



## Privacy Declaration

# Introduction

This Privacy statement is written by Dialog B.V. Dialog is the developer of the Online platform.

As developers of this Online platform, we understand that there is valuable and potentially sensitive data in the Online platform. We find the privacy and security of all Data important and we value that you as an End User understand how we handle your Data and that of your organisation.

We will further explain this in this Privacy Statement and point out your rights under the AVG.

# Terminology

We find it important that we understand the same with the following terms.

## Parties

**Dialog:** Dialog B.V. (Chamber of Commerce number 84510722) is the name of the company that invented, developed and maintains the Online platform.

**Online platform:** We hereby refer to the Online platform Dialog, which can be found at <https://app.dialog.nl/>.

**Clients:** These are the organizations that purchase licenses and possibly additional services for the Online platform of Dialog.

**End user:** These are employees who work for the Controller who use or are going to use the Online platform.

**Manager:** These are the managers of End Users.

**Administrator:** These are the person (s) within the Controller Party who are responsible for managing the Online platform.

**Data Subjects:** Natural persons whose Data are Processed in the Online platform. In this case, these are the End Users, Managers and Administrators of the Controller who will use the Online platform. In addition, external parties who provide feedback to End Users, such as customers, are also Data Subjects.

## Data

**Personal data:** This is data that can be traced back to an individual and relates to a person.

**User Information:** This is information that an End User enters in the Online platform. This includes business and development objectives, received and given feedback and written evaluations.

**Organization Specific Information:** This is Organization Specific Information about the structure of an organization, organization and team objectives, core values and competencies and information about the assessment cycle.

**Data:** The collective name for Personal Data, Organization Specific Information and User Information.

## GDPR-terminology

**Processing:** We speak of Processing when we record, change, collect, organize, structure, store, update, retrieve, consult, use, provide through transmission, distribution or otherwise make available, align or combine, shield, delete or destroy.

**Controller:** The organization that instructs Dialog to Process Data.

**Processor:** Dialog Processes Data on behalf of the Controller and is therefore Processor.

**Sub-processors:** A party that Processes Data on behalf of Dialog for the Controller.

**Stakeholders:** These are living, natural persons from whom Data is processed in the Online platform. In this case, these are the employees of the Controller who are going to make use of the Online platform. In addition, external parties who provide feedback to your employees, such as customers, are also stakeholders.

**Supervisory authority:** The independent public authority responsible for the supervision of compliance with the law in connection with the Processing of Data. In the Netherlands, this is the Dutch Data Protection Authority.

**Data breach:** A security breach regarding Data resulting in adverse consequences, or a risk of adverse consequences, for the protection of Data.

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# 1. Storage of Data

The organization you work for starts working on renewing or improving their assessment cycle and uses the Online platform Dialog for this, among other things.

To do this, data must be processed. In this chapter we explain why, which and when data is processed. We also discuss Opt-out options and when Data is deleted again.

## 1.1 Why is Data Processed?

Dialog Processes Data so that you can use the Online platform (and associated services). More specifically, the Data is used for the following purposes:

1. Register a new account for the Online platform based on a name, e-mail address and password;
2. Provide services for setting goals and measurable results;
3. Provide services for recording progress on these objectives;
4. Provide services for recording evaluations and assessments;
5. Provide feedback recording services;
6. Sending emails to End Users. This includes emails that remind you of your goals, but also when you have received feedback or can complete an evaluation form.

## 1.2 Whose Data is Processed

Data from the following people is processed by Dialog:

1. End users who work at (or for) the Controller who use the Online platform to renew or improve their assessment cycle.
2. When feedback is requested from external parties outside the organization of the Controller, Data from these external parties is also Processed.

## 1.3 Which data is being processed

We distinguish four types of Data: Personal Data, Organization Specific Information, User Information, and Non-Personally Identifiable Data.

### 1.3.1 Personal data

Category	Description
Name	The full name of the End User.
E-mail address	Work email address of the End User.

### 1.3.2 User Information

Category	Description
Substantive objectives	Name and description of content of the End User. This can be linked to the organizational or team goals to which these goals contribute.
Development objectives	Name and description of the end user's development goal. This can be linked to an organization's competence or core value.
Evaluations	Written reflections and evaluations by and to the End User.
Feedback	Written feedback that the End User has received and given in the Online platform.
Private notes	Managers and Administrators can add private notes to End Users in the Online platform.
Function	This is the function that is linked to the End User in the Online platform.

