

# Privacystatement

Version 2.1 Datum: 5 april 2023

1. Identity and contact details of the controller.....	1
2. To whom and when does this Privacy Notice apply?.....	2
2.1 WEngage as data controller: in effect .....	2
2.2 WEngage as processor: only applicable for its own purposes as defined below.....	3
3. What personal data do we process, under what legal basis, for what purposes and for how long?.....	3
4. With whom do we share your personal data? .....	8
4.1 Internal transfers, within our corporate group.....	8
5. How do we secure your personal data?.....	9
6. Where do we store and process your personal data?.....	9
7. What rights do you have and how can you exercise them? .....	10
8. Amendments to the Privacy Statement.....	11

## 1. Identity and contact details of the controller

The WEngage Group (hereinafter "WEngage", "we") respects your privacy and is committed to processing your personal data correctly, in accordance with the provisions of Belgian and European data protection regulations, including the General Data Protection Regulation ("GDPR").

The controller WEngage consists of the following companies:

Name and Legal entity	Adress	Business number	Contact information
WEngage International NV	Woluwelaan 158 1831 Machelen België	(BE) 0879.144.256	<a href="mailto:dpo@wengage.eu">dpo@wengage.eu</a>
WEngage NV	Woluwelaan 158 1831 Machelen België	(BE) 0793.259.664	<a href="mailto:dpo@wengage.eu">dpo@wengage.eu</a>
WEngage BV	Schatbeurderlaan 10 6002 ED Weert Nederland	(NL) 8081 90969 801	<a href="mailto:dpo@wengage.eu">dpo@wengage.eu</a>
WEngage sarl au	27 Avenue Abderrahim Bouabid Hay Riad CP 10110 Rabat Marokko	ICE: 001509504000076	<a href="mailto:dpo@wengage.eu">dpo@wengage.eu</a>

WEngage specializes in providing customer contact and optimizing the customer experience at enterprises through a wide range of communication channels. With this Privacy Statement, we wish to inform and give you - as our customer, business partner, website visitor and user of our services - as much control as possible over the collection, processing and use of your personal data by us. This Privacy Statement applies primarily to the personal data we process from you as a data controller. As, in providing our services, we also process personal data on behalf of and commissioned by our clients, acting purely as their 'processor', we clarify under article 2 below when we act as a data controller and when as a processor within the meaning of the GDPR.

For specific questions regarding the processing of your personal data or to exercise your rights, you can always contact our Data Protection Officer (also "DPO"):

- by e-mail to: [dpo@wengage.eu](mailto:dpo@wengage.eu)
- by post to: WEngage, attn: DPO, Woluwelaan 158, 1831 Machelen, Belgium.

## **2. To whom and when does this Privacy Notice apply?**

This Privacy Statement applies in cases where WEngage is responsible for processing your data. This means that WEngage decides for what purposes (why) and by what means (how) your data will be processed. However, when our client decides these factors, this Privacy Statement does not apply. At WEngage, in the context of our activities, we sometimes act as a data controller, and sometimes as a processor of our client. Therefore, we briefly clarify below when this Privacy Statement specifically applies.

### **2.1 WEngage as data controller: in effect**

In respect of the data of the persons listed below, WEngage acts as a data controller. Consequently, the Privacy Statement applies to these processing operations. The categories below also include persons who belonged to these categories in the past (e.g. former customer), or persons who may belong to these categories in the future (e.g. potential customer). Where any of the persons referred to below is a legal entity, we still process data of our contacts at these entities and the GDPR continues to apply.

- **clients**, being our business customers to whom we provide our services described above;
- **business partners**, who assist us in operating our business or cooperate with us;
- **users** of our website [www.wengage.eu](http://www.wengage.eu) ;
- **participants** in conversations we have on behalf of and commissioned by our clients (such as with our client's customers, users, prospects, employees and any other contacts). In case we do not act as a solely processor of our client with respect to your data (see for this article 2.2 below);
- other persons who would contact us, in case we do not act as a solely processor with respect to your data.

For the processing related to the following specific categories of data subjects, please refer to the privacy declarations we have drawn up specifically for them:

- **candidate employees** who apply via our jobs page: [Working at WEngage - Werken bij WEngage](#)

## **2.2 WEngage as processor: only applicable for its own purposes as defined below**

In specific circumstances, we act as a (sub)processor of our clients. This is in particular the case with regard to the data of our clients' customers, users, prospects, employees and any other data subjects whose data we process in the task of the provision of services to our clients as further described below.

