

# FIXFORM PRIVACY POLICY

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## Article 1 - GENERAL

**1.1** Your privacy is very important to us. This privacy policy (hereinafter referred to as "**Privacy Policy**") is intended to inform You as a data subject, when You use Our Services, about how We handle Your personal information, which is any information relating to an identified or identifiable person (hereinafter referred to as "**Personal Data**"), and how You can exercise control over that Personal Data. Please read this Privacy Policy carefully as it sets out Your rights and obligations to FixForm.

Our Privacy Policy may be amended and modified in the future. If so, We will notify You with a request to review those changes, which We will clearly indicate in the Privacy Policy.

**1.2** FixForm bv, registered office in Belgium, Groot Overlaar 202, 3300 Tienen, and registered with the KBO under company number 0758.857.130, (hereinafter referred to as "**FixForm**" or "**We**") and available to You via [www.fixform.com](http://www.fixform.com) (hereinafter referred to as "**Website**"); assumes responsibility for the processing of Your Personal Data as the "data controller".

**1.3** The collection and processing of Personal Data is subject to strict conditions, imposed by law. We act in accordance with:

- i. The EU Regulation of 2016 on the protection of individuals with regard to the processing of Personal Data, on the free movement of such data and repealing Directive 95/46/EC; and/or
- ii. all (future) Belgian laws relating to the implementation of this Regulation.

**1.3** If You wish to use Our Services, We first require Your express consent (opt-in) to this Privacy Policy. This means that You consent to the way We collect, use and process Your Personal Data.

You are not required to provide Us with Your Personal Data, but You understand that We will not be able to provide You with (certain) Services in the event You refuse to provide Us with certain Personal Data.

You also retain ownership of Your Personal Data at all times. We only use Your Personal Data to provide the Services to You.

## Article 2 - Gathered personal data

### 2.1 Personal Data You provide to Us:

Data Subject Category	Personal Data Category	Examples
<b>Category 1:</b> The messenger: Person who reports a problem (e.g. visitor, passer-by, ...) via the webApp, by scanning a QR-code or accessing a hyperlink.	Identification data	<ul style="list-style-type: none"><li>● Email address (if provided)</li><li>● Telephone/mobile phone number (if provided)</li></ul>
	Location data	<ul style="list-style-type: none"><li>● Your location</li></ul>
	Photos or video recordings	<ul style="list-style-type: none"><li>● Pictures</li><li>● Video footage</li></ul>
	Your communications through our Services	<ul style="list-style-type: none"><li>● Short description of the problem</li></ul>
	Account data (in the event you become a frequent user and create an account)	<ul style="list-style-type: none"><li>● Name</li><li>● Password hash</li><li>● Email address</li><li>● Unique system generated ID</li></ul>

	Your data resulting from the use of cookies (digital identification and preference data)	<ul style="list-style-type: none"> <li>Information such as browser characteristics, information about Your actions in relation to the Website (such as usage, activity logs and click-throughs), domains, page views and device characteristics (see Article 8).</li> </ul>
<p><b>Category 2:</b> The manager:</p> <p>Person who manages and/or solves the problem via the webApp or App (e.g. someone active within the facility team such as a janitor, receptionist, cleaner, ...).</p>	Identification data	<ul style="list-style-type: none"> <li>Name</li> <li>Email address</li> <li>Telephone/mobile number</li> <li>Job description</li> <li>Address (for delivery QR-codes)</li> </ul>
	Account data	<ul style="list-style-type: none"> <li>Name</li> <li>Password hash</li> <li>Email address</li> <li>Unique system generated ID</li> </ul>
	Your communications through our Services	<ul style="list-style-type: none"> <li>Description of the (solved) problem</li> </ul>
	Your data resulting from the use of cookies (digital identification and preference data)	<ul style="list-style-type: none"> <li>Information such as browser characteristics, information about Your actions in relation to the Website (such as usage, activity logs and click-throughs), domains, page views and device characteristics (see Article 8).</li> </ul>
<p><b>Category 3:</b> The service provider:</p> <p>Person from external company who is engaged to solve a problem via the webApp or App (e.g. cleaners, plumbers, garbage disposers,...).</p>	Identification data	<ul style="list-style-type: none"> <li>Name</li> <li>Email address</li> <li>Telephone/mobile number</li> <li>Job description</li> </ul>
	Account data	<ul style="list-style-type: none"> <li>Name</li> <li>Password hash</li> <li>Email address</li> <li>Unique system generated ID</li> </ul>
	Your communications through our Services	<ul style="list-style-type: none"> <li>Description of the (solved) problem</li> </ul>
	Your data resulting from the use of cookies (digital identification and preference data)	<ul style="list-style-type: none"> <li>Information such as browser characteristics, information about Your actions in relation to the Website (such as usage, activity logs and click-throughs), domains, page views and device characteristics (see Article 8).</li> </ul>

