



AO data privacy policy

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1. Scope

The AO Foundation is a not-for-profit organization established under the laws of Switzerland with registered domicile at Clavadelerstrasse 8, 7270 Davos, Switzerland. The AO Foundation, including all of its affiliated institutions (the 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 the AO, we naturally value your privacy highly, and adhere to the applicable privacy laws when collecting and processing your data. Additionally, this data privacy policy is subject to continuous adaptation according to changing regulatory environments and is subject to auditing procedures with regard to accountability. This data privacy policy outlines the principles of data collection and processing for the AO and completes the AO General Terms and Conditions (GTC).

This data privacy policy (hereinafter the “privacy policy”) is binding and describes how your personal data provided to AO, over the websites of the AO Foundation (hereinafter the “AO websites,” see complete list at <https://www.aofoundation.org/websiteslist>) is handled, namely its collection, storage and usage. Furthermore, it defines how collected personal data may be examined, corrected or deleted.

Upon (i) 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 e-mail.

2. Legal basis of data processing

As the legal basis for processing your personal data, we always ask for your explicitly stated consent, contractual consent or by disclaimer to capture and specifically use your data before collecting or storing it. Additional 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 the AO

The DPO of the AO is a person as named from time to time and is responsible compliance with privacy laws and for resolving your inquiries.

For questions, requests or further information related to data processing by the AO, you may send an e-mail to dpo@aofoundation.org. Your questions or requests will be handled by the DPO.

4. Collection of personal data

The following processing principles apply at the AO:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimization
- Accuracy
- Storage limitation
- Integrity and confidentiality
- Accountability

When you register as a user, we ask you to provide your name, e-mail address, field of interest, gender, and 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 necessary based on our legitimate interests or prescribed by law.

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

Identity data

Username, password, user identification (ID), primary e-mail 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 and ankle surgery), function/job title, courtesy title, address, city, state/province, postal code, country, assistant's name, e-mail address, and phone number, your telephone and fax numbers, mailing/shipping address, and home address

Membership data

Home specialty (ie, AO Spine, AO Trauma, AO CMF, AO VET, AO Recon), membership package, sign-up date, expiration 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 status (including data for election, nomination processes)

Educational history

Graduation from medical school, board certifications, fellowships, curriculum vitae 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, academic degree, teaching languages (established year, language proficiency), expertise data (first year surgery involvement, procedures per year, teaching topics), events completed (dates, place, 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 requests, seating preference, hotel room type, smoking/nonsmoking preference, car type, passport number, passport issued in (city, country), date passport was issued, passport expiration date, first name in passport, surname in passport, frequent-flyer information, favorite hotel chains, favorite rental companies, additional comments/requirements, accessibility, dietary preference or requests.

Event data

Badge title, organization, first name, surname, 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, international bank account number [IBAN], Society for Worldwide Interbank Financial Telecommunications/business identifier code [SWIFT/BIC], other info, comments)

The 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 reside. 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 uniform resource locator (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 aforementioned data will be processed by us for the following purposes:

- Ensuring a smooth connection of the website
- Ensuring AO websites are easy to use
- Evaluation of system security and stability
- Other administrative purposes

Our legal basis for processing the data listed above 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 can use your personal data as 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 website users and/or users of AO services, 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 activities, 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 the AO, our services, or general promotions for partner campaigns and services. You can unsubscribe or opt out of 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.

Furthermore, we may use third-party service providers to help us deliver our services and run or analyze AO services (eg, 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 and regulatory requirements and to respond to lawful requests, court orders, and legal process; (b) to protect and defend our rights or property or those of 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 nondisclosure of your data
- In the event that a legal obligation exists for the transfer
- 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, 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 residence. 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 the AO strives to provide the possibility of a full deletion of personal data, please note that any information that we have copied may remain in backup 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 has 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 fulfill 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
- To revoke your consent to us at any time if our data processing is based on your consent. 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 allow 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 that 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 secure socket layer (SSL) 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 (username/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 an unregistered user), the modified privacy policy shall be deemed to be accepted by you.

13. Definitions

Personal data: 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: 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: 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: 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: 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 Swiss or European Union member state law, the controller or the specific criteria for its nomination may be provided for by Swiss or European Union member state law.

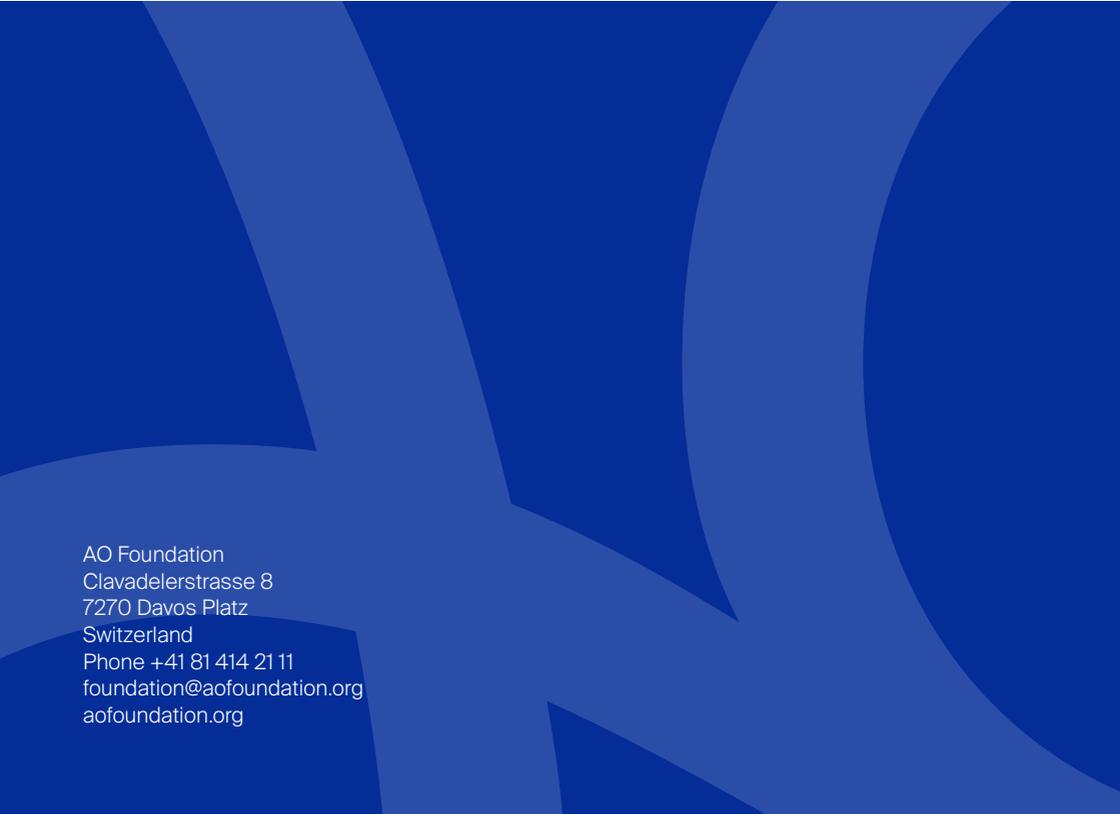
Processor: a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller

Consent of the data subject: 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: This term 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 takes effect as of May 8, 2020.



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