

Privacy Policy

1. Introduction

This Privacy Policy aims to promote transparency in the processing of personal data of users (referred to in this document as "data subjects") of the **Grupo 65** application, ensuring compliance with the **General Data Protection Regulation (GDPR)**, specifically with the requirements established in **articles 13.º and 14.º**, which ensure the provision of clear and accessible information about the processing of personal data, whether collected directly from the data subject or obtained from third parties.

2. Identity and Contact Information of the Data Controller

In accordance with **article 13.º, n. º1, item a)** of the GDPR, we inform you that the controller of your personal data is **Grupo 65 Lda**, located at **Rua António Bernardino Almeida, 431, 4200-529 Porto**. For questions regarding the processing and protection of your data, you can contact us via email at grupo65lda@gmail.com.

3. Personal Data Collected

Under **article 5.º, n. º1, item c)** of the GDPR, and provided the user (data subject) has given explicit consent, as stipulated in **article 6.º, n. º1, item a)** of the GDPR, we inform you that **Grupo 65** collects and has access to the following personal data:

- Full name
- Date of birth
- Gender
- Contact information: Email address, phone number, emergency contact
- Health information: User number, list of allergies/medical conditions, consultation history, etc.

4. Purposes of Data Processing

Pursuant to **article 13.º, n. º1, item c)** of the GDPR, we inform the user (data subject) that their collected personal data is used for the following purposes:

- Provision of healthcare services
- Management and updating of medical records
- Communication about treatments, results, and services
- Administrative and operational purposes
- Compliance with legal and contractual obligations
- Use of *cookies* (see section 13)

5. Legal Basis for Data Processing

The processing of health data will be carried out in compliance with the provisions of **article 9.º, n. º2** of the GDPR, which provides specific exceptions for the use of such data, ensuring the protection of sensitive information. In this context, the processing of health data by the **Grupo 65** application will only take place if:

- The user/data subject has given explicit consent for one or more specific purposes (**article 9.º, n. º2, item a**) of the GDPR).
- The processing is necessary for purposes of public interest archiving, scientific or historical research, or statistical purposes, ensuring appropriate safeguards for the rights and interests of the users/data subjects in accordance with **article 89.º, n. º1** of the GDPR (**article 9.º, n. º2, item j**) of the GDPR).

6. Recipients of Personal and Health Data

In accordance with **article 13.º, n. º1, item e**) of the GDPR, **Grupo 65** informs that it does not share your personal data with third parties, except when necessary for service delivery or required by law. We use data storage services, specifically the *MySQL* database solution, ensuring that access to data is restricted to the performance of the services provided. The processed data mentioned above is accessible to healthcare service units that use our application, such as hospitals and healthcare centers, for providing healthcare services to their patients, in compliance with the GDPR and applicable national legislation.

7. Data Retention Policy

7.1 Introduction

In accordance with **article 13.º, n. º2, item a**) of the GDPR, we present the data retention policy, based on the criteria defined by the **Health Regulatory Authority** and **Administrative Health Regulations (RAH)** regarding retention periods, post-deletion request retention periods, and justification for data retention during that period, ensuring secure and responsible handling of your information.

7.2 Data Retention Periods

Personal data, including health data, will be retained for as long as necessary to fulfill the purposes for which they were collected. Under applicable legislation, the retention periods for health data are as follows:

- Clinical data and health processes: Health-related data will be retained for a minimum of five years from the final date of the processes, documents, or records (**article 2.º, n. º4** of the RAH).
- After the retention period:
 - If the data is no longer needed for the purposes for which it was collected, it will be deleted or anonymized (**article 8.º, n. º1** of the RAH).
 - Paper clinical processes that do not require permanent archiving will be destroyed after the five-year period.

7.3 Retention of Data for Research or Investigation Purposes

As provided in **article 9.º, n. º2 item j)** of the GDPR, the **Grupo 65** application may retain health data for scientific research or statistical purposes under **article 89.º** of the GDPR. Where necessary, the data will be:

- Anonymized whenever possible to ensure it cannot be linked to specific individuals.
- Pseudonymized when anonymization is not feasible, with additional security measures applied to protect personal data.
- Limited to strictly necessary data for research or investigation purposes, as stipulated by applicable legislation.