### 1.3.3 Organization Specific Information

Category	Description
Organizational and team objectives	Description of the organization and team objectives.
Core values and competencies	Description of the core values, position specific and team specific competencies.
Organization structure	Overview of the organizational structure. Similar to an organization chart.
Assessment cycle	Information about the organization's assessment cycle.

### 1.3.4 Non-Personally Identifiable Data

When you as an End User indicate during registration that we may also use your Data to improve the platform, we also process Non-Personally Identifiable Data. This Data helps us to get a better picture of how End users use Dialog.

This setting can be updated at any time from the Account Settings screen.

## 1.4 When will data be processed?

### 1.4.1 Data that we always process

Data is processed when you as an end user use the Online platform. For example, Processes are done when you register for the Online platform, update your goals, and give or request feedback from others.

For the majority of the actions that you perform as an End User, Data is processed in the backend.

### **1.4.2 Data that we only process after your permission**

Only when you as the End User explicitly state that we may use your Data to "improve the Online platform", do we send aggregated anonymized information to Google Analytics. Think about how long you use the platform, which pages you regularly visit etc.. This information cannot be traced back to you as an individual. This information helps us to get a better picture of how end users use the platform in practice.

As the end user, you indicate whether you agree with this and it is therefore explicitly not mandatory. If you want to change your preference, you can do that yourself from the settings menu of your own account in the Online platform.

In addition to aggregated anonymized information, there are also cases where it is very nice for us to understand the context of an End User. For example, if we want to encourage the updating of goals, it helps enormously to see what kind of goals End Users set and how they write updates to them. If, as an End User, you give your consent for the aforementioned "improve the platform" setting, then we can also look at personal Data in those cases. However, this happens very rarely in practice.

Perfection is the Controller for the aggregated anonymous information that is made available in Google Analytics.

### **1.4.3 Customer service**

When you contact our Support Team via the Help widget in the Online platform or send an email to support@dialog.nl, we process your data to answer your question or solve your problem.

### **1.4.4 Product development**

Your Data is never used when designing or building new functionality for the Online platform. We use fictional data and personas for this.

## **1.5 Opt-out**

### **1.5.1 What can I unsubscribe from?**

As a user you can unsubscribe from part of the emails that you receive from the Online platform.

- Reminder to update your goals

- Reminders to complete an evaluation for others

You can unsubscribe from these emails at any time by using the unsubscribe link in the emails or via the Messages settings in the platform.

In addition, you can withdraw the consent you have given us at any time to use your Data to improve the Online platform. You can do this via the account settings screens.

### **1.5.2 What can I not unsubscribe from?**

You cannot unsubscribe from all emails. You cannot unsubscribe from the following e-mails:

- Invitation to register to the Online platform
- Invitation to provide feedback
- E-mails about colleagues who have sent you a message via the Online platform
- Reminders on the invitation to provide feedback
- "You have received feedback" emails
- "You have received a response to feedback given" emails
- Invitation to enter your own evaluation
- Invitation to set new goals
- "A colleague has left a comment on your goals" emails

## **1.6 When will Data be deleted?**

Dialog saves Data no longer than necessary. When we no longer need Data, we remove it. We delete Data in the following two situations.

### **1.6.1 Resignation**

When you leave the service of the organization as an employee that uses the Online platform, your (former) employer will stop your account and delete your Data. All Data is automatically deleted thirty days after the organization ends your account.

This thirty day delay has been built in to be able to retrieve any incorrectly deleted Data.

### **1.6.2 Organization (part) stops with the Online platform**

When an organization using the Online platform decides to stop, all Data is deleted thirty days after the expiry of the agreement between the organization and Dialog.

When an organizational unit decides, after consultation with the rest of the organization, to stop using the Online platform, all data from this organizational unit will be deleted thirty days after the signal from the organization's principal.

## 2. Who sees which information

The Online platform is extremely flexible in order to deal with different wishes of customers. There is no clear answer to who can see what. This is entirely in the hands of the Controller. For example, a Controller chooses to allow End Users to see each other's goals, who completes which evaluations, and whether job titles are shown in the Online platform. In addition, there are other settings that can ensure that End Users can see Data or not.

The majority of the functionalities in the Online platform are provided with explanations about who can see what. If you still have questions about who can see what, you can of course always ask us.

