

Privacy policy

With regard to the processing and use of personal data

1. Introduction

This document describes how Financial Assets is committed to the protection of the privacy of individuals. It states which measures Financial Assets has taken for the processing and use of personal data in order to comply with the requirements set by the General Data Protection Regulation ('GDPR').

Financial Assets deals confidentially and carefully with the personal information provided by a person to Financial Assets. Financial Assets has taken the necessary (ICT-technical) security measures to prevent a (possible) data leak.

The following provisions define how Financial Assets deals with the processing and use of personal data to ensure the privacy of individuals.

2. Objective

Financial Assets uses personal data solely for the following objectives in order to carry out the business of Financial Assets:

- a) Mediating people to a new employer (also referred to as 'permanent placement');
- b) Mediating people to a temporary client (also referred to as 'interim mediation');
- c) Conducting personal communication, maintaining relationships with people and/or inviting people for events or meetings (also referred to as 'relationship management'); and
- d) Performing administrative actions and for fulfilling legal obligations (also referred to as 'administrative obligation').

Financial Assets does not manage or use personal data for objectives other than those referred to above, unless there are compelling reasons for doing so or when the law requires so. The Data Protection Officer ('DPO') decides whether these compelling reasons justify the processing and use of personal data for objectives other than those referred to above.

3. Personal data

Personal data is all information about an identified or identifiable person. This is information that is directly about a person or can be traced back to this person. These data relate to a natural person and a distinction is made between ordinary personal data and sensitive personal data (as classified in the GDPR). A distinction is made between publicly available and non-publicly available personal data.

3.1 Publicly available personal data

Publicly available personal data are personal data that have been made publicly available by the data subject on the internet (or online communities), such as on LinkedIn. This personal data can be obtained publicly when one is part of the relevant publicly accessible internet community. Such personal data are considered by Financial Assets as publicly available personal data and therefore do not benefit from privacy protection, as is the case for personal data provided to Financial Assets by the (potential) candidate and which are not publicly available.

3.2 Non-publicly available personal data

Non-publicly available personal data are all personal data that are not public or cannot be obtained via the internet and that have been explicitly provided by the person to Financial Assets. The privacy policy applies to this personal data.

3.3 Specification personal data

Financial Assets processes and (possibly) uses the following personal data to fulfil the objectives (as set out in article 2): Name & contact details, date of birth, gender, profile picture, nationality, candidacy, personal and professional characteristics and resume (Curriculum Vitae) and/or other possibly received documents. In addition, when objective b (interim mediation) requires so, the citizen service number (BSN) and passport are also processed and used.

4. Approval for processing and use

When Financial Assets proceeds to the processing of non-publicly available personal data, Financial Assets will request approval from the data subject regarding whether his/her not publicly available personal data may be processed and used to fulfil the objectives (as set out in article 2).

Financial Assets will ask the person if he/she grants approval to Financial Assets to process and use his/her personal data to fulfil the objectives as set out in article 2. If the person does not approve Financial Assets within a period of 1 month, Financial Assets will stop processing and using personal data that is not publicly available. Financial Assets will inform the person of this.

Before Financial Assets proceeds to share non-publicly available personal data with third parties (such as a client of Financial Assets) Financial Assets will ask the person if he/she approves this, unless there are compelling reasons for doing so or when the law requires so.

Non-publicly available personal data (as stipulated in article 3.2) that have been explicitly provided by persons to Financial Assets requires approval for processing and use. Publicly available personal data (as stipulated in Article 3.1) do not require approval as mentioned above.

When Financial Assets stops processing and using personal data because the person does not grant approval, the non-publicly available personal data will be removed from the personal data processing solutions of Financial Assets.

5. Legality

Personal data has been lawfully acquired by Financial Assets and are based on the personal data provided by the person. In order to fulfil objectives (as defined in article 2), Financial Assets is justified in processing and using all -not sensitive- personal data that has been obtained.

Personal data are processed and used by Financial Assets only when this is required to achieve the objectives (as set out in article 2).

Special categories personal data (which are not publicly available personal data, such as Citizen Service Number and passport) are only processed and used by Financial Assets when this is (possibly) required for -objective b- (interim mediation) or -objective d- (administrative obligation) from article 2.

6. Data minimization

Financial Assets limits itself to the processing of personal data that are sufficient, relevant and necessary for the objectives (as set out in article 2).

Financial Assets will not process special categories personal data when these are not possibly required for the fulfilment of the relevant objective(s). If the person in that case provides his/her special categories personal data to Financial Assets, Financial Assets will not process this data.

7. Ensuring data quality

The aim of Financial Assets is to ensure that personal data is accurate, complete and up-to-date at the time that it is processed and used. If there is reason to do so, Financial Assets will take the initiative to check personal data on a 'best effort basis'. This also means updating the data when there is a reason to process and use this personal data. Before personal data are shared with third parties after approval of the person, Financial Assets will verify with the (potential) candidate whether the personal data previously shared with Financial Assets are correct, complete and up-to-date (such as the Curriculum Vitae/resume).

In all cases, the person himself is responsible for the accuracy and clarity of the personal data provided by him/her. If the person has doubts about the unambiguous nature of the personal data provided by him/her, the person must contact his/her Financial Assets contact person to discuss this so that ambiguity is prevented.

Financial Assets reserves the right to recover from the person any damage resulting from the provision of incorrect or misleading personal data by the person.

8. Data security

Financial Assets ensures that personal data are properly secured against a (potential) data breach. This includes the prevention of unauthorized access, loss, destruction, unauthorized use, alteration and unauthorized release of data.