7.4 Security Measures and Compliance

The **Grupo 65** application implements appropriate security measures to protect your personal data against unauthorized access, alteration, disclosure, or destruction. These measures include encryption of data during transmission and storage, firewalls, pseudonymization of personal data where applicable, access control with multi-factor authentication, and regular audits to ensure compliance with data protection standards.

8. Rights of the Data Subject

In accordance with **article 13.º, n. º2, item b)** of the GDPR, we inform users/data subjects of the following rights regarding the processing of their personal data:

Right to Information

Grupo 65, as the data controller, must provide clear and accessible information to the data subject, whether the data is collected directly or from third parties, as stipulated in **articles 13.º and 14.º** of the GDPR. This right is ensured through this privacy policy.

Right to Access

The user/data subject may request a copy of the personal data being processed by **Grupo 65**, along with information on the purposes of processing, the data being processed, recipients, retention periods, the rights of the data subject, the source of the data, and the existence of automated decisions, as stipulated in **article 15.º** of the GDPR. This information is included in the privacy policy, which is presented to users at the time of registration in the application and is available for review in the profile settings section.

Right to Rectification

The user/data subject has the right to request correction or updating of inaccurate or incomplete personal data. **Grupo 65** commits to updating data promptly, ensuring the information is accurate and up-to-date, as stipulated in **article 16.º** of the GDPR.

Right to Erasure of Data

The user/data subject has the right to request the erasure of their personal and health data in the following situations: if the personal data is no longer necessary for the purposes for which it was originally collected; if they withdraw consent and there is no other legal basis for processing; if they object to the processing of the data and there are no legitimate interests on the part of **Grupo**

65 that justify the continuation of processing; if the data is processed unlawfully; or if the personal data must be erased to comply with a legal obligation.

However, as stated in **article 17.º, n. º3, item d)** of the GDPR, this right does not apply if the data is necessary for processing for the purposes of public interest archiving, scientific or historical research, or statistical purposes, under **article 89.º, n. º1** of the GDPR, and its deletion would impair this purpose. An exception to this right also applies if the data is necessary for the exercise of rights in legal proceedings.

When **Grupo 65** receives an erasure request, it verifies the identity of the user to ensure that the request is legitimate and corresponds to the data subject. It then evaluates the validity of the request according to the described obligations, and after the evaluation, contacts the user for the final decision, whether regarding the erasure of the data or the reasons for retaining it. If the request is valid and the data does not fall under any legal exceptions, **Grupo 65** proceeds with the irreversible erasure of the data or its anonymization. When the data is necessary for research, public health, or other purposes of public interest, the data will be retained in accordance with applicable legislation.

Right to Restriction of Processing

The user/data subject has the right to request the restriction of processing of their personal data in certain circumstances, for example, if they contest the accuracy of the data, the processing will be limited for the period necessary to verify its accuracy; if the processing is unlawful and they opt for restriction instead of erasure of the data; if the data is no longer necessary for the purposes of processing, but the user/data subject needs to restrict it for the defense of a right in legal proceedings. In the case of restriction of processing, the data will only be stored, not used for other purposes, except with the consent of the user/data subject or if they are necessary for the defense of a right in legal proceedings, as described in **article 18.º, n. º2** of the GDPR. As stated in **article 18.º, n. º3** of the GDPR, **Grupo 65** will inform the user/data subject before any restriction of processing is lifted.

Right to Object

The user/data subject has the right to object, at any time and for reasons related to their particular situation, to the processing of their personal and health data, including profiling. For data processed for scientific, historical, or statistical research (**article 89.º, n. º1** of the GDPR), they may object, unless the processing is necessary for public interest purposes. **Grupo 65** will cease processing the data, unless there are overriding legitimate reasons that prevail over their rights or if the processing is necessary for judicial purposes.

Right to Data Portability

The user/data subject has the right to receive the personal and health data that they have provided to us, in a structured, commonly used, and machine-readable format, and to transmit that data to another data controller, as set out in **article 20.º, n. º1** of the GDPR. They also have the right, according to **n. º2** of the same article, for their data to be transmitted directly from the **Grupo 65** application to another entity, provided it is technically feasible.

