

Privacy Policy for Dr. von Weckbecker Klinik GmbH

Dear Sir or Madam,

the handling of your personal data is very important to us, and data protection is a matter of trust. For this reason, we would like to take this opportunity to inform you about how we implement data protection. You are welcome to ask us about this at any time!

Dr. von Weckbecker Klinik GmbH is subject to the General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG). You can find further information at www.weckbecker.com.

1. Data Controller:

The data controller responsible for processing your personal data is::

Dr. von Weckbecker Klinik GmbH, Rupprechtstr. 20, 97769 Bad Brückenau, Tel.: +49 9741 83 0, Telefax: +49 9741 83 800, E-Mail: datenschutz@weckbecker.com, CEO: Dr. Clemens Ritter von Kempfski

Our Data Protection Officer is:

Uwe Bäckeralf
SecurCon GmbH & Co. KG
Max-Planck-Str. 7
59423 Unna
info@securcon.de

2. Details regarding the scope of data processing:

- a) The purpose of processing your data is to fulfil the contract concluded with you regarding accommodation and treatment at our establishment; to include you in our customer database to avoid having to request the same information repeatedly from regular guests; to provide the therapy programmes you have selected; to respond to email enquiries you send to us via the contact form or to messages you send to us by post, email or telephone, and to send you information material and newsletters, provided you have given your consent.
- b) In this context, we process **the following personal data about you:**

If you contact us via the contact form: first name and surname, title, the IP address of the computer from which you are contacting us, and your email address. Additionally, you may provide: your telephone numbers and postal address. We also process any data you wish to provide under the 'Subject' field.

If you contact us by telephone, email or post: Depending on the channel you choose, we process your telephone numbers or the IP address of the computer from which you are contacting us, as well as your email address or your first name and surname, postal address and, in all cases, the data you provide to us in connection with the conversation or correspondence.

If you order information material or the newsletter: In this context, we process your first name, surname and address for the purpose of sending postal items. When you order newsletters or information material that we are to send to you by email, we collect your email address.

If you book a stay with us: First name and surname; depending on your chosen booking method: email address, postal address, telephone numbers, fax number. Furthermore, as part of the contract, we process your arrival and departure dates, details of participation in group bookings, details of the package booked, any cancellations that may occur and, where applicable, the reasons for the cancellation. If you have received approval for reimbursement from your health insurance provider, we also process the relevant data, such as: health insurance provider, health insurance number, type of approval or rejection notice, and the type of insurance. We also process any special requests you may make, such as a request for a specific room, where possible.

In order to carry out treatments and therapies at our clinic, we process, as part of the medical history form you are required to complete, not only other personal data but also so-called 'special categories of personal data', namely health data.

As part of the medical history, we record:

- Your title, the number of children you have, your date of birth, your occupation, your marital status, the name and address of your GP,
- the nature of the symptoms that have led you to us, e.g. main symptoms, diagnoses, mental health conditions, psychological symptoms and/or any other reasons you wish to mention, as well as how long the symptoms you have described have been present.
- We record the type and number of operations you have undergone in the past,
- the medication you are currently taking and
- the objectives you have in mind for your visit to us (e.g. fasting, lifestyle changes, spiritual reasons, weight loss or any other reasons you wish to mention).
- You will also be asked whether you have any experience of fasting and, if so, what that experience has been like.
- We will also record whether you have been assigned a care level and, if so, which one, as well as what aids you require (e.g. wheelchair, walking frame, personal assistant).
- As part of the physical examination and health screening, we will record your height and weight, the results of any colonoscopy you have undergone, and your dietary habits (mixed diet, vegetarian, ovo-lacto-vegetarian, vegan).
- We record any existing risk factors: obesity, nicotine and alcohol consumption, diabetes mellitus, high blood pressure/related conditions, cancer, hereditary conditions, mental health conditions, other medical conditions you inform us of, as well as allergies and intolerances.
- If you are over 60 years of age, we process the data from an ECG carried out on you.
- If you are undertaking a fasting programme with us, we will also process the following laboratory test results: sodium, potassium, calcium, uric acid and creatinine.
- If you have specialist medical reports relating to your stay with us, we will also process the special category personal data contained therein.

2. The processing of this data is carried out on the following legal bases:

- **Article 6(1)(b) of the GDPR**, if you have contacted us via the contact form, by post, by telephone or by email, namely in the context of the pre-contractual legal relationship,
- **Article 6(1)(b) of the GDPR**, namely for the performance of the accommodation and/or treatment contract concluded with us.
- **Article 6(1)(a) of the GDPR**, if you have consented to the sending of information material and promotional material or an email newsletter.
- *We would like to point out here that you may withdraw your consent at any time with future effect without formal notice. You can find detailed information under 'Data subject rights'.*
- **Article 6(1)(f) of the GDPR**, namely on the basis of our overriding legitimate interest in sending you promotional material. This legitimate interest lies in sharing naturopathic knowledge with you and informing you about offers, services and news from the Dr von Weckbecker Klinik.