Clients call upon our services in order to, with regard to their customers, users, prospects, employees and any other contacts, among other things: offer products and process orders, perform customer service or helpdesk tasks, and keep customer files up to date. In doing so, depending on the specific service provided, we will process certain of your data, such as your name and contact details; address data; order and billing data; appointments, requests and complaints; communication histories; conversation recordings and any other relevant data. In this case, we process your data mainly on behalf of our client, which means that under the GDPR we act as our client's 'processor'. In doing so, we act only for our own purposes, and thus as processors, in respect of conversation recordings and associated metadata. We may make such recordings and keep them for a limited period of time for the strict purpose of internal quality control within our call centers, as further described under article 3.

In our role as a processor, we must comply with our client's instructions in relation to your data at all times. We are contractually obliged to delete your data after the expiry of a pre-specified period, as agreed with the client. Each processing operation we carry out on behalf of our clients, we conclude a processing agreement with them in advance, based on the standard contractual clauses adopted for this purpose by the European Commission in implementation of Article 28(7) GDPR, or on our Standard Terms and Conditions for Data Processing which include the required disclosures in accordance with Article 28(3) GDPR. Our Standard Terms and Conditions for data processing can be found on this page in PDF.

Since the client, as data controller, bears ultimate responsibility for these processing operations, we refer you to our relevant client for any questions or requests you may have in this regard, regarding the way your data are processed. Should we ourselves receive questions or requests which (partly) relate to processing operations we carry out on behalf of our clients, we will forward these to our relevant client for further processing and inform you accordingly.

## **3. What personal data do we process, under what legal basis, for what purposes and for how long?**

Below we clarify what data we may process from you, under which legal basis we process it, for what purposes, and for what periods of time. We do not necessarily process all your data listed below. This depends on the specific situation, your preferences and the channels through which we are in contact. For the sake of clarity, we first indicate below which data we may generally process from all our contacts. Then we will clarify which data we may additionally process from specific categories of contacts, more specifically our clients and business partners, and participants in conversations we conduct on behalf of and commissioned by our clients.

WEngage carries out the following processing of personal data:

- Our processing operations in general:

<b>Purpose</b>	<b>Type of personal data</b>	<b>Lawfulness of processing</b>	<b>Retention Period</b>
Answering your question when you contact us, including when this is done through one of the forms on our website.	<ul style="list-style-type: none"> <li>- Contact details e.g. name, e-mail – address, address, function, address, phone number.</li> <li>- Communication and contact history e.g. reason for contact, communication made, confirmation of agreement with our terms and conditions and privacy policy.</li> </ul>	<p>Legitimate interest</p> <p>Necessity for the formation of a contract, when relevant</p>	Up to 3 years after moment of contact.
Promoting our activities and services, by using your contact details to send newsletters or other (electronic) marketing material to you, if you expressly give your consent to do so via the registration form on our website or otherwise (for our clients and business partners, however, see below).	- Email address	Consent	Until you withdraw your consent or exercise your right to object to direct marketing (an unsubscribe link is included in each e-mail message).
Providing a secure and technically sound website by using strictly necessary cookies.	Electronic identification and usage data e.g. IP address, browser type, location data, by which route you arrive at our website, the type of device you use to visit our website, the web pages visited, the duration of visits, the way you navigate on the web pages visited. See our Cookie Statement for a detailed overview of the cookies that may be placed through our website.	Legitimate Interest	See our Cookie Statement for an overview of the time periods during which each cookie records data.
The use of statistical cookies on our website to understand how you use our website, in order to, among other things, detect navigation problems, and making our website more user-friendly and attractive.		Consent	
The use of marketing cookies on our website, for the purpose of displaying ads, implementing features on our website provided by social media, and measuring how often these ads and features are displayed and used, respectively.		Consent	
Fulfilling our legal obligations as a company, such as in the field of data protection and in tax and accounting matters.	All personal data mentioned in this Privacy Statement, to the extent	Legal Obligation	As stipulated by applicable laws and regulations, e.g. at least 7