- Are you an employee or Manager in the Online platform and are you curious about who can see what? Then ask your question to the contact person within the organization that deals with the Online platform. These are often HR managers or board members.
- As Administrator you can directly contact our Support Team. This can be done via [support@dialog.nl](mailto:support@dialog.nl) or via our telephone number 030 7600 290

## 3. Source of data

If you work for an organization that uses the Online platform, your first name, last name and email address have been provided to Dialog . With this Data, an invitation to your account is prepared by your Manager or Administrator via the "Team" screens. As a result of this invitation, you will receive an email with a unique invitation link to register a new account for the Online platform.

Other Data results from the use of Online platform.

## 4. Rights under privacy legislation

As an End User you have several rights under the GDPR. We explain this further below.

<b>Rights</b>	<b>Implementation of the right</b>
Right to Data Portability	You can send the request to <a href="mailto:support@dialog.nl">support@dialog.nl</a> at any time to receive information from the Online platform in Excel form.
Right to forget	It is in your organization's interest that Data that is about you remains in the Online platform. You can therefore not explicitly ask to be forgotten, unless it is no longer in the interest of the controller that your data is still being processed.
Right to view	As an End User you can ask us at any time what Data we Process.  Feel free to send us a request by sending an email to <a href="mailto:support@dialog.nl">support@dialog.nl</a> .

Right to rectification and supplementation	As an End User, you can ask us at any time whether we can change or supplement Data.  We will always do this in consultation with the organization for which you work, if we suspect that the purity of the Data is at stake.
Right to limitation of the Processing	As an End User, you may send us a request to limit the Processing that we perform. You can send this request to support@dialog.nl.  We then consult with the organization for which you work whether this is possible.
Law with regard to automated decision making and profiling	No data is processed for which automated decision-making and profiling purposes are intended.
Right to object to data processing	You can send an email to support@dialog.nl with the request to process less data.  Dialog will investigate with the Controller whether there is a way to limit the Processing of specific Data.

In addition to the above rights, you always have the right to submit a complaint to the Dutch Data Protection Authority. You can do this on the website [www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl).

## 5. Data security

Dialog ensures appropriate technical and organizational measures to protect Data against loss and against any form of unlawful Processing.

Explanation of these measures can be found in the Security policy. This can be requested by the Data Controller by sending an email to support@dialog.nl.

## 6. Sub-processors and third parties

For certain services, part of your Data is provided to third parties. We call these third parties Sub-processors. This Processing is necessary for an optimal experience of the Online platform. Sub-processors do not have access to all data, but only to the data they need to perform their function.

Dialog never sells or rents out your Data.

## 6.1 What functions do the Sub-processors have?

Dialog works with Sub-processors to make the Online platform possible. For example, the party hosting the servers, or to the party sending automated emails to Data Subjects . We call these organizations Sub-processors.

Sub-processors only receive the data they need to perform their function.

<b>Category</b>	<b>Name of Sub-processor</b>	<b>Comments</b>
Server and database hosting	TransIP BV	TransIP hosts the servers and databases for the Online platform.
Database backup storage	Amazon.com Inc.	Automatically created, encrypted backups of the production database are stored at Amazon Web Services (AWS).
Customer service tickets*	Zendesk Inc.	The Online platform has a 'Help' widget. Via this widget, you can access the Help Centre. This Help Centre contains articles with frequently asked questions about the use of the platform. In addition, the widget offers the option to send a message to the Support Team of Dialog.
email automation service	SMPeter b.v.	The Online platform sends fully automated emails to End Users. Via SMPeter, these emails are distributed from the Online platform to the End User.
SMS	ONLINECITY.IO ApS	The Online platform sends a registration SMS message to users that don't have an e-mail address but do have a mobile phone number. ONLINECITY.IO will send this message to the End User.
Platform optimisation**	Google LLC (Google Analytics)	Google Analytics collects (after explicit opt-in*) non-personally identifiable data about the use of the Online platform.
Documents	Amazon.com Inc.	Users can upload documents to the Online platform. The are stored at Amazon Web Services (AWS).

\* Data is sent exclusively to Zendesk Inc. after sending a question to the Dialog Support team via the support widget in the Online platform, or after sending an email to support@dialog.nl. The Zendesk support widget places four cookies that cannot be traced back to the person in the end user's browser. More information about the use of cookies can be found in the Cookie policy for Dialog.

\*\* Information will only be sent to Google LLC (Google Analytics) with the explicit consent of the Data Subject prior to the Processing of this information.