We would like to point out here that you may object to receiving direct marketing at any time, with effect for the future, without having to provide any formal notice. You can find detailed information under 'Data subjects' rights'.

- **Article 9(2)(h) of the GDPR** in conjunction with Section 22 of the BDSG for the processing of special categories of personal data, namely for the purpose of fulfilling the treatment contract.
- **Article 9(2)(a) of the GDPR**, if you have consented to the disclosure of special categories of personal data to specifically named recipients.

We would like to point out at this stage that you may withdraw your consent at any time, with effect for the future, without having to provide any formal notice. Further details can be found under 'Data subject rights'.

- **Article 6(1)(c) of the GDPR in conjunction with Articles 2 and 7 of the KAG** and Section 6 of the Articles of Association for the collection of a spa tax by the town of Bad Brückenau, for the disclosure of your accommodation details and your first name and surname for the calculation of the municipal spa tax.

3. From whom do we receive the information, and are you required to provide the personal data?

As a rule, we receive the information from you personally; this also applies to medical reports and/or laboratory results or ECG analyses that you provide to us. If we receive personal data from third parties, we will inform you of the specific data we have received and the source from which it was obtained.

If you are our guest as part of a group booking, we usually only receive your first name and surname, your address, your arrival and departure dates, and the duration of your stay. In some cases, further details may also be provided as part of such a group booking. In any case, you will receive separate information from us in such instances. It is also possible that, as part of a preliminary enquiry regarding the possibility of accommodation at our establishment, we may receive personal data (first name, surname, address, health insurance details) from your health insurance provider, and, where applicable, even data falling within a special category (health data). In this case, you will be informed of this by both us and the health insurance provider.

You are contractually obliged to provide us with your personal data, including data falling within the special categories. If you do not wish to provide the data, or do not wish to provide it to the extent requested, this may mean that – depending on which data you do not wish to provide – we will be unable to enter into a contract with you or to perform an existing contract, or to do so properly.

You are not obliged to provide any information when giving your consent to receive information and promotional material. Nor are you obliged to consent to the disclosure of certain special category personal data to specific recipients. Your consents are voluntary.

4. Information on retention periods:

Your treatment and patient data are subject to the statutory retention period set out in Section 630f(3) of the German Civil Code (BGB): We generally retain patient records for a period of 10 years following the completion of treatment, unless other regulations require a longer retention period. Longer retention periods may arise in particular from tax and commercial law provisions (e.g. Section 147 of the German Fiscal Code (AO), Section 257 of the German Commercial Code (HGB)) as well as from specific statutory retention obligations (for example, for X-ray and radiation protection records). Otherwise, your personal data will be erased or blocked as soon as the purpose for which it was stored no longer applies. Data may also be retained if this is provided for by European or national legislators in EU regulations, laws or other provisions to which we, as the data controller, are subject. Data will also be blocked or deleted when a retention period prescribed by the aforementioned standards expires, unless there is a need to continue storing the data for the conclusion or performance of a contract.

5. Automated processing of personal data by algorithms – profiling:

We do not use such methods; no automated decision-making takes place.

6. Information on the disclosure of data to the following recipients:

For the purposes of registering, calculating and paying the visitor's tax, we pass on your first name, surname, address and details of your stay to the Town of Bad Brückenau, Marktplatz 2, 97769 Bad Brückenau.

The following companies or doctors may, in individual cases, be recipients of certain personal data if you have given your consent:

- A laboratory, currently: Laborgemeinschaft Bad Brückenau, Bahnhofstraße 16, 97769 Bad Brückenau, represented by Drs. Janos Marki Zay and Bernhard Steinbrückner, may process your first name and surname, your health insurance number where applicable, and the results of the laboratory tests as part of an examination of laboratory samples required for the performance of the treatment contract.
- If medication is required, a pharmacy – we currently work with the Ludwigsapotheke, Ludwigstr. 40, 97769 Bad-Brückenau, owner: David Baer e.K. When dispensing your prescription, the pharmacy will process your first name and surname, your address, your health insurance number (if applicable), your date of birth and the prescribed medication(s).

- Claims for medicinal products under the Medicinal Products Regulation are processed by Noventi HealthCare GmbH, Einsteinerring 41–43, 85609 Aschheim. In this case, your first name and surname, address, health insurance number, date of birth and diagnosis will be processed.
- Outpatient preventive care: Upon approval of an outpatient preventative care service with a spa doctor's certificate, your first name, surname, address, health insurance number and date of birth will be passed on for processing.
- We work with the following spa doctors: Joint practice of Dr. Jürgen Kleinhenz and Dr. med. Christina Wirth, Heinrich von Bibra Straße 25, Elisabethenhof, 97769 Bad Brückenau; Wildenauer Practice, Dr Cosmas Wildenauer, Kapellengasse 1, 97769 Bad Brückenau; Dr Helge Zimmermann's Practice, Altstadt 1a, 97769 Bad Brückenau. These practitioners collect the personal data relevant to your treatment directly. We only pass on your first name and surname if we have arranged the appointment on your behalf.
- As we handle the postal dispatch of information material and promotional mailings via SAZ Services GmbH – Gutenbergstr. 1–3 – 30823 Garbsen, Managing Directors: Christian Noack and Axel Krause – this company will be provided with your first name, surname and address. If you have subscribed to an email newsletter, it is sent via NAYOKI GmbH, Birkenleiten 41; 81543 Munich, represented by the managing directors André Soulier and Christine Buckenmeier, who will only receive your email address. Both companies are contractually obliged to comply with data protection regulations.
- Otherwise, we do not pass on your data.

