

AO Data Privacy Policy

1. Scope

The AO Foundation (AOF) is a not-for-profit organization established under the laws of Switzerland with registered domicile Clavadelerstrasse 8, 7270 Davos, Switzerland. AO Foundation including all its affiliated institutions (AO or "we" or "our") are subject to Swiss Law and adhere to all applicable regional and local privacy laws and regulations to be considered in its activity.

At AO we highly value your privacy by default and adhere to the applicable privacy laws when collecting and processing your data. Additionally, this Data Privacy Policy is subject to continuous adaption according to changing regulation environments and is subject to auditing procedures with regards to accountability. This Data Privacy Policy outlines the principles of data collection and processing for AO and completes the AO General Terms and Conditions (GTC).

This Data Privacy Policy (hereinafter the "Privacy Policy") applies and describes how your personal data provided to AO, over the websites of the AO Foundation (hereinafter the "AO Websites", see complete list under <https://www.aofoundation.org/websiteslist>) is handled, namely concerning the collection, storage and usage thereof. Furthermore, it defines how collected personal data may be examined, corrected or deleted.

Upon (i) setting a check mark by ticking the check box next to the suggested consent statement indicated on the AO Websites and (ii) clicking the acceptance icon indicated on the AO Websites you agree to be bound by this Privacy Policy and expressly consent to our collection, storage, use and disclosure of your personal data as outlined below. You are entitled to revoke your consent at any time in writing or by email.

2. Legal basis of data processing

As legal basis for processing your personal data we always ask for your actively given consent, contractual consent or by disclaimer to capture and specifically use your data before collecting or storing them. Further purposes can be legal obligations or obligations set by competent authorities, protection of vital or public interests or justified interests of the person responsible or a third party.

3. Data Protection Officer (DPO) at AO

The DPO of AO is a person as named from time to time and is responsible to keep protected data handling and to resolve your inquiries.

For questions, requests or further information related to data processing by AO, you may write us an e-mail at dpo@aofoundation.org. Your questions or requests will be handled by the DPO of AO responsible to keep protected data handling and to resolve your inquiries.

4. Collection of Personal Data

The following processing principles apply at AO:

- lawfulness, fairness and transparency
- purpose limitation
- data minimization
- accuracy
- storage limitation
- integrity and confidentiality
- accountability

When you register as user we ask you to provide your name, e-mail address, field of interest, gender, current country of employment or study. We will store your data on our servers for as long as necessary to provide the services or information requested by you, unless a longer retention period is based on our legitimate interests or prescribed by law.

Based on information provided by you, the following personal data will be stored:

Identity Data

User name, password, user ID, primary email address, professional title, academic title, first name, middle initial, surname, suffix (provides additional information about the person), (second) academic title, gender, date of birth, nationalities

Contact details

Primary language, organization/hospital, department, unit I (example: maxillofacial unit), unit II (example: division of plastic surgery, foot & ankle surgery), function/job

title, address, city, state/province, postal code, country, assistant name, assistant email, assistant phone, telephone, fax, mailing/shipping address, home address

Membership data

Home specialty (i.e. AOSpine, AOTrauma, AOCMF, AOVET, AORecon), membership package, signup date, expiry date, award points, status points, associate points, membership status, about me, profile picture, voucher code

Specialization data

Expertise/specialty, roles, interests

AO functions/roles

Elected/nominated functions, faculty including data for election, nomination processes.

Educational history

Graduation from medical school, board certifications, fellowships, CV upload, publication list upload, AO Educational Event history (event name, type, year, activity levels) and evaluation scores related to AO Educational Events.

Faculty data

Qualification, institution, degree, teaching languages (established year, language proficiency), expertise data (first year surgery involvement, procedures per year, teaching topics), events taken part in (dates, lieu, role, evaluation scores, faculty development activities and history).

Travel data

Preferred travel agent, favorite airline(s), favorite airline alliance(s), departure location (airport, city), dietary request, seating preference, hotel room type, smoking preference, car type, passport number, passport issued in (city, country), passport issued on, passport valid until, first name in passport, family name (surname) in passport, frequent flyer information, favorite hotel chains, favorite rental companies, additional comments/requirements, accessibility, dietary preference

Event data

Badge title, organization, first name, surname, degree pre- and post-event evaluation results, blended learning activities and subsequent results.