	relevant in function of the relevant legal obligation.		years for accounting records given our accountability to the tax authorities.
Ensuring security in and around our premises and the efficient protection of the property of WEngage, its employees, clients, business partners and any other visitors through the presence of surveillance cameras in our premises, for the strict purpose of monitoring and surveillance of our premises. WEngage has installed a pictogram at the entrance of each monitored place. In case of a judicial investigation or a police request, images may be transferred in accordance with the GDPR, without your prior consent. This will always be under the supervision of the judicial and police authorities and camera images will never be transferred for other (e.g. commercial) purposes.	CCTV footage	Legitimate Interest, and in accordance with the requirements of the Camera Act	1 month, unless in case of incidents for the purpose of investigation and/or evidence.
Ensuring the possibility of exercising or defending WEngage's interests in court, and actually proceeding to do so, if we believe that our interests are being harmed and legal action is imminent (e.g. judicial recovery of an unpaid invoice), or if legal action were to be taken against us by a person who feels disadvantaged by us (e.g. for defending a dispute). Countering fraud and other forms of abuse of our services.	All personal data mentioned in this Privacy Statement, to the extent relevant in function of the relevant (impending) dispute.	Legitimate Interest	10 years for personal claims and 30 years for business claims

- Our additional processing with respect to clients and business partners:

In addition to the processing already mentioned above, we carry out the following additional processing with the personal data of our clients and business partners.

Purpose	Type of personal data	Lawfulness of processing	Retention Period
<p>Entering into and performing the agreement with you as our client or business partner, including: providing and requesting offers, fulfilling our pre-contractual obligations, establishing the service, supplier, or cooperation agreement, managing our business relationship, conducting communications, making invoicing and payments.</p>	<ul style="list-style-type: none"> <li>- <b>Contractual data</b> e.g. company name, address, VAT number, agreement, fees, targets.</li> <li>- <b>Order, payment and billing data</b> e.g. order forms, invoices, bank account number, transaction statements.</li> <li>- <b>Training or event-related data</b> e.g. registration, photos, qualifications and certificates.</li> <li>- <b>After sales data</b> e.g. support requests, complaints.</li> <li>- <b>Communication and contact history and history of services purchased and training or events attended</b></li> </ul>	<p>Necessity for the conclusion or performance of an agreement</p> <p>Legitimate interest (for contacts at our client or business partner who are not a party to the agreement)</p> <p>Consent when relevant</p>	<p>Up to 10 years after termination of our contractual relationship</p>
<p>Providing access to our online environments and platforms, as relevant in the context of our services or cooperation. This is for the purpose of easy management of our relationship and the secure transmission, consultation and retention of data relevant to this.</p>	<ul style="list-style-type: none"> <li>- <b>Account data</b> e.g. login details, account preferences, user activity.</li> </ul>	<p>Necessity for the conclusion or performance of an agreement</p> <p>Legitimate interest (for contacts at our client or business partner who are not parties to the agreement)</p>	<p>Until the end of the agreement.</p>
<p>Promoting WEngage's activities and services, by using your contact details to send marketing material (including promotional gifts) to you, through email or other channel, in the context of our existing customer relationship or cooperation and</p>	<ul style="list-style-type: none"> <li>- <b>Contact details</b> e.g. name, e-mail address, address, phone number.</li> </ul>	<p>Legitimate interest</p> <p>Consent if expressly requested by you (e.g. via the website, see under general processing)</p>	<p>Until withdrawing your consent or exercising your right to object to direct marketing (an unsubscribe link is included in each e-mail message). In case the processing is based on our legitimate</p>

tailored to the specific circumstances of this.			interest, it will be terminated within a reasonable time after your last use of our services or our last cooperation.
<p>Monitoring the quality of our services and their continuous improvement based on your feedback including the training of employees, the possible publication of your assessment of our services, and exploring your interest in services not yet offered with a view to the possible expansion of our offering as a company. We pursue these purposes among others by:</p> <ul style="list-style-type: none"> <li>- troubleshooting and analysis of statistics and aggregated data;</li> <li>- market and satisfaction research;</li> <li>- publication of promotional material (e.g. photos of events), and reviews.</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Statistics, feedback and promotional content related to our services and events</b> e.g. sales and support-related data, satisfaction scores and ratings, photos of events.</li> </ul>	<p>Legitimate Interest</p> <p>Consent to the publication of promotional material and reviews if personal data are involved, granted to the provider of the platform or tool through which the review is posted, if applicable.</p>	<p>Until withdrawing your consent or exercising your right to object.</p>