7. Information on data subjects' rights:

As a data subject, you have the following rights in particular under the GDPR (hereinafter also referred to as 'data subjects' rights'):

7.1. Right to withdraw consent:

Where data processing is based on your consent, we would like to point out that such processing is entirely voluntary. If you do not wish to provide the personal data covered by your consent, or do not wish to provide it to the extent requested, the only consequence will be that we will not be able to pass on your special category personal data to certain recipients or send you information materials or newsletters. **You may refuse to give your consent or withdraw it at any time informally with future effect without giving reasons (Article 7(3) of the GDPR). Please send your notice of withdrawal to: Dr. von Weckbecker Klinik GmbH, Rupprechtstr. 20, 97769 Bad Brückenau, Fax: 09741 83 800; Email: datenschutz@weckbecker.com**

In the event of withdrawal, your data will be deleted from both Dr. von Weckbecker Klinik GmbH and third parties upon receipt of your notice of withdrawal, provided there is no legal obligation to retain it.

7.2. Right of access:

You also have the right to request information (Article 15 of the GDPR) as to whether or not we are processing personal data relating to you. If our company is processing personal data relating to you, you are entitled to further information.

7.3. Right to rectification:

You have the right to request that we rectify your data (Art. 16 GDPR) should it be incorrect, inaccurate and/or incomplete; the right to rectification includes the right to have the data completed by means of supplementary explanations or notifications. Any rectification and/or supplementation must be carried out without undue delay – i.e. without culpable delay.

7.4. Right to erasure:

You have the right to request that we erase your personal data in accordance with the conditions set out in Article 17 of the GDPR.

7.5. Right to restriction of processing:

You have the right, under certain conditions, to have the processing of your personal data restricted (**Article 18 of the GDPR**) in the following cases.

7.6. Right to data portability:

You have the right to request the portability (Art. 20 GDPR) of the data relating to you in a commonly used electronic, machine-readable format. The right to data portability includes the right to have the data transferred to another controller; upon request, we will therefore – insofar as technically possible – transfer the data directly to a controller designated by you or to be designated by you. Any restrictions are set out in Article 20 of the GDPR.

7.7. Right to object:

Where personal data is processed to pursue legitimate interests (Article 6(1)(f) of the GDPR), you may object at any time, with future effect, to the processing of your personal data on grounds relating to your particular situation (Article 21 of the GDPR). In the event of an objection, we must cease any further processing of your data for the aforementioned purposes, unless,

- there are compelling legitimate grounds for the processing which override your interests, rights and freedoms, or
- the processing is necessary for the establishment, exercise or defence of legal claims.

You may object at any time, with future effect, to the use of your data for the purposes of direct marketing; this also applies to profiling insofar as it is related to direct marketing. In the event of an objection, we must cease any further processing of your data for the purposes of direct marketing.

7.8. Right to lodge a complaint:

In the event of a complaint, you may contact the relevant data protection supervisory authority at any time. Without prejudice to any other legal remedy, every data subject has the right to lodge a complaint with a supervisory authority if they consider that the processing of personal data relating to them infringes data protection regulations (Article 77 of the GDPR). The supervisory authority responsible for us is: Bavarian State Office for Data Protection Supervision (BayLDA), Promenade 18, 91522 Ansbach, email: poststelle@lda.bayern.de.

End of the privacy policy

Consent and acknowledgement of receipt

This section is optional. Your treatment and stay at Dr. von Weckbecker Klinik GmbH do not depend on whether, or to what extent, you give the consents set out below.

1. Acknowledgement of receipt

- ☐ I confirm that I have received and taken note of the above privacy notice from Dr. von Weckbecker Klinik GmbH.

2. Consent (voluntary)

I expressly consent to the following processing activities (please tick the relevant box):

- ☐ Receipt of information material and promotional mailings by post (Article 6(1)(a) of the GDPR).
- ☐ Sending the newsletter or information material by email (Article 6(1)(a) of the GDPR).
- ☐ Disclosure of my health data to the following recipients, as specified by me (Article 9(2)(a) of the GDPR):

I may revoke any of these consents at any time with future effect without formal notice, e.g. by email to datenschutz@weckbecker.com. The lawfulness of any processing carried out up to the point of revocation remains unaffected.

Place, Date

Patient's signature

In the case of legal representation or guardianship (only if applicable):

Surname and first name of the representative

Address of the representative

Signature of the representative