



Privacy Statement

Helan Home care (Thuiszorg)

We respect your privacy

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1. Introduction

Helan Thuiszorg (Home Care) provides practical and personal hygiene care for those who could use extra help or care at home, or maternity care for anyone having a baby, and requires various personal data to run the organisation smoothly.

Helan Thuiszorg attaches great importance to the protection of your privacy, and endeavours to process (your) personal data in a lawful, fair and transparent manner. The purpose of this statement is to inform you about how Helan Thuiszorg processes personal data.

More information about privacy legislation can be found on the website of the Belgian Data Protection Authority: www.dataprotectionauthority.be.

2. Controller

Helan Thuiszorg vzw, located at Boomsesteenweg 5, 2610 Wilrijk, with administrative office at Sluisweg 2, bus 3 9000 Ghent with enterprise number 0749.571.854, acts as the controller for data from home care (family care, maternity care, cleaning help for persons needing care).

In accordance with the European General Data Protection Regulation of 27 April 2016 (GDPR), Helan Thuiszorg vzw has appointed a data protection officer (DPO). He can be reached at the following address: privacy@helan.be, or by letter to Gistelsesteenweg 294, 8200 Bruges. You can also contact our DPO at: www.helan.be/privacy.

3. Why are your data processed?

In this context, Helan Thuiszorg processes all personal data of both families and individuals, which are necessary to achieve its main missions and objectives, namely:

- compliance with the permit terms and conditions
- customer administration
- invoicing
- planning
- compliance with the subsidy terms and conditions
- development of the policy
- surveying customers in the context of optimising service

4. What is the legal basis for processing your data?

We process your personal data for the following purposes and based on the following grounds for processing:

Purposes	Ground for processing
Processing your request (via website, email, phone)	Your consent
Providing information about our services	Legitimate interest
Ensuring optimal services, in terms of care delivery, communication and invoicing.	Legal obligation (see Decree on Residential Care) and obtaining the government subsidy.
Agreement (start of care provision).	Sharing personal data with care providers necessary for optimal service provision. Your consent.
Shared professional secrecy.	

For the processing of personal data other than mentioned in the purposes, we ask for your prior consent. You can withdraw your consent at any time.

The data collected will be processed solely for the purposes described above. Moreover, no more personal data is processed than necessary.

Helan Thuiszorg aims to ensure the optimisation and usability of its information platforms and data systems. This statement also covers processing operations in connection with new functionalities and services of Helan Thuiszorg, insofar as they fall within the purposes of Helan Thuiszorg as described above.

5. Which data is processed?

In accordance with the legally required information mentioned above or information you communicate to us, Helan Thuiszorg may process the following personal data from the family and the customer: identification data (names, address, phone number, etc.), specific financial details, physical data, psychological data (personality, character, etc.), hobbies and interests, personal characteristics (age, sex, status), lifestyle habits, family composition, affiliations (to any health funds), the address where assistance is provided.

In accordance with the information legally required above or information you communicate to us, Helan Thuiszorg may also process the following personal data:

- National register data: national register number and identification data (name, first names, date and place of birth, sex, nationality, principal place of residence, status, family composition, legal cohabitation, type of registration register)
- health data: physical health, mental health, risk situations and behaviours, care data

6. What are our sources of information?

Your data primarily comes from:

- you, your legal representative or anyone you have authorised

7. Security and confidentiality

Only authorised persons have access to personal data that is relevant to the performance of their tasks. These persons can only use the data if and insofar as necessary for the performance of their tasks. They are bound by professional confidentiality and by all technical requirements necessary to safeguard the confidentiality of personal data and the security of the systems in which it is held.

Helan Thuiszorg takes all technical and organisational measures to prevent (personal) data from falling into the hands of unauthorised persons or being processed by them, or from being accidentally altered or destroyed. Our premises, servers, network, transfers and data are secured in accordance with internal rules.

8. With whom can your data be shared?

Your personal data may be shared with:

- your and/or your legal representatives (including provisional administrators) or with your representative (professional advisor, lawyer, mediator, etc.) who has been authorised at your request.
- If necessary for the purposes stated above, your personal data will be transferred to:
 - The competent social work department
 - Your health insurance fund
 - PCSWs
 - Competent government services
 - Other home care organisations
 - Hospitals
 - Other healthcare professionals, such as general practitioners, midwives,...
- Research organisations in the context of scientific or historical research.

If this is deemed necessary to process data related to home care activities.

9. Who are our subcontractors?

For the performance of a number of processing operations, Helan Thuiszorg relies on specialist third parties (processors). They then perform the processing on behalf of Helan Thuiszorg vzw:

- MLOZ IT, Route de Lennik 788, 1070 Anderlecht, our IT provider
- I-Man for home care and planning tool
- Xlent Careplan for planning
- Manufast for managing certain letters and for digitising your correspondence
- Helan Ziekenfonds for following operations: HR-services, accounting, marketing services

Helan Thuiszorg ensures that the third parties involved:

- have only the data necessary to perform their tasks, and
- undertake vis-à-vis Helan Thuiszorg to process this data securely and confidentially on the one hand and to use it only for the performance of their tasks on the other hand.