- Our additional processing in respect of participants in interviews we conduct on behalf of and commissioned by our clients:

As a rule, we process the data of participants in telephone calls that we make on behalf of and on the instructions of our clients (e.g. in the function of customer service, help desk, sales) only in accordance with the instructions of our clients. In doing so, we only act as the data controller for the following processing:

Purpose	Type of personal data	Lawfulness of processing	Retention Period
WEngage may record telephone contacts made on behalf of its clients for the purpose of monitoring and ensuring the quality of service in its call centers, including coaching and training of our employees. You will always be informed of this possibility at the beginning of the call.	<ul style="list-style-type: none"> <li>- <b>Call recordings</b></li> <li>- <b>Metadata</b> e.g. date and time of calls, duration of calls</li> </ul>	Legitimate interest, and in accordance with the requirements of the Act of 13 June 2005 on electronic communications and art. 10/1, §2 of the Act of 30 July 2018 on the protection of natural persons with regard to the processing of personal data.	<ul style="list-style-type: none"> <li>- 1 month for <b>call recordings</b>.</li> <li>- 6 months for <b>metadata</b>.</li> </ul>

#### **4. With whom do we share your personal data?**

##### **4.1 Internal transfers, within our corporate group**

WEngage is a corporate group (see under article 1) under which various companies and commercial activities are housed. We may share your personal data within our group for administrative and infrastructure-related reasons, as well as for commercial reasons such as, in particular, ensuring optimal service. A client or partner of one of our companies is considered a client or partner of the entire group. As a data subject, it is of course possible to oppose the transfer and possible further use of your data for commercial purposes under the terms of the GDPR by contacting us for this purpose as further explained under article 10.

##### **4.2 External transfers, to third parties**

In addition, we may - under certain conditions - transfer your personal data to third parties. This in particular when strictly necessary in the light of the above-mentioned purposes, or if we are required to do so by law.

Some of these third parties work on behalf of WEngage and/or are engaged to carry out an aspect of WEngage's services, such as digital storage of our customer data, managing our websites and IT systems, providing services or support to our clients, or for dispute management.

To the extent these third parties act as processors in doing so, WEngage will capture this into a processor agreement in each case. WEngage will only share personal data relevant and necessary for the performance of their specific assignments. Treating this personal data confidentially and securing it adequately is always included as a requirement in these processor agreements.

When we transfer personal data to third parties, this is generally in the context of ensuring the best possible service and efficient business operations, as well as safeguarding our interests and complying with our legal obligations. Specifically, we may transfer personal data to the following categories of recipients, with these third parties acting as our processors in certain cases:



- Postal companies and courier services if we need to send you written communications or items;
- Payment service providers if we receive payments from you, or transfer payments to you;
- Insurers for the purpose of covering our professional liability in the context of our operations and services;
- External representatives, consultants or any other business partners involved in the context of operating our businesses and providing our services;
- Processors who assist us technically or IT-wise in the operation of our businesses, for the purpose of secure and efficient digital data management within our businesses and optimal service delivery, such as software service providers and call center system providers or sub-suppliers of call center services;
- Organizations with which we enter into a business transaction that results in the inclusion of additional entities in our group (e.g. as part of a merger), or that results in the transfer of some of our entities or business assets;
- Government bodies, judicial authorities and practitioners of regulated professions such as accountants and lawyers, or other independent external advisers, for the purpose of complying with our legal obligations and defending our interests, as required.

Where we process your data in our role as processors on behalf of our clients who act as data controllers in the process (see article 2.2 for that purpose), we may transfer your data to them within the scope of our services to the relevant client(s) and in accordance with their instructions.

#### **5. How do we secure your personal data?**

WEngage takes and maintains appropriate technical and organizational measures to ensure the adequate protection of your personal data. These measures will secure your personal data against loss or any form of careless, incompetent or unlawful use, processing or access. In doing so, we take into account the nature of the personal data to be protected, the risk of processing, the state of the technic and the implementation costs of the measures.

We only grant access to data to our own employees and third parties if they need access for legitimate, relevant business purposes. Access is hereby limited to those personal data they need to properly perform their assignments or privileges.