**Article 3 - PURPOSE OF DATA PROCESSING**

**3.1 Processing purposes**

We will only use Your Personal Data on the following legal basis and for the following purposes:

Category	Purpose	Legal basis
<b>Category 1</b>	To perform a contract and to collect data essential to the core functions and development of FixForm's Services	<ul style="list-style-type: none"><li>• Execution of the agreement</li><li>• Your consent</li></ul>
<b>Category 2</b>	To perform a contract and to collect data essential to the core functions and development of FixForm's Services	<ul style="list-style-type: none"><li>• Execution of the agreement</li><li>• Your consent</li></ul>
<b>Category 3</b>	To perform a contract and to collect data essential to the core functions and development of FixForm's Services	<ul style="list-style-type: none"><li>• Execution of the agreement</li><li>• Your consent</li></ul>

**3.2 Direct marketing**

Your Personal Data will only be used for direct marketing purposes (e.g. to keep you informed about new services) if You expressly agree to this in advance by ticking a check box ("opt-in") and insofar as such a possibility is offered.

In the event that You have given Your consent and have been added to the direct mailing list of FixForm, the latter may use Your Personal Data to send You marketing material as well as material related to its Services.

This consent may be withdrawn at any time, free of charge and without reason, by clicking on the unsubscribe button at the end of each promotional e-mail.

**3.3 Transfer to third parties**

We will use third parties to perform and enable our Services and sale of Products.

Examples of suppliers and service providers include entities that process credit or debit card payments or provide analytics and web hosting services or help improve the capabilities of our Services.

We will not sell, rent, distribute or otherwise make Your Personal Information commercially available to third parties, except as provided in this Privacy Policy, or when You have given Your express prior consent.

We have taken all legal and technical precautions to prevent unauthorized access and use. We ensure a similar level of protection by establishing contractual obligations with these suppliers and service providers, which are similar to this Privacy Policy.

In the event of a total or partial reorganization or transfer of Our business, whereby We are reorganized, transferred or in the event of bankruptcy of FixForm, Your Personal Data may be transferred to new entities or third parties. We will inform You in advance of the fact that We will transfer Your Personal Data to a third party.

**3.4 Legal requirements**

In exceptional circumstances, We may be required to disclose Your Personal Data following a court order, or to comply with mandatory laws and/or regulations. We will, where reasonably possible, endeavour to give You prior notice of this, unless the disclosure of this information is subject to legal restrictions.

## Article 4 - DURATION OF PROCESSING

We retain and process Your Personal Data for the period for which We are legally obliged to do so, or for as long as is necessary for the purposes of processing.

If We are no longer able to maintain Your Personal Data, it will be sent to You electronically and in the format normally used.

