



## PRIVACY NOTICE

*Last modified: 19/August/2022*

### General

Your privacy is important to us at Hart Clinical Consultants, LLC (PO Box 202, Deland Florida, 32721-0202, USA), hereafter referred to as “we” and/or “us” and/or “our” and/or “HCC”. To better protect your privacy, we provide this Privacy Notice to explain our information practices and the choices you can make about the way your personal data is collected and processed. To make this Privacy Notice easy to find, we make it available on our Website homepage and at points where personally-identifiable information/personal data may be requested.

We strongly urge you to read this Privacy Notice and make sure you fully understand and agree with it before you access or use any of our services.

We do not sell personal information and have not done so in the preceding 12 months.

#### ***1. Personal information we collect***

Identity and contact information. When you contact us through our Website or otherwise reach out to us, we collect contact and other information including your name, address, email address, phone number, profession/title, qualification/credentials data, online identifier, device ID, internet protocol (IP) address.

Other (incl. unique) identifiers. In certain circumstances we may collect your social security number, driver’s license number, passport number, or other similar identifiers as well as demographic information such as date of birth, place of birth, country of residence.

Financial information. We may collect certain financial and payment information including your bank account number and other data necessary for processing payments, including credit/debit card numbers and other related billing information.

Business information. We may collect information provided in the course of a contractual relationship between you or your organization and HCC, or otherwise voluntarily provided by you or your organization.

Employment information. Your job title/position, employment contract, offer letter, hire date, termination date, performance history and disciplinary records, leave of absence, sick time, and vacation/holiday records, evaluation and appraisal, salary, retirement account information, company allowances and other information necessary to administer payroll, taxes and benefits.

Background information (re: Employment). Your academic and professional qualifications, references, CV, criminal records data (utilized for background check in accordance with applicable law).

Workplace, device, usage, and content data. Application data (such as data from Office 365 incl. Teams, and Outlook) such as emails, calendar entries, instant messages, system and application usage.

Video and images. We may collect and use your video and image data based on your consent of otherwise in accordance with the requirements of applicable laws.

## **2. How do we collect your personal information**

- Directly from you;
- From third-party sources;
- Through our Website;
- Publicly available information.

## **3. How we use personal information**

We use the information that we collect from you to (including but not limited to):

- Establish and maintain business relationship with you;
- Run and maintain our Website;
- Provide you with information when you request it;
- Improve level of our service;
- Manage our network and information systems;
- Consider your application for employment and manage the employment relationship;
- Comply with applicable laws and regulations;
- Establish or exercise our legal rights and to defend against legal claims;
- Sell, assign or transfer all or part of our business.

## **4. Transfers to third parties**

For the purposes indicated above, your personal data may be shared with:

- Persons authorized by HCC to carry out personal data processing operations (such as our employees);
- Data processors appointed by us (such as third parties providing us with hosting and server co-location services, communications, and content delivery networks (CDNs), data, and cybersecurity services, billing and payment processing services, domain name registrars, fraud detection and prevention services, web analytics, email distribution and monitoring services, session recording and remote access services, performance measurement and data optimization and marketing services, content providers, legal and financial advisors);
- Independent data controllers (public bodies and administrations; banking operators; consultants and freelance professionals; third parties in connection with a merger, acquisition, bankruptcy, or sale of all or substantially all of our assets, to the extent that this is necessary for the process).

Your data may also be transmitted in accordance with the law to tax authorities, police and judicial and administrative authorities, for the assessment and prosecution of crimes, prevention and protection from threats to public security, to allow us to ascertain, exercise or defend a right in court, as well as for other reasons related to the protection of the rights and freedoms of others.

## **5. Collection of personal information from children**

We do not knowingly collect any personal information from children as our services are not directed to children. If you have reason to believe that your child has provided personal information to us, please contact us at [privacy@hartclinicalconsultants.com](mailto:privacy@hartclinicalconsultants.com) so that we can delete that information from our databases.

## **6. Retention of personal information**

The length of time in which we will store your personal information will differ depending on the purpose for which we have collected and are processing your data. As a rule, we keep your personal information for

as long as needed or permitted for the purpose(s) for which it was obtained and consistent with applicable laws.

#### **7. Security measures to protect your personal data**

To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, we have put in place appropriate electronic, and managerial procedures to safeguard and secure the information we process.

Your personal information is contained behind secured networks and are only accessible by a limited number of persons who have special access rights to such systems and are required to keep the information confidential.

#### **8. Your rights regarding your personal information**

The rights available to you depend on the local law in your jurisdiction and the circumstances of personal information processing. For example, you may have the right to:

- Correct your personal information which you think is inaccurate or incomplete;
- Ask us to delete your personal information where it is no longer necessary for the initial purpose of processing;
- Withdraw your consent for processing of your personal information for direct marketing purposes;
- Ask us to provide access to your personal information including copies thereof;
- Complain to your local data protection (or other competent) authority.

If you a California resident, you have a right to:

- Know about the personal information a business collects about you and how it is used and shared;
- Delete personal information collected from you (with some exceptions);
- Opt-out of the sale of your personal information (where applicable); and
- Non-discrimination for exercising your CCPA rights.

