

TMC, a Unilabs company – Information Notice

INFORMATION NOTICE TO PATIENTS

Section 1 – Identity and contact details of controller

According to the relevant data protection laws and depending on your clinic's contract and the type of radiologists services TMC provide, your data will be processed by one of the entities.

EUROPEAN TELEMEDICINE CLINIC, SL, whose registered office is at **C/ Marina 16-18, floor 33, 08005 Barcelona, Spain**, and Organisation and Tax number: **ESB62799689**, ("ETMC").

TELEMEDICINE CLINIC Ltd, whose registered office is at **Mazars, 45 Church Street, Birmingham West Midlands B3 2RT, UK**, and Registration number: **06958314**, ("UKTMC").

AUSTRALIAN TELEMEDICINE CLINIC PTY LIMITED, whose registered office is at **13th floor, 25 Bligh Street, Sydney NSW 2000, Australia**, and Registration number **ABN: 99125092597**, ("ATMC").

TELEMEDICINE CLINIC NEW ZEALAND LIMITED, with registered office at **BDO Auckland, 4, Graham Street, Auckland Central, Auckland, 1010, New Zealand**, Company number: **8595286**, ("NZTMC").

Email address: dpo@unilabs.com

Healthcare organizations in the United Kingdom, Spain, Denmark, and Sweden have signed Service Agreements with us to provide diagnostic reporting of radiology scans, for which we need to process your personal data.

In a nutshell:

- We are contracted by your healthcare provider to provide radiologist services.
- We use your personal data:
 - To provide radiologist diagnosis,
 - to ensure the quality of our services,
 - to deal with discrepancies,
 - for investigation purposes, and
 - we use an anonymised version of your personal data for training, research, and analysis purposes to improve the quality of our services.

As we do not have direct contact with you, we have asked your healthcare provider to inform you directly of this information notice (we also call it "notice"), and it is important that you read it.

We are responsible for ensuring that your personal data is handled in compliance with data protection laws, and here we inform you about how we do it and your rights. Sometimes, your healthcare provider may give us specific instructions on how we must use your data for a purpose, in which case they will let you know as they will be responsible for your data in those cases.

Section 2 – What personal data we collect

TMC collects the following personal data related to you:

- **Identification Data:** first name, last name, gender, address, telephone number, e-mail address, date of birth.
- **Health Data:** imaging and x-ray scans, health data history, current and previous referral.
- **Location data:** geographical location of the patient's health clinic, personal address.

Section 3 – Purposes of the processing and legal basis

Your personal data is processed for the following purposes and in accordance with the legal basis as set out below:

Purposes	Legal Basis
Manage quality Quality management includes quality processes when performing medical diagnosis activities, manage quality documentation, training of internal staff to quality standards, and perform continuous improvement activities.	The processing is in the legitimate interests of TMC to maintain and improve our operational standards and customer satisfaction and for the health care provision and management.