If You do not exercise Your right of deletion, Your Personal Data will be retained for the following periods:

<b>Personal data</b>	<b>Retention period</b>
<b>Category 1:</b>	We will retain your identification data for 5 years after the end of our contractual relationship; We will retain your location data for 5 years after the end of our contractual relationship; We will retain the photos and video recordings for 5 years after the end of our contractual relationship; We will retain your account information for 5 years after the end of our contractual relationship; We will retain your communications for 5 years after the end of our contractual relationship.
<b>Category 2:</b>	We will retain your identification data for 5 years after the end of our contractual relationship; We will retain your account information for 5 years after the end of our contractual relationship; We will retain communications for 5 years after the end of our contractual relationship.
<b>Category 3:</b>	We will retain your identification data for 5 years after the end of our contractual relationship; We will retain your account information for 5 years after the end of our contractual relationship; We will retain communications for 5 years after the end of our contractual relationship.

## Article 5 - YOUR RIGHTS

### 5.1 Right of access and right to obtain a copy

You have the right to freely access Your Personal Data at any time and to be informed of the purpose of the processing by Us.

### 5.2 Right to rectification, erasure or restriction

You have the choice to share Your Personal Information with Us.

You always have the right to ask Us to amend Your Personal Data.

You may also request to limit the processing of Your Personal Data if You believe Your Personal Data is inaccurate and subsequently notify Us of this.

In addition, You have the right to ask Us to delete Your Personal Data to the extent We were unable to anonymize it.

You further acknowledge that a refusal to share Personal Data or a request to delete such Personal Data will prevent the provision of various Services or the purchase of Products.

### 5.3. Right of objection

You have the right to object to the processing of Your Personal Data where You have serious and justified reasons for doing so.

You also have the right to object to the use of Your Personal Data for direct marketing. In that case, no specific reasoning will be requested.

#### **5.4. Right to data portability**

You have the right to obtain Your Personal Data processed by Us in a structured, commonly used format and/or to transfer such Personal Data to another data controller.

#### **5.5. Right to withdraw consent**

When the processing is based on prior consent, You have the right to withdraw this consent.

#### **5.6. Automated decisions and profiling**

You have the right to request that We not be subject to a decision based solely on automated processing, including profiling, that produces legal effects on You or that similarly significantly affects You.

#### **5.7. Exercise of your rights**

You may exercise Your rights by contacting Us with a copy of the front of Your identity card attached,

- Or via e-mail to [data@fixform.com](mailto:data@fixform.com)
- Or by mail to the following address:

FixForm  
Groot Overlaar 202  
3300 Tienen  
Belgium

#### **5.8. Right to lodge a complaint**

You have the right to lodge a complaint with the Belgian Data Protection Authority:

Data Protection Authority  
Printing press street 35  
1000 Brussels,  
Tel +32 (0)2 274 48 00,  
Fax +32 (0)2 274 48 35,  
E-mail address [contact\(at\)apd-gba.be](mailto:contact(at)apd-gba.be)

This is without prejudice to proceedings before the civil courts. If You are from an EU Member State other than Belgium, You may also file a complaint with Your national data protection authority (a list of the data protection authority for each EU-member state can be found here: [https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm)).

If You have suffered damage as a result of the processing of Your Personal Data, You may file a claim for compensation.

### **Article 6 - SAFETY AND CONFIDENTIALITY**

#### **6.1 Security measures**

We have implemented security measures which are technically and organizationally appropriate to prevent the destruction, loss, alteration, unauthorized access or accidental disclosure of the Personal Data to third parties, as well as the unauthorized processing of such Personal Data. However, if these events were to occur and affect Your Personal Data, We will without undue delay notify You of the breach, including a brief description of the potential consequences and a recommendation for measures to mitigate the potential adverse effects of the breach.

#### **6.2 Limitation of liability**

We are in no way liable for direct or indirect damage caused by any unlawful or improper use of the Personal Data by any third party.

At the same time, You are also jointly responsible for maintaining the privacy and security of Your Account, for example by not allowing any third party to access or view Your Account where various Personal Data relating to You are collected. In any event, You must immediately notify Us of any unauthorised use of Your Account by sending an e-mail to [data@fixform.com](mailto:data@fixform.com).

