

## Privacy Statement

### Contents

|           |                                                                             |          |
|-----------|-----------------------------------------------------------------------------|----------|
| <b>1</b>  | <b>About this Privacy Statement</b>                                         | <b>2</b> |
| <b>2</b>  | <b>Who is responsible for processing your data?</b>                         | <b>2</b> |
| 2.1       | Controller                                                                  | 2        |
| 2.2       | Data protection officer                                                     | 2        |
| <b>3</b>  | <b>What personal data does KPT process?</b>                                 | <b>3</b> |
| 3.1       | Master data                                                                 | 3        |
| 3.2       | Contract data                                                               | 3        |
| 3.3       | Benefit entitlement data                                                    | 3        |
| 3.4       | Communication data                                                          | 3        |
| 3.5       | Technical data                                                              | 3        |
| 3.6       | Marketing, activity and preference data                                     | 4        |
| 3.7       | Other data                                                                  | 4        |
| <b>4</b>  | <b>Where do we source your personal data?</b>                               | <b>4</b> |
| <b>5</b>  | <b>For what purposes do we process your personal data?</b>                  | <b>4</b> |
| 5.1       | Basic health insurance in accordance with the Health Insurance Act (HIA)    | 4        |
| 5.2       | Supplementary insurance plans according to the Insurance Policies Act (IPA) | 5        |
| 5.3       | Further processing                                                          | 5        |
| <b>6</b>  | <b>What is our legal basis for processing your personal data?</b>           | <b>5</b> |
| <b>7</b>  | <b>What is profiling and automated decision-making?</b>                     | <b>6</b> |
| 7.1       | Profiling                                                                   | 6        |
| 7.2       | Automated decision-making                                                   | 6        |
| <b>8</b>  | <b>With whom do we share your personal data?</b>                            | <b>6</b> |
| <b>9</b>  | <b>Could your personal data also be sent abroad?</b>                        | <b>7</b> |
| <b>10</b> | <b>How do we protect your personal data?</b>                                | <b>7</b> |
| <b>11</b> | <b>For how long do we process your personal data?</b>                       | <b>7</b> |
| <b>12</b> | <b>What are your rights?</b>                                                | <b>8</b> |
| <b>13</b> | <b>Amendments to the Privacy Statement</b>                                  | <b>8</b> |

## 1 About this Privacy Statement

KPT is committed to protecting your privacy when processing your personal data. In this Privacy Statement, KPT therefore explains clearly and transparently how it collects and processes your personal data. By 'data', we mean 'personal data'; that is, all information relating to a specific or identifiable person.

This Privacy Statement applies to our processing of your personal data over any channel, for example, if you contact us by phone or in writing about a contract, use our website/domain ([www.kpt.ch](http://www.kpt.ch)), app or other websites operated by KPT, submit information to us via a social network or take part in one of our events etc., and in connection with all products and services that you obtain from the KPT Group (hereinafter KPT).

Further information on specific data processing can be found in the cookie policy, general terms and conditions and general insurance conditions, special conditions, terms and conditions, declarations of consent and other documents. Mandatory statutory requirements are not generally reproduced in this document.

This Privacy Statement explains how we process data about persons currently or formerly insured by KPT, persons interested in a KPT product or service, health service providers, business partners and other service providers, public authorities and official bodies or their contact persons, persons who apply for a job at KPT and users of KPT websites.

If you transmit or disclose data to us about third parties and other persons such as family members, work colleagues, etc., we assume that you are authorised to do so and that the data is correct. By submitting data about third parties, you confirm this. Please also ensure that these third parties have been informed of this Privacy Statement.

## 2 Who is responsible for processing your data?

### 2.1 Controller

KPT Krankenkasse AG, Wankdorfallee 3, 3014 Bern, is the controller of the data processed by KPT in the context of this Privacy Statement, unless otherwise communicated in individual cases, e.g. in this or other privacy statements, on forms or in contracts.

Unless otherwise communicated, this Privacy Statement also applies if one of the following companies of the KPT Group, rather than KPT Krankenkasse AG, is the controller: Genossenschaft KPT, KPT Holding AG, KPT Krankenkasse AG and KPT Versicherungen AG.

This applies if, for example, the group company processes your data in connection with its own legal obligations or contracts, or where you share data with this group company. In such cases, this group company is the controller and only if you share your data with other group companies for their own purposes will these other group companies become the controller.