For the processing and management of personal data by means of IT solutions, Financial Assets makes use of the services of companies that specialize in this. (If required) Financial Assets has concluded a processor agreement with these suppliers. In this agreement, the supplier of the personal data processing services has signed that it meets the requirements that the GDPR imposes on it as the processor of the personal data on behalf of Financial Assets.

9. Rights of persons

The person who contacts Financial Assets will receive an answer on the question if Financial Assets processes and uses their personal data. Furthermore, each person is entitled to:

- **Right to be forgotten:** One can choose to be 'forgotten', which means that all personal data that is not publicly available are removed from the systems of Financial Assets;
- **Access:** One can request a copy of his/her personal data to view what was provided to Financial Assets;
- **Amendment and supplementation:** One can request his/her personal data to be corrected and/or supplemented;
- **Limitation of processing:** One can limit Financial Assets' processing and use of certain personal data; and
- **Objection:** One can refuse to allow his/her personal data to be used by Financial Assets (non-active).

The person subject can therefore influence the personal data that Financial Assets processes and uses from him/her.

The person can contact his/her Financial Assets contact person to invoke his/her rights regarding the processing and use of personal data. In all cases, contact can also be sought via the postal address or via the general email address on the Financial Assets website.

9.1 Execution

Financial Assets will execute the rights of the person as well and as quickly as possible. However, if there is (possibly) a competing interest (with another person or institution), Financial Assets can determine that the above right is not or only partially executed. In such a case, Financial Assets provides to the person the consideration that has been used for not (fully) execute the right. Subsequently, Financial Assets will point out to the data subject how he/she can appeal against this.

It is not possible to remove personal data from documents when these also include personal data of other persons (e.g. previously sent overview and reporting).

The above rights of the person are always executed in such a way that Financial Assets can continue to comply with the statutory obligations imposed on it.

Financial Assets will only execute the right of the person when Financial Assets was reasonably able to verify if this request was filed by the person concerned.

9.2 Other organisations

Financial Assets informs the person regarding other organisations (also referred to as ‘third parties’) with which his/her personal data are shared and asks for approval for this. If the person chooses to invoke one or more of the above rights with Financial Assets, Financial Assets cannot, on behalf of this person, execute one or more of these rights on behalf of a third party. Financial Assets will not ask third parties to execute the rights of the person on behalf of the person. In that case one should contact the third parties concerned.

10. Storage periods

Personal data of the (potential) candidate are processed and used in the Financial Assets system until:

- one has submitted by email (or in writing) that he/she wants his/her personal data removed from the system of Financial Assets (right to be forgotten);
- it has been more than 10 years since the personal data were provided by the person;
- one has reached the (presumed) age of 75¹;
- one has reached the age of 75 years¹ (now) and has not been active in a formal position for two years; or when
- one is no longer able to perform work².

If one of the above points is applicable, Financial Assets does not consider it desirable for his/her personal data to be processed and used. Likewise, Financial Assets no longer considers it possible to fulfil the objectives (as set out in article 2) for which it processes and uses the personal data of the data subject. In that case, Financial Assets will stop processing and using the personal data of the data subject.

¹ Financial Assets will, when these personal data are not available, make an assessment of the age of the person on a 'best-effort' basis.

² Being unable to perform work is understood to mean, for example, the death of the (potential) candidate or the contraction of a very debilitating physical and/or mental illness of a permanent nature.

In the event of the realization of one or more objectives, Financial Assets does not stop processing and using the personal data. This is because achieving an objective does not preclude one or more objectives being realized again at a later time.

11. Complaints

Financial Assets has a general complaints procedure with which one can submit his/her complaint(s). This complaints procedure provides for the possibility of reporting a situation that, in the opinion of the person concerned, is not in line with what one can expect from a professional organization such as Financial Assets and/or its employees. This also includes the processing and use of personal data. In this case, the person concerned can fill in the complaint form on the website. The complaint will then be received and handled by the Managing Partner.

Financial Assets will respond within two days of receipt of the complaint. In the process of handling the complaint, Financial Assets will try to find a solution that is acceptable to both parties as soon as possible. Financial Assets strives to handle complaints satisfactorily. When a complaint is received, Financial Assets will also examine how it can improve its services in order to prevent such undesirable situations in the future.

12. Expertise and integrity of employees

The *-Employee code of conduct for processing and using personal data-* applies to employees of Financial Assets. These rules of conduct serve to ensure that the Financial Assets employees comply with this privacy policy and the measures taken to prevent a (possible) data breach.

13. Other provisions

Financial Assets recognizes no liability in the event of an excess that occurs outside the control of Financial Assets, unless Financial Assets can be blamed for gross negligence.

In all cases, regardless of the nationality of the person, Dutch law applies.

14. Accountability

Financial Assets ensures that it can at all times account for the way in which it, as an organization, implements the privacy policy described above.

Financial Assets states in the cooperation agreement that it concludes with third parties that one must comply with the requirements established by the GDPR.

If there is a (possible) data breach, this is reported to the DPO.

Mr. Chris de Groot (Managing Partner) is responsible for handling and solving complaints.

Mr. Marc Hamel (Partner) is DPO and is responsible for the provisions and measures taken for the GDPR.

Financial Assets is formed by the companies Financial Assets Executive Search B.V. (KvK No. 32070542), Financial Assets Interim Management B.V. (KvK No. 32111792), Financial Assets Actuarial Executive Search B.V. (KvK No. 32103597) and is located at Huizerstraatweg 111, Naarden in the Netherlands.