You are solely responsible for the use of the Services on Your devices, IP address and identification data, as well as for their confidentiality.

**Article 7 - APPLICABLE LAW AND JURISDICTION**

This Privacy Policy is governed, interpreted and implemented in accordance with Belgian law which is exclusively applicable to any possible dispute. The courts and tribunals of Brussels have exclusive jurisdiction to settle any dispute arising out of or in connection with the interpretation or performance of this Privacy Policy.

**Article 8 - COOKIES**

As a result of the European e-Privacy Directive, all websites targeting certain parts of the European Union are required to obtain Your consent to the use or storage of non-essential cookies and similar technologies on Your computers or mobile devices. This Privacy Policy provides You with clear and complete information about Our use of cookies, including their purpose.

When You first visit Our Website, a pop-up will appear asking You to consent to the way We use cookies and to set Your cookie preferences if You wish. This pop-up contains a link to the cookie policy.

By visiting Our Website, You are accepting the way We use cookies in accordance with this Privacy Policy.

**8.1. What are cookies?**

A "cookie" is a small file sent by Our server and placed on the hard drive of Your computer. The information stored on these cookies can only be read by Us and only for the duration of the visit to the Website.

**8.2. Why do we use cookies?**

Cookies provide additional functionality to the Website or help Us to analyse the use of the Website more accurately. For example, Our server may set a cookie that prevents You from having to enter a password more than once during a visit to Our Website. In order to administer the Website, We collect information about the IP address that is used when the computer a user is using connects to the Internet.

We use the IP addresses collected through the Website only to ensure the proper and secure management and operation of Our Services. In addition to preventing unauthorized access, the collection of IP addresses allows us to quickly determine the cause and restore normal operation in the event of a Website malfunction. We do not use or disclose IP addresses in connection with personal information about individuals.

Although We collect information about how You use the Website Services, We maintain the anonymity of individual users when using or disclosing this information. However, when We deem it necessary for the protection of the Website or of the users/visitors, We may take measures by using IP addresses to identify individuals.

**8.3. Types of cookies:**

Although there are different types of cookies, different in terms of functionality, origin or retention period, We first provide below a general description of the types of cookies used on the Website. Then, a detailed overview of the different cookies used on our Website is provided.

Type	Function
Necessary cookies	These cookies are necessary for the Website to function and cannot be disabled. They are usually only set in response to actions You have taken, such as setting Your privacy preferences, logging into Your Account or completing a survey. They are necessary for proper communication and facilitate navigation (e.g. return to a previous page, etc.).
Preferred cookies	These cookies allow Us to remember certain preferences that affect how Our Website looks or works, such as Your preferred language and the region in which You are located. Loss of the information stored in a

	preference cookie may make the Website experience less functional, but will not prevent the Website from working.
Statistical cookies	These cookies collect information about the use of a Website, such as the number of visitors, the time visitors spend on a webpage and any error messages. They help Us to improve the performance of the Website. These cookies do not identify You as an individual.
Marketing cookies	These cookies are used to deliver content that is more relevant to You. They may be used to deliver targeted ads or to reduce the number of times You see an ad. They also help Us measure the effectiveness of advertising campaigns on Our Website. We may use these cookies to remember Websites You have visited and We may share this information with other parties, including advertisers. These cookies may also be set by our advertising partners through Our Website. They may be used by those companies to build up a profile of Your interests and show You relevant adverts on other sites.