#### **6. Where do we store and process your personal data?**

The European Economic Area ("EEA") includes the countries of the European Union, Norway, Liechtenstein and Iceland. The GDPR requires additional safeguards if your personal data is transferred to entities in countries outside the EEA (such as the conclusion of agreements based on the European Commission's Model Clauses).

As a corporate group, we have our headquarters in Belgium and we also aim to keep your data on servers and in data centers within the EEA as much as possible.

As a corporate group, we have a branch office in Morocco (see under article 1) so that we can transfer personal data within our group to our branch office in Morocco, when necessary in function of our services. Our basic services do not involve the transfer of data to our Moroccan branch, as this branch is only involved in the provision of services at the specific request of our client. We hold our Moroccan entity to the same data protection standards as our European branches. Additionally,

model clauses have been concluded between our European branches and our Moroccan branch for the international transfer of personal data in accordance with Article 46(2)(c) GDPR, in case our client wishes to use the aforementioned option.

In addition, given the establishment locations of some of our processors, it is possible that in some cases we may have your data processed outside the EEA. This will only be done in or from countries that have been confirmed by the European Commission to ensure an adequate level of protection of your data, or where other measures have been taken to ensure the lawful processing of your data in these third countries in accordance with the requirements of the GDPR mentioned above. If this is a case of subcontracting our activities as a processor as described under article 2.2 (sub-processing), this will be explicitly and transparently included in the processor agreements with the client and sub-processor.

## **7. What rights do you have and how can you exercise them?**

Below is an overview of the rights you have in relation to the processing of your personal data. If you wish to invoke one or more of the following rights, please contact our DPO using the contact details listed under article 1 of this Privacy Statement.

When you submit a request to exercise your rights, and if we have doubts about your identity, we will ask you to verify it by asking you to provide data and/or documents that allow you to identify yourself beyond reasonable doubt. We will always inform you of the action taken on your request at the latest within a period of 1 month after receipt of your request or after the additional identity verification (if necessary). In case of complex or frequent requests, this period can be extended to 3 months. In the latter case, we will inform you of the extension of the response period.

- **Right of access and copy:** You have the right to access your data and obtain a copy. This right also includes the possibility of requesting further information on the processing of your data, including on the categories of data processed about you and for what purposes.
- **Right of rectification:** You have the right to have us rectify and/or supplement your data if you believe that we hold inaccurate or incomplete personal data.
- **Right to erasure:** You have the right to request that we erase your data without unreasonable delay. However, we will not always be able to (fully) comply with such a request, for example when we still need the data in function of an ongoing agreement, or when the retention of certain data for a certain period of time is required by law.
- **Right to restriction:** You have the right to obtain from us the restriction of the processing of your personal data to an extent. In this way, processing is temporarily stopped until, for example, there is certainty about its accuracy.
- **Right to object:** You have the right to object to the processing of your data based on legitimate interest. This should be based on reasons specific to your situation. You can also specifically object to the use of your data for direct marketing without further motivation. Marketing messages via e-mail will always include an unsubscribe option.

- Right to data portability: You have the right to obtain the data you have provided to us yourself, with your consent or in execution of a contract, in electronic form. That way, they can be easily transferred to another organization. You also have the right to request us to transfer your data directly to another organization, if this is technically possible.

In addition rights mentioned in the above, you always have the right to file a complaint against WEngage with your data protection supervisory authority. You may do so with the supervisory authority of the EEA member state where you normally reside, you have your place of work or where the alleged breach has occurred. As the headquarters of our corporate group is located in Belgium, we refer below to the contact details of the Belgian Data Protection Authority.

Belgische Gegevensbeschermingsautoriteit (GBA) (Belgian data protection authority)

Drukpersstraat 35

1000 Brussel

[contact@apd-gba.be](mailto:contact@apd-gba.be)

[Website GBA - klacht indienen](#) (to file a complaint)

For further information and the contact details of the supervisory authority of each EEA Member State, please refer to [this website page of the European Data Protection Board](#) with all relevant contact details. In addition, you can always turn to the competent civil court to bring a claim for compensation.

## **8. Amendments to the Privacy Statement**

Our DPO conducts a review of this Privacy Statement at least annually in collaboration with our GDPR Team. The date on which this Privacy Statement was last amended can be found at the top of this page. We therefore invite you to always consult the latest version of this Privacy Statement on our website. In case of a substantial change to the Privacy Statement, we will directly inform the data subjects on whom it may have an impact, if possible.