

**Privacy regulation participants JAR Opleidingen B.V.**

The directors of JAR opleidingen B.V.;

TAKING INTO CONSIDERATION:

- That JAR opleidingen B.V., established in Langedijk, province of Noord-Holland, provides services in the context of the acquisition and improvement of the Dutch language, all this to increase opportunities towards the job market or to broaden social autonomy.
- That JAR opleidingen B.V. thereby obtains disposal of personal data.
- That it is desirable in connection with good management and the introduction of the data protection directive ‘Algemene verordening gegevensbescherming’ (AVG), to make arrangements for the processing of personal data by JAR opleidingen B.V.
- That this regulation aims to arrange for the correct use of the personal data which JAR opleidingen B.V. or one of its collaborators has cognisance of and which it processes, whereby the purpose for which these data are processed is described.

ESTABLISHES THE FOLLOWING REGULATION:

1. Definitions

a) Personal data

Any data regarding an identified or identifiable natural person.

b) Processing of personal data

Any action or whole of actions with regard to personal data, including in any case the collection, recording, ordering, keeping, updating, modifying, requesting, perusing, using, provision by way of forwarding, distribution or any other form of rendering available,

aggregation, interrelating, as well as the shielding, deletion, or destruction of data.

c) Special personal data

Personal data which gives information about someone's religion, convictions, race, political orientation, membership of a labour union and/or health.

d) Person concerned

The person personal data regards and whose data is processed. In this regulation, this regards the participants in courses.

e) Controller

The controller establishes what personal data is processed and what the purpose of this processing is. Whenever this regulation refers to the controller, this intends to mean the private limited liability company JAR Opleidingen B.V.

d) Processor

The organisation with processes personal data on behalf of the controller, without being subjected to their direct authority; intended are, for instance, DUO, Panteia, the municipality.

e) Third party

Anyone, not being the person concerned, the controller, the processor, or any person who is authorised to process personal data under the direct authority of the controller or the processor.

## 2. Scope and purpose

2.1. This regulation establishes rules for the processing of personal data of attendees of

JAR Opleidingen B.V.

- 2.2. This regulation is applicable to all personal data of the person concerned which is processed by JAR Opleidingen B.V. This regulation has as its purpose:
- a. to protect the privacy of the persons concerned against wrong and unintended use of the personal data;
  - b. determine what personal data is processed and with what purpose this is done;
  - c. assure the diligent processing of personal data;
  - d. inform the persons concerned and assure the rights of persons concerned.

### 3. What personal data of the persons concerned may be processed

- 3.1. JAR Opleidingen B.V. can process the following personal data:
- a. name, first names, initials, titles, gender, date of birth, address, postal code, place of residence, personal e-mail address, phone number;
  - b. bank account number,
  - c. social security number (BSN);
  - d. nationality and place of birth;
  - e. information regarding the residence permit;
  - f. information regarding the courses followed, work experience, and years of training in the country of origin;
  - g. information with an eye on the course to be taken, the integration obligation and the objective of your training, the level of the in-take test, the educational profile, the duration of stay in the Netherlands, the possible participation in the integration preparation at the AZC;
  - h. the presence of the persons concerned at the location where the training is conducted and their absence in connection with vacation, childbirth, or illness, with the exception of information regarding the nature of the illness;
  - i. information with an eye on the organisation of training, such as information about

group allocation, course schedules, the cost of the course and the manner of payment and the ONA module.

3.2. The information is collected with the means below:

- Information from the person concerned himself;
- Information prepared by JAR Opleidingen B.V. at the time of the agreement;
- Information received by third parties.

#### 4. Grounds and purposes of the processing of personal data

4.1 Processing of personal data only takes place on one or more of the following grounds:

- a) Consent: in case the person concerned has given written permission for the processing of his data. At the time of signing of the training agreement a consent form is presented to the participant in Dutch and in the languages which are most common in the Netherlands, being Arabic, Russian, English, Tigrinya, and Spanish and in which it is indicated with the greatest possible specificity what data is collected and for what purpose this data is collected.
- b) The agreement: in case the processing of data is necessary for the implementation of the training agreement to which the person concerned is a party.
- c) A legal obligation: in case the processing of data is necessary to comply with a legal obligation to which JAR Opleidingen B.V. is subject, for example the obligation to transmit all data to DUO (both financial data and exam applications) and the obligation to transmit information for the customer satisfaction survey to Panteia in the context of the quality mark 'Blik op Werk'.
- d) To protect the vital interests of the person concerned or of another natural person.
- e) For a legitimate interest of the data controller or a third party.

4.2. The personal data is exclusively used for the following purposes:

- a) to carry out the training agreement, including providing education at the right level and the provision of assistance for the participant;
- b) assistance for the participants to arrange for funding for the training through DUO;
- c) determining and keeping records of attendance to the training and the development of the participant;
- d) carrying out customer satisfaction surveys to comply with the quality mark ‘Blik op werk’;
- e) application for and registration with DUO to take exams;
- f) arranging for direct debit payment for course fees;
- g) evaluation of diplomas;
- h) application for medical advice for exemptions for the integration obligation.

4.3 Personal data is exclusively used to the extent such use is compatible with the purposes for processing described above. JAR Opleidingen B.V. does not process any more data than is necessary to achieve the established objectives. On request, the person concerned is also informed of the processing purpose of the data.

4.4 JAR Opleidingen B.V. does not make use of profiling. That means: no profile is created with the personal data for the person concerned which is used for marketing purposes. JAR Opleidingen B.V. does not make use of Dig Data and Trading.

