

We value your privacy

I. Introduction

We”, “us” or “our” means First Wave NV, a Belgian company with registered office at B-2550 Kontich, Veldkant 33 A, with a branch office at B-1040 Brussels, Avenue d’Auderghem 346, and known in the Crossroads Bank of Enterprises under number 0552.596.627 and we provide outsourcing, consultancy and recruitment services within medical & regulatory affairs and the healthcare industry, as well as set up training session(s) (hereinafter “Services”).

Since we are committed to safeguarding your Personal Data we will explain in this Privacy Policy how we collect, disclose, transfer and use (hereinafter “process”) the Personal Data that you share with us through the use of our website or our Services, and which rights you have regarding your Personal Data. This Privacy Policy is to be read together with our Cookie Policy and our contractual agreement(s), if any. For further detailed information relating to our use of Cookies, we refer you to our [Cookie Policy](#).

This Privacy Policy is solely intended to provide you with information in relation to the processing of Personal Data by First Wave NV as a controller (i) through the use of the Website (www.FirstWave.be), (ii) through the use of our Services and (iii) through the processing of Personal Data we gather from our contact persons within your organization. We ask you to read this Privacy Policy very carefully.

We will process your Personal Data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter the “Privacy law”). This Privacy Policy allows us to be open and transparent, so that you can make meaningful choices about the use of your Personal Data by First Wave NV.

If you have any questions, concerns or complaints regarding this Privacy Policy or our processing of your Personal Data or you wish to submit a request to exercise your rights as set out in this Privacy Policy, please contact us:

- Via e-mail: info@FirstWave.be, to the attention of our Privacy Officer;
- Via Post: to First Wave NV, to the attention of our Privacy Officer, Veldkant 33A, 2550 Kontich, Belgium.

We reserve the right to make any changes or amendments to our Privacy Policy. The most recent version of our Privacy Policy will always be available on our Website. Continued use of the Website and/or our Services shall imply the acceptance of the modified Privacy Policy.

This Privacy Policy was revised last on 06/01/2021

II. How we use and collect your Personal Data

“Personal Data” is defined as: any information relating to an identified or identifiable natural person. Identifiable refers to identifiers (such as name, identification number, location data, etc.), that can be used to directly or indirectly identify a natural person.

We make the greatest effort to take appropriate organizational and technical measures in order to protect your Personal Data against wrongful processing and/or loss. If you believe that your Personal

Data is not protected properly or there are signs of misuse, please contact us via e-mail: info@FirstWave.be, to the attention of our Privacy Officer.

1. The Personal Data we collect, is collected and used for the purposes as listed hereunder:
 - **Responding to questions** - In the event you contact us through our Website or provide us your Personal Data directly during a job fair, or a promotional-, networking- or training- event or via other social media sites such as LinkedIn, Facebook and Twitter, we will use your Personal Data in order to reply to your query or complaint, *inter alia* via e-mail or telephone or post.
 - **Performance of consultancy Services** - We process your Personal Data in the performance of our Services or to deliver you the information asked. We also process the Personal Data that we receive in the performance of our Services *inter alia* for customers- and supplier administration in order to augment the quality of our Services, assessing your suitability for a specific position or assignment, to develop our Services, to invoice our Services and to follow up and collect outstanding invoices, ... etc.
 - **Performance of outsourcing, recruitment and selection Services** – We process your Personal Data in the performance of our Services or to deliver you the information asked. When you provide us with your Personal Data by sending us an e-mail, calling or by sending us a letter or providing us your Personal Data directly during a job fair, or a promotional-, networking- or training- event or via other social media sites such as LinkedIn, Facebook and Twitter, then we will process the Personal Data that we receive in the performance of our Services *inter alia* for customers- and supplier administration in order to augment the quality of our Services, to develop our Services, assessing your suitability for a specific position or assignment, using and forwarding it to our relations and subcontractors, invite you for a meeting, to invoice our Services and to follow up and collect outstanding invoices,...etc. We will also process your Personal Data with regard to adding you in our recruitment-pool for a possible recruitment and/or for an outsourcing process.
 - **Direct marketing / newsletter** – If you are a (prospect) business relation of us, or (potential) candidate or you have subscribed to our mailing-list, we will process your Personal Data *inter alia* for sending you direct marketing messages, proposing golden candidates or vacancies, informing you about similar services or sending you our newsletter and other informational mailings.
 - **Training** – If you subscribe for a training, then we will process the Personal Data that we receive in the performance of our Services *inter alia* for customers- and supplier administration in order to provide you the services, being able to execute and manage your registration, augment the quality of our Services, to develop our Services, to invoice our Services and to follow up and collect outstanding invoices,...etc. We can also process your Personal Data with regard to adding you in our recruitment-pool for a possible recruitment and/or for an outsourcing process.