### First Party Cookies

Domain name: [www.fixform.com](http://www.fixform.com)

Cookie name	Cookie type	Description	Retention period
XSRF-TOKEN	Necessary	This cookie is written to help with site security in preventing Cross-Site Request Forgery attacks.	14 days
__cf_bm	Necessary	This cookie is used to distinguish between humans and bots. This is beneficial for the website, in order to make valid reports on the use of their website.	30 minutes
_gid	Statistical	This cookie is set by Google Analytics. It stores and update a unique value for each page visited and is used to count and track pageviews.	1 day
_ga	Statistical	This cookie name is associated with Google Universal Analytics - which is a significant update to Google's more commonly used analytics service. This cookie is used to distinguish unique users by assigning a randomly generated number as a client identifier. It is included in each page request in a site and used to calculate visitor, session and campaign data for the sites analytics reports.	2 years
_gat_UA-193312059-1	Statistical	This is a pattern type cookie set by Google Analytics, where the pattern element on the name contains the unique identity number of the account or website it relates to. It is a variation of the _gat cookie which is used to limit the amount of data recorded by Google on high traffic volume websites.	1 minute

For cookies placed by third parties, We refer You to the privacy statement provided by those parties on their respective websites. Please note that We have no influence on the content of this Privacy Policy or on the content of these third party cookies. Below We provide another brief description of the most common third party cookies We use on the Website:

## Third Party Cookies

Domain name: [www.fixform.com](http://www.fixform.com)

Cookie name	Cookie type	Description	Retention period
_hjSession_	Statistical	Set to let Hotjar hold the current session data. Ensures subsequent requests in the session window are attributed to the same session.	30 minutes
_hjSessionUser_	Statistical	Set to let Hotjar know when a user first lands on a page. Persists the Hotjar User ID which is unique to that site. Ensures data from subsequent visits to the same site are attributed to the same user ID.	1 year
_hjIncludedInPageviewSample	Statistical	This cookie is set to let Hotjar know whether that visitor is included in the data sampling defined by our site's pageview limit.	2 minutes
_hjAbsoluteSessionInProgress	Statistical	The cookie is set so Hotjar can track the beginning of the user's journey for a total session count. It does not contain any identifiable information.	30 minutes
_hjIncludedInSessionSample	Statistical	This cookie is set to let Hotjar know whether that visitor is included in the data sampling defined by our site's daily session limit	2 minutes
_hjFirstSeen	Statistical	The cookie is set so Hotjar can track the beginning of the user's journey for a total session count. It does not contain any identifiable information.	30 minutes
mp__mixpanel	Statistical		1 year
mixpanel_distinct_id	Marketing	Persists a unique mixpanel user ID, used to store account details.	
*_mixpanel	Statistical		1 year

### 8.4. Your consent

On Your first visit to Our Website You will be asked to accept Our different types of cookies. You can change the cookie settings for Our Website at any time via the hyperlink at the bottom of Our Website and thus revoke Your consent.

You can refuse cookies or block them by changing the configuration parameters of Your navigation system. Disabling cookies may mean that You are unable to use certain functionalities of the Website. For more information on how to configure your browser, please visit the following links:

#### Google Chrome

<https://support.google.com/chrome/answer/95647?hl=nl>

#### Safari

[https://support.apple.com/kb/PH19214?locale=en\\_US](https://support.apple.com/kb/PH19214?locale=en_US)

#### Microsoft Edge

<https://support.microsoft.com/en-us/microsoft-edge/view-cookies-in-microsoft-edge-a7d95376-f2cd-8e4a-25dc-1de753474879>

#### Mozilla Firefox

<https://support.mozilla.org/nl/kb/cookies-in-en-uitschakelen-websites-voorkeuren?redirectlocale=nl&redirectslug=Cookies+on+and+off>

Currently, some browsers offer a "do not track" or "DNT" option that sends a signal to visited websites to indicate a visitor's tracking preference. FixForm does not currently respond to these signals because no common industry standard for DNT has been adopted by industry groups, technology companies, or regulators. The third parties that place cookies on Our Website may or may not respond to this signal.

Please note that changing the settings may cause a Website to not work as expected.

You can also find more information about cookies via the following link:

<http://www.allaboutcookies.org/>

More information on online behavioural advertising and online privacy can be found via the following link: <http://www.youronlinechoices.eu/>

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