Financial data

Reimbursement information (reason for reimbursement-description, city, country, your role, budget provided by, claim, per diem fields, mileage, parking, transport, accommodation-based on respective recent IP system, receipts, bank details (account, bank name, address, account holder name, account number, IBAN code, SWIFT/BIC, other info, comments). AO does store and use data deriving from financial transactions on the AO Websites and shall not be liable for all and any damage caused by disclosing these data to any public authorities- upon official request.

Data automatically collected

When you visit the AO Websites, the browser on your device automatically sends information to the server(s) on which the AO Websites. This information is temporarily stored in a so-called log file. The following information is collected without your intervention and stored until it is automatically deleted:

- date and time of access,
- name and URL of the retrieved file,
- website from which access is made (referrer URL),
- the browser used and, if applicable, the operating system of your computer as well as the name of your access provider.

The mentioned data will be processed by us for the following purposes:

- ensuring a smooth connection of the website,
- ensuring comfortable use of AO websites,
- evaluation of system security and stability, as well as
- for other administrative purposes.

Our legal basis for processing the above listed data is your consent and our legitimate interest of pursuing the purposes listed above for data collection.

In addition, we use cookies and analysis services when you visit AO Websites.

5. Use of Personal Data

With your active consent, a contract or by disclaimer you agree that we use your Personal Data the way described below.

We use store and process personal information for the following general purposes:

- to enable you to access and use AO Services;
- to enable you to communicate with other AO Foundation users, including but not limited to sending them messages, notifications or other information
- to operate, protect, improve and optimize AO Services and our business for example by performing analytics, conducting research, personalizing or otherwise customizing user experience, and to provide customer service and support;
- to help maintain a trusted environment on AO platforms, such as detection and prevention of actual and potential fraud and other harmful activity, conducting investigations and risk assessments, verifying any identifications provided by you, and conducting checks against databases and information sources for fraud detection and prevention, risk assessment and harm prevention purposes;
- to send you service, support and administrative messages, reminders, technical notices, updates, security alerts, and information requested by you;
- to send you marketing, advertising, and promotional messages and other information that may be of interest to you, including information about AO Foundation, our services, or general promotions for partner campaigns and services. You can unsubscribe or opt-out from receiving these communications in your settings;
- to comply with our legal obligations, resolve any disputes that we may have with any of our users and to enforce our agreements with third parties.

We do not rent, sell or otherwise share your personal data with third parties, except with your consent.

Further we may use third party service providers to help us deliver our service and run or analyze AO services (e.g. third-party data analytics services to analyze, among other things, server load).

We also reserve the right to disclose your Personal Data to (a) comply with relevant laws, regulatory requirements and to respond to lawful requests, court orders, and legal process; (b) to protect and defend the rights or property of us or third parties, including enforcing agreements, policies, and terms of use; (c) in an emergency, including to protect the safety of our employees or any person, or (d) in connection with investigating and preventing fraud.

We also aggregate data into anonymized system usage statistics.

6. Sharing of data

Your Personal Data will not be shared with third parties for purposes other than those listed below.

We will only pass on your personal data to third parties if:

- you have given your express consent,
- the disclosure is necessary to assert, exercise or defend legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data,
- in the event that a legal obligation exists for the transfer; or
- this is legally permissible and necessary for the execution of contractual relationships with you.

We reserve the right to transfer, store, use and process your data, including any Personal Data, to countries outside of Switzerland including the European Economic Area, the United States and possibly other countries. By using AO services, you consent to us transferring your data to these countries. You should note that laws vary from jurisdiction to jurisdiction, and so laws and regulations relating to privacy and data disclosure, applicable to the places where your information is transferred to or stored, used or processed in, may be different from the laws and regulations applicable to your place of residency. We take the legally required safeguards and contractual measures to ensure that any parties we transfer personal data to do so in keeping with the level of data protection and security prescribed by the applicable data protection regulation.