- **Support of Website** - We process your Personal Data for the purpose of supporting the website and enhancing your user experience, which includes *inter alia* ensuring the security, availability, performance, capacity and health of the Website.
- **Obligations as set out by the law** - We process your Personal Data to enforce or exercise any rights that are available to us based on the applicable law, such as use for the establishment, exercise or defense of legal claims. We may also use your Personal Data to fulfil our obligations as set out by the applicable law.

2. We collect the following different categories of Personal Data:

The Personal Information that we collect depends on the context of your interactions with us and the Services and features you use within our Website and applicable law. However, the Personal Information we collect broadly falls into the following categories:

- **Contact data:** We can collect contact data about you. We receive this information directly from you when you communicate this to us, for example by sending us an e-mail. This can consist of the following information: name, address, e-mail address, phone number, and any Personal Data that you choose to put in annex, such as other information contained in your CV or that you choose to provide to us. In particular we may process: name, first name, address, e-mail address, phone number, cellphone number, VAT-number, enterprise number, education, title and job description, gender, date of birth and marital status, your job search criteria, preferences and expectations, your qualifications, skills, experience and training, current remuneration and other benefits, educational history and employment history, as well as details of employment and/or educational referees. This is information that is provided directly by you. Please do not provide us with any sensitive information, such as irrelevant health information, information pertaining to criminal convictions, or credit card/account numbers.
- **Identification data:** In providing our Services we can process the coordinates of you or the contact person(s) within your organization, in particular we may process: name, first name, address, e-mail address, phone number, cellphone number, VAT-number, enterprise number, education, title and job description, gender, date of birth and marital status, your job search criteria, preferences and expectations, your qualifications, skills, experience and training, current remuneration and other benefits, educational history and employment history, as well as details of employment and/or educational referees.
- **Financial data:** when you use our Services, we process the identification- and bank account numbers as well as credit card numbers or debit card numbers. We also process the amounts already paid or that you still have to pay. Finally, we process all the data regarding your solvability. For our candidates we will may process as well other payroll information such as: your national registry number, your address, your seniority, your marital status, your bank account

number, your family composition, your date of birth, your phone number, your email address or any other information provided directly to us or as provided by you in the in the compensation and benefit grid-form.

- **Usage data:** We collect Personal Data regarding your activities on our website: IP address, device ID and type (serial number, hardware type, version, etc.), referral source, language settings, browser type, operating system, geographical location, length of visit, page views, or information about the timing, frequency, pattern or other details of your service use. This information may be aggregated and used to help us provide more useful information regarding the use of our website. In the event the usage data is completely anonymized (and can therefore not be traced back to you as an individual), this will not be considered Personal Data for the purpose of this Privacy Policy. This is Personal Data that is automatically collected through your use of the website.
- **Information we collect from other sources:** From time to time, we may obtain information about you from third-party sources, such as public databases, social media platforms, third-party data providers, and our joint marketing partners. This can include demographic information (such as age and gender), device information (such as IP addresses, e-mail, cellphone number), location (such as city and country), and online behavioral data (such as information about your use of social media websites, page view information and search results and links). This information may be aggregated and used alone or in combination with other Personal Data we collect, to enhance our ability to provide relevant marketing and content to you and to help us provide you Services.

3. The legal basis for the processing of your contact data:

We may use the Personal Information we collect or receive through the Website, our Services or directly from you (alone or in combination with other data we source) for the purposes and on the legal bases identified below:

- *Use of the Website*
We process your Personal Data that we aggregate from your use of our Website based on the legal ground “**legitimate interest**” to provide, support and improve in reliance on our legitimate interests in administering and improving the Services and providing certain features. For example, we have a legitimate interest to respond to your questions or to react on your comments and to make your Website experience as pleasant and save as possible.
- *Contractual relationship*
In the performance of our Services and regarding our suppliers, we process the identification data and financial data based on the legal basis “**necessary for the performance of the agreement**”. We need the Personal Data to draft the contracts, find vacancies or candidates, deliver invoices, to include the invoices in our accounting and for our customer and supplier administration. When you are an existing business relation of us, we can also process your Personal Data based on the legal ground “**legitimate interest**” to inform you about matters that in our

opinion, are important for you; including (new) job openings or potential interesting golden candidates, our newsletter, general mailings for direct marketing purposes, training and any work-related matters. And providing it to our affiliated companies, meaning that your Personal Data may (also) be included in the database of these affiliated group companies. By all means we aim for a balance between our legitimate interest and your privacy. Therefore we will, if necessary, process certain Personal Data solemnly based on the legal ground **“Consent”**, such as our direct marketing newsletters and including you in our longterm recruitment-pool. However, where we are providing you with recruitment and staffing Services, you will receive email (marketing) communications from us even if you have not given us consent as we rely on the ‘soft opt in’ form of consent.

- *Pre-contractual relationship*

We process your Personal Data that we aggregate when you contact us directly based on the legal ground **“legitimate interest”**, such as your CV and other personal information to provide our Services and being able to give you access to and bringing you into contact with or introducing you to one or more opportunities (candidates or vacancies). As well as informing you about matters that in our opinion, are important for you (including (new) job openings or potential interesting candidates, training and any work-related matters), being able to offer you assignments, training and/or educational opportunities, career and/or professional advice and/or other (work-related) services. For example, we have a legitimate interest to keep your Personal Data for potential future opportunities in our recruitment-pool. By all means we aim for a balance between our legitimate interest and your privacy. Therefore, we will, if necessary, process certain Personal Data solemnly based on the legal ground **“Consent”**, such as subscribing to our recurring newsletters and including you in our longterm recruitment-pool. However, where we are providing you with recruitment and staffing Services, you can receive email (marketing) communications from us even if you have not given us consent as we rely on the ‘soft opt in’ form of consent.

- *References*

If a candidate or a supplier indicated you as one of their references, then we use your Personal Data in order to contact you based on the legal ground **“Legitimate interest”** for a reference. This is a part of our quality assurance procedure and that is why we consider this necessary for our legitimate interests as providing recruitment and staffing and outsourcing Services.

By using the Website or Services of First Wave, you grant us the right to use the Personal Data provided in this for the aforementioned purposes, insofar as this is in line with the relationship between us.

If the legal basis for the processing of your Personal Data is consent, you will, at all times, have the right to withdraw your consent. This will, however, not affect the lawfulness of any processing done prior to the withdrawal of consent.

In the event the legal basis for processing is our legitimate interests the public interest, you will have the right to object to such processing, as set out in this Privacy Policy.

For the avoidance of doubt, your Personal Data will solely be used for the purposes as set out in this clause, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

III. Your rights

This article lists your principal rights under data protection law. We have tried to summarize them for you in a clear and legible way. To exercise any of your rights, please send us a written request in accordance with article 1 of this Privacy Policy. We will respond to your request without undue delay, but in any event within one month of the receipt of the request. In the event of an extension of the term to respond or in the event we do not take action on your request, we will notify you.

1. *The right to access*

- i. You have the right to confirmation as to whether or not we process your Personal Data and, in the event we do so, you have the right to access such Personal Data, together with certain additional information that you also find listed in this Privacy Policy.
- ii. You have the right to receive from us a copy of your Personal Data we have in our possession, provided that this does not adversely affect the rights and freedoms of others. The first copy will be provided free of charge, but we reserve the right to charge a reasonable fee if you request further copies.

2. *The right to rectification*

- i. If the Personal Data we hold about you is inaccurate or incomplete, you have the right to have this information rectified or, taking into account the purposes of the processing, completed.

3. *The right to erasure (right to be forgotten)*

- i. In some circumstances, you have the right to the erasure of your Personal Data without undue delay.
Those circumstances include:
 1. The Personal Data are no longer needed in relation to the purposes for which they were collected or otherwise processed;
 2. You withdraw your consent, and no other lawful ground exists;
 3. The processing is for direct marketing purposes;
 4. The Personal Data have been unlawfully processed; or,
 5. Erasure is necessary for compliance with EU law or Belgian law.
- ii. There are certain exclusions to the right to erasure. Those exclusions include where processing is necessary,

1. for exercising the right of freedom of expression and information;
2. for compliance with a legal obligation; or,
3. for the establishment, exercise or defense of legal claims.