<p>Develop radiologist diagnosis services</p>	<p>The processing is necessary for the performance of the contract with the patient for the provision of health services (art. 6 GDPR, par. 1, point b).</p> <p>Processing of special categories of personal data (health data) is carried out for the purposes of medical diagnosis pursuant to contract with a health professional (art. 9 GDPR, par. 2, point h).</p>
<p>Interpret x-rays images, results and report</p>	<p>The processing is necessary for the performance of the contract with the patient for the provision of health services (art. 6 GDPR, par. 1, point b).</p> <p>Processing of special categories of personal data (health data) is carried out for the purposes of medical diagnosis pursuant to contract with a health professional (art. 9 GDPR, par. 2, point h).</p>
<p>Provide the results to patients</p>	<p>The processing is necessary for the performance of the contract with the patient for the provision of health services (art. 6 GDPR, par. 1, point b).</p> <p>Processing of special categories of personal data (health data) is carried out for the purposes of medical diagnosis pursuant to contract with a health professional (art. 9 GDPR, par. 2, point h).</p>
<p>Provide the patients with requested clarifications on the results</p>	<p>The processing is necessary for the performance of the contract with the patient for the provision of health services (art. 6 GDPR, par. 1, point b).</p> <p>Processing of special categories of personal data (health data) is carried out for the purposes of medical diagnosis pursuant to contract with a health professional (art. 9 GDPR, par. 2, point h).</p>
<p>Process the payment for the required health services performed and perform credit control activities</p>	<p>The processing is necessary for the performance of the contract, i.e. payment against a service (art. 6, par. 1, point b GDPR).</p>
<p>Manage legal claims</p>	<p>The processing is in the legitimate interest of TMC to establish, exercise or defence of legal claims (art. 6, par. 1, point f GDPR).</p>
<p>Develop product and process</p>	<p>The processing is in the legitimate interest of TMC to improve its business and its customers satisfaction (art. 6, par. 1, point f GDPR).</p>
<p>Perform internal and external audits to assess level of internal control and comply with regulations.</p>	<p>The processing is in the legitimate interest of TMC to assess level of internal control (art. 6, par. 1, point f GDPR) and to ensure that TMC complies will all applicable regulations (art. 6, par. 1, point c GDPR).</p>
<p>Register referrals and samples</p>	<p>The processing is in the legitimate interest of TMC to maintain and improve services quality standards and customer satisfaction (art. 6, par. 1, point f GDPR).</p> <p>Processing of special categories of personal data (health data) is carried out for the purposes of medical diagnosis pursuant to contract with a health professional (art. 9 GDPR, par. 2, point h).</p>

Section 4 – Profiling or Automated Decision Making

Not applicable – no profiling or automated decision making are carried out in the processing activities of your personal data.

Section 5 – Indirect collection of data

Your personal data may also have been indirectly collected from different sources:

Categories of personal data indirectly collected	Source
Identification and Health data	Referral and clinical information obtained through your healthcare provider

Section 6 – Categories of recipients of personal data

Your personal data will be shared with the following recipients:

- Within TMC, including other TMC entities with authorised personnel in charge of Operations and IT activities.
- With service providers and external consultants acting on our behalf and assisting us in the management of our activities.
- System and tools
TMC uses state of art systems and procedures to process patient data. The Radiology Information system used by TMC (*Optemis*) has been developed in-house. Additionally, we also use SPECTRA PACS to manage the radiology images, as well as several advanced ad-in (including AI tools) to support the radiologists when performing the diagnosis.

Section 7 – Data retention period

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

When personal data is no longer needed or has reached its retention period it is deleted.

Personal data might be kept for a longer period of time where it is necessary in accordance with legal requirements.

Section 8 – Transfer of personal data

Due to the international dimension of the TMC Group and depending on the Service Agreement that TMC has with your healthcare provider, your personal data may be transferred outside of the European Union to the Australian Telemedicine Clinic located in Sydney, Australia, and Telemedicine Clinic New Zealand, located in Auckland, New Zealand.

To provide you with the best quality services, we use service providers, some of whom process your personal data in countries such as the United States, where the level of protection of your personal data requires the implementation of additional measures. To ensure the protection of personal data, TMC put in place relevant safeguards such as the signature of data transfer agreements based on the standard contractual clauses issued by the European Commission or, in the United Kingdom, the Information Commissioner's Office. If you wish to obtain more information, please write to the following address: dpo@unilabs.com.

Section 9 – Data subjects rights

In relation to your personal data, you have the following rights:

- **Right to object:** You can object to our processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this basis. Please contact us, providing details of your objection.
- **(b) Access to your personal data:** You can request access to a copy of your personal data that we hold, along with information on what personal data we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making. You can make a request for access free of charge. In compliance with the GDPR, we will respond to a valid subject access request without undue delay and at the latest

within one month of receiving the request. In some circumstances, we can extend the time to respond by a further two months. For example, when the request is complex. In this case, we will let you know within one month of receiving your access request and explain to you why the extension is necessary.