7. Data retention

We may retain information regarding you and your use of AO services, including personally identifying information and profiling data, for as long as needed to provide you with our services and the uses described in this **Privacy Policy**. Generally, this means that we will keep information for the duration of your account.

While AO Foundation strives to provide the possibility of a full deletion of Personal Data, note that any information that we have copied may remain in back-up storage for some period of time after your account deletion.

Irrespective of your account deletion, we may in any event retain and use such data as necessary to comply with our legal obligations, maintain accurate accounting,

financial and other operational records, resolve disputes, and enforce our rights connected to your use of AO services.

You have the right:

- to request information about your Personal Data processed by us. In particular, you may request information about the purposes of processing, the category of Personal Data, the categories of recipients to whom your data have been or will be disclosed, the planned storage period, the existence of a right to rectification, deletion, restriction of processing or objection, the existence of a right of appeal, the origin of your data, if these have not been collected by us, and the existence of automated decision-making including profiling and, if applicable, meaningful information on their details;
- request the correction of incorrect or complete Personal Data stored by us;
- to demand the deletion of your Personal Data stored by us, unless the processing is justified by our legitimate interests, necessary to fulfil a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims;
- to demand the restriction of the processing of your Personal Data if you dispute the accuracy of the data;
- if our data processing is based on your consent, you have the right to revoke your consent to us at any time. As a result, we are no longer allowed to continue processing data based on this consent in the future;
- to complain to a supervisory authority.
- To let transfer your Personal Data to any other location on request

8. Objection

In those cases where we base processing on our legitimate interests, you have the right to object to the processing of your Personal Data.

For withdrawing consent or objecting to any data processing as described above, simply send an e-mail with your specific request to dpo@aofoundation.org.

9. Deletion of your Profile

Upon your written request, we will close your profile and remove your personal data from the AO Websites as soon as reasonably possible.

10. Data Security

We use several tools (encryption, passwords, physical security, etc.) in order to protect your personal data against unauthorized access and disclosure.

We take commercially reasonable technical and organizational precautions to prevent the loss, misuse or alteration of your Personal Data. Accordingly, we store all the Personal Data you provide on secure (password- and firewall-protected) servers.

You also acknowledge that no technical and organizational measures can fully eliminate security risks connected with the transmission of information over the internet. We therefore cannot guarantee the security of data sent over the internet. We use the common SSL (Secure Socket Layer) method in connection with the highest level of encryption supported by your browser. Usually this is a 256-bit encryption. If your browser does not support 256-bit encryption, we use 128-bit v3 technology instead. Whether a single page of AO Websites is transmitted in encrypted form is indicated by the closed display of the key or lock symbol in the lower status bar of your browser.

We also use suitable technical and organizational security measures to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or unauthorized access by third parties. Our security measures are continuously improved in line with technological developments. You are responsible for keeping the account information (user name/password) for accessing AO services confidential.

11. Accessibility of this Privacy Policy

This Privacy Policy is accessible on the AO Websites. You can download and print it out for your convenience.

12. Amending of this Privacy Policy

AO reserves the right to modify this Privacy Policy at any time, without giving reasons. AO shall give due notice of any modifications of the Privacy Policy to you personally if you are a registered user, or generally over the AO Websites if you are not a registered user. If you do not object to the applicability of the revised Privacy Policy within 20 days after receipt of said notice (in case of a registered user) or the publication on the AO Websites (in case of a user that is not registered), the modified Privacy Policy shall be deemed to be accepted by you.

13. Definitions

Personal Data: means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person

Processing: means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Profiling: means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

Pseudonymization: means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

Controller: means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Processor: means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Consent of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Cross-border processing: means either:

processing of personal data which takes place in the context of the activities of establishments in more than one country of a controller or processor where the controller or processor is established in more than one country; or

processing of personal data which takes place in the context of the activities of a single establishment of a controller or processor in Switzerland but which substantially affects or is likely to substantially affect data subjects in other countries.

More definitions are to be found in the respective laws, such as Art. 4 GDPR.

14. Taking effect

This Privacy Policy will take effect as of May 30, 2018