### 2.2 Data protection officer

We have a dedicated data protection officer. If you have a data protection enquiry or question about exercising your rights, please do not hesitate to contact us as follows:

KPT Krankenkasse AG  
Data protection officer  
Wankdorfallee 3  
CH-3014 Bern

E-mail: [datenschutz@kpt.ch](mailto:datenschutz@kpt.ch)  
Telephone: +41 (0)58 310 9111

### 3 What personal data does KPT process?

We process different categories of personal data depending on the nature of your relationship with us. These categories are as follows:

#### 3.1 Master data

Master data is the basic data that we need in addition to the contractual data (see below) for the processing of our contractual and other business relationships. This data includes your name, contact details and financial information, date of birth, address, languages, nationality, cantonal and municipal affiliation, telephone number, e-mail address, age, gender, customer history, authorisations, signature authorities and declarations of consent. We do not collect all master data for all contacts. The data collected depends primarily on the purpose of processing.

#### 3.2 Contract data

This is any data associated with the conclusion or execution of a contract, including bank details for the processing of payments, premium payments and reductions, outstanding debts and dunning letters, information from the application process (applications for our products or services, for example), the insurance product, the benefits, the acceptance and termination dates, insurance suspensions and deductibles as well as information about the relevant contract and administration of the contracts (e.g. contact with customer service, support in technical matters and the enforcement of contractual claims). Contract data also includes information about defects, complaints and adjustments to a contract, as well as customer satisfaction information, which we may collect through surveys, for example. Contract data furthermore includes risk assessments concerning you, information about previous and supplementary insurance policies, prior insurance claims, health data and debt collection data as well as, if necessary, your credit rating.

#### 3.3 Benefit entitlement data

Within the scope of health insurance, this category includes information on the review and settlement of benefits or claims for reimbursement, in particular billing and health data (such as medical reports and other information from health service providers), but also recourse data, accident reports, information about other injured persons and involved parties as well as third parties.

#### 3.4 Communication data

If you contact us using a contact form, by e-mail, telephone or chat, by letter or by other means of communication, we collect the data exchanged between you and us, including the content, your contact details, information about your preferred communication channel and the metadata of the communication. If the call or video conference is to be recorded for training, quality or evidence purposes or for our information, we will advise you explicitly of this. If we want or need to verify your identity, e.g. if you request information from us, we will collect data in order to identify you (e.g. a copy of an ID card).

#### 3.5 Technical data

If you use our website, KPTnet, our app or other electronic services (e.g. guest WiFi), we collect the IP address of your device and other technical data to ensure the functionality and security of these services. This data also includes logs that record the use of our systems, in particular the IP address and other device identifiers, user names (in some cases), the date, time and number of visits to the website, as well as pages and content accessed or referring websites. We may also assign an individual code (in the form of a cookie, for example) to you or your device. Our [Cookie Policy](#) provides additional information about our use of cookies and similar technologies (e.g. pixels).

### 3.6 Marketing, activity and preference data

Depending on our relationship with you, we will try to get to know you and better tailor our products, services and offerings to you. To the extent permitted, we collect and use data about your activity and preferences. We do this by evaluating information about your activity when interacting with us, and we may supplement this information with information provided by third parties, including from publicly available sources. We already know some of the data processed for this purpose (e.g. if you use our services), or we obtain this data by recording your activity (e.g. how you navigate our website or the data you provide voluntarily (e.g. when registering and unsubscribing from newsletters).

### 3.7 Other data

We also process data about you in other situations. Data about you (files, evidence, etc.) may also arise in connection with official or judicial proceedings. We may also collect data for health protection reasons (e.g. in the context of protection concepts). We may receive or take photos, videos and sound recordings in which you are identifiable (e.g. at events, through security cameras, etc.). We may also collect data about when certain people access certain buildings or the related access rights (including access controls, based on registration data or visitor lists, etc.), people taking part in events or promotions (e.g. competitions) or about when certain people use our infrastructure and systems. Finally, we collect and process data about our shareholders; in addition to master data, this includes, among other things, information for the relevant registers, information about the exercise of their rights and information about the events held (e.g. general meetings).

## 4 Where do we source your personal data?

Most of the above data is provided by you, e.g. in contact forms, e-mails, postal correspondence, over the phone, through the website, in surveys or competitions as well as in contracts, in particular in the context of a business relationship (e.g. insured persons, customers and business partners, health service providers or users of the website, the app or other applications) or with regard to a possible future business relationship (e.g. prospects, job applications, providers).

However, personal data can also be collected indirectly by:

- Persons and entities authorised by customers
- Other (health) insurers within and outside of the KPT Group (Art. 84a HIA)
- Health service providers and medical examiners
- Exchanging information in the context of administrative assistance (Article 32 of the Federal Act on General Aspects of Social Security Law; GSSLA)

Where permissible, we also take data from publicly accessible sources (e.g. debt enforcement registers, land registers, commercial registers, media or the internet, including social media and professional networks like Xing or LinkedIn) or receive data from third parties (e.g. business partners, brokers). We will only request references from employers who have been disclosed to us. This will be discussed during the interview process.