#### 5. For how long are data retained

JAR Opleidingen B.V. does not retain the data for any longer than is necessary to realise the objective for which it was obtained, unless another legal obligation pertains which obliges to retain the data for a prolonged period. The data is destroyed 3 years after the course has been terminated.

Only information about exemption from the integration obligation is retained for a period of 6

years. This is connected with the instances in which former students were required to present this exemption in the context of a passport application and they requested this information many years later from JAR Opleidingen B.V.

## 6. Access

JAR Opleidingen B.V. only grants access to the personal data to:

- a. the processor and the third party which is under the direct control of JAR Opleidingen B.V.;
- b. the processor which is authorised to process personal data;
- c. third parties to which access must be granted pursuant to legislation, whereby access is exclusively given to the data to which access must be granted according to legislation.

## 7. Security and non-disclosure

7.1. JAR Opleidingen B.V. takes appropriate technical and organisational security measures to prevent that the personal data is damaged, lost, or processed illegitimately. The measures also strive for the prevention of unnecessary collection and further processing of personal data.

Processor will take, amongst others, the following technical and organisational security measures to protect personal data against breaches:

### *Server hosting*

- Hosting of servers in ISO 27001 certified data centres in the Netherlands;
- Securing of servers with hardware and software-based firewalls;
- Actively keeping servers updated by installing the latest security updates;
- Technical and organisational measures to prevent physical access by unauthorised persons to buildings where data processing takes place.

### *Organisation*

- Employees of Processor are trained in the field of privacy and information security and also receive a code of conduct for the responsible use of software, buildings, computers, printers, e-mail, and the internet.

### *Internal network and computers*

- Every workstation is equipped with anti-virus software which is automatically updated;
- The networks are protected by a firewall.

### *Application*

- Let run all data traffic between user, software application, and database through a secure line with an SSL-certificate and at least 256bit encryption;
- Authentication with username and password;
- Offer users the possibility to choose two-factor authentication;
- Automatic blocking after too many faulty log-in attempts;
- Data back-ups are made daily;
- Data back-ups are retained for three months.

7.2. For security measures, taken into account are the state of the art and the cost of implementation. Thereby, JAR Opleidingen B.V. takes into account the concrete risks which may be applicable to the processed personal data.

7.3. All who are involved in the implementation of this regulation and thereby obtain control over personal data which is confidential or must be kept secret and to which no non-disclosure obligation already applies on account of one's profession, functions, or of legal requirement, are obliged to maintain the confidentiality of that personal data. With external processors, a processor agreement is concluded.

7.4. All at JAR Opleidingen B.V. to whom personal data is made available are obliged to treat it with confidentiality. To employees and freelancers who are active at JAR Opleidingen B.V. a non-disclosure obligation applies which is integrated in the employment contract/assignment agreement.

## 8. Transparency

- 8.1. JAR Opleidingen B.V. informs the person concerned by way of a consent form regarding the processing of his personal data. In that form, reference is made to this regulation. If the type of processing requires such, JAR Opleidingen B.V. informs each person concerned separately regarding the details of that processing.
- 8.2. JAR Opleidingen B.V. informs the person concerned as well – in general terms – regarding the arrangements which have been made with third parties and processors which also receive personal data of the person concerned.
- 8.3. JAR Opleidingen B.V. is responsible for the creation of a register of all processing for which it is the data controller.

Every register contains a description of what is processed and what data is used for it, that is:

- The name and contact information of the data controller and, possibly, the joint data controller;
- The purposes of the processing;
- A description of the type of personal data and the associated persons concerned;
- A description of the receivers of the personal data;
- The terms within the various personal data are deleted;
- A general description of the security measures.

## 9. Rights of the persons concerned

- 9.1. Every person concerned has the right of perusal of the personal data processed by JAR



Opleidingen B.V. with regard to him. JAR Opleidingen B.V. may ask for a valid ID to verify the identity of the applicant.

- 9.2. The person concerned can place requests for rectification, deletion of data, or the limitation of processing, unless such turns out to be impossible, violates the reasonable interest of processing, or would require an unreasonable exertion.
- 9.3. To the extent JAR Opleidingen B.V. uses personal data on grounds of article 6 sections e and f of the data protection directive AVG, the person concerned can file an objection against the processing of personal data based on his personal circumstances and processing will be suspended, unless there are urgent justified grounds which outweigh the interests, rights, and freedom of the person concerned.
- 9.4. The requests as intended in this article can be communicated to: Mrs N Overbeek van Loon, e-mail address: [noortje@jaropleidingen.nl](mailto:noortje@jaropleidingen.nl).  
JAR Opleidingen B.V. must comply with a request within a 4 week term after receipt in writing or reject it in substantiated and written form. JAR Opleidingen B.V. can let the person concerned know that it needs more time and extend the term with a maximum of 4 weeks.
- 9.5. If the request of the person concerned is granted, JAR Opleidingen B.V. takes care of the swiftest possible implementation of the requested changes.
- 9.6. To the extent prior permission is required for the processing, this consent can at all times be withdrawn by the person concerned.

## 10. Complaints

In case the actions or failure to act of JAR Opleidingen B.V. does not correspond with AVG as it is elaborated in this regulation, the regular complaints procedure of JAR Opleidingen B.V. may be followed. The complaints regulation has been handed out to all students.

Complaints can also be filed with the data protection agency ‘Autoriteit Persoonsgegevens’.

### 11. Final provision

This regulation is referred to as ‘the privacy regulation participants’ of JAR Opleidingen B.V. and enters into effect on 25 May 2018 as version 5.0 and replaces March 2016 V 4.0.

Langedijk May 2018

M.A.C. van Loon-Vugts

General Director

**JAR**

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