessary for the purposes of achieving these interests (the '**necessity test**'); and
3. the balancing of these interests against the interests, fundamental freedoms and rights of data subjects weighs in favour of the controller (the '**balancing test**').

7.9 Website maintenance and functionality

In order to maintain and operate the Ghent University Hospital website, Ghent University Hospital uses various cookies on its website. More information can be found in our [cookie statement](#).

Type of cookies	Processing purposes	Legal grounds	Retention period	Recipient category
Essential and functional cookies	Proper functioning and security of the website	Legitimate interest	See cookie statement	No external communication
Preferential, statistical and social media cookies	Improving the browsing experience	Consent	See cookie statement	See cookie statement

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For certain purposes as mentioned above, the employees give their consent by explicitly agreeing to specific processing (e.g. by ticking a box indicating your preference). The employee has the right to withdraw his/her consent at any time. The withdrawal of such consent will not affect the lawfulness of the processing based on consent before its withdrawal.

7.10 Communication

Type of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Log data	Prevention of misuse and/or malicious use of network	Legitimate interest	Logging internet use: 12 months External mail server: 2 months Logging internal mailbox: 1 day Message tracking: 30 days	No external communication, unless required by law in the context of criminal proceedings
Caller and caller numbers, both internal and external	Prevention of misuse and/or malicious use	Legitimate interest	The past calendar year is deleted each time and then deleted for each calendar year	No external communication, unless required by law in the context of criminal proceedings
Mobile numbers and home numbers of specific employees	Contacting in case of emergency and as part of a contingency plan	Consent	5 years after leaving service	No external communication, unless required by law in the context of criminal proceedings

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2. the intended processing is necessary for the purposes of achieving these interests (the '**necessity test**'); and
3. the balancing of these interests against the interests, fundamental freedoms and rights of data subjects weighs in favour of the controller (the '**balancing test**').

7.11 Hotel service

In order to be able to match supply to demand, a consumption analysis is carried out linked to a credited badge.

Type of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Consumption data in the restaurant, cafeteria and food shop	Sales analysis	Performance of a contract	5 years	Sodexo

7.12 Whistleblower protection

The personal data in connection with the report by whistleblowers are processed in accordance with the Decree for the protection of whistleblowers in education in the Flemish Community (published August 10, 2023), to which UZ Gent falls.

Type of personal data	Processing purposes	Legal grounds	Retention period	Recipient category
Name, contact details and position of the reporter	Follow up on the breach notification	Legal obligation	Maximum 5 years after handling of the report	Internal reporting channel; no external communication unless required by prosecutor's office
Name of person involved about whom the report is made				
Information on the breach about the person concerned				
Names of witnesses				

8 How do we obtain this personal data?

The personal data that Ghent University Hospital processes in relation to employees are obtained directly from the data subject, unless the data subject is unable to communicate these data.

9 Transfer of personal data

Personal data transferred to service providers is limited to the data necessary for the performance of their task. The service providers must take technical and organisational measures to protect these personal data.

10 Transfer of your data to a country outside the European Economic Area (EEA)

If your data needs to be transferred to a country outside of the EEA or to an international organisation, Ghent University Hospital will ascertain whether the country of destination offers an adequate level of protection. If the country to which Ghent University Hospital wishes to transfer data does not offer adequate guarantees, Ghent University Hospital will itself enforce adequate guarantees by means of template agreements made available by the European Commission or other accepted measures.

11 Entry into force and changes to the privacy statement

This privacy policy will enter into force on 29 January 2024.

Ghent University Hospital reserves the right to change its privacy policy at any time. Changes will be made by the Executive Committee of Ghent University Hospital.

You can find the latest date this privacy statement was adjusted at the top right.

The changes will be communicated on the website of Ghent University Hospital, and reference will be made to the relevant articles where such changes occur.

12 Annex 1 Relevant legislation

- The Coordinated Hospital Act of 7 August 1987.
- The Act of 15 January 1990 establishing and organising a crossroads bank for social security in conjunction with the Royal Decree of 15 October 2004 extending the social security network to pension and solidarity institutions charged with implementing the Act of 28 April 2003 on the supplementary pensions in the tax system of those pensions and of certain supplementary social security benefits, and the Programme Law of 24 December 2002 or the Programme Law of 27 December 2006.
- The Programme Law of 27 December 2006 on the principles for assessing the social status in which professional activities are performed, as an employee (contractors and doctors in training to become

specialists). The employee social security scheme applies to both contractual and statutory employees in public service.

- The Act of 27 October 2006 on the supervision of institutions for occupational retirement provision.
- The “Pensioenfonds UZ Gent-U Gent OFF” with its registered office at Corneel Heymanslaan 10, 9000 Ghent, concerning the canton of Ghent University Hospital to which the management of the Pension Scheme has been entrusted.
- The management agreement between the Pension Fund and the organisers Ghent University Hospital and Ghent University.
- Decree to protect whistleblowers in education in the Flemish community, August 10, 2023
- Code of Criminal Procedure: art. 595 (general model); art. 596.1 (model for regulated activities); art. 596.2 (minor model)