To exercise your rights, please contact us anytime at [privacy@hartclinicalconsultants.com](mailto:privacy@hartclinicalconsultants.com).

[If you are an EEA-resident, please refer to the GDPR Privacy Notice below for more information about your data subject rights under the GDPR.](#)

#### **9. Cookies**

HCC website does not utilize any Cookies or trackers / analytics.

#### **10. Changes to this Privacy Notice**

From time to time, we will update this Privacy Notice. Any changes become effective when we post the revised Privacy Notice. This Privacy Notice was last updated as of the “*Last modified*” date shown above.

## **GDPR Privacy Notice**

### **General terms**

The GDPR Privacy Notice is included in and supplements our Privacy Notice and applies to the “personal data”, as defined in the GDPR, of natural persons (“you” or “your”) located in the European Economic Area (the “EEA”) processed by Hart Clinical Consultants, LLC (PO Box 202, Deland Florida, 32721-0202, USA) (“HCC”). To the extent of any conflict between this GDPR Notice and any other provision of the Privacy Notice, this GDPR Notice shall control only with respect to EEA residents and their personal data.

### **Processor disclosure**

HCC serves as a processor when providing support as a CRO in connection with clinical trials on behalf of our Clients, such as for services of clinical trial site management, monitoring and auditing and clinical trial data management. When serving as a processor, we have certain obligations under the GDPR such as only processing personal data at our Clients’ documented instructions, providing assistance with fulfillment of data subject rights requests, and implementing appropriate technical and organizational measures for personal data processing.

We will forward any inquiries, complaints, or requests received from EEA-residents with respect to our Services to the appropriate Clients and await instructions before taking any action.

### **Controller disclosure and details**

With this GDPR Notice HCC as a controller of your personal data wants to make sure that you understand what personal information is collected about you, how your personal information is used and how it is kept safe. HCC as the Controller of the personal data, has committed to comply with the General Data Protection Regulation (hereafter referred to as the “GDPR”) and/or any other applicable Member States laws and regulations regarding data protection.

If you have read this GDPR Privacy Notice but would like further clarification, please contact us at [privacy@hartclinicalconsultants.com](mailto:privacy@hartclinicalconsultants.com).

#### ***1. What information do we collect and how do we collect it?***

We are the controller of personal data for the purposes and under the legal bases described in the table below regarding business contacts for EEA-based clients, vendors, contractors, consultants and visitors to our Website.

The personal data we process includes personal data related to the services or professional interactions with HCC, such as your name, address, email address, phone number, profession/title, qualification/credentials data (if applicable) and organization/company affiliation/purchase history, is collected either manually through face-to-face interactions, phone calls, Multimedia Messaging Service (MMS), or electronically via e-mail, this Website, or platforms such as LinkedIn, internet and communication technology data.

HCC does not purchase personal data from third parties.

#### ***2. How do we use and on what legal basis do we process your personal data?***

In the table below you can read about the purposes of your personal data processing and the applicable legal bases.

<b><i>Purpose</i></b>	<b><i>Legal basis</i></b>
<p>Establishment, performance and management of our relationship with clients, contractors, consultants and vendors.</p>	<p><u>Contract with you or our legitimate interest</u> (e.g. to conclude and implement the contractual relationship with the client/contractor/vendor/consultant with whom the legal representative, the administrator or the employee/collaborators are contractually bound). We shall make a balance between our legitimate interest and your rights and interests. At your request, we may provide you with information on the assessment of this legitimate interest made by us.</p> <p>You may exercise your right to object to such activity at any time by notifying us.</p> <p>Depending on the applicable legal basis, if this data is not provided to us, then we may be unable to perform certain contractual obligations or enter in a contract with you.</p>
<p>Optimization of customer experiences and development and improvement of our services.</p>	<p>Our <u>legitimate interest</u> in knowing our customers and potential customers and maintaining our relationship with them.</p> <p>We shall make a balance between our legitimate interest and your rights and interests. At your request, we may provide you with information on the assessment of this legitimate interest made by us.</p> <p>You may exercise your right to object to such activity at any time by notifying us.</p>
<p>Compliance with legal obligations of an administrative/accounting/tax nature.</p>	<p><u>Legal obligation</u> to which HCC is subject. The provision of your personal data is mandatory as it complies with the legal requirements.</p>
<p>Correct and complete management of any unsolicited requests.</p>	<p>The processing of your personal data for this purpose is necessary for the execution of a <u>contract</u> or the execution of pre-contractual measures.</p> <p>Failure to provide the required personal data would make it impossible for us to follow up on your unsolicited request.</p>
<p>Communicating with you in order to keep you up-to-date on the latest developments, and other information about our services (including marketing emails and newsletters), events and initiatives.</p>	<p>Your <u>consent</u> or in certain cases our <u>legitimate interest</u> (when we have a previous contractual or a business relationship with you and send you marketing communications about similar services).</p> <p>We shall make a balance between our legitimate interest and your rights and interests.</p> <p>You can, at any time, “opt out”/withdraw your consent by unsubscribing from marketing communications you are receiving from us.</p>

### 3. *Duration of processing*

We will not retain personal data for longer than necessary taking into consideration the purpose of the relevant processing unless law requires us to hold your personal information for a longer period or HCC has a legitimate interest in retaining your personal data (e.g. for establishment, exercise or defense of legal claims).