Right to Withdraw Consent

Under **article 13.º, n. º2, item c)** of the GDPR, we inform the user/data subject that they have the right to withdraw their explicit consent for the processing of their personal and health data at any time, as provided in **article 7.º, n. º3** of the GDPR. The withdrawal of consent does not affect the lawfulness of the processing carried out based on the consent previously given. If the user wishes to exercise this right, they may contact us via: grupo65lda@gmail.com.

Right to Lodge a Complaint

In accordance with **article 13.º, n. º2, item d)** of the GDPR, we inform the user/data subject that they have the right to lodge a complaint if they consider that the processing of their personal and health data by **Grupo 65** does not comply with the legal requirements set forth in the applicable legislation. The supervisory authority responsible for receiving these complaints in Portugal is the **Comissão Nacional de Proteção de Dados (CNPd)**. You can contact the CNPD through the official website www.cnpd.pt or by other means indicated by the authority.

9. Obligation to Provide Personal Data

In accordance with **article 13.º, n. º2, item e)** of the GDPR, we inform the user/data subject that there is no contractual relationship with **Grupo 65**, and the processing of their personal and health data is only permitted with the explicit consent provided by the user/data subject. However, **Grupo 65** enters into contracts with the client entities of the application, in this case, healthcare units, and for the fulfillment of the services outlined in the contract, it is necessary to share personal and health data of the data subject with the **Grupo 65** application.

If the data subject does not wish to, they are not legally obligated to share their data with **Grupo 65** and have the right to withdraw their explicit consent. However, this decision may affect the healthcare management process at their healthcare unit and may consequently delay the processing of treatments and healthcare that the data subject requires.

10. Source of the Data

As provided in **article 14.º, n. º2, item f)** of the GDPR, we inform you that **Grupo 65** collects personal and health data directly from the user/data subject at the time of registration in the application or through sharing by healthcare service units that use our application, such as hospitals and health centers, to provide healthcare services to their users, in accordance with the GDPR and applicable national legislation.

11. Automated Decisions

Under **article 13.º, n. º2, item f)** and **article 14.º, n. º2, item g)** of the GDPR, we inform the user/data subject that the **Grupo 65** application uses solely automated decisions for setting surgery dates, based on data provided by the healthcare units. The healthcare units send us information about the surgeries that need to be scheduled, including a deadline for their performance. After receiving this data, our genetic algorithm analyzes the surgeries in order of priority, considering the date they were entered into the system, the defined deadline, and the estimated time for each surgery. This process optimizes scheduling, prioritizing urgent surgeries and ensuring they are completed within the deadline.

However, if the user/data subject requires it, we remain available, as outlined in **article 22.º, n. º3** of the GDPR, to review the surgery date based on availability and proof of approval by the healthcare unit. For this, the user/data subject can request this through our contact: grupo65lda@gmail.com.

This information is shared with the user/data subject in the explicit consent document for data processing (**article 22.º, n. º2, item c)** of the GDPR).

12. Availability of Information about Data Processing

In accordance with **article 14.º, n. º3** of the GDPR, we inform the user/data subject that this privacy policy is presented to users/data subjects at the time of registration in the **Grupo 65** application and is available for consultation in the profile settings area. We recommend that you review it regularly to stay informed about how we process your personal data.

The privacy policy may be updated periodically. Changes will be communicated to users/data subjects through the application or by email, if necessary, within a maximum of 1 month after the modifications, as provided in **article 14.º, n. º3, item a)** of the GDPR. If there is a need to share data with healthcare service units before that period, we will make the communication at the latest when the data is disclosed, in accordance with **article 14.º, n. º3, item c)** of the GDPR.

We also inform you that consent for data processing is requested from the user/data subject at the time the data is collected, i.e., at the time of registration in the application. If the data has been shared with **Grupo 65** by healthcare service units before the registration time, the signed consent of the data subject is required at the time of sharing.

13. Cookie Policy

The **Grupo 65** application uses *cookies* to improve the user's browsing experience and ensure the proper functioning of the services. *Cookies* are small text files stored on the user's device that allow the recording of preferences, monitoring behavior within the application, and personalizing the user experience. We use essential *cookies* that are necessary for the application to function properly, such as session *cookies*, which keep the user's session active, and security *cookies*, which prevent fraudulent activities such as unauthorized access.

You can manage *cookies* through the settings. However, if you disable essential *cookies*, some features of the application may not function correctly.