## 5 For what purposes do we process your personal data?

### 5.1 Basic health insurance in accordance with the Health Insurance Act (HIA)

For basic health insurance in accordance with the HIA, we process personal data in accordance with statutory requirements, in particular for the purposes defined in health insurance legislation (including Art. 84 HIA), to:

- Ensure compliance with compulsory insurance requirements

- Calculate and collect premiums
- Assess benefit entitlements and calculate, grant and coordinate benefits with other social insurance providers
- Assess premium reduction entitlements and calculate and grant these reductions
- Assert a right of recourse against a liable third party
- Oversee the implementation of this act
- Keep statistics
- Assign or verify the OASI number
- Calculate our exposure to risk
- Disclose data in accordance with Art. 84a HIA.

## 5.2 Supplementary insurance plans according to the Insurance Policies Act (IPA)

For supplementary health insurance in accordance with the IPA, we process personal data resulting from the insurance application or contract processing, in particular to assess risk, calculate the premium and process insurance claims, for statistical evaluations and for market research or marketing purposes.

## 5.3 Further processing

We also process personal data, to the extent permitted by law, to:

- Ensure the security of customers, employees and other persons (e.g. to identify threats)
- Protect data, secrets and assets as well as the security of systems and buildings
- Initiate, execute and perform contracts in connection with our services, maintain and develop customer relations, and communicate with (potential) contractual partners
- Comply with legal and regulatory requirements and internal rules
- Prevent fraud, crime and misdemeanours, conduct investigations into such offences and other inappropriate conduct, and deal with civil or criminal legal proceedings
- Enforce or defend legal claims and proceedings or respond to requests from public authorities
- Conduct quality control, market research, marketing, advertising and promotions, and develop products, services and offerings
- Compile statistics, budgets, recordings and management information and other reports on customers, users or other persons, transactions and activities, offerings and other business aspects for the purposes of managing and developing the company, the offering and activities, and for project management purposes
- Manage, operate and develop the website (including providing functions that require identifiers or other personal data) and other IT systems, and perform identity checks
- To sell or purchase business areas, companies or parts of companies and other corporate transactions, and to transfer customer data in relation to these activities.

# 6 What is our legal basis for processing your personal data?

Insofar as KPT requires a legal basis to process your personal data, the following legal bases apply:

- Contract initiation, processing and performance
- Compliance with statutory provisions (e.g. GSSLA, HIA, IPA, FADP)
- The customer's consent, which can be withdrawn at any time by informing us in writing
- Legitimate interests of KPT and third parties, specifically to pursue the purposes described under 5.3 and associated objectives, and perform necessary measures.
  - Security of customers, employees and other persons
  - Protection of data, secrets and assets, and the security of systems and buildings
  - Compliance with legal and regulatory requirements and internal rules
  - Efficient and effective customer support, contact maintenance and other communication with customers, including outside of contract processing

- Efficient and effective organisation of business operations
- Company management and development
- Analysis of customer behaviour, activities and needs, market analysis
- The efficient and effective improvement of existing products and services and the development of new products and services
- Market research, advertising and marketing
- Efficient and effective operation and development of the website and other IT systems
- Sale or purchase of business areas, companies or parts of companies and other corporate transactions
- Prevention of fraud, crime and misdemeanours, conduct investigations into such offences and other inappropriate conduct, and deal with legal proceedings
- Participation in lawsuits, assertion, enforcement or defence of legal claims and proceedings, or requests from public authorities

## 7 What is profiling and automated decision-making?

### 7.1 Profiling

KPT may, for the purposes specified in 5, collect information on an individual's work performance, economic conditions or health as well as data, for example, for identifying potential misuse and security risks or for statistical evaluations or planning purposes. This data processing can also be automated. Profiling may be used in this case. KPT may also create profiles for these purposes, which combine data such as activity and security data, as well as master and contract data and technical data that is assigned to you. If permitted by law, profiling may be used to monitor performance or misuse, for marketing or for risk assessments.

### 7.2 Automated decision-making

An automated decision is a decision based solely on automated processing that either has legal implications for you or affects you significantly. KPT will advise you explicitly if automated decisions are to be made.

## 8 With whom do we share your personal data?

If we are legally obliged or authorised to do so, or if you have consented to the disclosure of your data, we will also transfer your personal data to third parties for the above-mentioned purposes, including the following categories of recipients:

- Companies of the KPT Group
- Service providers, e.g. banks, insurers, IT providers, marketing companies, data analysis service providers, debt collection service providers
- Business partners, e.g. suppliers, dealers and partner companies
- Brokers
- Industry organisations, associations and other bodies
- Public authorities, courts, official bodies, supervisory authorities and other social and private insurers, if we have the requisite authority or are subject to a legal obligation
- Other parties in potential or actual administrative and judicial proceedings
- Purchasers or parties interested in the acquisition of business areas, companies or other parts of KPT
- Other persons, insofar as their involvement is related to one or more of the above purposes.