### 4. *Categories of personal data recipients*

For the purposes indicated above (Section 2), your personal data may be shared with:

- persons authorized by HCC to carry out personal data processing operations (such as our employees);
- data processors appointed by us (such as third parties providing us with hosting and server co-location services, communications, and content delivery networks (CDNs), data, and cybersecurity services, billing and payment processing services, domain name registrars, fraud detection and prevention services, web analytics, email distribution and monitoring services, session recording and remote access services, performance measurement and data optimization and marketing services, content providers, legal and financial advisors);
- independent data controllers (public bodies and administrations; banking operators; consultants and freelance professionals; third parties in connection with a merger, acquisition, bankruptcy, or sale of all or substantially all of our assets, to the extent that this is necessary for the process).

Your data may also be transmitted in accordance with the law to tax authorities, police and judicial and administrative authorities, for the assessment and prosecution of crimes, prevention and protection from threats to public security, to allow us to ascertain, exercise or defend a right in court, as well as for other reasons related to the protection of the rights and freedoms of others.

### 5. *Transfer of personal data outside the EEA*

Your personal data may be transferred to countries outside the European Economic Area (EEA) which, however, offer an adequate level of data protection, as established by specific resolutions issued by the European Commission ([https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en)).

The transfer of your personal data to countries that do not belong to the EEA and that do not ensure adequate levels of protection will be carried out only after HCC and the recipients of said data have concluded specific agreements, containing safeguard clauses and appropriate guarantees for the protection of your personal data, so-called "standard contractual clauses", approved by the European Commission or if the transfer is necessary for the management of your requests. For more information or a copy of these safeguards please contact us at [privacy@hartclinicalconsultants.com](mailto:privacy@hartclinicalconsultants.com).

### 6. *Your rights in relation to your personal data*

Subject to certain exemptions, EEA-residents enjoy the following data subject rights:

- **Access.** You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, as well as a copy of such personal data, provided that this does not harm the rights and freedoms of others.
- **Rectification.** You have the right to obtain the correction, modification or updating of any inaccurate or no longer correct data, as well as to obtain the supplement of incomplete personal data, including by providing an additional statement.
- **“Right to be forgotten”.** You have the right to request the deletion of your personal data when these, in particular, (i) are no longer necessary with respect to the purposes for which they were collected or processed, or (ii) they have been processed unlawfully, or (iii) they must be deleted in order to comply

with a legal obligation, or, finally, (iv) you have opposed their processing and there is no prevailing legitimate reason allowing us to proceed with the processing.

- **Restrict processing.** Under certain circumstances, you have the right to obtain a restriction on the processing of your personal data.
- **Data portability.** Under certain circumstances, you have the right to request for the receipt or the transfer to another organization, in a machine-readable form, of your personal data.
- **Object to processing.** Under certain circumstances, you have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you, including profiling based on those provisions.
- **Withdraw consent.** When you have given your consent for the processing of your data, you can withdraw it at any time without justification.

If you would like to exercise your data subject rights, please let us know by contacting [privacy@hartclinicalconsultants.com](mailto:privacy@hartclinicalconsultants.com). Before disclosing the personal data requested to you, we may ask you for additional information to confirm your identity. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive.

As an EEA-resident you also have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you infringes the GDPR.

Contact details for the EU data protection authorities can be found at: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

## 7. *Measures to protect your personal data*

We take appropriate legal, organizational, and technical measures to protect your personal data consistent with applicable privacy and data security laws. To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, we have put in place appropriate electronic, and managerial procedures to safeguard and secure the information we process.

Your personal data are contained behind secured networks and are only accessible by a limited number of persons who have special access rights to such systems and are required to keep the information confidential.

## 8. *Existence of automated decision-making*

No automated decision-making or profiling takes place.

## 9. *Contact Information*

If you have any questions about this GDPR Privacy Notice or wish to exercise any of your rights as described in Section 6, please contact us at: [privacy@hartclinicalconsultants.com](mailto:privacy@hartclinicalconsultants.com).

### **Controller:**

Hart Clinical Consultants, LLC (HCC)

Deland, FL (USA)

1+ (800) 831-7819

[privacy@hartclinicalconsultants.com](mailto:privacy@hartclinicalconsultants.com)

### **EU Data Protection Representative**

CRANIUM Nederland BV

Goeman Borgesiuslaan 77, 3515 ET Utrecht / The Netherlands

+31 30 753 1459

[legalrepNL@cranium.eu](mailto:legalrepNL@cranium.eu)

**EU Data Protection Officer**

CRANIUM Belgium NV

Excelsiorlaan 43, 1930 Zaventem, Belgium

+32 2 310 39 63

[be-info@cranium.eu](mailto:be-info@cranium.eu)

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