## 6.2 Where do Sub-processors store their Data

Name of Sub-processor	Location of head office	Location of data centre	Data centre within the EU?
TransIP BV	The Netherlands	The Netherlands	Yes
Amazon.com Inc.	United States	Germany	Yes
Zendesk Inc.	United States	Germany	Yes
SMTPeter	The Netherlands	The Netherlands	Yes
ONLINECITY.IO	Denmark	Belgium	Yes
Google LLC (Google Analytics)	Ireland	Ireland	Yes

Dialog reserves the right to provide (part of) Data in the event of a transfer of ownership, for example through a merger or acquisition by another company.

## 6.3 What data do sub-processors receive?

Sub-processors only receive data that they need to perform their function. If a Sub-processor does not need the Personal Data, the Sub-processor will not receive the Data.

Category	TransIP BV	Amazon.com Inc.	Zendesk Inc.	SMTPeter	ONLINECITY.IO	Google LLC (Google Analytics)
<b>Personal Data:</b>						
Name	Yes	Yes*	Yes**	Yes	Yes***	No

Email address	Yes	Yes*	Yes**	Yes	No	No
Phonenumber	Yes	Yes*	No	No	Yes	No
<b>User information:</b>						
Substantive objectives	Yes	Yes*	No	Yes	No	No
Development objectives	Yes	Yes*	No	Yes	No	No
Evaluations	Yes	Yes*	No	No	No	No
Feedback	Yes	Yes*	No	Yes	No	No
Private notes	Yes	Yes*	No	No	No	No
Position	Yes	Yes*	No	No	No	No
Engagement	Yes	Yes*	No	No	No	No
<b>Organization-specific data</b>						
Organization and team objectives	Yes	Yes*	No	Yes	No	No
Core values and competences	Yes	Yes*	No	Yes	No	No
Organizational structure	Yes	Yes*	No	No	No	No
Assessment cycle	Yes	Yes*	No	Yes	No	No

When an end user sends a message or question via the support widget in the Online platform, the message or question is also sent to Zendesk.

\* Backups of the Online platform production database are encrypted and stored at AWS services of Amazon.com Inc. More information about this is the Security policy for Dialog.

\*\* Data is only sent to Zendesk Inc. after sending a question to the Dialog support team via the support widget in Online platform, or after sending an email to support@dialog.nl. The support widget of Zendesk places four cookies that cannot be traced back to the person in a user's browser. More information about these cookies in the Dialog Security Policy.

\*\*\* Phone number is an optional data field that is only used for sending a registration SMS message. This only happens if the employee does not have an email address.

## 6.4 Push notifications

If your organization has chosen to activate push notifications in the mobile app, Dialog will use Google Firebase as a Sub-processor for sending push notifications to users of the Online platform. Examples include push notifications about feedback received, target reminders and new user invitations. The purpose of these push messages is to increase the interaction with users and thus the effectiveness of the platform. Google Firebase may store forwarded Personal Data in data centres outside the EU. Dialog has taken additional measures to protect Personal Data properly.

1. In their Data Processing and Security Terms, Google Firebase indicates that it complies with the Standard Contractual Clauses (SCCs) of the European Commission (decision 2010/87/EU). [https://firebase.google.com/support/privacy#international\\_data\\_transfers](https://firebase.google.com/support/privacy#international_data_transfers)
2. Dialog only shares the Personal Data necessary to send push notifications with Google Firebase. These are shown in the table below.

Category	Google Firebase
<b>Personal Data</b>	
Name	Yes
Email address	Yes
<b>User Information</b>	
Substantive objectives	Yes
Development objectives	Yes
Evaluations	Yes
Feedback	Yes
Private notes	No
Job title	Yes

<b>Organisation-specific data</b>	
Organisational and team objectives	Yes
Core values and competencies	Yes

Organisational structure	Yes
Evaluation cycle	Yes

Dialog will only share the Controller's Data with Google Firebase if written consent is given.

## 7. Changes to this Privacy Declaration

If Dialog decides to change this Privacy Declaration, these changes will be implemented immediately in this Privacy Declaration. We therefore recommend that you regularly consult this Privacy Declaration so that you are aware of any changes.

If you have questions or requests about this Privacy Declaration, you can make this known by sending an email to [support@dialog.nl](mailto:support@dialog.nl).

The legal relationship between you and Dialog is governed by Dutch law and the Processing of personal data is therefore in accordance with applicable Dutch laws and regulations in the field of privacy.