The recipients are contractually obliged to maintain confidentiality and comply with applicable data protection laws at all times and to implement appropriate technical and organisational measures to secure

the personal data and adequately protect it against unauthorised or unlawful processing, accidental loss, alteration, disclosure or access.

## 9 Could your personal data also be sent abroad?

Recipients of personal data may not only be located in Switzerland but also abroad, often within the EEA, but in some cases also worldwide. If a recipient is located in a country without adequate data protection legislation, we contractually oblige the recipient to comply with the applicable data protection or ensure an appropriate level of protection (usually based on the standard contractual clauses of the European Commission, available at [https://eur-lex.europa.eu/eli/dec\\_impl/2021/914/oj?](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?)), unless already subject to a legally recognised set of rules to ensure data protection and we cannot rely on an exemption. An exemption may apply, in particular, in legal proceedings abroad, but also in cases of overriding public interest or if a contract settlement requires such disclosure, if you have given your consent or if you have made the data generally accessible and have not objected to its processing.

Please also note that data exchanged over the internet is often routed through third countries. Your data may therefore be sent abroad even if the sender and recipient are located in the same country.

## 10 How do we protect your personal data?

We implement appropriate technical and organisational measures to ensure the confidentiality, integrity and availability of your personal data, to protect it against unauthorised or unlawful processing, and against accidental loss, alteration or unauthorised disclosure or access.

Technical and organisational security measures may include, for example, measures such as data encryption and pseudonymisation, logging, access restrictions, the storage of backup copies, instructions to our employees, confidentiality agreements and controls. We use appropriate encryption mechanisms to protect data that you submit to our website during transmission. However, we can only secure areas that we control. We require all our data processors to take appropriate security measures but it is impossible to completely rule out all security risks, and some residual risks are unavoidable.

Our employees are contractually obliged to maintain secrecy. In respect of the HIA, the obligation to maintain professional secrecy in accordance with Art. 33 GSSLA also applies.

In accordance with Art. 59a of the Health Insurance Ordinance (HIO), KPT must have a certified data reception service. The data reception service as well as the medical examination service of KPT are certified in accordance with the Ordinance on Data Protection Certification (DPCO) and the GoodPriv@cy data protection standard. The international GoodPriv@cy certificate is awarded by leading Swiss conformity assessment body SQS and requires an annual surveillance audit.

## 11 For how long do we process your personal data?

We process and store your data for as long as required for our processing purposes, for the statutory retention periods, for documentation and evidence purposes in line with our legitimate interests, or when technical constraints necessitate storage. Technical constraints might require storage if specific personal data cannot be separated from other data and must be retained together (e.g. in the case of backups or document management systems). The statutory retention period is usually 10 years. Shorter retention periods may apply for some types of data, such as telephone or video surveillance recordings, for example, or automated data processing logs. In the case of job applications, this Privacy Statement will be deemed accepted by the applicant and authorises us to retain all data even after a rejection for future reference in the case of a new application. Data from job applications will be retained for no more than one year, after

which time it will be destroyed. Longer retention periods may apply in the case of accidents or certificates of loss. Documentation and evidence purposes include our interest in documenting processes, interactions and other facts relating to legal claims, discrepancies, IT and infrastructure security purposes, and evidence of good corporate governance and compliance.

Once your data is no longer required for the above purposes, it will be deleted or anonymised.

## 12 What are your rights?

To make it easier for you to control the processing of your personal data, you have the following rights in connection with our data processing, provided that the relevant legal requirements are met and there are no reasons for a restriction or deferral:

- The right to request confirmation of whether we process personal data concerning you and information about this data
- The right to request rectification of incorrect data
- The right to request that your data be erased
- The right to obtain from us the personal data concerning you in a commonly used electronic format or to transmit this data to another controller
- The right to withdraw your consent with effect for the future, where our processing is based on your consent
- The right to receive, on request, further information necessary for the exercise of these rights.

Please note that we may need to process and store your personal data in order to fulfil a contract with you, to protect our own legitimate interests, such as the exercise or defence of legal claims, or to comply with legal obligations. To the extent permitted by law, in particular to protect the rights and freedoms of other data subjects and to protect legitimate interests, we may therefore also reject a data subject's request in whole or in part (e.g. by redacting certain content that concerns third parties or our business secrets).

To exercise any of the above rights, please contact the persons named in 2. To enable us to rule out misuse, we must identify you (e.g. with a copy of an official identification document, e.g. ID or passport, on which unnecessary information can be redacted).

## 13 Amendments to the Privacy Statement

This Privacy Statement does not form part of a contract with you. We may amend it at any time. The version published on this website is the current version.