4. *The right to restrict processing*

- i. You have the right to restrict the processing of your Personal Data (meaning that the Personal Data may only be stored by us and may only be used for limited purposes), if:
 1. You contest the accuracy of the Personal Data (and only for as long as it takes to verify that accuracy)
 2. The processing is unlawful and you request restriction (as opposed to exercising the right to erasure)
 3. We no longer need the Personal Data for the purposes of our processing, but you require Personal Data for the establishment, exercise or defense of legal claims; or,
 4. You have objected to processing, pending the verification of that objection.
- ii. In addition to our right to store your Personal Data, we may still otherwise process it but only:
 1. with your consent;
 2. for the establishment, exercise or defense of legal claims;
 3. for the protection of the rights of another natural or legal person; or,
 4. for reasons of important public interest.
- iii. We will inform you before we lift the restriction of processing.

5. *The right to data portability*

- i. To the extent that the legal basis for our processing of your Personal Data is consent, and such processing is carried out by automated means, you have the right to receive your Personal Data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.
- ii. You also have the right to have your Personal Data transferred directly to another company, if this is technically possible, and/or to store your Personal Data for further personal use on a private device.

6. *The right to object to processing*

- i. You have the right to object to the processing of your Personal Data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for:

1. The performance of a task carried out in the public interest or in the exercise of any official authority vested in us;
 2. The purposes of the legitimate interests pursued by us or by a third party.
- ii. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defense of legal claims.
 - iii. You have the right to object to our processing of your Personal Data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your Personal Data for this purpose.

7. *The right to complain to a supervisory authority*

- i. If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement. In Belgium, you can submit a complaint to the Data Protection Authority, Rue de la Presse 35, 1000 Brussels, (contact@apd-gba.be, tel: +32 (0) 2 274 48 00, fax: +32 (0) 2 274 48 35).

IV. Retention of your data and deletion

Your personal information will not be kept for longer than is necessary for a specific purpose. This means we will keep your Personal Data throughout the period of your business relationship with us and whilst we are providing you our Services.

If our business relationship ends or we stop providing you Services, your data will be stored in our database up to 3 years after the final contact or for a longer period in compliance with the law and the limitation periods that oblige us to store your personal data longer, e.g. to defend ourselves against any legal actions. At the end of this period, you will be contacted again to decide whether you want to continue to be registered. During this period we can anonymize your Personal Data in our database so that we can no longer identify you.

If you no longer wish to receive our Services or you would like to unsubscribe on our mailing(s) and newsletter(s) you can unsubscribe and/or request us to delete your Personal Data from our database. In the event you withdraw your consent or you object to our use of your Personal Data, and such objection is successful, we will remove your Personal Data from our databases. Please note that we will retain the Personal Data necessary to ensure your preferences are respected in the future. In other words, we may retain *inter alia* your name, email address and any other information that is useful to identify you on our suppression list and subject to the Services we have provided, continue to retain some of your Personal Data for our legitimate business purposes as described below.

The foregoing will, however, not prevent us from retaining any Personal Data if this is necessary to comply with our legal obligations, to ensure your preferences are respected in the future, in order to file a legal claim or defend ourselves against a legal claim, or for evidential purposes.

V. Providing your Personal Data to others

Where appropriate and in accordance with local legislation and requirements, we may share your Personal Data with the following categories:

- Any of our affiliated companies
- Clients, Supplier and prospects;
- Current, past or prospective employers, educators, examination institutes and employment and other recruitment agencies;
- Tax, audit or other authorities;
- Third parties such as service providers who perform services on our behalf, including IT Providers and document storage providers;
- Platforms for marketing technology and suppliers;
- Regarding Candidates: potential employers and other recruitment agencies/organizations, third party partners, job sites and job aggregators, any other suppliers.

The above mentioned categories may have access to your Personal Data in the performance of their assignments, but they may never process your Personal Data for their own purposes. If we engage a third party to provide pre-employment screening services or testing, we will ensure that access is limited to the Personal Data that is compatible with those services and the service provider is contractually obliged to comply with applicable data privacy laws, confidentiality and provide adequate safeguards to keep your Personal Data secure until it is deleted or anonymised.

We may disclose your Personal Data to affiliated companies of First Wave NV. These affiliated companies shall only process your Personal Data in accordance with this Privacy Policy.