10. Will your data be transferred to countries outside the EEA?

No, only if you have expressly agreed to this.

11. How long do we keep your personal information?

Your data will be deleted when it is no longer necessary for compliance with applicable regulations.

In accordance with medical ethics, your medical data will be kept by Helan Thuiszorg for up to 30 years after your last contact.

12. What are your privacy rights?

When your personal data is subject to processing, you can exercise various rights.

12.1. Right of access

You have the right to ask Helan at any time whether we are processing your personal data and, if so, to access that data and receive additional information about:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients (in particular, recipients in third countries);
- if possible, the retention period or, if that is not possible, the criteria for determining that period;
- the existence of your privacy rights;
- the right to lodge a complaint with the supervisory authority
- the information we have about the source of the data if we obtain personal data from a third party; and
- whether there is automated decision-making.

You have the right to receive a free copy of the processed data, in an easy-to-understand form.

If you exercise your right to access your data, Helan Thuiszorg will provide you with as complete an overview of your data as possible. Some personal data from classic back up files, log, history or archive files may not be included in this overview. This data is not part of the routinely processed personal data and is therefore not immediately available. As such, it cannot therefore be provided. It is removed from these files in accordance with standard clean-up processes.

According to legal provisions, we cannot directly communicate your medical information to you. To obtain this information, please contact your GP.

12.2. Right to rectification of personal data

You have the right to have incomplete, incorrect, inappropriate or outdated personal data rectified immediately.

In order to keep your data up to date, we kindly request that you notify us of any changes, such as a change of address, change of email address or telephone number.

12.3. Right to erasure (the 'right to be forgotten')

You have the right to have your personal data deleted without undue delay if you suspect that Helan is processing certain data unlawfully.

Please bear in mind that we may not always be able to delete all requested personal data, for example when processing it is required under a legal obligation to which we are subject.

12.4. Right to object to certain uses of data

You have the right to object to the processing of your personal data on grounds relating to your specific situation if the processing is performed in the legitimate interests of Helan or in the public interest. Helan will cease the processing of your personal data unless Helan can demonstrate compelling and legitimate grounds (e.g. in the context of the fight against fraud) for the processing that override your interests or when the processing of the personal data is related to the establishment, exercise or defence of legal claims (e.g. bringing a petition to a court).

12.5. Right to object to automatic processing

Some data processing and processes are fully automated, without human intervention, for example when an increased allowance is granted for medical care.

If you disagree with the outcome of this fully automated process, you can contact Helan and let us know why you dispute the assessment.

12.6. Right to transfer your data to a third party

You have the right to request that personal data you have provided to Helan be transferred to you or directly to a third party, for example when you change healthcare facility.

However, the privacy legislation imposes a number of restrictions on this right, which means that it does not apply to all data.

13. How do you exercise your privacy rights in practice?

13.1. Right to rectification of your data

Via the usual channels: in the agency or by mail to thuiszorg@helan.be.

13.2. Right to access, erasure, objection (including automated decision-making)

Via the [contact form](#) available on our website or in Helan branches.

In order to exercise your right of access and to prevent any unauthorised disclosure of your personal data, we need to verify your identity. A copy of the front and reverse side of your identity card will be requested.

13.3. You have a question or complaint

You may contact the Data Protection Officer via the web form www.helan.be/privacy or by letter at the following address Helan Thuiszorg, F.A.O. the Data Protection Officer, Gistelsesteenweg 294, 8200 Bruges.

Would you like more information, or do you disagree with Helan's position? Then definitely visit the site of the Belgian Data Protection Authority, www.dataprotectionauthority.be. You can also lodge a complaint there.

13.4. In what format and when will you receive a reply?

When you submit your request electronically, the information will be provided electronically where possible, unless you request otherwise. In any case, we will provide you with a concise, transparent, understandable and easily accessible response.

If you exercise your right to access your data, it will be handed over to you in person in your Helan branch.

We will respond to your request as soon as possible, and in any case within one month of receiving it. Depending on the complexity of the requests and the amount of requests, this period may be extended by a further two months if necessary. If the time frame is extended, we will notify you within one month of receiving the request.

14. Are you subject to automated decisions, including profiling?

No

15. Changes

Helan may amend this privacy policy from time to time, for example in the context of new processing activities which it undertakes. We therefore invite you to always consult the latest version of this policy on our website. We will of course inform you in advance via our website or other current communication channels of any content-related changes and, where required by law, we will request your prior consent for our (new) processing activities.

In the event of any discrepancy, our general terms and conditions and the special terms and conditions applicable to specific Helan products and services shall take precedence over this privacy policy.