- **(c) Consent:** Where you have given us your consent to use personal data, you can always withdraw your consent at any time. If you withdraw your consent, TMC will cease to process your personal data.
- **(d) Rectification:** You can ask us to change or complete any inaccurate or incomplete personal data held about you.
- **(e) Erasure:** You can ask us to delete your personal data where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.
- **(f) Portability:** You can ask us to provide you or a third party with some of the personal data that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
- **(g) Restriction:** You can ask us to restrict the personal data we use about you where you have asked for it to be erased or where you have objected to our use of it.
- **(h) No automated-decision making:** Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. You have the right not to be subject to automated decisions that will create legal effects or have a similar significant impact on you, unless (i) you have given us your consent (ii) it is necessary for a contract between you and us, or (iii) is otherwise permitted by law. You also have certain rights to challenge decisions made about you. We do not currently carry out automated decision-making in connection with our relationship with you, but we will notify you in advance if this changes.

Section 10 – Means of exercising

To exercise the rights related to diagnostic services please contact your healthcare organisation in first place. To exercise the rights related to the purposes we listed above in Section 3, for which we are responsible, you can exercise your rights by filing out the web form available at this [link](#).

You can also exercise your rights by sending an e-mail to the following address: dpo@unilabs.com.

The exercise of your rights is free of charge.

Section 11 – Contact details of the Data Protection Officer

If you have any comments or questions regarding this Privacy Notice or our data handling practices, please contact the Data Protection Officer.

Email: dpo@unilabs.com

Section 12 – Right to lodge a complaint with DPA

If you are unsatisfied with the way in which we have handled your personal data or any privacy query or request that you have raised to us and you didn't receive a satisfied answer by us and/or our DPO, you have the right to lodge a complaint with a Data Protection Authority (DPA).

Please consult the table below for the contact details of the DPAs of the countries where we are established.

Data Protection Authority	Contact Details
Data Protection Authority of Spain	Agencia Española de Protección de Datos (AEPD) C/Jorge Juan, 6 28001 Madrid Tel. +34 91 266 3517 Fax +34 91 455 5699 Email: internacional@aepd.es
Data Protection Authority of UK	The Information Commissioner's Office Water Lane, Wycliffe House Wilmslow - Cheshire SK9 5AF Tel. +44 1625 545 745 E-mail: international.team@ico.org.uk

Data Protection Authority	Contact Details
Data Protection Authority of Spain	Agencia Española de Protección de Datos (AEPD) C/Jorge Juan, 6 28001 Madrid Tel. +34 91 266 3517 Fax +34 91 455 5699 Email: internacional@aepd.es
Data Protection Authority of Denmark	Datatilsynet Carl Jacobsen Vej 35 2500 Valby Tel. +33 19 32 00 Email: dt@datatilsynet.dk
Data Protection Authority of Sweden	Integritetsskyddsmyndigheten Drottninggatan 29 104 20 Stockholm Tel. +46 8 657 6100 Fax +46 8 652 8652 Email: imy@imy.se
Data Protection Authority of Australia	The Office of the Australian Information Commissioner 175 Pitt Street Sydney NSW 2000 Tel. 1300 363 992 +61 2 9942 4099 Fax +61 2 6123 5145
Data Protection Authority of New Zealand	The Privacy Commissioner's Office Level 13, 15 Shortland Street, Auckland 1010 New Zealand Tel. 0800 803 909 Email: enquiries@privacy.org.nz

If you are located in the European Union, you have the right to lodge a complaint with the DPA of the Member State of your habitual residence, place of work or place of the alleged infringement.

To find the appropriate contact details of the Data Protection Authorities members of the European Data Protection Board, please visit the EU Commission's [directory of DPAs](#).

29.04.2024