We may also disclose your Personal Data in the event such disclosure is required or necessary in order to fulfil a legal obligation.

In order to provide you with our Website or provide our Services, we work with service providers to process and store your Personal Data. We regularly use the following service providers:

- i. **Our Website**, www.First Wave.be, is owned by First Wave NV and operated by Eric Wyckmans - kmo city, Rond Punt 20, B3570 Alken – Belgium, BE0771.267.883, <http://www.kmocity.be/voorwaarden.html>
- ii. **Hosting provider**: Versio B.V., François HaverSchmidtwei 2, 8914BC Leeuwarden (Nederland), Email: support@versio.nl
- iii. **General Database/Documents storage providers and regular suppliers**:
 - Mailchimp, <https://mailchimp.com/legal/privacy/>
 - Invenias by Bullhorn, <https://www.bullhorn.com/uk/bullhorn-uk-and-eu-cookies-and-privacy-statement/>
 - Office 365, including OneDrive, E-mail & Outlook, OneNote, Sharepoint, Teams; <https://www.microsoft.com/en-us/trust-center/privacy?docid=23&langid=en-GB>
 - Wetransfer, <https://wetransfer.com/legal/terms>
 - Whatsapp, <https://www.whatsapp.com/legal/privacy-policy-eea>

For your information, by clicking on the relevant link you will find more information on how these suppliers may process your Personal Data and how they provide adequate safeguards to keep your Personal Data secure until it is deleted or anonymized.

We may also disclose Personal Data in order to protect your vital interests or the vital interest of another natural person. As such, we do not automatically disclose your Personal Data to our social media partners. We do, however, make use of LinkedIn's social media plugin to direct you to our social media channel and to allow you to interact with our content. In the event you click on the link, LinkedIn may collect Personal Data about you and may link this information to your existing profile on LinkedIn. We are not responsible for the use of your Personal Data by LinkedIn. In such case, LinkedIn will act as controller. For your information, on the following link (<http://linkedin.com/legal/privacy-policy>), you will find more information on how LinkedIn may process your Personal Data. The content thereof can change from time to time.

VI. International transfers

The Personal Data that we collect from you when you use our Website will not be transferred to any third country without respecting the necessary guarantees.

When using the plug-ins on our Website, and with regard to the processing which will be carried out by the relevant social media channels, you should be aware that your Personal Data may be transferred to recipients outside the European Economic Area. We cannot be held responsible for such processing, as we do not determine the purposes of such processing. For more information in this respect, please refer to the privacy policies of the social media channels linked to these plug-ins, as stated in Article V of this Privacy Policy. Please note that the privacy policies of the relevant social media channels may change from time to time.

In order to provide you our Services your Personal Data may be transferred to other countries. However, we want to make sure that your data is stored and transferred in a secure manner. We will therefore only transfer data outside of the European Economic Area where it is compliant with the data protection legislation and the means of transfer provides adequate safeguards in relation to your data, for example by signing an agreement regarding transfer of data in which the standard contractual clauses are included as adopted by the European Commission for the transfer of personal data by personal data controllers in the EEA to personal data controllers and processors in jurisdictions without adequate data protection laws.

VII. General provisions

Despite the technical and organizational measures taken by First Wave, it can occur that third parties nevertheless succeed in circumventing these measures and/or using your Personal Data for improper purposes. The liability that First Wave may incur shall be limited to the limitation as set out in the agreement between us. In the event no limitation of liability was agreed upon in our agreement, the total liability of First Wave shall be limited to the direct damages up to the value of the agreement or 50.000 EUR, whichever is the lowest. In addition, the amount of our liability will never exceed the amount paid by our insurance. First Wave does not accept any liability in any way for any harm resulting from the use of the Personal Data by third parties to whom this data is provided on the basis of this Privacy Policy or with your consent. We are also not liable for non-compliance with the applicable law and/or regulations (including the privacy legislation) by these third parties.

If any provision from this Privacy Policy is completely or partially invalid, voidable or in conflict with the law, it shall be deemed to stand on its own and to be inapplicable. In such a case, First Wave will replace the provision in question with a provision of equal intent that is not completely or partially invalid, voidable or in conflict with the law. The other provisions of the Privacy Policy will remain in full force.

This Privacy Policy is covered by Belgium Law and the Court in Antwerp, division Antwerp is authorized to acknowledge any disputes.